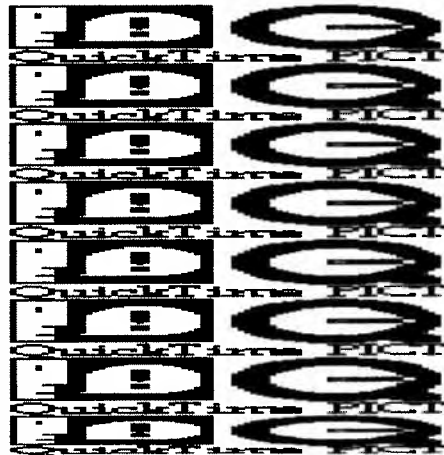


**A Short History  
of the  
Moab Project  
and the  
White Mesa Mill  
Alternative**



Supported by a grant from the Citizens'  
Monitoring and Technical Assessment Fund

# **Notice of Intent to Prepare an Environmental Impact Statement**

- On December 16, 2002, the U.S. Department of Energy (DOE) announced its intent to prepare an environmental impact statement (EIS) for the proposed Moab Uranium Mill Tailings Site Remedial Action Project near Moab, Utah.
- The DOE also announced its intent to conduct public scoping meetings for the EIS.
- The agency's Notice of Intent (NOI) was issued pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Department of Energy's NEPA Implementing Procedures.
- The NOI was published by the DOE in the *Federal Register* on December 20, 2002.

# **Moab Project**

- **The Moab Project is a former uranium mill near the City of Moab.**
- **The Moab Mill was first licensed by the U.S. Atomic Energy Commission (AEC), a predecessor agency of the Department of Energy.**
- **Uranium Reduction Company owned and operated the mill from 1956 to 1962 when it was acquired by Atlas Minerals Corporation.**
- **Atlas then operated the Moab facility (also known as the Atlas Mill) from 1962 to 1984 when it closed.**
- **The Atlas Mill was also re-licensed by the DOE's Nuclear Regulatory Commission (NRC), a successor agency to the AEC.**

- **The Moab Project Site covers 400 acres.**
- **The project site includes a 130–acre uranium mill tailings pile.**
- **The pile contains 11.9 million tons of radioactive uranium mill tailings.**
- **The unlined uranium mill tailings impoundment is also located near the Colorado River.**

- **In 1988, Atlas Minerals Corporation began to decommission the Atlas Mill.**
- **An interim soil cover was placed on the uranium mill tailings pile from 1989 to 1995.**
- **In 1996, Atlas submitted a reclamation plan for the Atlas Mill Site to the NRC.**
- **On-site reclamation and permanent disposal of the uranium mill tailings were proposed.**

- **Atlas Minerals Corporation also submitted an application for an amendment to its license to the Nuclear Regulatory Commission.**
- **The license amendment application was based on the reclamation plan.**
- **The proposed license amendment required the preparation of draft and final environmental impact statements and the issuance of a record of decision (ROD) by the NRC.**
- **The Nuclear Regulatory Commission prepared the draft environmental impact statement (DEIS) in 1996.**

- **In 1998, Atlas filed for bankruptcy.**
- **After declaring bankruptcy, the company was released from liability related to the unreclaimed Atlas Mill site.**
- **In 1999, the federal bankruptcy court established a bankruptcy trust to fund the reclamation of the Moab Mill Site.**
- **The court also appointed the NRC and the Utah Department of Environmental Quality (UDEQ) as the beneficiaries of the bankruptcy or reclamation trust.**
- **The Nuclear Regulatory Commission and the UDEQ then selected PricewaterhouseCoopers to serve as the trustee of the Moab Mill Reclamation Trust.**
- **The trust beneficiaries also selected the trustee to operate as the licensee of the unreclaimed Moab Mill site.**

- **The NRC prepared the final environmental impact statement (FEIS) for the proposed reclamation or remediation of the Moab uranium mill tailings site in 1999.**
- **Based on its draft and final environmental impact statements, the Nuclear Regulatory Commission proposed to stabilize the uranium mill tailings in place.**
- **Stabilizing or capping the tailings in place was the NRC's preferred remediation alternative.**
- **But its proposed surface remediation action did not address the unmitigated impacts of contaminated groundwater at the mill site.**
- **The proposed action also did not address the unremediated impacts of contaminated soils at associated vicinity properties near the site.**



- **In 2000, Congress passed the National Defense Authorization Act for Fiscal Year (FY) 2001.**
- **The act authorized the transfer of the title of the Moab uranium mill tailings site from PricewaterhouseCoopers to the Department of Energy.**
- **The law also authorized the transfer of the responsibility for the remediation of the site to the DOE.**
- **In addition, the act mandated that the mill site be remediated in accordance with Title I of the Uranium Mill Tailings Radiation Control Act (UMTRCA) of 1978.**
- **Additionally, the law directed that the National Academy of Sciences (NAS) provide technical assistance to the Department of Energy for the cleanup of the site.**

- **The DOE prepared a draft plan for the remediation of the Moab mill tailings site.**
- **The plan also addressed contaminated groundwater at the site.**
- **Contaminated soils at the vicinity properties near the mill site were also addressed by the plan.**
- **The plan also included an evaluation of alternatives for on-site and off-site remediation and disposal of tailings and contaminated soils.**

- **In 2001, the Department of Energy submitted the draft plan to the NAS for its review.**
- **After reviewing the plan, the National Academy of Sciences provided its recommendations to the DOE in 2002.**
- **The plan and recommendations were then incorporated into a public scoping process which would be utilized by the agency for preparing an environmental impact statement to support its decision-making on the proposed remediation of the Moab uranium mill tailings site.**

# **Proposed Action**

- **In its Notice of Intent to Prepare an Environmental Impact Statement for the Moab Project, the Department of Energy proposed to select remediation alternatives for the tailings and contaminated soils and groundwater.**
- **Surface remediation alternatives included on-site and off-site disposal of tailings and contaminated soils.**
- **Groundwater remediation alternatives included on-site and off-site surface remediation and disposal alternatives or actions.**

- **Remediation alternatives included a No Action Alternative, Surface Actions, and Groundwater Actions.**
- **Under Surface Actions, the on-site disposal alternative was located at the Moab Project site and the off-site disposal alternatives were located at the Klondike Flats site near Moab; Crescent Junction site near Green River, Utah; White Mesa Uranium Mill near Blanding, Utah; and the East Carbon Development Corporation site near East Carbon, Utah.**
- **Under off-site disposal alternatives, transportation modes included truck, rail, and slurry pipeline.**
- **Under the White Mesa Uranium Mill Alternative, the DOE proposed to truck or slurry the tailings and contaminated soils from the Moab Project site to the White Mesa Mill near the White Mesa Ute Reservation in Utah.**
- **The mill is also located near the Blue Mountain Diné Community near Blanding and the Navajo Reservation.**

# **Scoping**

- **The public scoping period for the preparation of an environmental impact statement for the Moab Project began on December 20, 2002 and ended on February 13, 2003.**
- **The Department of Energy conducted public scoping meetings in Green River; Moab; White Mesa, Utah; and East Carbon from January 21, 2003 to January 28, 2003.**
- **Diné CARE and the Utah Navajo Downwinders participated in the scoping meetings.**
- **The White Mesa Concerned Community also participated in the meetings.**

## **Cooperating Agency**

- **The White Mesa Ute Tribe also participated in the preparation of the environmental impact statement as a cooperating agency.**
- **Although invited by the DOE to participate in the preparation of the EIS as a cooperating agency, the Navajo Nation did not respond to the agency's invitation.**

# **Draft**

# **Environmental Impact Statement**

- **On December 3, 2004, the Department of Energy announced the availability of the draft environmental impact statement for the proposed remediation of the Moab uranium mill tailings site for public comment.**
- **The DOE also announced that it would conduct public hearings on the DEIS.**
- **The first Notice of Availability (NOA) of the draft environmental impact statement was published by the U.S. Environmental Protection Agency in the *Federal Register* on November 12, 2004.**
- **The second NOA of the DEIS was published by the Department of Energy in the *Federal Register* on December 3, 2004.**
- **The public comment period on the draft environmental impact statement began on November 12, 2004 and ended on February 18, 2005.**
- **The public hearings on the DEIS were held by the DOE in Green River, Moab, White Mesa, and Blanding from January 25, 2005 to January 27, 2005.**



- **The draft environmental impact statement analyzed surface and groundwater remediation alternatives.**
- **The range of surface remediation alternatives included on-site and off-site disposal alternatives.**
- **The on-site disposal alternative location was at the Moab Project site.**
- **The off-site disposal alternative locations were at the Klondike Flats site, Crescent Junction site, and the White Mesa Mill.**
- **The East Carbon Development Corporation site was eliminated as an off-site disposal alternative.**
- **The transportation modes for the off-site disposal alternatives were also evaluated.**
- **The transportation modes or options included truck, rail, and slurry pipeline.**
- **A No Action Alternative and groundwater remediation alternatives or strategies were also considered.**

- **The Department of Energy did not identify a preferred alternative in the DEIS.**
- **However the DOE stated that it would identify or determine a preferred alternative in the final EIS.**

# **White Mesa Mill Alternative**

- **International Uranium Corporation (IUC) owns and operates the White Mesa Mill.**
- **IUC is licensed by the Nuclear Regulatory Commission to process uranium ore.**
- **The company is also licensed by the NRC to process and dispose of other radioactive materials (also known as alternative feed materials).**

- **In 2003, International Uranium Corporation submitted a proposal to the DOE to transport the uranium mill tailings and contaminated soils from the Moab Project site to the White Mesa Mill for disposal.**
- **The transportation mode for the proposed off-site disposal alternative would be by truck or slurry pipeline.**
- **But a license amendment would be necessary if the proposed White Mesa Mill Alternative was approved.**
- **Expansion of the White Mesa Mill site would also be necessary if the proposed alternative was approved.**
- **If implemented, the White Mesa Mill Alternative would result in significant adverse environmental and cultural impacts.**
- **Ute and Navajo cultural resources and traditional cultural properties would be adversely affected by the proposed expansion of the White Mesa Mill site.**
- **Indian cultural resources and properties would also be adversely affected by the implementation of the alternative's selected transportation mode.**

- **Diné CARE testified in opposition to the White Mesa Mill Alternative at the draft environmental impact statement public hearings.**
- **The White Mesa Concerned Community, White Mesa Ute Tribe, and the Ute Mountain Ute Tribe also testified against the proposed alternative at the DEIS public hearings.**
- **The White Mesa Concerned Community also filed a federal civil rights violations complaint against the Department of Energy in the matter of the White Mesa Mill Alternative.**
- **In 2002, the Ute Mountain Ute Tribal Council passed a resolution opposing the alternative.**
- **In 2003, the Navajo Utah Commission of the Navajo Nation Council passed a resolution opposing the White Mesa Mill Alternative.**
- **In 2005, the Southern Ute Tribe, Fort Mohave Indian Tribe, Chemehuevi Indian Tribe, Colorado River Indian Tribes, and the Inter-Tribal Council of Arizona also opposed the alternative.**

# **Preferred Alternatives**

- **On April 6, 2005, the DOE announced its preferred alternatives for the remediation of the Moab uranium mill tailings remedial action project site.**
- **The Department of Energy's alternatives were active groundwater remediation and off-site disposal of the tailings and contaminated soils at the Crescent Junction site.**
- **Under the preferred off-site disposal alternative, the tailings and contaminated soils would be transported by rail from the Moab Project site to the Crescent Junction site for disposal.**

# **Final Environmental Impact Statement**

- **On August 5, 2005, the DOE announced the availability of the final environmental impact statement for the Moab uranium mill tailings site remedial action project.**
- **The Notice of Availability was published by the Department of Energy in the *Federal Register* on that date.**
- **The FEIS also identified the DOE's preferred alternatives.**

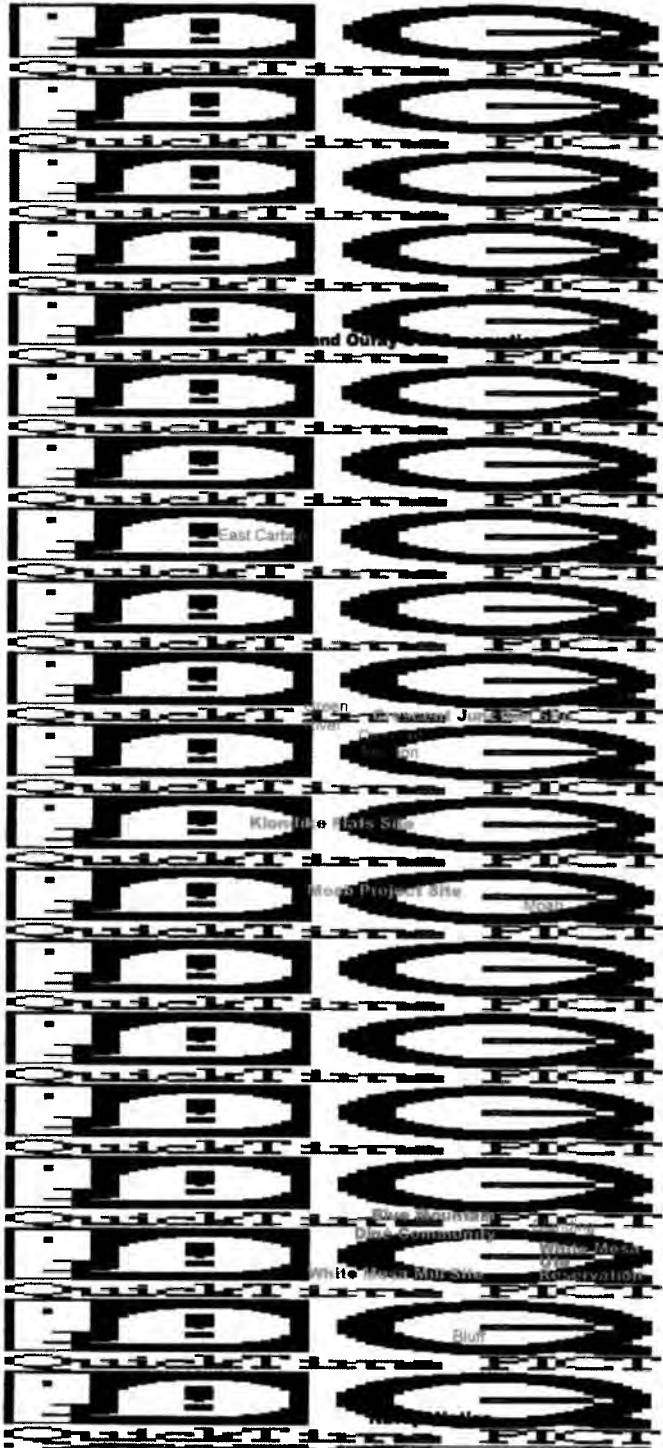
# **Record of Decision**

- **On September 14, 2005, U.S. Secretary of Energy Samuel Bodman issued a Record of Decision approving the preferred alternatives.**
- **The ROD was supposed to be published by the Department of Energy in the *Federal Register*.**



# **One Last Thing**

- **Pursuant to the Strom Thurmond National Defense Authorization Act for FY 1999 and the Floyd Spence National Defense Authorization Act for FY 2001, the Secretary of Energy will use funds from a federally retained interest in the development of Naval Oil Shale Reserve Number Two (NOSR-2) on the recently expanded Uintah and Ouray Ute Reservation in Utah to carry out the remedial action at the Moab Project site.**
- **The National Defense Authorization Act for FY 1999 authorized the disposal of NOSR-2 and transferred the national resource land to the Uintah and Ouray Ute Tribe.**
- **The National Defense Authorization Act for FY 2001 then amended the National Defense Authorization Act for FY 1999 and authorized the governmental retention and usage of nine percent royalty interest in the value of oil, gas, hydrocarbons, and other minerals in the conveyed land.**
- **When Naval Oil Shale Reserve Number 2 is developed, the Northern Ute Tribe will then pay 9 percent of the royalties to the Energy Secretary to use in carrying out the Moab site remedial action project.**



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