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ROUTING AND TRANSMITTAL SLIP	DATE: July 6, 1989	
TO:	INITIALS	DATE
1. Stan Lichtman, EH-25	CMO for SL	7/11/89
2. William Murphie, NE-23		
3.		
4.		

SUBJECT: Preliminary Comments on Monticello, Utah, RI/FS

The Waste Management Group, Office of NEPA Project Assistance (EH-25) has reviewed the Monticello, Utah, Uranium Mill Tailings Site RI/FS as requested by William Murphie, NE-23. Our preliminary comments are attached.

EH-25 intended to incorporate a review of EPA's comments on the draft RI/FS into its comments; however, we understand that EPA's comments have been delayed. We hope that these preliminary comments will allow NE-23 to begin necessary revisions to the RI/FS while EPA's review continues. Additional comments will be made by EH-25, if necessary, after we review EPA comments on the draft RI/FS.

cc: Al Feldt, EH-232

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EH-25 PRELIMINARY COMMENTS
MONTICELLO, UTAH DRAFT RI/FS
MONTICELLO URANIUM MILL TAILINGS SITE

General Comments:

1) NEPA/CERCLA Integration: Chapter 1 in both the RI and FS should clarify the Department's intention to comply with the requirement of NEPA through the RI/FS process. The following statement is suggested:

> "The RI/FS has been supplemented to include analyses sufficient to enable the Department to assess the impacts of the remedial action alternatives considered in terms of the requirements of the National Environmental Policy Act (NEPA). As such, this RI/FS also serves as an Environmental Assessment (EA) for purposes of NEPA. On the basis of this RI/FS-EA, the Department would issue a Finding of No Significant Impact (FONSI) for the preferred remedial action alternative identified therein, if appropriate."

2) Floodplain/Wetlands Assessment: Although the Probable Maximum Flood on Montezuma Creek is described, its effects on the South Site alternative are not evaluated, and the floodplain is not delineated. Environmental impacts in floodplains that may occur at the White Mesa Mill and Highway 95 disposal sites should also be included. The text should be revised to address these issues and also to include a floodplain/wetlands assessment that complies with Executive Orders 11988 and 11990, and 10 CFR 1022. If wetlands are not affected, the Army COE determination should be cited in the assessment.

3) Threatened and Endangered Species: Although the absence of threatened and endangered species is mentioned, the issue is not clearly addressed and documented. The Environmental Assessment (EA) for Green River, Utah, UMTRA Project, is a good example of a well documented discussion.

4) Agencies and Persons Consulted: The Feasibility Study should include a list of agencies and persons consulted during preparation of the RI/FS-EA (refer to 40 CFR Section 1508.9(b)).

5) Monticello EA # 0218 (July 1985): The Monticello EA prepared in 1985 should not be cited in the RI/FS-EA. This document was not issued by DOE; it is not a NEPA compliance document. All information in the "EA" that is needed to describe the proposed action should be incorporated into the RI/FS-EA.

6) Alternative Evaluation Criteria: The title of the evaluation criterion "overall protection of human health and the environment" suggests a broader consideration of impacts than is defined on pages 4-2 and 4-3 of the Feasibility Study. This criterion, as applied in the text, evaluates only the control or elimination of exposure pathways. Environmental impacts not related to exposure pathways are addressed by criteria such as "long-term effectiveness and permanence" and "short-term effectiveness." We suggest the title of the criterion be changed to reflect impacts that the criterion actually evaluates; for example, "control or elimination of exposure pathways."

Page-Specific Comments:

FS 1-19 and RI 1-1: DOE NEPA Guidelines should be cited as "52 FR 47662 on December 15, 1987."

FS 1-29: The discussion of NEPA should be revised. NEPA applies to all federal actions, including "on-site removals."

FS 1-30: The discussion of Executive Order (E.O.) 11988 should be expanded to include E.O. 11990 and state that 10 CFR 1022 was issued to implement the requirements of E.O. 11988 and E.O. 11990.

FS 3-1: The Chapter title should be revised to read "Development and Screening of Preliminary Action Alternatives." This is necessary because chapter 3 does not screen the "no action" alternative; however, "no action" is a remedial action alternative.

The introductory paragraph should state that the impacts of all alternatives, including no action, are analyzed in Chapter 4.

FS 3-6: Section 3.1.2, second paragraph. This paragraph is long and confusing; it could be improved by editing and reorganization. As a minimum, lines 17-27 should be revised as follows:

> ". . .the site. Institutionally, the land must be withdrawn from public use and permanent control transferred to DOE from the Bureau of Land Management and the State of Utah. Currently, the site is used only as range land. Because the site lies in a low erosional valley, extensive excavation would not be required to construct a disposal cell; however, excavation for borrow material would occur off-site. Transportation studies would be required because the site is approximately 30 miles from the existing tailings piles. Ecologically, . . ."

FS 3-7: Section 3.1.2.2. The sentence beginning, "An unused site would . . .", should be deleted because BLM's NEPA process for land withdrawals is usually not complex. BLM generally adopts the NEPA document of the agency taking the action.

The last sentence also should be deleted. Public concerns should be considered before any federal action is taken.

FS 3-9: Section 3.1.4.2. Delete the reference to an EIS requirement for the White Mesa alternative.

FS 4-41: Section 4.4.3.1, first line; replace the word "could" with "would." Section 4.4.3.2, second line; replace "could" with "would." Section 4.4.3.2, third line; replace "significant" with "important."

FS 4-42 and 4-58: The discussion of criterion # 1 should include the information that is defined for criterion # 1 on FS pages 4-2 and 4-3.