

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 192

[FRL 1469-8]

Interim Cleanup Standards for Inactive Uranium Processing Sites

AGENCY: Environmental Protection Agency.

ACTION: Interim standards.

SUMMARY: The Environmental Protection Agency (EPA) is issuing interim standards for cleanup of open lands and buildings contaminated with residual radioactive materials (mainly tailings) from inactive uranium processing sites. These standards are also being published simultaneously as proposed standards upon which public comment is being solicited. (See Proposed Cleanup Standards in the Proposed Rules section of the Federal Register.)

EPA has developed these standards pursuant to Section 275(a) of the Atomic Energy Act, as added by Section 208(a) of Pub. L. 95-604, the Uranium Mill Tailings Radiation Control Act of 1978. Pub. L. 95-604 requires the Department of Energy (DOE) to conduct remedial actions for designated inactive uranium processing sites in accordance with standards promulgated by EPA. Buildings and land contaminated with tailings pose a continuing threat to public health. Some of these buildings have been found to have radiation levels which are highly dangerous to anyone exposed to them for long times. Pub. L. 95-604 precludes undertaking remedial action before EPA has promulgated standards. Therefore, we have decided to promulgate interim standards for cleanup of these open lands and buildings, to permit DOE to take remedial actions under Pub. L. 95-604 to alleviate these problems.

DATES: Effective date: April 22, 1980.

Comment date: Comments should be received on or before June 23, 1980.

ADDRESS: Comments should be submitted to Docket No. A-79-25, which is located in the Environmental Protection Agency, Central Docket Section, Room 2903B, 401 M Street, SW., Washington, D.C. 20460. The Draft Environmental Impact Statement may be examined at the Central Docket Section. Shortly after we propose disposal standards for inactive processing sites, single copies of the Draft Environmental Impact Statement may be obtained by writing to the address given below.

FOR FURTHER INFORMATION CONTACT: Dr. Stanley Lichtman, Criteria and

Standards Division (ANR-460), Office of Radiation Programs, U.S. Environmental Protection Agency, Washington, D.C. 20460; telephone number 703-557-8927

SUPPLEMENTARY INFORMATION: Pursuant to Section 275(a) of the Atomic Energy Act, as added by Section 208(a) of Pub. L. 95-604, the Uranium Mill Tailings Radiation Control Act of 1978, EPA has developed standards for the cleanup of open lands and buildings contaminated with uranium mill tailings from inactive processing sites. Pub. L. 95-604 requires the Department of Energy to conduct remedial actions for designated inactive uranium processing sites in accordance with standards promulgated by EPA. (Section 108(a)(1), 42 U.S.C. Section 7915(a)(1)). However, Pub. L. 95-604 precludes undertaking remedial actions before such standards are promulgated.

Lands and buildings contaminated with uranium mill tailings pose risks to public health. The greatest hazard from tailings on open lands is increased levels of radon decay products in buildings. When radon decay products are inhaled, they increase the chance of lung cancer. Exposure to direct gamma radiation and contamination of drinking water and food may also occur.

Tailings usually only pose significant risk to people who are exposed for a long time. However, some homes and other buildings have been found in which the radon decay product concentration is quite dangerous. There are such buildings, for example, in Salt Lake City, and in Canonsburg, Pennsylvania. Several buildings in Salt Lake City are immediately adjacent to a tailings pile, or have tailings in, under, or around them. In some of these, indoor radon decay product concentrations exceed the average occupational concentration limit for uranium miners (0.3 WL).¹ Included among these is a fire station in Salt Lake City, where substantially elevated levels have been measured even when mechanical ventilation is used. In Canonsburg, an industrial park is now located on an inactive processing site. Eight buildings leased to commercial tenants are located directly over heavily contaminated land. Measurements during working hours show that all buildings have substantially elevated indoor radon decay product concentrations, with the highest average daytime level being 0.4 WL. These levels

¹ A working level (WL) is any combination of short-lived radon decay products in one liter of air that will result in the ultimate emission of alpha rays with a total energy of 130 billion electron volts. The working level expresses a concentration of radioactivity in the air, not how much radiation a person receives.

are dangerous and will continue. To allow DOE to begin remedial action under Pub. L. 95-604 to alleviate these hazards, we have decided to promulgate these immediately effective interim cleanup standards.

Studies of indoor background radioactivity in Grand Junction (Colorado), New York State, and New Jersey show that at least 10 percent of houses with basements exceed the interim standard's remedial action level of 0.015 WL. Because of this, we believe it would often be impossible to try to reduce levels for houses affected by tailings significantly below 0.015 WL by removing the tailings. Thus, it is unlikely that the final standards will be set at a level significantly more stringent than the interim action level of 0.015 WL, and remedial actions performed under the interim standard will not have to be redone. Furthermore, although we have not formally solicited public comments on the interim standards, the Nuclear Regulatory Commission and the Department of Energy have been consulted. For these reasons, we believe issuing immediately effective interim cleanup standards is justified.

A statement of the research, analysis, and other available information in support of this interim standard is contained in the preamble to the proposed standards published elsewhere in the Federal Register today. Additional background material may be found in the Draft Environmental Impact Statement being made available in Docket No. A-79-25, which is located at the address given above, and in other information contained in that docket. We invite written comments on these interim standards, and they remain subject to modification in response to such comments and to views expressed orally at public hearings (see below).

In addition to the procedures we followed prior to promulgating these interim cleanup standards, we are conducting the required public review process for promulgating final standards. In the Proposed Rules section of today's Federal Register, we are proposing for comment the cleanup standards for inactive uranium processing sites. They are identical to the interim cleanup standards which are being made effective immediately. Furthermore, EPA intends to hold public hearings on these proposed cleanup standards and on proposed standards for the disposal of tailings from inactive sites. The disposal standards will be proposed for public comment soon, and the Draft Environmental Impact Statement for both proposed standards will be made generally available at that

when the values in Table B are only slightly exceeded.

(d) There is no known remedial action to meet one or more of the requirements of Subpart A or Subpart B of this part. Destruction and condemnation of buildings are not considered remedial actions for this purpose.

§ 192.21 Remedial actions for exceptional circumstances.

Section 108 of Pub. L. 95-604 requires the Secretary of Energy to select and perform remedial actions with the concurrence of the Nuclear Regulatory Commission and the full participation of any State which pays part of the cost, and in consultation, as appropriate, with affected Indian tribes and the Secretary of the Interior. Under exceptional circumstances satisfying one or more of the conditions 192.20 (a), (b), (c), and (d), the Department of Energy may select and perform remedial actions, according to the procedures of Sec. 108, which come as close to meeting the standard to which the exception applies as is reasonable under the exceptional circumstances. In doing so, the Department of Energy shall inform any private owners and occupants of affected properties and request their comments on the selected remedial actions. The Department of Energy shall provide any such comments to the parties involved in implementing Sec. 108 of Pub. L. 95-604. The Department of Energy shall also inform the Environmental Protection Agency of remedial actions for exceptional circumstances under Subpart C of this rule.

Table A.—[Reserved]

Table B

Average annual indoor radon decay product concentration—including background (WL).....	0.015
Indoor gamma radiation—above background (milliroentgen per hour).....	0.02

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