

40-3453

WESTERN ASSOCIATION OF LAND USERS (WALU)  
BOX 783, MOAB, UTAH 84532

May 27, 1997

**SUBJECT: Should the Atlas Corporation uranium mill tailings pile located at Moab, Utah be capped in place or relocated?**

WALU held their regular monthly meeting on Monday May 12, 1997, and, after broad discussion and debate, directed that the following resolution be drafted and forwarded to the appropriate elected officials. The twenty people in attendance voted unanimously to cap the tailings pile in place.

The following points summarize our discussions on the subject at our meeting:

- *Why is the NRC decision to cap the Atlas tailings pile in place being questioned and disputed?*
- *Why are the Atlas Corporation studies, that indicate that the tailings should be safely capped in place, being questioned and renounced?*
- *Is the present system of environmental law breaking down? Is it proving to be unworkable when a responsible company such as Atlas Corporation, after obeying all regulations, acting in good faith by posting a multi-million dollar bond and spending millions of dollars on extra scientific studies, has to be rewarded by an adverse publicity campaign and confronted with legal action by special interest groups that threaten to bankrupt them?*
- *Why is a legal and public relations campaign, that has the appearance of a crusade, being conducted to move the tailings pile? Is truth being sought, or is the campaign based on some sort of covert special interest political and economic agenda?*
- *Why are the special interest groups pursuing panic-inducing scenarios (unbacked by objective science) that falsely indicate that capping in place is unsafe?*
- *In the absence of solid scientific and objective evidence, is the political and local economic motive sufficient reason to move the tailings, or is it just a gross waste of taxpayer dollars?*
- *Are past Grand County officials, the State of Utah, and special interest groups justified in spending an extra \$100 million, or more, of our hard-earned federal tax dollars in moving the tailings to benefit Moab's economy?*



N2059

To our knowledge, the following reasons were presented by Atlas' detractors for moving the pile to a new location. We openly and objectively address these reasons here:

1. It would economically benefit Grand County and create jobs.

We agree that this is possible. However, this is just an allegation. Our investigation into the decommissioning work and the interim tailings cover work recently completed by Atlas indicates that this will not have much impact on the local economy as Atlas was able to hire only one local qualified person in their recent completion of this program, in spite of the work being well advertised through "Job Service," etc. This temporary work had to be done by "outsiders."

Therefore, we do not see this point as a valid argument to warrant moving the tailings to a new location and the unnecessary spending of millions of extra taxpayer dollars.

2. It would provide an unimpeded view of Moab when people are driving into town from the north, especially at night.

We agree that this is possible. However, it should not be a reason to spend many millions of extra taxpayer dollars. Moreover, if the pile is reclaimed in place, the view from the north will be less impeded than it presently is because the in-place reclamation plan calls for the pile to be lower.

Therefore, we do not see this point as a valid argument to warrant moving the tailings to a new location and the unnecessary spending of millions of extra taxpayer dollars.

3. It frees up the privately owned Atlas Corporation land.

We do not agree. Atlas owns the land, not Grand County, or the special interest groups. It is therefore Atlas' decision as to what is done with it; at least that portion of it that does not have to be regulated by the government. In addition, if the tailings are moved, and, due to the more exacting standards that will be required for ground water clean up before the land can be released for unrestricted use, it is unlikely that Atlas' land will be released by the government very soon; perhaps not for 50-100 years.

Therefore, we do not see this point as a valid argument to warrant moving the tailings to a new location and the unnecessary spending of millions of extra taxpayer dollars.

4. It will relieve the minds of people that are reacting to the panic-induced scenarios that are being spread about by special interest organizations and people.

This is possible, because these people are neither trained in radiation safety nor understand the nature of radioactivity. However, we believe that nothing will relieve the minds of the special interest groups.

Therefore, we do not see this point as a valid argument to warrant moving the tailings to a new location and the unnecessary spending of millions of extra taxpayer dollars.

**5. The river pollution will affect 18 million downstream users**

We do not agree with this statement. We think this is merely "scare tactics" used by Atlas' detractors and is simply not true. If Atlas' detractors had bothered to take the time to study the detailed technical reports they would have discovered that there is nothing for the public to worry about on the potential for river pollution. Whether the pile is reclaimed in place, or it is moved, the only constituent in the river that may possibly be caused by the Atlas operation is ammonia. This is the only constituent that is above the Utah State water quality standard, and is only above this standard at extremely low river water flows. Moreover, it only affects a small area within a mile of the plant known as the "mixing zone". At normal river flow rates it is unlikely that ANY pollutant exceeds the Utah State, or the EPA, drinking water standards!

Therefore, we do not see this point as a valid argument to warrant moving the tailings to a new location and the unnecessary spending of millions of extra taxpayer dollars.

**6. The pile is sitting on an active earthquake fault**

Not true.

Therefore, we do not see this point as a valid argument to warrant moving the tailings to a new location and the unnecessary spending of millions of extra taxpayer dollars.

**7. The pile will be "washed" down the Colorado River under the worst flood conditions**

Untrue, because, under the worst flood flow conditions (the design flood, known as the Probable Maximum Flood, or PMF -- which is about five times the size and intensity of the 100-year flood), the river between the bridge (upstream) and the portal (downstream) acts like a lake. Thus, under such conditions of tranquil flow there are insufficient natural forces to cause any problem. In other words, it is impossible for the tailings to be "washed down the river" as claimed by Atlas' detractors.

[Notwithstanding this fact, the public should be aware that many "uranium orebodies" have already been washed down the river by nature in the geologic past without any ill effect. Only, these "natural deposits" included the uranium. The public should also be aware that, even if it were possible to wash the tailings pile down the river, it would not be a major problem as, in addition to the "uranium orebodies" that already exist in the Colorado river, a commercial uranium mill tailings pile also exists in Lake Powell that is apparently of no concern. The reason this is not of concern is that the radon flux (the main reason for the NRC regulations) is effectively attenuated by water, dust (of course) is nonexistent, and the gamma radiation is attenuated to background by a few feet depth of water. Nevertheless, Atlas is not allowed to push the pile into the river, because it is against the law!]

Therefore, we do not see this point as a valid argument to warrant moving the tailings to a new location and the unnecessary spending of millions of extra taxpayer dollars.

## RESOLUTION IN SUPPORT OF CAPPING THE ATLAS TAILINGS PILE IN PLACE

WHEREAS: The case for moving the tailings is weak and ignores scientific evidence and expertise that has gone into analyzing the problem.

WHEREAS: Moving the tailings pile would create an additional tailings site to monitor, as well as the one present site.

WHEREAS: Moving the tailings pile will considerably increase the dust and radiation (mainly radon) that will be released into the atmosphere and thus considerably increasing the health risks to the public.

WHEREAS: Objective, reasonable science by experts in this business indicate that capping the tailings in place is the best option for protecting the publics' health and equally as good for protecting the environment and wildlife.

WHEREAS: The tailings pile should be capped in place as soon as possible to prevent further rainwater infiltration from entering the pile (and thus the underlying ground water) and to prevent any more unnecessary radon releases.

WHEREAS: There is a danger that moving the tailings will bankrupt Atlas Corporation and deprive the nation of the commerce and taxes that such corporations provide.

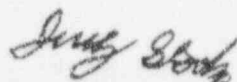
WHEREAS: Moving the tailings, in spite of the expert evidence to relieve some peoples' unfounded fears, would increase the burden on the United States taxpayer unnecessarily and it would be bad government.

WHEREAS: Capping the tailings pile in place is the most economical. The cost of capping the tailings pile in place is estimated at \$15 million versus moving the tailings for \$115 million dollars, if the work is managed by the owner (Atlas Corporation).

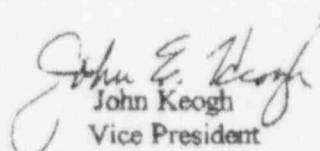
[If the work of moving the tailings has to be managed by the government under Title I conditions, the cost for moving will be closer to the \$500 to \$800 million dollar range!]

THEREFORE: After considering the pro's and con's of moving the Atlas tailings pile the WALU members in attendance at the meeting determined that there were insufficient grounds to move the Atlas tailings pile to a new location.

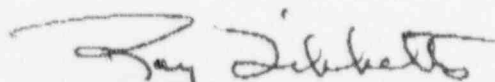
BE IT RESOLVED: That WALU believes that capping the tailings pile in place, based upon objective science, human health, environment, wildlife and safety considerations, is the most reasonable option. For practical and economic reasons, the tailings pile should therefore be capped in place as soon as possible, at minimum expense to Atlas Corporation and the taxpayer.



Jerry Stocks  
President



John Keogh  
Vice President



Ray Tibbets  
Spokesman

cc: Sam and Adrien Taylor, *The Times-Independent*  
Grand County Council members  
Utah Senator Mike Dmitrich  
Utah Representative Keele Johnson  
U.S. Congressmen Hansen, Cannon and Cooke,  
U.S. Senators Hatch, Bennett  
Utah Governor Leavitt  
Southeastern Utah Association of Governments, Bill Howell  
Senator McCain, Arizona  
Utah Mining Association  
Utah Manufacturing Association  
Utah Taxpayers Association  
Atlas Corporation  
Nuclear Regulatory Commission