



**YERINGTON PAIUTE TRIBE**

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June 9, 2009

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Mr. David Seter:  
Ms Hollan Burke:

RE: Draft Transite Pipe Work Plan, Yerington Mine Site, May 28,  
2009 (plan provided via reference to fip site on June 8, 2009)

The transite pipe on the Anaconda Mine Site is an issue for site safety and the development of future assessment and remediation. The pipe presents a risk due to being constructed from asbestos and radiological issues from deposited scale inside the pipe. Carefully collecting the material into a lined and otherwise protected single location onsite to await final disposal appears to be the next logical step.

During the previous stakeholder meeting on May 28, 2009, Atlantic Richfield Company (ARC, a subsidiary of British Petroleum, BP) stated that the material could be transported and "disposed of in a municipal landfill". This raises some concerns since:

- The radiological risk from scale in the pipe has been shown to be significant and as such, reduces the probability of disposal as asbestos containing material only.
- Disposal of the material in a local municipal landfill would be less costly than the proposed construction of an onsite facility. Offsite disposal scenarios should be included and reviewed within this concurrent work plan if ARC actually considers this a realistic option and is not simply seeking to downplay the threat from the material in a public forum.

The transite pipe has been found to contain radioactive materials in at least one location. In that case, TENORM accumulated in scale within the pipe. As stated in the Draft Transite Pipe Work Plan: "The highest radiometric readings observed in the Process Area occurred within the transite pipes and soil underneath" (page 6). This is not surprising considering that the pipe was used to transport liquids containing elevated

concentrations of radionuclides. Other material that poses this risk i.e. the scale inside the pipes at other locations, has not been assessed to address this concern. The plan must address this issue by quantifying the radiological risk, which cannot be done with the limited testing protocol proposed within this work plan.

Page 9 indicates that measurements of radiological activity from within the pipe will be limited. By addressing asbestos as being the only hazard with regard to these pipes and negating the radiological concerns this plan is jeopardizing the safety of those individuals who come into direct contact with the material as well as a larger environmental impact due to improper disposal. To alleviate this problem, the material will need to be separated into manageable sections for transport, allowing for sampling within the pipes for radiological threats that may be present due to scale.

In summary, this work plan identifies but fails to answer two important issues that will need to be addressed prior to the start of work:

1. There is material onsite that presents a significant radiological hazard, including at least some of the transite pipe. The removal of radiological material is an appropriate priority but actual procedures for disposal and management must be in place prior to the start of this project. How will the work plan incorporate the proper disposal steps regarding this likely radiological hazard?
2. Some site material will be managed onsite. An area should be designated for the construction, with appropriate controls to protect groundwater, air, *et cetera*. The containment area should be selected to not interfere with future site assessment and remediation. In other words, the area should be out of the way of other onsite remediation efforts and well contained. Storage in this area will most likely include both permanent components and a hold area to store material awaiting transportation to offsite disposal. What planning is being done in regards to this waste and the storage methods used for onsite containment?

The work plan is incomplete and lacks the proper precautions needed to assure that progress being made on the site can be done in a safe and effective manner. It might be more appropriate to delay this plan until these issues are addressed. The *Draft Work Plan for Characterization and Removal Options of Radiological Materials* expected to be submitted July 1, 2009 should include activities to appropriately characterize the pipes and develop onsite storage and/or offsite disposal options. We would suggest completing the *Work Plan for Characterization and Removal Options of Radiological Materials* prior to attempting to dispose of potential radiological materials such as the transite pipe.

If you have any questions or to schedule follow up meetings or conference calls, please feel free to contact Justin Whitesides, Environmental Director, at 775.463.7866 or [environmentaldirector@ypt-nsn.gov](mailto:environmentaldirector@ypt-nsn.gov). These comments are provided with the intent to improve the interpretation of the existing data collected at the Yerington Mine Site and, if required, suggest alternatives for the proposed investigation. Although the Tribe is not providing approval of the program, we feel it is important to participate in the process with the hope of providing a positive and constructive environment for stakeholders, regulatory agencies and responsible parties working with the Yerington Mine Site.

Sincerely:



Elwood Brain  
Tribal Chairman  
YERINGTON PAIUTE TRIBE

C: Justin Whitesides, YPT Environmental Director  
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