



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-103

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-103 (south of Highway 6 West) in Rifle, Colorado, submitted by letter dated August 9, 1996. NRC concurrence with this CR is required because the U.S. Department of Energy (DOE) applied supplemental standards during remediation.

Supplemental standards were applied in order to leave tailings contamination (approximately 1417 cubic yards over 8485 square yards) under, and to 15 feet from railroad tracks (portion of the mainline and six spur lines) owned by the Denver and Rio Grande Western Railroad. Since complete remediation would have required the removal and replacement of 3180 feet of track in order to excavate the contaminated material, the railroad would not allow remediation of those areas. DOE based the application on criteria a and c of 40 CFR 192.21 because of the owner's concerns and the hazardous conditions for remediation workers, and because the estimated remedial cost would be high considering the potential use of this portion of the property.

For the remediated portion of the property, none of the verification soil samples recorded exceed the U.S. Environmental Protection Agency (EPA) standards for Ra-226 in soil. Interior contamination was removed from beneath shed #2. As a result, working level and gamma radiation (uR/hr) limits, as required by 40 CFR 192.12(b)(2), were achieved.

Based on NRC staff's review of the CR, it appears that DOE's application of supplemental standards was appropriate. However, NRC staff concludes that the following items should be addressed before NRC can concur on the CR:

1. 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 corrected.

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2. Drawing RF-103-035 indicates that supplemental standards were planned or applied in the Radiological Engineering Assessment (REA). DOE should clarify if supplemental standards were indicated in REA, and if so, why NRC concurrence was not obtained prior to remediation.

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

Sincerely,

7s/ Daniel M. Gillen For J. Holonich

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

Enclosure: As stated

cc: S. Aro, DOE Alb
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VP No.: RF-103
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