



**Department of Energy**  
Washington, DC 20585

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4300 Cherry Creek Drive South  
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Subject: U.S. Department of Energy Transition Issues at the Hecla Limited Durita Facility, Montrose County, Colorado; Radioactive Materials License No. 317-02

Dear Dr. Wang:

As discussed in our teleconference on March 19, 2019, this letter is being provided to inform the Colorado Department of Public Health and Environment (CDPHE) of several outstanding concerns at the Durita, Colorado, Disposal Site. These concerns should be resolved for the U.S. Department of Energy Office of Legacy Management (LM) to finalize the Long-Term Surveillance Plan (LTSP) and to estimate the long-term surveillance costs.

As indicated in our letter dated May 29, 2018, LM is revising the LTSP to reflect current site conditions, updated records, and information that has been made available since the 2005 LTSP draft was created. To complete the LTSP and move forward with the associated real property actions, including initiating a Bureau of Land Management (BLM) land withdrawal, LM must have a proposed site boundary. Though a property boundary was included in CDPHE's March 2016 Completion Review Report (CRR) (page 107), LM would like CDPHE to consider the enclosed proposed boundary (Proposed Long-Term Care Boundary, Durita, Colorado, Disposal Site). This proposed boundary provides additional buffer area around disposal structures to allow LM unfettered access should these features need maintenance. LM intends to pursue a withdrawal of the additional area from the (BLM).

In addition to the site boundary, LM would also like to provide CDPHE the following recommendations which were also discussed in the teleconference:

1. Fencing – As noted in the trip report from the September 6, 2018 site visit, some of the perimeter fencing is near the end of its service life and is not enough to keep out livestock. LM recommends fencing be replaced with a wildlife-friendly stock fence to keep livestock out, while allowing wildlife to cross without damaging the fence. This will eliminate the need for LM to do this work shortly after transition.

2. Fencing – Fencing has been installed outside the site boundary on the west, north, and south sides of the site. At the northwest corner, the encroachment appears to be 17 feet onto the private property to the west and 36 feet onto BLM property to the north. On the south side of the site, fencing is located on non- right-of-way (ROW) BLM property. All boundary monuments other than BM-3 are outside the fenced area (Figure 1). Boundary monuments are presumed to be in the correct location but will need to be verified (see item 3 below). Replacement fencing should be installed on the proposed site boundary, should the licensee and state agree, and resolve encroachment on adjacent land. The site configuration reflected in the CRR shows fencing around disposal structures only. LM finds fencing around the entire site boundary to be more protective.



*Figure 1. Boundary Monument BM-3 inside Fencing at the Durita, Colorado, Disposal Site (2008)*

3. Survey – As noted in item 2, perimeter fencing is not aligned with boundary monuments and will need to be corrected. To ensure that boundary monuments are placed correctly, LM requests any available survey notes to accompany the plat from the 2000 Del-Mont survey.
4. Rock and gravel placement – in 2017, Hecla Limited placed rock as energy dissipating structures in the incised area of the central diversion channel at the far south portion of the site and placed gravel at the outlet end of the channel where head cutting was occurring. As this installation is a deviation from the original site design, LM requests a technical basis for this work, specifically a design specification including technical criteria used to select the rock and gravel, how placement and quantity were determined, and what maintenance is required. In inspection correspondence to CDPHE dated March 27, 2018 (enclosed), Hecla Limited described consultation with a BLM hydrologist, who cited a design reference and “cautioned that these concepts may need rock in 5-10 years.” A search of CDPHE records did not yield any further technical information on these erosion control measures. LM understands the concept of using check dams to shorten slope lengths and reduce velocities and erosion potential. LM would appreciate an analysis of the design to demonstrate that storm water will not erode soil around the installed rock features. LM has witnessed erosion issues at other transitioned sites and would like a technical basis to demonstrate the erosion repair is sufficient to maintain the site functions as designed.
5. Subsurface estate – Hecla has indicated they possess all mineral rights below their fee land at the site. As part of the due diligence and records acquisition process, LM requests documentation of these rights. Additionally, LM requests Hecla Limited determine if any active mineral leasing or applications for permits are present in the proposed BLM withdrawal area and to provide documentation that these activities are not occurring.

Please contact me at (970) 248-6036 or [Ken.Kreie@lm.doe.gov](mailto:Ken.Kreie@lm.doe.gov) if you wish to discuss this or any other matter. Please address written correspondence to:

U.S. Department of Energy  
Office of Legacy Management  
2597 Legacy Way  
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Sincerely,

Ken Kreie  
Durita Site Manager

Enclosures

cc w/enclosures:

D. Holland, Hecla Limited

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DOE Read File

File: DTA 3500-10

