

January 22, 1999

To: Board of Directors (Communications and Legislation Committee--Action)

From: General Manager _____

Submitted by: Mark D. Beuhler _____
Director of Water Quality

Subject: Support for H.R. 393 (Miller) and Seek Amendments – Remediation of the Uranium Mill Tailings Site near Moab, Utah

RECOMMENDATION(S)

It is recommended that the Board support H.R. 393 (Miller) and seek amendments.

EXECUTIVE SUMMARY

A 10.5-million-ton pile of uranium mill tailings in Moab, Utah, is located adjacent to the Colorado River. Leachate from the pile is contaminating the groundwater under the pile, and the groundwater is seeping into the Colorado River. The owner of the uranium mill, Atlas Corporation, proposed to stabilize the tailings in their present location. It appears that the Nuclear Regulatory Commission (NRC) plans to allow capping (covering) the pile to satisfy regulations and to address groundwater contamination issues after the capping decision has been made. H.R. 393 (Miller - CA) would require the Secretary of Energy to remove the radioactive material from the site and from the associated flood plain of the Colorado River. Metropolitan staff recommends that the Board support H.R. 393 and seek amendments to provide for groundwater remediation and additional water quality monitoring.

DETAILED REPORT

A 10.5-million-ton pile of uranium mill tailings in Moab, Utah, is located 500 to 700 feet from the Colorado River, about 150 miles upstream of Lake Powell. Leachate from the pile is contaminating the groundwater, and the groundwater is seeping into the Colorado River. The owner of the mill, the Atlas Corporation (Atlas), has proposed capping the pile at an estimated cost of \$16-19 million. The cost of moving the pile has been estimated at approximately \$100 - 150 million. It is expected that the NRC will allow capping of the pile to satisfy federal regulations.

H.R. 393 would require the Secretary of Energy to remove the radioactive material from the site and from the associated flood plain of the Colorado River. The Attorney General would be required to undertake studies and action as necessary to require the owner or operator of the

uranium mill tailing site to reimburse the United States for all or part of the costs of the remedial action.

ANALYSIS

Metropolitan has recommended to the NRC that the pile be moved (or an equivalent alternative be implemented), the contaminated groundwater be intercepted and treated, and the level of water quality monitoring in the Colorado River be increased. H.R. 393 addresses Metropolitan's first concern by requiring the Secretary of Energy to remove the uranium pile. However, the bill does not address the remediation of the groundwater contamination caused by the pile or provide for additional water quality monitoring. Metropolitan staff recommends that the Board support H.R. 393 and seek amendments to provide for groundwater remediation and additional water quality monitoring.

Support for this bill falls within the existing Board-adopted policy principles on Source Water Quality Protection. In addition, protection of Colorado River supplies by seeking appropriate federal funding for the removal (or equivalent) of the uranium mill tailings pile is one of the seven sponsorship items being considered by the Communications and Legislation Committee.

JMB\cs

 **(SEE HARD COPY FOR ATTACHMENT)** 