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SCOPING MEETING
DURANGO MILL TAILINGS

June 30, 1981
and
July 1, 1981

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MEMBERS OF PANEL:

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(Tuesday, June 30, 1981)

AFTERNOON SESSION

(2:05 p.m.)

MR. CAMPBELL: Ladies and gentlemen, I would like to get started now.

The first speaker who will speak to us this afternoon has to leave right away for an airplane, but let me just say a few words first.

My name is Dick Campbell, I am the Project Manager for the Uranium Mill Tailings Remedial Action Project in Albuquerque, New Mexico.

We are here today to hold what is called a scoping meeting. The scoping meeting involves the preparation of the Environmental Impact Statement regarding the alternatives for the actions that we will take with the Durango tailings.

After the first speaker makes his statement, we will have someone to describe briefly what these alternatives are that we are presently considering for the EIS, and we will have a short talk on what the Environmental Impact Statement process is, what it consists of, and how the scoping meeting and the scoping process fits into that, but first I would like to give a chance for Congressman Ray

1 Kogovsek to make his statement so he can get on his
2 airplane.

3 Sir?

4 CONGRESSMAN KOGOVSEK: Thank you Dick, members of
5 the Department, I want to first of all thank you for your
6 accommodation of my schedule. We have been traveling the
7 District for the last three or four days, myself and my wife,
8 and Ned Wallace who runs my office in this area, and we are
9 due in Pagosa Springs in about an hour, so I do, in fact,
10 appreciate your being able to accommodate our schedule.

11 Second of all, I wanted to make sure that I could
12 read a prepared statement, and I hope that you would put it
13 in as part of your record on this very important issue to the
14 people of the Third Congressional District, especially to the
15 people of this area.

16 In a real sense, this meeting marks the first
17 official implementation of Public Law 95-604, the Uranium
18 Tailings Radiation Control Act of 1978 as it pertains to the
19 Durango tailings pile.

20 In many ways, this action is precedent setting and
21 we are beginning to chart new direction and new procedures.

22 I don't pretend to be able to identify all of the
23 issues, but I think it is very important to recognize that
24 much has already been accomplished in Durango itself, and in
25 the State of Colorado.

1 First of all, the excellent participation by the
2 local community through the fine representation on the local
3 task force.

4 Mayor Bob Hatfield; Chairman of the Board of County
5 Commissioners, R. T. Scott; and Don Whalen, the immediate
6 past chairman; all have performed a much needed service and
7 have been particularly helpful to me and to my staff.

8 I hope this format will be viewed in every part of
9 the Third Congressional District as an example to follow.

10 I wish you well in this complex undertaking. While
11 the law is fairly clear with respect to what each agency's
12 involvement includes, there is much room for confusion and
13 lack of communication between Federal agencies, State
14 agencies, and the public. Some skeptics believe this job
15 will never be done under the current conditions.

16 I urge the utmost effort to cooperate, inform and
17 expedite this undertaking to the fullest extent possible.
18 Patience and sincerity with the public is paramount. We
19 know the general public will divide itself along divergent
20 lines on this issue. Some will worry about excessive
21 radioactive emission which might affect their lives, and
22 will urge very cautious and very slow approaches. Others
23 will complain that governmental agencies--the bureaucracies--
24 will delay the process through extensive excessive rules and
25 regulations.

1 Therefore, it is urgent that everyone make very
2 special effort to communicate with the general public making
3 full use of the news media and the local task force.

4 Final site selection is on everybody's mind. It
5 is my hope that a full geotechnical and economic evaluation
6 on the entire Bodo Site be conducted forthwith. I urge that
7 the greatest possible flexibility, within the law, be applied
8 to that potential site.

9 I also urge patient, sensitive communication with
10 all potential private landowners within a potential site to
11 be pursued. I can assure you that based on my experience in
12 such places as the proposed Fort Carson Expansion Area in
13 Southeastern Colorado, most people dread the threat of
14 government condemnation. This is particularly true when
15 they depend on the land for their livelihood.

16 I pledge the support of my office to help in any
17 possible way.

18 Funding for the tailings cleanup program is
19 somewhat uncertain at this time. There is some feeling in
20 Washington that funding should be dependent on completion of
21 Environmental Protection Agency Regulations, and that those
22 regulations will be far less stringent under the new Reagan
23 Administration.

24 It is the feeling of the House, Energy and Commerce
25 Committee, that any intentional delays will only aggravate

1 remember that we are providing a valuable service, not only
2 to Colorado, but to the entire Nation. I know that Durango
3 and Southwestern Colorado, working with the Department of
4 Energy and the Environmental Protection Agency and the
5 Colorado Health Department, will perform in an exemplary
6 manner.

7 Thank you very much.

8 MR. CAMPBELL: Thank you, sir.

9 I would like to continue with just a few comments
10 in the normal procedures that we use in these scoping
11 meetings.

12 For those of you that are not aware, of course,
13 Durango is one of 25 sites that are to be cleaned up around
14 the United States.

15 The other sites are basically out West, except one
16 which is in Canonsburg, Pennsylvania.

17 The law that Congressman Kogovsek referred to, is
18 the foundation for carrying out this cleanup activity.

19 The law includes provisions for us to accomplish
20 the remedial actions according to standards to be set by the
21 Environmental Protection Agency.

22 After the remedial actions are complete, the sites
23 are to be licensed by the Nuclear Regulatory Commission, and
24 as most of you probably know, we are carrying out these
25 cleanup activities in conjunction with the States and Indian

1 Tribes affected. In the case of those sites which are in
2 States not on Indian land, the State pays 10 per cent of the
3 cost, and the Federal Government pays 90 per cent of the
4 cost.

5 I would like to introduce the panel which is
6 sitting to my left, which has been formed to hear your
7 statements, and hear the concerns that you have, and hear
8 the comments regarding the various alternatives and the
9 emphasis that we should place on these alternatives.

10 Sitting closest to me is Mr. Al Gonzales, who is
11 in the Remedial Action Project Office in Albuquerque, New
12 Mexico. Al works for me.

13 In the middle is Mr. Bill Shaffer from the Nuclear
14 Regulatory Commission in Washington, D.C. Bill's
15 responsibilities at NRC include all but one of the mill
16 tailing sites.

17 At the far end of the table is Mr. Dick Gamewell
18 from the Colorado Department of Health, and as I mentioned
19 earlier, the State is our partner in the cleanup activities,
20 so he represents the State of Colorado.

21 At this time, I would like Al to just describe
22 briefly the alternatives that we are considering at this
23 time, so that we can set the foundation for the statements
24 which will follow.

25 Al?

1 MR. GONZALES: Thank you, Dick.

2 For the Durango Mill Tailings Actions that we are
3 going to be looking at, we are basically going to be looking
4 at three alternatives. To perform no remedial action and
5 allowing the present situation to continue with no
6 corrective action.

7 Secondly, or another alternative, rather, is to
8 decontaminate vicinity properties contaminated with the
9 tailings, and to bring the tailings to the Durango site,
10 all tailings and contaminated materials will then be
11 stabilized at the site, and a soil cover will be placed
12 over the consolidated materials.

13 The third alternative that we are going to be
14 looking at is to move all of the tailings from the Durango
15 site, and materials from the vicinity properties to a new
16 disposal site yet to be selected.

17 At present, a proposed course of action, as many
18 of you have known in fact, see, is to move the tailings,
19 the decontaminated soil and the debris to a new permanent
20 disposal site. Quite briefly, that is what we are going to
21 be looking at.

22 Thank you.

23 MR. CAMPBELL: Next, I would like Mr. Mel Merritt
24 from the Sandia National Laboratories to come up and describe
25 briefly the EIS process, because I think it will put some

1 things in perspective of how we treat these alternatives and
2 work that has to be done.

3 Sandia National Laboratories has been assisting
4 the Project Office since January, 1980.

5 One of their primary tasks is the management of
6 the preparation of the Environmental documents for all 25
7 of the sites.

8 Mel?

9 MR. MERRITT: Good morning. My name is Mel
10 Merritt, and as he said, I work for the Sandia National
11 Laboratories, the Department of Energy laboratory in
12 Albuquerque, New Mexico, and I am here today to tell you
13 something about the Environmental Impact Statements, and
14 about the environmental process.

15 In late 1969, the Congress passed a law entitled
16 the National Environment Policy Act, which we normally
17 abbreviate when we are just talking and call it NEPA.
18 N-E-P-A, and it was signed into law by President Nixon on
19 January 1st, 1970. The intent of this law was to get
20 Federal agencies to consider the environmental consequences
21 of their actions as well as their dollar costs.

22 In order to insure that these other nondollar
23 kinds of costs are indeed taken into account, Congress put
24 into the law a section that calls for what we now call an
25 Environmental Impact Statement for "every major Federal

1 action significantly affecting the quality of the human
2 environment."

3 And those last 11 words are quotes right out of
4 the law, and they are significant. They--rather they have
5 got two important words in them, "major" and "significantly."

6 These words act to keep the attention of the
7 process focused on it, and important matters.

8 Now, taking care of the Durango pile here in
9 Southerwestern Colorado, is such a major action significantly
10 affecting the environment, and an Environmental Impact
11 Statement is to be prepared for that action.

12 Recently the Council on Environmental Quality
13 issued regulations with respect to such statements, that
14 apply to all Federal agencies including the Department of
15 Energy.

16 The purpose of these regulations is to impose
17 uniformity on statements prepared in different parts of the
18 government.

19 They also call for the scoping that we are engaged
20 in today. The spirit of these regulations is this: Every
21 Federal agency is to examine their environmental consequences
22 as one of several inputs in making decisions. Not the only
23 input, but one of several.

24 There is to be public disclosure of expected
25 consequences, especially adverse ones. Statements are to be

1 short, easily understandable, accurate and early before any
2 crucial decisions are made.

3 Statements are to cover--statements are to
4 emphasize significant issues and not waste time on minor
5 ones. Statements are to cover a range of possible
6 alternative actions that is at least as broad as those to
7 be considered by the ultimate decision maker in Washington.

8 The Council on Environmental Quality also says
9 how these statements should be written up, what the format
10 should be. The basic text is to be no longer than 150
11 pages long. There is a summary, there is a statement of
12 purpose and need, which I think is kind of obvious to you
13 people.

14 But the heart of the chapter is Chapter--the
15 heart of the business is Chapter 3. It covers the
16 alternative ways of meeting the need in which in the present
17 case, of course, is the alternative ways of making the
18 Durango tailings safe to be around.

19 The alternatives to be discussed, you have just
20 heard about from Al Gonzales. They are to do nothing--this
21 is not really a viable alternative, but is one required by
22 the regulations for comparative purposes. Or to stabilize
23 the tailings in place, or to move them to one of the places
24 nominated by the State of Colorado.

25 Chapter 3 will include a summary of the relative

1 impacts of these alternatives.

2 And then, there, of course, is the chapter that
3 describes the environment to be affected, and the final
4 chapter which gives enough detail on the impact analyses
5 and the results, so that you, the reader, can judge
6 assumptions that went into the analyses, and judge the
7 magnitude of the uncertainty of the predictions, and to be
8 blunt, can judge whether or not you think the analyses is
9 really good at all.

10 The analysis--the impacts to be considered are
11 both radiological and nonradiological. They are to be both
12 short-term and long-term.

13 Now, basic requirements of any viable alternatives,
14 is that it be able to meet the applicable standards to be
15 set by the Environmental Protection Agency. These have two
16 parts, cleanup and final disposal. The cleanup standards
17 require that when the job is done, there will be no soil
18 left except at the final disposal site, that is contaminated
19 to levels of over 5 picocuries per gram. And no building
20 with internal radon and radon daughter product levels over
21 .015 working levels.

22 The disposal standards are that the final disposal
23 situation be such that radon is not emitted at levels over
24 2 picocuries per square meter per second above background,
25 and then no surface water or ground water contain

1 radioactivity of heavy metals in concentrations above what
2 is given in the table--it is a long table, and I don't want
3 to quote it all--unless, of course, the river or the body of
4 water is already above those standards.

5 These are not final standards, mind you, but
6 proposed standards, and hearings were held here in Durango
7 as well as Salt Lake--or Washington, about two months ago on
8 the subject.

9 To prepare this Environmental Impact Statement for
10 the Durango pile, the DOE is working through one of its
11 laboratories, Sandia, and has engaged Dames and Moore of
12 Denver to help.

13 The steps to be taken are to gather data, produce
14 a conceptual design, make the needed analyses, and write it
15 all up.

16 The DOE must get together everything that is known
17 about this tailings pile and prospective disposal sites and
18 almost surely some additional data will have to be taken.

19 There will have to be a conceptual design for
20 remedial action, one in enough detail, but no more, to
21 understand what the impacts of the actions might be.

22 This conceptual design, by the way, won't be the
23 final design. There will be further developments as time
24 goes on. Oh, I think to be conservative--oh, I know it to
25 be conservative by the Nuclear Regulatory Commission.

1 There will be environmental impacts on the level
2 of nicety warranted by their importance, and that all of
3 these will be put together into a Draft Environmental Impact
4 Statement. This draft will undergo considerable review
5 within the Department, and the NRC, and when the two
6 agencies are happy with the document, the DOE will print
7 and distribute it.

8 You notice I said Draft, because the NEPA process
9 calls for such a Draft to be circulated for comment among
10 the interested public and among other government agencies
11 before the statement is made final. All of this will take
12 considerable time and we estimate a year and a half to get
13 to the final document.

14 You the public, get several opportunities to
15 review and comment on what is being done for this process.
16 This scoping meeting is one such chance.

17 Here we want to find out from what you the public,
18 your opinions on which potential impacts will be the
19 important ones, and which ones trivial, so that the
20 emphasis on the final statement can be put where it ought
21 to be put.

22 This scoping is to get your opinions of the
23 validity and breadth of coverage of alternatives, which is
24 to say, have we got the right alternatives and all the right
25 alternatives in mind?

1 Your next formal chance to comment will be when
2 the Draft Statement appears. We expect to hold public
3 meetings at that time here in Durango, to give you a chance
4 to tell us how to improve our analyses and our thoughts in
5 the final statement.

6 Then, after the final appears, there is to be a
7 waiting period of at least a month before the final
8 decision is to be made.

9 Now, these are formal occasions for public input.

10 And in addition, we expect frequent informal talks
11 and interchanges with your local Committee.

12 So, today, we are in a scoping meeting.

13 These two questions from you please--answers: What
14 impacts do you think are important? And, what alternatives
15 do you think we should be considering?

16 Thank you.

17 MR. CAMPBELL: Thank you, Mel.

18 Very briefly, now, let me summarize the way in
19 which we normally will conduct a scoping meeting of this
20 kind.

21 We have the panel, the panel is here to take
22 notes on your statements, your concerns, we are having a
23 transcript made of the proceedings, and we are having a
24 recording made of it, so that we will publish an equivalent
25 of at least a transcript of the proceedings, and that

1 transcript will be available to those who write to me and
2 ask for a copy. It is available at no charge.

3 Now, basically, we run the meeting where I will
4 call upon the next speaker, and if those speakers will come
5 up to the podium, make their statement, we do not permit
6 cross-examination in the sense that we don't permit the
7 audience to question the speaker.

8 If the panel needs to ask a question for
9 clarification, they will do so, but other than that, we will
10 run the meeting in that fashion.

11 Our next speaker is the Mayor of Durango, and is
12 the present Chairman of the Coordinating Task Force,
13 Mr. Bob Hatfield.

14 Bob?

15 MR. HATFIELD: Thank you very much, and welcome
16 again to Durango. Keep plugging away here.

17 I would like to read the following letter into the
18 record, please.

19 This is to Mr. Richard Campbell, Project Director,
20 Uranium Mill Tailings Remediation Project, Department of
21 Energy, in Albuquerque.

22 Mr. Campbell, following is the position statement
23 of the Durango Uranium Mill Tailings Task Force concerning
24 remediation of the Durango Uranium Mill Tailings Pile.

25 Providing that the Durango Uranium Mill Tailings

1 Pile cannot be remediated at its present site in
2 accordance with EPA Standards, the Durango Uranium Mill
3 Tailings Pile Task Force recommends that the Bodo Canyon
4 Site be utilized for the deposit of the tailings. This
5 statement is made with the understanding that any site
6 selected must be determined to be geotechnically feasible
7 for the long-term uranium mill tailings storage.

8 The reasons for recommending the Bodo Canyon Site
9 are as follows:

10 One, the site is in close proximity to the
11 existing tailings pile and would make transportation
12 feasible.

13 Two, a closed conveyor system can be used which
14 would eliminate pollution and route contamination.

15 Three, the site is the least disruptive in terms
16 of transportation and protection of quality of life.

17 Number four, the Bodo Canyon Site is on public
18 land.

19 Five, there is public acceptance for this site in
20 Southwestern Colorado, and it does not force the relocation
21 of domiciles or planned developments.

22 Number six, the site is in a location which would
23 not require transportation of mill tailings on public
24 roadways.

25 Number seven, the site would not require

1 utilization of Highway 160 or the Wildcat Canyon route,
2 either of which would be an extreme public safety hazard,
3 as well as offering the strong possibility for long-term
4 route contamination.

5 Sincerely, Robert Hatfield, Chairperson.

6 Thank you.

7 MR. CAMPBELL: The next speaker we have this
8 afternoon is Mr. Don Whalen from Fort Lewis College and
9 former Chairman of the Coordinating Task Force.

10 Don?

11 MR. WHALEN: Thank you, Mr. Campbell.

12 My comments will be relative to the--my comments
13 will be relative to the Durango Task Force for the
14 remediation of the uranium mill tailings pile, and that
15 Task Force acceptance by the agencies that it is working
16 with.

17 During the first year and a half of this project,
18 we have had total accessibility to the Department of Energy,
19 the Colorado Department of Health, the Geological Survey,
20 and the La Plata Board of County Commissioners.

21 In addition to those four agencies, or entities,
22 we have also had full cooperation and accessibility to the
23 Colorado Geological Survey.

24 We feel that it is important if we are to
25 represent the citizens at this region as a liaison group to

1 these agencies, that that input continue with Dames and
2 Moore, with Sandia Corporation, and we have no reason to
3 feel that it will not.

4 The feeling up to this point has been that the--it
5 is our feeling that the general public has come to us to the
6 extent of several hundred people at different times during
7 this past 18 months, we are an entity that was formed with
8 the cooperation of the Department of Energy, and the Durango
9 Chamber of Commerce, to try and convey information to the
10 Department of Energy and its associates.

11 We are currently in a situation in La Plata County
12 in the tailings pile, we will continue to remind people it
13 is in La Plata County, not in the City of Durango, where we
14 have had total open doors and we will hopefully serve
15 throughout the project as currently designed through 1986, or
16 1987.

17 Thank you.

18 MR. CAMPBELL: I have been asked to read a
19 statement by the Chamber of Commerce Environmental
20 Committee. So, I will read this into the record at this
21 time.

22 June 23rd, 1981.

23 To whom it may concern:

24 ---

25 ---

1 The Durango Chamber of Commerce Environmental
2 Committee is concerned with the tailings pile in these
3 respects:

4 Number one, the tailings pile may constitute a
5 health problem to the city residents.

6 Number two, the negative publicity could produce
7 an economic hardship for tourist based economy if people
8 hesitate to visit Durango as a result of this publicity.

9 And number three, that wildlife values of the
10 various disposal sites be completely evaluated prior to
11 their selection.

12 Respectfully submitted, Chester R. Anderson,
13 Chairman of the Environmental Committee and Karen Maas,
14 Member of the Environmental Committee of the Durango
15 Chamber of Commerce.

16 The next speaker that we have is Gladys Brown.

17 MRS. BROWN: I have been a resident of Durango for
18 almost 32 years. I was here when they were running the mill
19 and bringing the ore in by truck, came right by my house
20 most of the time. At that time, we did not have any feeling
21 whatsoever of any contamination or health hazard.

22 So I don't know what all of the to-do is about
23 today, except I think this is an unnecessary, costly scheme
24 to place the burden of this removal of these tailings on the
25 taxpayers whereby others will profit thereby.

1 I don't want the tailings pile moved. I think it
2 is all right like it is. As the saying goes let a sleeping
3 dog lie. It has been proven by geologists that it is not
4 enough radiation there to harm anyone or anything.

5 And then, consequently, there is no radiation.

6 So, then, when they talk about taking it to Bodo
7 Park, I don't know just where the spot is that they
8 contemplate over there, but that is contemplated for the
9 Animas-La Plata Reservoir, isn't it? You want--if it is so
10 contaminable why would they want to put it over there and be
11 near our water supply.

12 While it is all so foolish that I can't understand
13 that intelligent people would even go for such a thing. It
14 just amazes me.

15 It seems to be a really just a wicked conspiracy
16 to keep we people confused and upset all of the time, when
17 we got our homes, a living to make, or try to make, and
18 take care of ourselves.

19 It is just all so ridiculous, and then at the
20 present time they have been working on this for months, and
21 several years, and they still don't have the standards set
22 up for the disposal.

23 I can't understand that.

24 So I disapprove of moving it at all.

25 I think they should have done something in years

1 past if they wanted to put a nice grazing land, vegetation
2 up there, or put a beautiful rambling rose to grow over that
3 pile, or some beautiful cactus blooms, like down in the
4 desert where it doesn't require irrigation of water. And if
5 they beautify it, something like that, but to go to all of
6 this expense and look how much it costs us to have a
7 meeting like this. People's time and transportation, and
8 all of that stuff.

9 I lived 20 years in Washington, D.C., and I saw
10 the corruption there, and it is worse now than it was when
11 I was there. I spent 20 years.

12 And that is all it is is a corruption, just to
13 keep us upset and disturbed.

14 So I am just here to oppose moving that tailings
15 pile, any part of it anywhere.

16 MR. CAMPBELL: The next speaker we have is
17 Mr. William Brown.

18 MR. BROWN: I signed the register first before my
19 wife when I came in, but I am glad that you let her speak
20 before me. That is common courtesy.

21 I also lived in Washington, D.C., for a number of
22 years, worked there for the Federal Government, I think they
23 have a worse mess to clean up there now than we have in
24 Durango.

25 I would like to read a brief statement of my

1 feelings about the Durango tailings pile.

2 A private company tried to move the pile out of
3 town, leach out some uranium, cover it with several feet of
4 earth, and they hoped to make a profit on the operation.

5 A government agency said, no, you must cover it
6 with more earth, several more feet to make it safe by their
7 arbitrary standards.

8 The operation was now unprofitable for the company.

9 So naturally, no profit, they just backed off.

10 The pile, however, has stood for years where it
11 is, right here in the south end of town with little or no
12 earth covering it. I have not heard of any person being
13 killed or hurt in any way because of its presence.

14 Competent engineers have measured the radiation
15 from this pile and declared it to be too small to be a
16 hazard to any person.

17 Why should we, the citizens here and in the
18 County, be scared into spending a lot of our tax dollars to
19 move this pile when the government has prevented a private
20 company from moving it for us, and at no expense to us.

21 Is not this another example of big government
22 hurting private enterprise, and creating more inflation and
23 a bigger tax burden on all of us?

24 Thank you.

25 MR. CAMPBELL: The next speaker is Debra McCaffrey.

1 MS. McCAFFREY: I would like to submit, at this
2 time, a 1973 report from the Environmental Protection Agency
3 in Las Vegas, that lists the anomalies in Durango as
4 measured at that time--radiative anomalies.

5 MR. CAMPBELL: Do we have any other speakers at
6 this time?

7 Okay, please, if you would come up, and please
8 identify yourself. We didn't have you registered to make a
9 statement but--

10 MR. ROBINSON: Thank you.

11 My name is Paul Robinson, I am a Director of the
12 Southwest Research and Information Center in Albuquerque,
13 New Mexico. I have been brought up to this hearing by
14 Citizens For Safe Tailings Management of Durango, who have
15 been working on this project for several years, and I have
16 participated in several meetings with the Citizens Group and
17 some of the DOE staff and others on the project.

18 I would like to make several comments about the
19 specific program, but would start by agreeing with the
20 Congressman Kogovsek that this project is something that
21 can be done, that there are clear existing technologies
22 which can provide for remedial action that are available at
23 this time, and the problem is to select the best possible
24 alternative. And, I believe, that that is what the Impact
25 Statement's job is.

1 I would also like to note that I think it is
2 particularly commendable of the Department of Energy to be
3 moving on the scoping process, and the Impact Statement
4 process before the Department--excuse me, before the
5 Environmental Protection Agency has finalized its Impact
6 Statement, which will support the EPA Remedial Action
7 Standards.

8 The EPA has been somewhat lax in meeting its time
9 tables, and these time tables, as those in the construction
10 business know, do increase costs. To be able to put work in
11 now at this time, to evaluate a range of alternatives, and
12 be prepared to make a final decision when the Standards are
13 available and not wait until those Standards are available
14 to begin your work, I think will save significant moneys for
15 the agencies which, of course, work for we the taxpayers.

16 With respect to the Federal Register Notice of
17 June 8, this is the statement which is the basis for the
18 scoping meeting today, there is additional supporting
19 documentation to be sure, but this Federal Notice, as I
20 understand it, provides the basic point to discuss at this
21 time.

22 In the first paragraph on Page 33, 30383, says
23 that the Department of Energy is currently considering a
24 proposed action of removing the tailings to an especially
25 prepared remote site.

1 I would concur with this recommendation, because
2 the current pile is in a relatively high population area.

3 Neither myself nor any of the others in the room
4 are able to say the materials coming off of the pile, the
5 potential health risks from these tailings are very, very
6 difficult to quantify them in any absolute sense. They
7 would be merged with any other medical history which we have
8 had for people in Durango, people who may or may not be
9 attacked by radon or its byproducts, or any of the
10 nonradioactive materials in the dust would not be able to
11 be directly identified as victims in those sources.

12 A person who gets a radon induced health effect
13 will not have radon flashing in the forehead. There is
14 very little way to tell, and because these are low levels
15 of exposure with health effects that may occur, but only
16 over long periods of time, one needn't, I don't think, wait
17 until the health effects have been manifested in a
18 statistically significant way before one takes remedial
19 action.

20 So, I would concur with this recommendation to
21 remove it to a remote site.

22 This leads perhaps to the discussion of the
23 various alternatives which have been mentioned in this
24 scoping statement, as well as the statements by the Task
25 Force Committee, Congressman Kogovsek, and others.

1 The properties of a site, particularly the sites
2 which are being considered for this Durango pile can be
3 qualified through a rigorous geotechnical analysis.

4 There has been very little geotechnical analysis
5 of the alternative sites for consideration, either in the
6 Ford, Bacon and Davis studies in 1977, or in subsequent
7 work.

8 This is one of the prime goals, as I understand
9 this Impact Statement, will be to gather and compile and
10 present the technical parameters in which one would view
11 the potential alternatives.

12 When one looks at the Bodo Canyon, Long Hollow
13 Site, or the others that are potentially available,
14 including the site which the pile currently uses, one needs
15 to look at the structure of the rock underneath. Whether
16 the rock absorbs radionuclides and other contaminants, will
17 it allow the transfer of these materials through the rock
18 into water supplies, will this site be stable over
19 relatively long periods of time, or will the sides begin to
20 slough off as we see in the southwest--southeast and
21 northwest sides of the pile right now. Do we have a stable
22 situation?

23 As those familiar with the Uranium Mill Tailings
24 Act of 1978 know, Congress passed this Act so that there
25 would be a remedial action taken once and for all. They

1 don't want to have to go back and redo the site as people
2 recognize a hazard which was not identified earlier, or as
3 an initial site does not prove adequate for final
4 stabilization.

5 This concern for doing the work right the first
6 time, I think, is a perfectly proper concern well within the
7 area of good engineering practice, and it is within this
8 context that the geotechnical engineering work should be
9 done.

10 There is from some information available to me,
11 some evidence of shallow geological faulting at the Bodo
12 Canyon Site. Drilling work, geophysical assessment,
13 geochemical assessment, trenching, should identify whether
14 this faulting is indeed existing, whether the faulting is
15 in any way recent, whether the faults provide conduits for
16 ground water or leaching movements, or whether they are a
17 deep seal and would preclude this kind of movement.

18 This is the type of work that one needs to have
19 done at the remedial alternative sites. It is the work
20 that we don't have right now from the Ford, Bacon and Davis
21 data. It is the reason, I think, the Impact Statement is
22 being done now.

23 This Impact Statement, I believe, will serve as a
24 feasibility study to evaluate a number of alternative sites
25 and certainly proper within a good engineering practice.

1 The study will use material which engineers will
2 gather and will make it available to the public. I don't
3 believe there will be duplication of technical work through
4 this Impact Statement process, and that it may that way
5 accelerate the actual decision making on the Durango pile.

6 The letter from Mayor Hatfield was, I believe, a
7 quite interesting letter, and one commonly sees a Task Force
8 making a recommendation to an EIS preparing agency and their
9 consultants, through the scoping process either through a
10 community advisory council, or through the task work
11 process--Task Force process that we see today. It is good
12 for this kind of input, and I think that you have heard a
13 very well thought out and reasoned statement.

14 I would make a few brief comments on that
15 statement.

16 One was the recommendation of the closed conveyor
17 system.

18 The closed conveyor system, I believe, is an
19 excellent recommendation, in line with the preliminary
20 identification of environmental issues in the Federal
21 Registry cite. It relates to Point No. 1, exposures to
22 public and workers during routine operations at the site.

23 The closed conveyor should allow the movement of
24 the tailings without any excess production of dust, which
25 could impinge on uses of the downtown area, residents of the

1 downtown area, or workers.

2 The tailings pile, however, cannot be put directly
3 into the conveyor system. So one will need to address the
4 loading of the tailings into the conveyor system, and, I
5 believe, that one of the alternatives which may deserve
6 evaluation at this stage, is loading the tailings in from
7 the bottom so that one has the tailings pile continually
8 dropping down, and you use an already relatively stabilized
9 or as present vegetative surface maintaining a cover as you
10 remove the tailings, rather than removing from the top where
11 you might expose new tailings every time you unload each
12 particular pile.

13 This unloading from the bottom, I think, can be
14 done in a way which would reduce dust production during the
15 loading phase. At the unloaded phase, I think that one will
16 find that the closed conveyor system if it were the only way
17 the tailings removed from the current site to the new site
18 would severely limit the range of options which one would be
19 able to select. A conveyor system is relatively expensive
20 to stretch even over the two-and-a-half miles considered for
21 the Bodo Canyon Site.

22 If one were considering a closed conveyor system
23 into closed trucks, and then the trucks as the transport
24 medium, and then closed conveying from the trucks back to
25 the ultimate depository, I think that one would be able to

1 evaluate a considerably wider range of sites, but, of
2 course, any transportation is going to be expensive at a
3 function of a certain dollar value per mile, than closer
4 sites, so, therefore, are going to have a lower potential
5 economic effect, but, of course, one recognizes that these
6 trucks are driven by people. Conveyor belts are operated by
7 people, and this remedial action is indeed making jobs even
8 if they are a government mandate set of jobs.

9 The Federal Register Notice and other documents
10 also mention the decontamination or relocation vicinity site
11 materials. Vicinity sites are an euphemism found in the
12 Mill Tailings Act, which refer to places where tailings have
13 been located that are off of the actual tailings site.

14 The Department of Energy's Annual Report on the
15 Uranium Mill Tailings Remedial Action program, 1980, on Page
16 14, Table 2, lists 454 anomalies, of which 118 are
17 considered as confirmed tailings sources. This is the data
18 which has been given to Mr. Campbell and the other members
19 of the panel by Debbie McCaffrey.

20 This data comes from a study done by EPA in 1972
21 called the Lucias Pitcan Study. Lucias Pitcan, Inc. did the
22 work. This study when one reviews the materials was an
23 initial survey of the vicinity sites. It was not
24 comprehensive. Indeed, the State Health Officials from Utah,
25 when in their discussion of the study recommended that it be

1 reproduced in order to either verify the data which was
2 accomplished in 1970--which was gathered in 1971, or further
3 expand on this data.

4 The methodology was to drive down a selection of
5 roads, and monitor from vehicles and then follow up with
6 an on-site visit after the initial monitoring had been done.
7 This is a relatively initial or shallow research, and this
8 could be updated.

9 When we talk about anomalies with confirmed
10 tailings, that means buildings, homes, or businesses with
11 tailings in them. These are not unoccupied buildings for
12 the most part.

13 There is--so, this represents one class of
14 vicinity sites which, I believe, are going to be evaluated
15 in the Impact Statement, and my recommendation is to expand
16 this Lucias Pitcan data, either verify it or see if it is
17 comprehensive of the problem.

18 The other vicinity sites, I think are some of
19 the more interesting for those familiar with inactive
20 tailings piles, and those are the approximately dozen
21 Raffinate ponds south of the actual pond itself.

22 Raffinate is the acid impregnated liquid which is
23 one of the products of the millings process. There are a
24 number of ponds sitting on the terrace overlooking the
25 Animas River just south of the tailings pile.

1 The criteria which the EPA has proposed in Draft
2 Form 40CFR192, requires that areas be cleaned up to a
3 certain concentration of radium in soil. This is 5
4 picocuries per gram with samples of 5 grams from the first
5 foot. It is a relatively complex standard, but, I believe,
6 that the raffinate areas need to be evaluated with respect to
7 the standard, and a recommendation in the Impact Statement
8 should address whether these raffinate ponds can be stabilized
9 in place, whether they indeed need to be added to the volume
10 of materials to be moved to the vicinity sites and the
11 tailings themselves.

12 The raffinate will contain tailings or even higher
13 concentration of contaminant tailings materials and
14 represent a particularly large volume of wastes which may
15 have higher risks than the risk associated with the tailings
16 themselves.

17 While people from Durango, of course, recognize
18 that these raffinate ponds are closer to the new industrial
19 park and the new development south of town than the actual
20 tailings pile itself.

21 I would also like to comment on the Federal
22 Register's Preliminary Identification of Environmental
23 Issues, No. 14, the benefits of reprocessing tailings to
24 recover minerals.

25 I, along with Maxie Anderson, agree that there are

1 beneficial minerals found in these tailings.

2 The fact that Ranchers was denied its license
3 because it wouldn't post a bond, it wouldn't guarantee
4 economic--the combination of either the present site or the
5 future tailings site, and wouldn't put 10 feet of cover on,
6 I think, is a problem which is a resident in the uranium
7 industry. They developed their standards, and then if the
8 agencies won't comply, then they blame the agency.

9 Well, these materials are still found in the
10 tailings, and there may be other values besides uranium
11 found in these tailings.

12 The efficiency of mills have increased
13 significantly since the 50s. Earlier mills were operating
14 in 85 to 90 per cent efficiency. Current generation mills
15 operate more than 95 to 98 per cent efficiency, and this--
16 approximately 10 per cent of the uranium left would be a
17 significant volume.

18 Ranchers estimated a million and a half pounds of
19 uranium at current prices of \$25 a pound. That is on the
20 order of \$40 million, not including any residual vanadium or
21 other values found.

22 This is a significant amount of money and a
23 significant resource. A million and a half pounds of
24 uranium is approximately three reactor years worth of
25 uranium. It would run Fort St. Vrain for three years.

1 The current proposal, as I understand the
2 alternatives, does not address the benefits of this
3 reprocessing.

4 In my view, if one goes through the reprocessing
5 of the tailings, even if you don't turn a profit--and I work
6 for a nonprofit organization--one will be able to help
7 bankroll total reclamation effort if the total reclamation
8 effort were to be the 40 to 50 million dollar range, and you
9 were able to produce \$45 million worth of uranium, then you
10 may not be able to make a profit of the remedial action, but
11 you would reduce the total cost of the taxpayers.

12 If the total cost for the project was \$60 million,
13 and the value of uranium were 45, then the whole project
14 would only cost \$15 million, rather than the whole 60.

15 I think that this alternative of hiring a
16 contractor to conduct the removal of uranium without having
17 to have a contractor already on the market, I think would
18 reduce the cost of the project, and would open up a number of
19 other options.

20 This, of course, has some liabilities with this
21 option. You would most likely then have wet tailings, which
22 would need to dry out before they could be loaded into the
23 new site.

24 There are currently methods for loading liquid
25 tailings and accomplishing rapid dewatering through under

1 drains such as those at the Union Carbide Gas Hills Project
2 in Wyoming, or the defilter press, dewatering, which is
3 accomplished at some of the other active mills.

4 So there are ways to dewater tailings very
5 rapidly, but it would be an area which would have to be
6 considered if the residual uranium and other values were to
7 be produced.

8 There is a section of the Uranium Mill Tailings
9 Act, Section 115-B, which requires the Attorney General of
10 the United States to assess the cost--to assess whether the
11 cost of remedial action should be borne by the Federal
12 Government, or by the current owner operating the tailings.

13 Along with the other EPA studies, this Attorney
14 General's Report has not been produced yet.

15 We do quite clearly have an active owner of this
16 facility. They are maintaining an active cover, or an
17 active uranium producer in other states.

18 I believe that the opinion of the Attorney General
19 should be sought in the Draft Environmental Statement as to
20 whether the current owner of the facility, Ranchers
21 Exploration and Development Corporation is liable for any or
22 all of the costs of the remedial action.

23 It is unclear what the Attorney General's opinion
24 on this would be, but clearly, they are charged with an
25 analysis of this owner liability and responsibility, and

1 with the first scoping process, and EIS process on a
2 remedial action being this one, this would clearly be the
3 time in which the Attorney General should act.

4 One other comment, I think that is appropriate,
5 concerns the EPA's Standards 40CFR192 Standards. This
6 Standard requires that the emission from tailings at the
7 surface of the reclaimed area be 2 picocuries per square
8 meter per second.

9 This Standard is the same numerical Standard as
10 that proposed by the Nuclear Regulatory Commission for
11 active sites. We are talking about an inactive site.

12 The fact that these two agencies arrived at this
13 number independently, I think, is an important fact to be
14 used in evaluating the number of--many of the operators
15 wholeheartedly disagree about that.

16 Nevertheless, the 2 picocuries standard can be
17 met using the existing soils anywhere from 3 to 10 feet of
18 cover.

19 The effectiveness of the cover for reducing radon
20 emissions is a large part a function of the clay content.
21 The Lewis Shale which Ranchers had originally proposed may
22 help in this reduction. The proposal for the 40CFR192
23 Standard does not say, I repeat, does not say that you have
24 to have 10 feet of cover. The EPA--the NRC Standard at the
25 sites does not say that you have to have 10 feet of cover.

1 What it does say, is that if you are going to use less than
2 10 feet of cover, you need to show it is as effective as the
3 10 feet. What does it need to be effective for? It needs
4 to be effective for the reduction of erosion. The Bodo
5 Canyon Site, any other site, will have a certain
6 quantifiable erosion potential. Being able to verify that
7 the erosion will not result in a redistribution of the
8 tailings is the reason to require a higher cover.

9 If two feet of cover, plus three feet, say, of
10 dumped rock, which would provide a hardened surface, if that
11 would provide the 2 picocuries number as well as prevent
12 long-term erosion, I would think that that would be an
13 acceptable site, and an operator would be able to meet that
14 with less than 10 feet.

15 If an agency were to challenge--deny an application,
16 that would be grounds for an appeal.

17 I don't--as Brown said, one doesn't need to
18 necessarily rely on government agencies, but there are
19 options to the decisions of these agencies. If Ranchers
20 chose not to revise their plan or challenge the State's
21 decision, then they decided not to reprocess the piles.

22 Virginia Electric Power Corporation, the
23 contractor with Ranchers has since recontracted for the
24 uranium, at considerably higher costs. The price of uranium
25 may or may not respond to increased market pressures, but we

1 would still be able to technically produce the uranium,
2 sell it at even reduced prices to help recover costs.

3 I believe that summarizes my comments at this
4 time.

5 If there are any questions from the panel, or
6 others, I would be more than glad to answer them.

7 Thank you.

8 MR. CAMPBELL: Is there anyone else that would
9 desire to make a statement?

10 (No response.)

11 Okay, as has been the method we have used at other
12 scoping meetings, we have scheduled three sessions, this
13 afternoon from 2:00 to 5:00, this evening from 7:00 till
14 10:00, and tomorrow morning from 9:00 to 12:00. As we have
15 done at other locations, when we reach the point where there
16 are no more speakers present at the time, the panel and the
17 members of DOE and other agencies here with us, we will stay
18 here, we propose to call a recess for the moment, but we will
19 stay here in case someone shows up within the next 30
20 minutes or an hour. If not, then, we will reconvene at
21 7:00 o'clock this evening, but the members of the panel are
22 here if those of you in the audience would like to get up
23 close and ask them some questions or have a discussion with
24 them.

25 So, why don't we take a recess for the moment, then.

1 (WHEREUPON, a recess was taken at approximately
2 3:05 p.m., and nobody having shown up, the hearing
3 adjourned at approximately 4:00 p.m. until 7:00 p.m.)
4

5 (Tuesday, June 30, 1981)
6

7 EVENING SESSION
8

9 (7:15 p.m.)
10

11 MR. CAMPBELL: Ladies and gentlemen, we will go
12 ahead now.

13 My name is Dick Campbell, I am the Project Manager
14 for the Uranium Mill Tailings Remedial Actions Project in
15 Albuquerque, New Mexico.

16 The purpose of our meeting this evening is to
17 discuss the scope of the Environmental Impact Statement
18 that we will be preparing for the Durango Mill Tailings
19 Site.

20 It is called a scoping meeting, and it is part
21 of the process of determining what the scope should be of
22 the Environmental Impact Statement, or the EIS.

23 I will have one of our contractor people discuss
24 the process of preparing an EIS, and how the scoping
25 process fits into that overall procedure.

1 As most of you probably know, the Durango site is
2 one of 25 sites in the United States for which Congress
3 passed a law to clean those sites up. One site is in
4 Pennsylvania, and the rest are here in the West.

5 The law requires us to clean up the sites
6 according to standards to be set by the Environmental
7 Protection Agency, EPA. The law also requires us to obtain
8 a license for each of those sites after the remedial actions
9 are completed.

10 And finally, the law establishes a partnership
11 with the affected States for carrying out the project. With
12 States paying 10 per cent, and the Federal Government paying
13 90 per cent.

14 In the case of Indian lands, the Federal
15 Government pays 100 per cent.

16 The basic purpose of holding this scoping
17 meeting is to hear comments from the public and from local
18 officials in the area as to the alternatives that we propose
19 to consider and as to the concerns of the local people that
20 should be examined and analyzed in the Environmental Impact
21 Statement.

22 To hear your comments, we have a panel of three
23 individuals representing the parties to the preparation of
24 that EIS. Sitting closest to me is Mr. Al Gonzales, who is
25 the Project Engineer for the Colorado sites in my office in

1 Albuquerque, New Mexico; sitting in the middle is
2 Mr. Bill Shaffer, from the Nuclear Regulatory Commission in
3 Washington, D.C.; and on the far end of the table is
4 Mr. Dick Gamewell from the Colorado Department of Health,
5 Colorado being our partners in cleaning up the Durango Site.

6 Now, the rules, generally, of holding a meeting
7 of this type are that those who wish to speak either have
8 indicated in writing in advance, or have indicated when they
9 have registered at the beginning of the session.

10 This evening so far we have one individual that
11 wants to make a statement, and we will get to that in just
12 a minute.

13 First, I would like for Mr. Gonzales to just
14 repeat briefly and to describe the alternatives that we are
15 considering at the present time for analysis in the
16 Environmental Impact Statement.

17 Al?

18 MR. GONZALES: Very briefly, regarding the
19 Durango mill tailings, we are presently proposing to look at
20 three alternative actions.

21 One of them being to perform no remedial action,
22 and allow the present situation to continue with no
23 corrective action.

24 Secondly, to decontaminate the vicinity
25 properties that are contaminated with the tailings and

1 bring the tailings to the Durango site. All tailings and
2 the contaminated materials would be stablized at the site,
3 and a soil cover would be placed over the consolidated
4 materials.

5 Thirdly, move all of the tailings from the
6 Durango site and materials from the vicinity properties to
7 a new disposal site yet to be selected.

8 Our current proposed course of action is to move
9 the residual radioactive materials, the tailings, along
10 with the other materials on the vicinity sites to a new
11 permanent disposal site.

12 Thank you.

13 MR. CAMPBELL: As I mentioned earlier, the scoping
14 meeting that we are holding this evening, and that we had a
15 session this afternoon, and for which we will have another
16 session in the morning, is part of the process of preparing
17 an Environmental Impact Statement.

18 From a project office point of view, we have
19 assigned a task to the Sandia National Laboratories, a
20 contractor for the Department of Energy, in Albuquerque, we
21 have assigned to them the task of managing the preparation
22 of these environmental documents for all 25 of these sites.

23 With us this evening is Dr. Mel Merritt who will
24 discuss the process of preparing EISs, and how this scoping
25 process fits into that overall sequence.

1 Mel?

2 MR. MERRITT: Good evening. As he said, my name
3 is Mel Merritt, and I work for the Sandia National
4 Laboratories, the DOE laboratory in Albuquerque, New Mexico.

5 In late 1969, Congress passed the National
6 Environmental Policy Act. And if I say NEPA, I mean the
7 same thing. It was signed into law by President Nixon on
8 the 1st of January, 1970.

9 The intent of this new law is to get Federal
10 agencies to consider the environmental consequences of their
11 actions as well as their dollar costs.

12 In order to insure that these nondollar costs are
13 indeed taken into account, Congress called for what we now
14 call an Environmental Impact Statement for every major
15 Federal action significantly affecting the quality of the
16 human environment. There is some key words in there.

17 "Major," and "significantly."

18 The taking care of the Durango pile here in La
19 Plata County is such a major action, and an Environmental
20 Impact Statement is to be prepared for that action.

21 Recently, the Council on Environmental Quality
22 issued regulations with respect to such statements that apply
23 to all Federal agencies including the Department of Energy.

24 The purpose of these regulations was to provide
25 uniformity on such statements prepared in different parts of

1 the government.

2 They are also intended to reduce paperwork and
3 delay, and they call for the scoping that we are in today.

4 The spirit of these regulations is this: Every
5 Federal agency, as I have said, is to examine environmental
6 consequences as one of several inputs into making decisions.
7 One of several.

8 There is to be public disclosure of expected
9 consequences, especially adverse ones.

10 Statements are to be short, easily understandable,
11 accurate, but early before decisions are made.

12 Statements are to emphasize significant issues
13 and not waste time on minor ones.

14 The Council also recommends a format for these
15 documents, and, I guess, the one of the key things there is
16 that they are not to be over 150 pages, and that is part of
17 the idea of making them short. If you call 150 pages short.
18 Sometimes that is a lot of reading to do.

19 There is to be a summary, there is to be a clear
20 statement of the purpose and need for the project, but the
21 real key of this kind of a document is in the third chapter
22 which covers the alternative ways of meeting the need.

23 In the present case, the alternative ways of
24 making the Durango tailings safe to be around.

25 The alternatives you have just heard about, they

1 are to repeat, to do nothing, although this is not really a
2 viable alternative, it is called for in the regulations as
3 sort of a base case, what happens if we don't do anything.

4 To take care of them in place, or to move them
5 into one of several places nominated by the State.

6 And there is also a chapter on the environment to
7 be effected, and a final chapter which gives details of
8 impact analyses and the results. So that you, the reader,
9 can judge the assumptions that went into the analyses, and
10 judge the magnitude of the uncertainty of the predictions,
11 and to be blunt, can judge whether you think the analyses
12 are any good at all.

13 The impacts to be considered to both radiological
14 and nonradiological are both short-term and long-term.

15 The basic requirement of any viable alternative is
16 that it be able to meet applicable standards, and these are
17 standards set by the Environmental Protection Agency in two
18 parts; cleanup, and final disposal.

19 The cleanup have to say that when the job is done,
20 and there shall be no soil left except at the final disposal
21 site as contaminated with radium the levels of 5 picocuries
22 per gram, and no building with internal radium or radon
23 daughter product levels of over .015 working levels.

24 The disposal standards have to do with such things
25 as the level of radiation of radon emission that come out of

1 these piles, and that is set down as near background.

2 And they have to do with possible contamination
3 of surface and underground waters. There is a long table
4 of limits, which I don't propose to repeat, because there
5 is too many things in it.

6 These are not final standards, mind you, they
7 are proposed standards, and hearings were held on them and
8 here in Durango about two months ago, and also in Salt Lake
9 City and Washington, D.C.

10 As he indicated, to prepare this Environmental
11 Impact Statement, the DOE is working through Sandia and has
12 engaged Dames and Moore Company of Denver to help.

13 The steps to be taken are to gather data, to
14 produce a conceptual design, to make the needed analyses,
15 and to write it all up.

16 The DOE must get together everything we know about
17 this pile and about the prospective final disposal sites,
18 and almost surely some additional data will have to be
19 acquired.

20 There will have to be a conceptual design for the
21 remedial action, which is to say not a final design, but
22 one of enough detail to let the impacts be evident.

23 There will be analyses of these impacts at the
24 level of nicety implied by their importance and then all of
25 these together will be put together to direct an

1 Environmental Impact Statement, and that draft will be
2 reviewed extensively by the Department of Energy, again,
3 and by the Nuclear Regulatory Commission, and when they are
4 all happy with it, it will be printed and distributed here
5 as well as lots of other places.

6 You notice I said a draft, because the NEPA
7 process calls for a draft to be circulated for comment in
8 the interested public and government agencies before the
9 final statement is made final.

10 The whole process until we get a final is
11 estimated to be about a year and a half. It is a long time.

12 Now, you the public, get several opportunities to
13 review and comment on what is being done during this
14 process. This scoping meeting is one such time. Here we
15 want to find out from you, as he said, the issues which
16 you consider the important ones, and which ones trivial,
17 so that emphasis can be put where it ought to be put. And
18 this scoping is also to get your opinions of the validity
19 and the breadth of cover of the alternatives.

20 Your next formal chance to comment--formal chance,
21 will be when the draft statement appears.

22 We expect to hold public meetings at that time
23 here in Durango to give you a chance to tell us how to
24 improve our analyses, and your thoughts about how we say
25 things in the final statement.

1 Then, after the final appears, there is to be a
2 waiting period of at least a month before the final
3 decisions are made.

4 Now, these are formal occasions for public input.
5 And in addition, we expect frequent informal talks,
6 interchanges with your local Task Force.

7 So, today, we are here in a scoping meeting, and
8 I remind you that there are two questions of you, please:
9 What impacts do you think are important? And, what
10 alternatives do you think we should be considering?

11 Thank you.

12 MR. CAMPBELL: Thank you, Mel.

13 The only person that I am aware of at this
14 moment that wishes to make a statement is Mrs. Schmitt. So
15 without further ado, why don't we go ahead.

16 Mrs. Schmitt, if you will come up here.

17 MRS. SCHMITT: My name is Clara Mae Schmitt, and
18 I live at 981 County Road 122, Hesperus, Colorado.

19 I have two main areas of concern about moving the
20 tailings pile, and they are health and safety.

21 I am opposed to any proposed site that requires
22 trucking the materials on public roads. I feel the
23 potential traffic hazards of so many trucks is far greater
24 than any calculated cancer risk.

25 Second, it would seem that since the EPA is having

1 so much difficulty in setting standards for cleaning up
2 tailings sites, the experts don't agree on safety standards.
3 Will we then have two contaminated sites to deal with?

4 I would hope that the Department of Energy would
5 seriously consider stabilizing the pile where it is, or if
6 it must be moved, let it be moved by conveyor belt to the
7 Bodo Site.

8 Thank you.

9 MR. CAMPBELL: Is there anyone else in the audience
10 that would care to make a statement that possibly didn't
11 indicate when they registered?

12 MR. BIXLER: As we go along can we maybe think of
13 something?

14 MR. CAMPBELL: As we go along? Well, at the
15 moment we have exhausted the supply of our speakers.

16 MR. BIXLER: There might be some further
17 questions and answers that could come about.

18 MR. CAMPBELL: Well, I had--normally, at a meeting
19 of this kind, we don't engage in a dialogue of questions
20 and answers back and forth, and; however, because we have so
21 few, we might just for the edification of all involved, if
22 there are questions, I think we would depart from the normal
23 procedure, and entertain such questions.

24 I believe that without calling a recess now and
25 waiting until others might show up, if you have a question,

1 go ahead and pose it, I will repeat it so everyone can hear
2 it, and we will attempt to answer it.

3 MR. BIXLER: I might, if I may, just come up there
4 to the mike.

5 MR. CAMPBELL: Fine.

6 MR. BIXLER: I am Don Bixler, and I have lived
7 here 50 years, and I sort of agree with Mrs. Schmitt in her
8 projections of the tailings pile.

9 A few months ago, there was a letter written to
10 the EPA--I don't know if these gentlemen received it or
11 not--but it was a suggestion, and I am going to expand on
12 this just a little bit.

13 First of all, here is a question for somebody to
14 answer later on, is there really that much radiation, or
15 radon gas coming from the pile with the vegetation that we
16 have there? I have always been of mind that with this type
17 of uranium or gases, that you couldn't get a vegetation to
18 grow, and it has taken a while, but the vegetation is there,
19 and the question is, is there that much radiation that it
20 has to be moved, number one, and number two, if it has to
21 be moved, and referring to this letter, take a couple of
22 bulldozers and some manpower, and cut the tailings pile in
23 half and spread it around the mountainside there, and push
24 some rock and dirt over the top of it, and let it be.

25 I--it is kind of a landmark to me, and it has

1 brought a lot of work in here, and the people that owned
2 the pile there a few years ago they had a tremendous idea
3 where the County could make money off of moving this dirt
4 for this uranium pile, and it seemed ridiculous to spend any
5 more money than was--excuse me, than what has already been
6 spent on this project.

7 Thank you.

8 MR. CAMPBELL: Let me attempt to answer the one
9 part of the question which is a very difficult question,
10 which relates to a statement as to what the hazards or the
11 health risks are from the tailings pile in its present
12 unstabilized condition.

13 I believe it would be safe to say, and I believe,
14 most people would agree, that the tailings pile as it is
15 today, represents some measure of increased risk to some of
16 the residents of Durango. Particularly those who are closer
17 to the tailings pile.

18 Now, I said that it represents some measure of
19 increased risk, and that is the part that gets very difficult
20 to put into terms that everyone would agree with. There are
21 some--and I don't quibble with those people who say that any
22 increased risk should be eliminated if at all possible.

23 There is another view which says we live in a very
24 fast paced society and there are many risks that we face
25 every day.

1 And, so, it is difficult to say whether the
2 tailings represent a sufficient amount of risk to some
3 portion of the citizens of Durango to spend some "X" million
4 dollars to eliminate that risk.

5 From my point of view, from the project point of
6 view, we are trying to carry out the provisions of Public
7 Law 95-604. And to carry out the provisions of that law,
8 in the most economical way.

9 And the suggestion that you make to stabilize the
10 tailings on the site, you can't really do it right where it
11 is. It has--something has to be done, but to stabilize the
12 tailings at least on the location there, is certainly a
13 consideration that we must look into.

14 The other--next option possibly of the least
15 amount of movement of going to Bodo Canyon with a closed
16 conveyor system is certainly a very attractive one, because
17 it is the next most economical alternative that we have.
18 And to carry it any further, and particular with trucks,
19 certainly carries with it the increased risks of carrying
20 out the remedial action.

21 So, I believe, that your suggestion is one that we
22 thought of also, but it is one that we possibly need to put
23 more emphasis on in devising an alternative called
24 stabilization in place.

25 But meaning really on the site--within the site

1 boundaries, without having to move the tailings to some new
2 location.

3 So, certainly, your point is well taken.

4 There is no way that I can answer, as people have
5 asked so many times, how unhealthy are the tailings? How
6 unhealthy is the radon gas coming off of the tailings? As
7 you may know, there are a number of studies dating back 10,
8 15, 20 years over the hazards from radon and the radon
9 products.

10 And there are new studies within the last year
11 and a half to two years, which would tend to indicate that
12 the low-level radiation is not as hazardous as it was once--
13 or has been studied in the past, but Debra, I don't want to
14 get into an argument about how unhealthy or healthy it is.

15 Do you have a question?

16 MS. McCAFFREY: I just--

17 THE REPORTER: I can't hear her.

18 MS. McCAFFREY: Ford, Bacon and Davis estimates
19 there is one lung cancer death every three years from the
20 pile, and they don't take into account leukemias, bone
21 cancers, or other cancers. They just estimated lung
22 cancers.

23 MR. CAMPBELL: Debra McCaffrey was saying was that
24 there is a study which the Department of Energy funded by
25 Ford, Bacon and Davis, Utah, which you may be familiar with,

1 which was a study of all--actually it was 25 different
2 studies, one for each of the sites, and the one for the
3 Durango tailings, assessed that the health hazard, and
4 using information that was generally accepted at the time,
5 estimated what the health risks were, and, I believe, Debbie,
6 as you said, one increased cancer death every three years
7 was the risk reported in that study.

8 MR. BIXLER: I have a question for the lady here,
9 or you, is that for this area, three related cancer deaths
10 for this area?

11 MR. CAMPBELL: That number reported in that study
12 was for the residents of Durango, averaged over the entire
13 population.

14 Now, what happens with radon and its daughter
15 products is that the risk decreases the further away from
16 the pile you get, such that at about one and a half to three
17 quarters of a mile, from the edge of the pile, the amount of
18 radon coming from the tailings pile, is just about zero, or
19 in other words, you have reached the background level. And
20 radon does come from just about everything. But the report
21 then took the total population of Durango, and it projected
22 a number of time frames, 1976, I believe the year 2000,
23 certain projections, and the increased cancer rates was that
24 which would be effective over the entire population of
25 Durango. And actually, I believe, they estimated over 25

1 years, but she has equated it to one increased death every
2 three years.

3 Now, let me point out, the calculations made in
4 that study were based on information or theories that were
5 existing at the time as I said, within the last two years,
6 there have been some new studies done which say that the
7 risk estimators that are used to make these calculations
8 were possibly three to five times overestimated, which would
9 tend to say that the risk of the tailings from the Durango
10 tailings or from the radon is not as great as might have
11 been calculated in the Ford, Bacon, Davis studies.

12 I might mention to you that the EPA, Environmental
13 Protection Agency, calculates that the amount of increased
14 cancer deaths caused by all 25 inactive mill tailing sites
15 nationwide, is 200 increased cancer deaths over the next
16 100 years. Over the next century, I believe, that our
17 current lung cancer death rate is 92,000 per year. If you
18 want to put it in perspective.

19 I think what we could do would be to--since it is
20 raining and people may not want to leave immediately, let us
21 just take a recess and the members of the panel are
22 available for those of you who would like to engage in some
23 conversation about the difficulties in carrying out these
24 alternatives, what the project is about, and to discuss
25 maybe some of your personal suggestions.

1 As I said, we have the Project Office in
2 Mr. Gonzales; the Nuclear Regulatory Commission in
3 Mr. Shaffer; and your Colorado Department of Health in
4 Mr. Gamewell.

5 So let us take a recess for the time being to see
6 if others will show up.

7 (WHEREUPON, a recess was taken at approximately
8 7:45 p.m.)

9 MR. CAMPBELL: Ladies and gentlemen, we are going
10 to adjourn for the evening.

11 (WHEREUPON, the above hearing was adjourned at
12 approximately 8:30 p.m., and the hearing was continued until
13 approximately 9:20 a.m., July 1, 1981.)

14
15 (Wednesday, July 1, 1981)

16
17 MORNING SESSION

18
19 (9:20 a.m.)

20
21 MR. CAMPBELL: Good morning. We might as well
22 proceed.

23 Yesterday we had two sessions, one in the
24 afternoon and one in the evening, and this is the final
25 session of the scoping meeting for the Environmental Impact

1 Statement for the Durango Tailing Site.

2 Yesterday, we used the procedure where we
3 summarized the purpose of the meeting, the alternatives that
4 were to be considered, and a brief description of the
5 environmental process that is associated with this action.

6 I would like to summarize that material for this
7 morning's session.

8 First, this is a scoping meeting which is part of
9 a process to determine the issues to be considered in the
10 Environmental Impact Statement, and what concerns should be
11 examined, and what alternatives should be considered by DOE
12 in preparing the EIS.

13 The alternatives that we are looking at--it is too
14 loud--the alternatives that we are looking at for this
15 particular site are three.

16 First, there is no action case, or leaving the
17 tailings where they are at the present time, bringing the
18 vicinity property materials to the present location, but
19 doing nothing further than that. Now, this is what is
20 called a base case and it is examined and analyzed in the
21 Environmental Impact Statement as a reference point for the
22 other alternatives.

23 The second alternative would be to stabilize the
24 tailings in place, that is on the site itself.

25 Again, bringing any contaminated materials from

1 off-site properties to the tailings site itself.

2 The third alternative is to remove the tailings,
3 to a new disposal site, bring the contaminated materials
4 from the vicinity properties, to that new location, and to
5 clean up the original site, for basically unrestricted use.

6 Now, within this third option, there have been
7 three candidate disposal sites identified, of which will be
8 examined each in turn in the Environmental Impact Statement.
9 That is the Bodo Canyon Site, the Long Hollow Site, and the
10 Pine Ridge Site.

11 Now, in preparing an Environmental Impact
12 Statement, the Department of Energy is complying with the
13 National Environmental Policy Act passed in very late
14 1960s, which requires the Federal Government to analyze
15 the environmental consequences of the major Federal action.

16 And in this particular case, the remedial actions
17 at the Durango Tailings Site do constitute a major Federal
18 action. The basic process is to gather information about
19 the original site, any disposal sites, to analyze the
20 environmental impacts of the various alternatives that I
21 have mentioned, and to prepare a Draft Environmental Impact
22 Statement, which is to be issued for public review and
23 comment.

24 That document will also be reviewed by other
25 Federal agencies and by the State.

1 After those comments are received, and a public
2 meeting---at least one public meeting to be held to hear
3 comments, the document is put into a final form, and is
4 finally issued as the final Environmental Impact Statement
5 for this particular action. After a certain waiting period,
6 then, the decisions which obviously must be concurred and
7 by the State, can be officially taken, and action can be
8 taken to carry out this particular decision.

9 So what I have done here is to kind of review the
10 alternatives that we have at the present time to consider
11 in the EIS, what this process is for an Environmental Impact
12 Statement, and the fact that the scoping meetings we are
13 having here in Durango are intended to gather the input,
14 comments and concerns of the local public and local
15 government officials.

16 To hear these comments, we have a panel to my
17 left, sitting closest to me is Mr. Al Gonzales, the Project
18 Engineer in the DOE Project Office for all of the Colorado
19 sites. Sitting in the middle is Mr. Bill Shaffer from the
20 Nuclear Regulatory Commission in Washington, D.C. And at
21 the far end of the table Mr. Dick Gamewell from the
22 Colorado Department of Health.

23 These three parties, the Project Office, the
24 State, and the Nuclear Regulatory Commission, are the
25 partners in carrying out this action at Durango, and are the

1 partners in preparing the Environmental Impact Statement.

2 The general rules that we follow are that each
3 person be called who is registered, who indicated a desire
4 to speak, if the panel had a question for clarification
5 purposes, they can ask that question. We ask that the
6 questions from the floor not be addressed to the speakers,
7 in other words, no cross-examination of the speakers.

8 Our first speaker this morning is a gentleman who
9 has been associated with this particular problem for many,
10 many years, and he has been working with us closely to try
11 to find the right solution, Mr. R. T. Scott of the County
12 Commissioners.

13 MR. SCOTT: Thank you, Dick.

14 I appreciate the opportunity to address your
15 panel.

16 I wear two or three hats in this particular
17 situation.

18 I am on the Uranium Mill Tailings Task Force
19 Committee, I am Chairman of the Board of the La Plata County
20 Commissioners, and the third hat would be a private citizen.

21 I first want to address the recommendation from
22 the Durango Uranium Mill Tailings Task Force.

23 I have a letter here, and I will leave it with
24 you when I am finished.

25 Providing that the uranium mill tailings pile

1 cannot be remediated at its present site in accordance
2 with EPA Standards, the Durango Task Force recommends that
3 the Bodo Canyon Site be utilized for deposit of the
4 tailings.

5 This statement is made with the understanding
6 that the selection--that should be the understanding with
7 any site as far as that is concerned, it must be
8 determined to be geotechnical feasible and to meet EPA
9 standards, or if the nature that it can be made to meet the
10 standards of EPA.

11 Reasons for--this is some of the reasons for
12 recommendation for the Bodo Site.

13 The site is in close proximity to the existing
14 tailings pile and would make transportation more feasible,
15 with different options, some of the options would be:
16 Closed conveyor, slurry pipe, off-highway vehicles, vehicles
17 with track and also the regular dump truck could be used if
18 so desired.

19 The Bodo Canyon Site is on public land.

20 Another issue of importance is public
21 acceptance. Does not disrupt anyone's lifestyle, or their
22 quality of life. This is extremely important in
23 Southwestern Colorado.

24 Movement of the tailings pile to the Bodo Site
25 could be performed around the clock; therefore, reducing

1 the overall time that the disturbance would be taking
2 place.

3 It would not utilize any public road, therefore,
4 reducing the area of long-term contamination.

5 One great concern the Task Force Team did have,
6 as mentioned several times, was the use of Highway 160 and
7 Wildcat Canyon Road, County Road 141.

8 These roads have been kicked around that way in
9 some of the prior and planning and discussing, and 160, at
10 best is overcrowded with all of the tourists and we can see
11 an area there that would create a lot of problems and
12 probably take a lot of lives using that. And Wildcat Canyon
13 is the same way, only worse. Wildcat Canyon is a dangerous
14 road. There is no way with the type of trucks you proposed
15 to use to haul this with can go up Wildcat Canyon Road and
16 make those curves and stay in their own lane. It is just
17 impossible.

18 One reason I say that, and I say that with
19 knowledge, because I used to run trucks just like that, and
20 I am aware of some of the conditions.

21 Now, the Task Force has spent a lot of time
22 evaluating the aspects. We think we have evaluated all
23 aspects as far as sites go, not getting into the
24 geotechnical part of it, or the EPA Standards, but we
25 believe that we have a good recommendation, and would

1 certainly hope that they would be adhered to.

2 With that, I will now change my position to La
3 Plata County Commissioner, and not as Member of the Durango
4 Mill Tailings Task Force.

5 Having lived in La Plata County for over 30 years,
6 having been in the construction business for 25 of that 30,
7 having worked over most all of the County, I do feel as
8 though I have a--I believe, I have a good feel for site
9 location, for mill tailings.

10 Having worked in the local Task Committee, also a
11 County Commissioner for the past two-and-a-half years, I
12 believe I have a good feel for the concerns citizens have on
13 the disposal of this mill tailings.

14 I have had many meetings of concerned citizens,
15 not to talk about any particular site, but talk about the
16 effect of what may or may not happen.

17 After evaluating all of the considerations of all
18 of the sites that have been proposed so far, I believe the
19 Bodo Canyon Site outweighs the other sites by far. This is,
20 of course, with the understanding Bodo Canyon Site is
21 geotechnical feasible, or can be made to be geotechnical
22 feasible. When I say made geotechnical feasible, I want to
23 clear that a little bit.

24 Perhaps it needs a lining in it, perhaps it is not
25 as good as some other sites, I don't know. If this is the

1 case, as long as it can be made to EPA Standards, then we
2 should use it. With the proximity of the Bodo Canyon Site
3 to the mill itself, a lot of extra work to be done on it
4 there is a ridge between two locations that does have the
5 formation--the desirable formation, and that ridge I would
6 submit could be cut out with a--not a considerable cost.
7 At least enough of it to join it together to make it all
8 one location.

9 And I just feel strongly that extra work required
10 would still not come near anywhere close to the other costs
11 of the other sites.

12 Or even if the economic--I have been talking about
13 that--I think that is a great concern. I am not one to say
14 let's cut costs here and do a half job. Let's make sure
15 when we do this that it is put to bed, that we are through
16 with it.

17 As far as the economics go on reclaiming any of
18 the minerals out of it that is there, from the information
19 I have, it looks doubtful.

20 Certainly, there is no need to spend a few
21 million to redeem it and get a few million less than you
22 put in it.

23 I am sure that that, though, will be based strictly
24 on economics, whether it is the uranium, vanadium is
25 reclaimed or not.

1 Number two, public acceptance. This area is
2 located on public land. The land is not just ours for the
3 taking. There has to be negotiations for it.

4 There has already been some movement started with
5 the major conservative on that.

6 They are aware of it. They are studying it, there
7 is other property available joining there, Fish and Wildlife
8 property, that can be purchased and traded for this.

9 I believe, that if this site proves to be
10 feasible, that the site itself can be made available with
11 reasonable costs.

12 One area of great concern to me is the length of
13 time to complete the project.

14 With the Bodo Site, this project could be operated
15 24 hours a day. I think it could be reduced to half of the
16 proposed time to put the mill tailings to rest.

17 The different method of transportation, I did
18 talk a little when I was wearing the other hat, about the
19 closed conveyor. It would appear to me as though it is the
20 most feasible.

21 There again, I haven't put the pencil to it, and
22 I am not going to point blank say, I think so.

23 The rail method should not be discarded until
24 further study in my opinion, and also off-highway vehicle,
25 where you take 80 or 100 ton at a load; however, I think the

1 conveyor still has its merits.

2 One issue of great concern is the contamination.

3 On public loads, there is no way you are going to
4 haul this out on a public road without leaving some
5 contamination. It is on the tires. It is going to leak
6 out of the bed somewhere. With the trucks that I saw that
7 were used over in the Naturita area, you could certainly
8 scatter it quite handily, because they were just common
9 belly dump trailers.

10 I have no problem with using that type of trailer
11 hauling to the Bodo Site is that is what is deemed
12 necessary, but it is going to scatter contamination and in
13 any event, it is going to get on the tires, and the tires
14 will carry it to the highway, and the highway then, it will
15 blow off anywhere.

16 There is the safety factor in using the Bodo
17 Site, is just really not a great concern as far as the
18 private citizens, and the public is concerned. The entire
19 area could be restricted with--restricted from the public,
20 the road that goes through that area could be restricted
21 from the public, and the operation continue on without any
22 interference or bother from the public, or without the
23 public worrying about this operation interfering with them.

24 Also, I understand there is a study underway at
25 present to stabilize the pile and leave it where it is.

1 Well, when I say leave it where it is, I don't really mean
2 not just leave it exactly, but leave it in that area.

3 I don't know what is happening on this study, or
4 how far it got, or how much consideration it is going to
5 get, but I think it should be considered.

6 The site also must meet EPA Standards, and be
7 geological feasible. You have many things. You have flood,
8 a problem that has to be addressed, but if it is feasible to
9 meet the EPA Standards, I think that should be a strong
10 consideration, and actually would be my number one choice
11 is to leave it where it is if it would do that, or that is,
12 in that area.

13 I believe in looking at it, a consideration of
14 moving the highway and the river over on the upper end
15 would certainly be another consideration for making more
16 room between the highway--between the river and the
17 tailings pile.

18 And I am sure that that would be the most
19 economical solution when you go back to economics, and I
20 submit to you before this gets going with the level our
21 Federal Government is going on budget cuts, economics are
22 going to be a consideration. And I think they should be.

23 As I stated, I think this would be the best, if
24 it can meet EPA Standards.

25 The Bodo Site would be my next choice, and if

1 either of the two sites wouldn't work, then, I believe we
2 better start looking for other sites to consider, because
3 I don't believe from the information I have that I could
4 consider enforcing any of the other sites that have been
5 brought to--for consideration.

6 I think that there is other areas where you do
7 not have to go into a community to force it on them and
8 make them take it whether they like it or not. That is
9 just not the American way of doing things.

10 Thank you very much.

11 MR. CAMPBELL: The next speaker we have this
12 morning is Mrs. Kathleen Cooley.

13 MRS. COOLEY: Thank you for this opportunity.

14 My name is Mrs. Kathleen Cooley. My husband and
15 I own city property approximately one mile driving distance,
16 approximately a half a mile as the crow flies, from the
17 tailings pile.

18 After living in Durango for seven-and-a-half
19 years, we do not view the tailings pile as a threat to our
20 family or the other residents of this community. We plan
21 to continue living in Durango after retirement in peace with
22 the community and the belabored tailings pile.

23 We would enter our objection to any disturbance of
24 the tailings pile. There are possible health hazards in
25 having the pile located as close as this one to an inhabited

1 area. However, news media reports of studies to determine
2 these hazards, past, present and future, present little to
3 convince us that they are a significant threat.

4 After 20 years the area has a good ground cover
5 which will increase substantially each year now that it has
6 started. Any attempt to move the pile will greatly increase
7 the hazards to everyone in the Animas Valley.

8 There is no conceivable way dust created from
9 digging and transporting can be completely controlled. The
10 strong winds we have experienced this year is an indication
11 of how these hazards could be spread miles beyond our
12 immediate area.

13 No one wants the tailings in their back yard.
14 Moving them only puts the burden on someone else.
15 Establish on-site stabilization.

16 It has taken the Federal Government two to three
17 years to get as far as a Preliminary Environmental Impact
18 Statement. It will be another two or three years, by their
19 own admission, before any actual work on moving the pile can
20 be started. In that time, the present land covering will be
21 even more firmly established.

22 The \$45 million of tax money needed to clean up
23 the pile, plus the years of study costs, plus inflation,
24 could certainly be put to a better use.

25 We strongly urge the Environmental Impact

1 Statement to reveal the detrimental factors--health and
2 financial--which will be imposed upon the residents, as well
3 as those factors upon wildlife and water pollution, that
4 digging into an established hill will create.

5 Thank you.

6 MR. CAMPBELL: Thank you, Mrs. Cooley.

7 The next speaker is Mr. E. L. Hutchison.

8 MR. HUTCHISON: I am E. L. Hutchison, and my only
9 reason for being here today really was to observe and not to
10 speak. I didn't ask to speak. I just put a question mark
11 there.

12 But since one of the sites that has been
13 selected happens to be on my property, I just thought I
14 might make a few comments.

15 I feel the same as Mr. Scott, if it is going to
16 be moved, the most logical place for it is in the Bodo
17 area. That does save the taxpayers a lot of money on the
18 purchase of the property. The fact that it is closer, it
19 can be moved 24 hours a day, certainly is of importance to
20 the--as far as contamination and for the cost to the
21 taxpayers.

22 One of the reasons that my site was in question
23 is the fact that when Ranchers were here before, they did
24 the geotechnical work on that, and I did have an agreement
25 on that piece of property to start with.

1 It was a satisfactory site, and after seeing the
2 project in Naturita, I couldn't feel that it would be
3 detrimental to our particular project.

4 And if anybody thought it was, as I have said
5 before, I didn't want to sell them any property anyway if
6 they felt like that.

7 This property--this tailings has blown all over
8 Durango for 30 years, and nobody seemed too concerned about
9 it, and I don't agree with Mr. Scott as far as contamination
10 on the road and coming back with an empty truck. If it is
11 going to bother anybody, it looks like we would have lost a
12 lot of people in the 30 years that it has blown all over
13 Durango.

14 If it does have to go in the Long Hollow Site, or
15 the Pine Ridge Site, we thought that a one-way traffic
16 through the Bodo area, to these other sites, and then with
17 the empty trucks returning on the Wildcat Canyon Road, that
18 probably would be the most feasible thing to do.

19 And certainly, we need that Wildcat Canyon Road
20 upgraded. This might be a way to get it done.

21 Another thing, during the tourist season,
22 certainly, this could be hauled at night, and those trucks
23 used for other purposes during the day.

24 Rather than--they have a price in here, I believe,
25 it was 300,000--an estimate of 300,000 per mile to move this

1 material to take it to the Gem Village area, or those other
2 areas, we are talking about a considerable cost to the
3 taxpayers, and certainly additional contamination which if
4 we have it on the highways, and my reason for being here and
5 talking to this group of people is the facts there is very
6 few people trying to cooperate with them, and it is a very--
7 it is something that taxpayers are going to have to pay for,
8 and somebody needs to cooperate with them if we are going to
9 get it moved.

10 That's about all I have to say.

11 MR. CAMPBELL: Thank you, Mr. Hutchison. I didn't
12 mean to get you up here if you didn't want to.

13 Is there anyone else here that wishes to make a
14 statement, at this time?

15 We have one more speaker, Dr. Scott McCaffrey who
16 is on his way here from Farmington now, and we, the panel,
17 made a commitment that we would stay until he got here so
18 that he could make his statement.

19 So if there are no others at the present time--
20 excuse me.

21 MR. SCOTT: Mr. Campbell, I understand there is
22 a group of three or four people to be here around 11:00.

23 MR. CAMPBELL: That is what we intended to do,
24 just recess, to stay right here and we will wait for those
25 people to arrive, so we will take a short recess, then.

1 (WHEREUPON, a recess was taken at approximately
2 9:50 a.m., and the hearing resumed again at approximately
3 10:15 a.m.)

4 MR. CAMPBELL: We have two individuals who desire
5 to make a statement.

6 The first individual is Dr. Joe Bowden from CPS
7 Laboratories.

8 DR. BOWDEN: Am I supposed to talk to you guys or
9 them guys? Who am I supposed to?

10 My name is Dr. Joe Bowden. I live in Durango at
11 3007 East Seventh Avenue. My statement basically is
12 concerned with not necessarily the dangers of the pile, or
13 anything like that--can you hear me okay? There is too much
14 echo, okay.

15 I am concerned not necessarily with the dangers
16 of the pile, I have been working--okay, is that better? I
17 do hear an echo, okay.

18 Do my five minutes start now--pardon me--I am
19 concerned primarily not with the dangers of the pile as
20 they exist today, or five years from now, but primarily by
21 the method by which we propose to move the pile.

22 I have been involved in trying to get the pile
23 moved since 1963 in various situations.

24 I worked as a consultant to a company called
25 Science Applications Incorporated, in the Oakridge,

1 Tennessee office, and was involved with the--some of the
2 very preliminary writings for the removal of the tailings
3 piles before the surface--the Reclamation Act was put into
4 existence.

5 There are primarily two ways to move a pile. One
6 is by trucking it to a site. An alternate method that I
7 would like to very strongly stress to the panel is that we
8 would look into the possibility of a slurry pipeline for
9 several reasons.

10 With trucking, we have the constant problem of
11 trying to ascertain where the dust is going, because a truck
12 runs along even with a tarp covering on it, it is going to
13 be sprinkling dust along the roads.

14 Having personally observed the Naturita a number
15 of times, even with the great care that Ranchers development
16 exercised there, there was considerable dust blowing around.
17 Although, there was--in the monitoring, there was not any
18 evidence of a contamination.

19 Since each of the sites that are currently under
20 consideration involve transporting materials either through
21 or adjacent to the site where schools are located, or where
22 there is a lot of residential activity, trucking may pose
23 more of a--shall we say a personal sense of hazard than
24 actually has occurred.

25 The advantages of a slurry pipeline or that type of

1 transport are, that should a spill occur in the pipeline,
2 say a crack or a break, the spill is located in a very small
3 area. It is wet and, therefore, it does not dissipate
4 rapidly into the atmosphere.

5 The second aspect of a slurry pipeline that would
6 be attractive in the reclamation of the materials from the
7 pile, would be for the Durango pile twofold.

8 One, there is a ready source of water at the
9 tailings site which could be used at the other end where
10 there is not very much water.

11 Secondly, preliminary evidence indicates that
12 perhaps the beginning of the reclamation process could occur
13 here at the site. That is, the application of the acid
14 solution for the leaching out of the yellowcake could occur
15 at the time that the material was actually removed from the
16 pile and put into the slurry pipeline.

17 That way, by the time it would have--the slurry
18 would have reached the 3 or 7 or 10 miles, however which
19 way the pipeline would go, the leaching process would be
20 nearly completed, and would take less chemical activity
21 involved at the ultimate storage site. So that my concerns
22 are that if we are going to be moving the pile that we look
23 into the possibility of a slurry pipeline.

24 And secondly, that if a slurry pipeline process is
25 chosen, we might look into the possibility that the

1 reclamation process of the reclaiming of the yellowcake
2 and other materials from the tailings could be initiated at
3 the site, where we have a larger concentration of water,
4 and would facilitate the leaching process that could occur in the
5 pipeline, so that we could be able to shorten the process
6 of handling everything at the other end.

7 The trucking process requires dumping material,
8 even though it has been wetted down at the other site, I am
9 concerned primarily with the fact that the trucking will
10 pose probably more of a psychological hazard to the people
11 involved than it would be any kind of chemical or radiation
12 hazard.

13 That is basically my statement at this time.

14 MR. GAMEWELL: Mr. Bowden?

15 DR. BOWDEN: Yeah?

16 MR. GAMEWELL: Could you give us any precedent or
17 reference on this concept of leaching in a pipeline?

18 DR. BOWDEN: Okay. There are a number of chemical
19 processes primarily in mining, where the leaching process
20 begins at the moment that the solution is applied.

21 An example, I can't think of right offhand--well,
22 there are some of the sluicing procedures for extracting
23 minerals from ore, where the minerals are ground, let's say
24 at a site, they are mixed with the extracting acids, and
25 then are pumped through a slurry pipeline, oh, two or three,

1 or four miles to the mill where they are actually processed.

2 This saves two processes. One if you are going
3 to be using a slurry pipeline, you are going to have to
4 water at one end and dewater at the other end. And if you
5 begin your process, since the acid conditions required for
6 the extraction of the yellowcake from the ore, are
7 conducive to most of the plastic slurry pipelines, you
8 would not be--there would be no chemical reaction between
9 the slurry and the pipeline itself.

10 So that your process of leaching could actually
11 begin to occur at the time that your materials are taken
12 from the pile.

13 This would cut down the level of dust at the
14 site, and would eliminate the dust at the ultimate disposal
15 site. So that the--there is no precedent for uranium,
16 because this has not been done before, but there are a
17 number of other mineral extraction processes where the--just
18 a straight water leach for example, is done in a number of
19 cases.

20 Like, for instance, potash where the rock is
21 ground and leached with water right there at the mill site.
22 And it is pumped, it is dewatered, and then is allowed to
23 crystallize.

24 Salt is mined this way.

25 So, there are a number of precedents, that--let's

1 say in nonuranium oriented processes.

2 MR. GAMEWELL: Thank you.

3 MR. CAMPBELL: Our next speaker is Mr. Paulek.

4 MR. PAULEK: My name is Victor A. Paulek, and I
5 am Master of the Breen Grange and Director of the Animas-La
6 Plata Water Conservancy District for many, many years. And
7 I--my wife and I were born up--I was born out there at
8 Hesperus, Colorado, and I have been there all of my life.
9 My wife was born here in Durango, and we have been out there
10 most of her life too. And that's about 17 miles west of
11 Durango.

12 We have been active in our community and
13 observant of all of the things that have taken place during
14 our period of time out there. And we have gave many thoughts
15 to this item of moving this tailings pile, and the Breen
16 Grange is going on record as very much against the moving
17 of the tailings pile out in that direction, or possibly any
18 other way. We think that there is plenty of rock and dirt
19 there on that mountain to bury that top pile and leave it
20 there forever. And if it is decided to move it, it should
21 be moved--it shouldn't be moved any further than what they
22 call the Bodo Site.

23 And it can be easily put over there with a slurry
24 pipeline or a tunnel could be driven through that mountain
25 and put through there. And also could be taken on a

1 conveyor belt.

2 And we noticed when that ore was hauled into
3 Durango into the mill there, during the many years it was
4 hauled in and that those trucks deposited some of that along
5 the highway, and now that that is a fine powder, why it will
6 be practically impossible to move it anyplace by truck
7 without contaminating the whole area, and everybody that is
8 working there. Their clothes would be contaminated, and be
9 impossible to keep from spreading that everywhere, and then
10 we will be driving us and the rest of the people that live
11 in the area, and people that--anybody that travels the
12 roads, will be stirring up that dust, and scattering the
13 contamination.

14 So, we are very much against the moving of that
15 pile any distance to speak of except over the Bodo Site.

16 MR. CAMPBELL: Thank you very much, Mr. Paulek.

17 We are still awaiting those who are going to
18 arrive around 11:00 o'clock to make statements, so we will
19 go into another recess until those other parties arrive.

20 MR. PAULEK: My brother has arrived just a while
21 ago and he didn't get his name on the register, but he would
22 like to make a statement at this time.

23 MR. CAMPBELL: Sir, why don't you please come up
24 and if you will identify yourself.

25 MR. PAULEK: My name is Debs Paulek, and I have

1 lived here in La Plata County all of my life. I was also
2 born at Hesperus. I saw that uranium pile grow from nothing
3 to what it is today.

4 And I guess it has been a lot said about moving
5 it, and a lot of things thought of to solve the problem of
6 it being there, and I would just like to make the
7 suggestion that they--if they are afraid it might get washed
8 into the Animas River, to make a cement barrier there so it
9 can't get away from that mountain, and contain it right
10 there and leave it right there until the end of time, and
11 let it remain a part of the Smelter Mountain.

12 And I guess that is about all I have to say, but
13 if it has to be moved, I would rather see it moved to the
14 Bodo Site, rather than anywhere else.

15 Thank you.

16 MR. CAMPBELL: Thank you. We will take that
17 recess now.

18 (WHEREUPON, a recess was taken at approximately
19 10:32 until 11:15, when the hearing reconvened.)

20 MR. CAMPBELL: The party that was to be in route
21 from Farmington has not arrived yet, but we will proceed at
22 this point. We have two other speakers who have arrived,
23 and we will give them an opportunity to talk, and at the end
24 of that, we will hold for just a little while, and if the
25 parties don't show up, we will adjourn at that time.

1 Now, the first thing I would like to do is make
2 a statement for Mr. Dan Crane who is the Mayor Pro Tem of
3 the City of Naturita, Colorado.

4 We have talked on the phone this morning with
5 Mr. Crane, and he said that he had wanted to be here with
6 us, but couldn't make it this morning, but in lieu of his
7 being here physically he wanted us to state that the City of
8 Naturita would welcome the disposal of the Durango tailings
9 in the Naturita area.

10 I might elaborate a little bit on that statement
11 that I have made for the Mayor Pro Tem of the City of
12 Naturita.

13 We have received in the Project Office previous
14 communications from the previous Mayor, Mr. Wilbur Binder,
15 in which they, and the County Commissioners of that County
16 have stated that they would welcome the disposal of the
17 Durango tailings in the Naturita area.

18 The next speaker that we have is Mr. Lloyd
19 Wheeler.

20 MR. WHEELER: I have approximately a thousand
21 acres down in the Long Hollow Canyon there, just down from
22 the site where they figure on running this new site, and I
23 am thoroughly against moving it in the area out there. We
24 have a lot of spring water in the canyon there, good water,
25 and looking at the soil, buildings, in the area where they

1 figure on putting this site, I can't believe that they can
2 contain it in one area. That it will filtrate down through
3 the springs and into the water stream through Long Hollow,
4 which I own--in the stream itself, I have about a mile and
5 a half of that canyon. And all runs water right off of
6 this tailings site.

7 So I am thoroughly against the government moving
8 the site out in the Long Hollow area.

9 Another thing, I can't believe that it is that
10 dangerous sitting right where it is at, where they have it
11 contained, grass growing on it. I feel that it is one of
12 these government projects that they have allocated money
13 for, they have got to spend the money. I don't believe that
14 it is really one of those things that is essential.

15 Now, down in Southern Utah, I was down there for
16 several years, had a store and whatnot in Southern Utah, and
17 I can just about say that the radiation level in Southern
18 Utah, anyplace you want to go where there is hundreds of
19 people living down there, is as high as this tailings pile
20 is out here. There is a low-grade uranium all over the
21 country of Southern Utah, and it hasn't affected those
22 people down there. They live with it, and they lived there
23 for years and years.

24 So I can't see but what the government--it is one
25 of these deals where the government has allocated this money

1 and they say, well, we have got the money, let's do
2 something with it. I don't believe that the tailings
3 sitting where it is at if it is contained right, that the
4 government should spend all of this money in moving it.

5 Thank you.

6 MR. CAMPBELL: Thank you, Mr. Wheeler.

7 The next speaker is Mr. Bob Clark.

8 MR. CLARK: Hello, my name is Bob Clark, and I
9 live at No. 1 County Road 127, Hesperus, Colorado, I manage
10 and operate Kikel Ranches, which is owned by my grandfather
11 J. J. Kikel.

12 We own 2,000 acres within a mile distance of the
13 Long Hollow Site, and a half a mile from the proposed Pine
14 Ridge Site.

15 The fact that either of these two sites are being
16 considered as possible sites for burying the uranium
17 tailings pile is very disturbing. I am here today to voice
18 my opposition for either of these sites.

19 With the economy being at a bad point in the
20 United States and with the many ups and downs of ranching,
21 the possibility of having to sell off some land to keep the
22 ranch afloat is a very real possibility. What would a real
23 estate salesman say to the possibility of buying a lovely
24 view, nice big trees, and a graveyard with uranium being
25 buried not over a mile from the piece of ground. In the

1 60s they would probably would have--would not have thought
2 much about it, in the 70s it may have entered into their
3 answers, but in the 80s, the answer would be a quick, we
4 don't want it. We must have the option to sell any or all
5 of the land if the time comes.

6 If the land's value were to go down, then the
7 amount we would--could borrow would decrease tremendously.
8 We run the ranch on loans, having two or three times a year
9 when we pay back. We depend on being able to get loans to
10 keep equipment in good shape, the feed bought and the help
11 paid. Without the loans we are finished.

5 12 Another reason I would say--the number one reason
13 I am against Long Hollow or Pine Ridge is the health factor.
14 It is too dangerous for the City of Durango, so they are
15 going to take it and put it in our back yards, moving it
16 for the safety of the people does not justify harming
17 another group. We have many small children in the area.
18 Studies show that radioactive material plays a much more
19 damaging effect on children than adults. I consider each
20 of their lives very precious and they should have every
21 chance in the world to grow up to be healthy adults, not to
22 be hampered with the fact that they live within a mile of a
23 burying ground for radioactive material.

24 There are many wells in the area of the Long
25 Hollow Site. There are also many springs which can be

1 traced for many miles. What would happen if these water
2 systems would be contaminated by the uranium and other
3 hazardous material?

4 The surface soil at the Long Hollow Site is a
5 very heavy clay. During heavy rains and spring thaws, there
6 has been as much as 150 second feet of water pass across the
7 road below the site. The proposed Long Hollow Canal, in
8 conjunction with the Animas-La Plata Water Project runs
9 adjacent to the Long Hollow Site.

10 The cost to process, move, and bury are very high,
11 and with President Reagan stressing hard--trying hard to
12 cut government spending, everyone should be doing his share.
13 The cost to truck the material is a very high one.

14 Either site would be bad to truck the material to.
15 For the Pine Ridge Site you would have to go on County Road
16 211, enter onto County Road 141, which is a highly used
17 road. For the Long Hollow Site, plans are being considered
18 to go on County Road 211, then make a secondary road on our
19 property next to County Road 141, and run down to the site.
20 We are unwilling to grant a right-of-way for easement, only
21 condemnsation(sic)--only if you condemn it.

22 In a study done by Ranchers on the Long Hollow
23 Site, the report said there was not sufficient water on the
24 property for processing the uranium and where would the
25 water come from.

1 Since there is not adequate water at either site,
2 would this mean that water would have to be brought from
3 the La Plata River? The La Plata River has a small
4 drainage. This would take water from an already overly
5 adjudicated river. They would have to buy high priority
6 water, move it into a different drainage area, reducing
7 return flow to the La Plata River, and seriously hurting
8 junior water rights.

9 The Pine Ridge Site's drainage is very large, and
10 has very tight soil and causes leaching of hazard waste and
11 a quick return flow to the Animas River through Wildcat
12 Canyon.

13 There would be a truck every three minutes, and
14 would make a truck every minute and a half. It would be
15 very dangerous for the people who must drive the road
16 frequently.

17 If there were to be trucks, there is always the
18 possibility that an accident could occur. How much land
19 would be contaminated if a truck would spill, could 100 per
20 cent of the spilled material could not be recovered. What a
21 mess that would make.

22 Durango is growing. We have seen many changes in
23 the last two years. We have watched as the rural area west
24 of Durango began looking like city blocks. A lot of people
25 are moving to Durango, many of them west of Durango.

1 Durango needs to have this extra space to grow.

2 County Road 211 will not meet County or State
3 specifications for grade or width. As stated before, we
4 will not grant a right-of-way for expansion. We do not feel
5 it is our obligation to maintain fences on both sides of the
6 road to accommodate this amount of traffic.

7 The next expense would be--this would be a great
8 expense of reconstructing, graveling, and building fences
9 to meet State and County specifications. Since we summer
10 100 head of cows in the Ridges Basin, and they have 2,000
11 acres on which to run, we cannot maintain every inch of
12 fence adequately and sometimes the cattle get onto County
13 Road 211, and County 241.

14 Our first solution would be to stabilize the pile
15 in the present location. This would be the most economical
16 way of all solutions considered.

17 If there was absolutely no way to stabilize it in
18 the present location, our next solution would be Bodo Canyon
19 for several reasons.

20 The cost to move it is greatly reduced from the
21 other two sites. A conveyor system would be much easier
22 and better than hauling by truck. The conveyor system
23 would also reduce the health risk to the public while
24 moving.

25 To process the uranium at Bodo Canyon, the water

1 could easily be pumped from the Animas River.

2 There is a large enough area to bury the uranium.

3 The land trade could be resolved. And there are
4 no springs in the area, and the drainage would be limited
5 to the site.

6 To resolve this problem, all parties must be
7 willing to work at a solution. Our first priority is to
8 stabilize it in place. The second is Bodo Canyon. We will
9 not take Long Hollow or Pine Ridge Sites as an answer to
10 the problem. For we must keep one thing in mind. We are
11 not the ones who trucked the uranium in or made the money
12 from it. We are willing to work a solution, but we are
13 unwilling to have the uranium buried in our back yards.

14 Thank you very much. And I also have some letters
15 and some petitions.

16 MR. CAMPBELL: Thank you.

17 MR. CLARK: Thank you.

18 MR. CAMPBELL: Thank you, Mr. Clark.

19 Are there any other persons in the audience that
20 did not register to make a statement, but which would care
21 to do so at this time?

22 (No response.)

23 Let me remind you that if you have further thoughts
24 or comments, or if there are people here in the Durango area
25 who were unable to attend our scoping meetings, that would

1 like to submit a statement, please, those individuals should
2 prepare that statement, send it to me, the address is in the
3 news release, or one of the handouts at the back of the
4 room, and those statements will be entered into the record.

5 Now, as I mentioned at the opening of our scoping
6 meeting, there will be a transcript prepared of the
7 proceedings, including the discussions of the members of
8 the panel, the discussions on the EIS process, and the
9 statements made by each of those who attended.

10 That transcript is available, or will be
11 available to those who desire a copy.

12 Again, if you would telephone or write a short
13 note to me or to Mr. Al Gonzales in the Project Office in
14 Albuquerque, we will be happy to send you a copy of that
15 transcript.

16 If Dr. McCaffrey does appear after we adjourn,
17 there is always the opportunity for him to prepare a
18 statement and send it to us and it would be entered into
19 the record.

20 Again, to repeat, what we have had in the last
21 two days, two sessions yesterday and one session today, is
22 a scoping meeting to hear input from the citizens and
23 government officials in the Durango area regarding the
24 Environmental Impact Statement that we will prepare
25 regarding the mill tailings site here in Durango.

1 As we explained yesterday, the Environmental
2 Impact Statement work will be accomplished by Dames and
3 Moore of Denver under the management of Sandia National
4 Laboratories in Albuquerque, New Mexico, and that
5 Environmental Impact Statement will be a document which
6 addresses the various environmental concerns and issues
7 regarding the alternatives that we are considering at this
8 time to take care of the Durango tailings pile.

9 And again to repeat, those alternatives are to
10 leave the pile in the condition that it is now, doing
11 nothing to it; to stabilize the tailings in place, at their
12 present location; and the third alternative is to move the
13 tailings from their present location, to a new disposal
14 site. And as we mentioned yesterday, there are three
15 potential disposal sites under consideration at this time.

16 When the final--or when the--rather, when the
17 Draft Environmental Impact Statement comes out, it is very
18 possible that there might be additional alternatives added
19 if the input indicates we should examine them.

20 Are there any other comments that we should hear
21 at this time?

22 (No response.)

23 With that, we will adjourn this scoping meeting at
24 this time.

25 (WHEREUPON, the above meeting was adjourned at

1 approximately 11:35 a.m.)

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3 * * * * *

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5 REPORTER'S CERTIFICATE

6 I hereby certify that the above and foregoing is
7 a true and accurate transcript of the proceedings held on
8 June 30, 1981 and July 1, 1981.

9 Dated at Durango, Colorado, this 22nd day of
10 July, 1981.

11

12 Beverly Larkee,
13 Certified Shorthand Reporter, R.P.R.,
14 C.P. & C.M.
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