

Amendment

To

Memorandum of Understanding  
Between Region VI of  
The U.S. Environmental Protection Agency and Region IV of  
The U.S. Nuclear Regulatory Commission  
For Remedial Action at the UNC-Church Rock Uranium Mill  
In McKinley County, New Mexico

The following administrative changes are proposed to the Memorandum of Understanding to reflect the current organizational structures of the NRC and EPA:

(1) Title

Memorandum of Understanding  
Between Region VI of  
The U.S. Environmental Protection Agency and ~~Region IV of~~  
The U.S. Nuclear Regulatory Commission  
For Remedial Action at the UNC-Church Rock Uranium Mill  
In McKinley County, New Mexico

(2) Section IV – AGREEMENT

5. The Parties will meet periodically at the request of either Party ~~and at least semiannually~~ insofar as it is necessary to accomplish the objectives of the MOU. The facility coordinators should communicate with each other on a routine basis via telephone and other electronic correspondences.

(3) Section IV – AGREEMENT

8. Whenever notice or information is required to be forwarded by one Party to another under the terms of the MOU, it shall be given by and directed to the individuals at the addresses specified below:

EPA: ~~Allyn M. Davis~~ Pamela Phillips, **Acting** Director  
~~Hazardous Waste Management Division~~ **Superfund Division**  
Region VI, U.S. EPA  
1445 Ross Ave.  
Dallas, Texas 75202

NRC: ~~Dale Smith~~ **Larry W. Camper**, Director  
~~Uranium Recovery Field Office~~  
**Division of Waste Management and Environmental Protection**  
**Office of Federal and State Materials**  
**and Environmental Management Programs**  
U.S. Nuclear Regulatory Commission  
~~P.O. Box 25325~~  
~~Denver, Colorado 80225~~  
**Washington D.C. 20555**

(4) Section IV – AGREEMENT

9. Routine communications may be exchanged verbally, in person, **electronically**, or by telephone between the Parties to facilitate the orderly conduct of work contemplated by this MOU.

(5) Section V – AGENCY RESPONSIBILITIES

- A.2. The NRC will direct UNC to provide both parties with copies of major work product submittals as they become available. Such work products will include, but not be limited to, an adequate overall reclamation plan, and any other plans and specifications for assessment, remediation, and monitoring, including all analytical data **and groundwater models**.
- A.3 ~~The NRC agrees to provide progress reports on UNC remediation on a quarterly basis.~~ **This requirement is obsolete and has been deleted. All documents received or transmitted by NRC regarding the UNC Church Rock site are available in NRC's Agency-Wide Document Access and Management System (ADAMS) under Docket No. 04008907.**

## (6) Section VI – DISPUTE RESOLUTION

In the event of dispute between the EPA and the NRC concerning site activities, the persons designated by each Agency as primary or, in their absence, alternate contact points will attempt to promptly resolve such disputes. If disputes cannot be resolved at this level, the problem will be referred to the supervisors of these persons for further consultation. The supervisory referral and resolution process will continue, if necessary to resolve the dispute, to the level of ~~the Regional Administrators of the NRC and EPA~~ **the NRC's Director, Office of Federal and State Materials and Environmental Management Programs (FSME) and Regional Administrator of the EPA**. Both Parties shall continue to maintain their respective rights or responsibilities under the MOU during the dispute resolution process.

## (7) Section VIII – MODIFICATION

The Parties may modify this MOU from time to time in order simplify and, or define the procedures contained herein. Each party shall keep the other informed of any relevant proposed modifications to its basic statutory or regulatory authority, forms, procedures, or priorities. This MOU shall be revised, as necessary, by the adoption of such modifications. The MOU should be reviewed on an annual basis by both the ~~Director URFO, Region IV,~~ **Director – Division of Waste Management and Environmental Protection**, NRC and the Director ~~-Superfund Division Hazardous Waste Management Division, Region VI,~~ EPA or their designated representatives.

## (8) Signature

Executed and agreed to:

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**Larry W. Camper, Director** Date  
**Division of Waste Management**  
**and Environmental Protection**  
**Office of Federal and State Materials**  
**and Environmental Management Programs**  
~~Robert D. Martin~~  
~~Regional Administrator~~  
~~U.S. Nuclear Regulatory Commission~~  
~~Region IV, Arlington, Texas~~  
~~Washington, DC 20555~~

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**Pam Phillips, Acting Director** Date  
~~Robert E. Layton Jr., P.E.~~  
~~Superfund Division Regional Administrator~~  
~~U.S. Environmental Protection Agency, Region 6~~  
~~1445 Ross Avenue, Suite 1200~~  
~~Region VI, Dallas, Texas TX 75202-2733~~