



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

October 28, 1996

Mr. Richard Sena, Acting Director  
Environmental Restoration Division  
Uranium Mill Tailings Remedial Action  
Project  
U.S. Department of Energy  
2155 Louisiana NE, Suite 4000  
Albuquerque, NM 87110

SUBJECT: VICINITY PROPERTY COMPLETION REPORT FOR THE RIFLE, COLORADO  
VICINITY PROPERTY NUMBER RF-508

Dear Mr. Sena:

The U.S. Nuclear Regulatory Commission staff has completed its review of the Vicinity Property Completion Report (CR) and the Vicinity Property Certification Summary and Decision for vicinity property RF-508 (north of Old Rifle Mill Site) in Rifle, Colorado, submitted by letter dated August 9, 1996. NRC concurrence on this CR is required because the U.S. Department of Energy (DOE) applied supplemental standards during remediation.

The RF-508 property consists of a 66 foot by 45 foot fenced compound enclosing a two story building and several satellite dishes. The RF-508 property extends from the fence around the south edge of the compound down a steep 100 foot bluff to the highway right of way. DOE remediated the contaminated area at the top of the bluff in the compound, and applied supplemental standards in order to leave tailings contamination (approximately 52 cubic yards over 310 square feet) on the steep to vertical and very unstable slope of the bluff that comprises much of this property. DOE based the application on criteria a, b, and c of 40 CFR 192.21.

Based on its review of the CR, NRC staff cannot conclude that the remedial action complies with the EPA standards, unless the following information is provided for the CR.

1. The CR indicates the application of supplemental standards was based in part on criterion b, but does not discuss the environmental impacts of concern. DOE should provide discussion to support the contention that the supplemental standards application meets criterion b, that remediation would cause excessive environmental harm that is long-term, manifest, and grossly disproportional to health benefits that may reasonably be anticipated. Alternatively, DOE could remove criterion b from the list of applicable EPA criteria (Section B.1).
2. DOE should indicate if the concrete block building is potentially habitable, because the estimated annual working level (radon daughter

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concentration) is at the limit of 0.02 WL.

3. CR Sections 3.1.2 and 3.2.2 imply that the working level criterion is 0.03 WL, but 40 CFR 192.12 (b)(1) states that every reasonable effort shall be made to achieve 0.02 WL. The CR statements should be reconciled.
4. Drawing RF-508-020 indicates that the northeast part of the remediated area (verification grid 2) is not on this vicinity property and that area SVG-19, next to the dirt road, was verified with another property. DOE should indicate why the northeast area is considered with this property, and provide the verification data for grid SVG-19.

If you have any questions concerning this letter, please contact the NRC Project Manager, Janet Lambert at (301) 415-6710.

Sincerely,

/s/ Daniel M. Gillen For J. Holonich

Joseph J. Holonich, Chief  
Uranium Recovery Branch  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards

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VP No.: RF-508  
NRC Review Form  
for Supplemental Certification  
of Vicinity Properties

The Department of Energy (DOE) has determined that the remedial action at the following vicinity property (VP) has been completed and thereby complies with supplemental standards invoked by DOE under 40 CFR, Subpart C, specifically Subsections 192.21 and 192.22.

☐ NRC concurrence for the Radiological Engineering Assessment (REA) given on: \_\_\_\_\_

☒ Supplemental standards were not in the REA, special circumstances required that supplemental standards be involved during remedial action.

Steven C. Hamp  
Steven C. Hamp, DOE Certification Officer

8/12/96  
Date

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Based on the information and certification provided by the DOE, the NRC:

☐ concurs that the remedial action at the subject VP has been completed under its authority provided by the Uranium Mill Tailings Radiation Control Act (UMTRCA), Section 104(f)(1) and as described in the Memorandum of Understanding (MOU), Appendix A, Section 3.4.

☐ concurs, as above, except for the following conditions:

- 1.
- 2.
- 3.

☐ See attached sheets for any additional provisions.

☒ needs additional information to make a concurrence decision. This information consists of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ See attached sheets for any additional informational needs.

\_\_\_\_\_  
NRC Concurring Official and Title

10/28/96  
Date