



Department of Energy
Albuquerque Operations Office
P.O. Box 5400
Albuquerque, New Mexico 87185-5400

January 9, 1997

Mr. Joseph J. Holonich, Chief
Uranium Recovery Branch
Office of Nuclear Materials
Safety and Safeguards
Mail Stop T7J9
U.S. Nuclear Regulatory Commission
11545 Rockville Pike
Rockville, MD 20852-2738

Dear Mr. Holonich:

As document in the enclosed letter, the Department of Energy has approved of the Colorado Department of Public Health and the Environment's (CDPHE) proposed use for the Gunnison processing site. The CDPHE plans to transfer the processing site to Gunnison County for use within their Road and Bridge Department. Prior to approving this action it was discussed with, and concurred upon by, Ms. Charlotte Abrams, of your staff.

Feel free to give me a call at (505) 845-5668 if you have any questions.

Sincerely,

Sharon J. Arp
Site Manager

Uranium Mill Tailings Remedial Action Team
Environmental Restoration Division

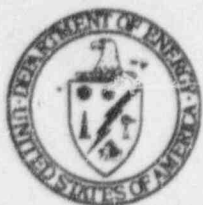
Enclosure

cc:
S. Hamp, ERD
E. Artiglia, TAC

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January 9, 1997

Ms. Angela M. Hutton-Howard
Environmental Protection Specialist
Hazardous Materials and
Waste Management Division
Colorado Department of Public Health
and the Environment
4300 Cherry Creek Drive South
Denver, Colorado 80222-1530

Dear Ms. Hutton-Howard:

The Environmental Restoration Division has reviewed your letter to Mr. Ray Plienness dated November 19, 1996. In part, this letter requested approval to transfer the Gunnison Uranium Mill Tailings Remedial Action processing site to Gunnison County Road and Bridge Department. Public Law 95-604, Section 104(e)(1)(B), requires that former processing sites donated to a governmental entity must be used solely for park, recreational, or other public purposes. The Department of Energy (DOE), in consultation with the Nuclear Regulatory Commission (NRC), agrees that use of this property by the Gunnison County Road and Bridge Department is consistent with Public Law 95-604.

At this time the surface remedial action performed by the DOE has not yet been concurred upon by the NRC; concurrence is currently scheduled for the end of April 1997. Until this approval has been obtained there is a possibility that removal of addition contamination could be required. If further surface remedial action was required, improvements made to the site (buildings, concrete slabs, etc.) could be damaged. In order to protect DOE's financial liability, the CDPHE, or Gunnison County, will be required to accept all financial responsibility for any damage to these improvements. This requirement is outlined in the policy entitled *Disposition of Designated Processing Sites*. This policy was transmitted to the CDPHE on June 11, 1996.

Prior to formal transfer of the processing site to Gunnison County, the CDPHE must provide to the DOE evidence that all requirements outlined in the above referenced policy are met. Specifically, CDPHE needs to demonstrate that any proposed modifications to the property would not impact performance of ground water compliance activities, and that use of the property would be protective of human health and the environment.