



## Department of Energy

Washington, DC 20585

November 17, 2022

Ms. Brittany Bolz  
Attn: Document Control Desk  
U.S. Nuclear Regulatory Commission  
Deputy Director  
Mail Stop T8F5  
Washington, DC 20555-0001

Subject: Environmental Assessment for the Evaporation Pond at the  
Shiprock, New Mexico, Disposal Site (DOE/EA-2195) (Docket Number WM-0058)

Dear Ms. Bolz:

In accordance with the National Environmental Policy Act (NEPA), the U.S. Department of Energy (DOE) Office of Legacy Management is providing this notification of intent to prepare DOE/EA-2195, an Environmental Assessment (EA) for the proposed decommissioning and disposal of the groundwater Evaporation Pond at the Shiprock, New Mexico, Disposal Site, a Uranium Mill Tailings Radiation Control Act Title I disposal site (see enclosed figure). This EA will evaluate the potential impacts from decommissioning and disposal of the existing 11-acre Evaporation Pond, including removal of the pond sediment, liners, sub-liners, associated infrastructure, and up to one foot of the subsurface soil. The proposed activities are considered a federal action, thereby requiring a NEPA review and this notification.

In addition, DOE is providing notification of the agency's decision to cancel the 2019 EA (DOE/EA-2108), *Environmental Assessment of Groundwater Compliance at Shiprock Uranium Mill Tailings Site*. The purpose of DOE/EA-2108 was to evaluate long-term groundwater compliance strategies for the site; however, DOE determined through the NEPA scoping process that the EA was not ready for NEPA analysis because additional information and data on potential treatment technologies were needed to evaluate alternatives. Results from a pond liner-condition assessment conducted in 2021 showed that the Evaporation Pond liner, although protective of the environment, had reached the end of its useful life. Consistent with its mission, DOE must ensure that site conditions are protective of human health and the environment. Thus, DOE has cancelled the previous DOE/EA-2018 and has initiated DOE/EA 2195.

The purpose of this project is for DOE to identify a path forward regarding the future of the 11-acre Evaporation Pond including sediment, liner, underlying soil, and associated infrastructure. The need for the project is to eliminate the potential for incidental soil or groundwater contamination due to continued degradation or failure of the Evaporation Pond liner. Besides a "no-action" alternative, whereby the existing Evaporation Pond would remain in its current location, the alternatives that are being evaluated in the EA include:

**Alternative 2 – “Full Decommissioning of the Existing Evaporation Pond and Disposal at Offsite Licensed Waste Facilities via Highway Transport”**

This alternative would require the complete dismantling of the Evaporation Pond including removal of any water, sediment, liners (i.e., high-density polyethylene liner and geo-synthetic clay liner), associated infrastructure, and up to 12 inches of subsurface soil. It is currently estimated that 27,000 – 36,000 cubic yards of waste would be generated in removing the Evaporation Pond. In targeted areas, excavation of contaminated materials below the liner may be required to remove solid source material that could contribute to groundwater contamination. Generated wastes would be dewatered and solidified as needed; then loaded into approved waste containers and transported offsite in haul trucks to one or more disposal sites licensed to accept residual radioactive material.

**Alternative 3 – “Full Decommissioning of the Existing Evaporation Pond and Disposal at Offsite Licensed Waste Facilities via Highway and Rail Transport”**

This alternative is like Alternative 2; however, transportation of waste to an offsite disposal facility would combine highway and rail modes of transportation. Generated wastes would be loaded into approved waste containers and transported offsite in haul trucks to one or more disposal sites licensed to accept residual radioactive material. Wastes would be transported to one or more of these disposal facilities directly from the site using a combination of haul truck and rail. This alternative would involve the use of a rail transload facility where the waste packages would be transferred from the haul trucks to lined gondola railcars. From the transload facility, the wastes would be transported to the selected disposal facility by Burlington Northern Santa Fe or Union Pacific Railroads, or both.

DOE is preparing DOE/EA-2195 and providing public involvement opportunities during the NEPA process, consistent with NEPA requirements. DOE anticipates the draft EA will be distributed for a 30-day public review and comment in the summer of 2023. DOE will consider all input from the public, cooperating agencies, consulting agencies and tribes, and other stakeholders on the draft EA in its decision making. DOE will prepare either a Finding of No Significant Impact or an EIS based on the results of the EA evaluation. DOE is inviting the Navajo Nation Abandoned Mine Lands/Uranium Mill Tailings Remedial Action Department to participate as a cooperating agency.

DOE respectfully requests comments on the identification of potential environmental concerns associated with the proposed activities, as well as any other related issues that may be important to the proposed EA. DOE looks forward to consulting and addressing comments on this notification. Please forward comments by December 16, 2022, to:

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Sincerely,

**Jay D.  
Glasco**  Digitally signed by  
Jay D. Glascock  
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Jay Glascock, Director  
Office of Site Operations  
Office of Legacy Management

Enclosure

cc w/enclosure via email:  
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