

**New Mexico Office of Natural Resources Trustee  
Restoration Plan for the SOHIO L-Bar Facility  
Cibola County, New Mexico**

This *Restoration Plan for the SOHIO L-Bar Facility* (Plan) was developed by the New Mexico Office of Natural Resources Trustee (ONRT) to address natural resources allegedly lost or destroyed due to releases of hazardous substances in the area of the SOHIO L-Bar facility (Facility) located in Cibola County, New Mexico. The plan identifies the restoration actions that the ONRT proposes to implement with the settlement recovered for alleged natural resource damages associated with groundwater injuries.

## **1.0 Trustee responsibility**

Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA, 42 U.S.C. §§ 9601 *et seq.*) and the New Mexico Natural Resources Trustee Act (NMSA 1978, §§ 75-7-1 to -5 (1993)), Governor Bill Richardson, the governor of the State of New Mexico, designated the Natural Resources Trustee, Martin Heinrich, as the State's Natural Resources Trustee.

The ONRT has prepared this restoration plan for the utilization of funds recovered from a settlement with the SOHIO Western Mining Company for alleged damages to the natural resources of the State of New Mexico. The settlement was to recover damages for alleged injury to, destruction of, or loss of natural resources resulting from the release of hazardous or other substances at or from the Facility. The consent decree that resolves the claim and apportions funds to the Office of Natural Resources Trustee was entered by the United States District Court for the District of New Mexico on August 31, 2005.

The ONRT used a market-price methodology to estimate alleged damages to groundwater natural resources. The amount of the settlement was \$35,174.77. Of this amount, \$29,830.00 was paid to the ONRT to be used to replace, restore or acquire the equivalent groundwater natural resources. The difference, \$5,344.77, was paid to the ONRT and to the New Mexico Attorney General to reimburse these entities for costs incurred to assess the injury.

## **2.0 Description of the Facility**

The Facility was owned by SOHIO Western Mining Company (SOHIO) (a subsidiary of Kennecott Utah Copper Corporation) and, from approximately 1977 through 1981, was operated as a uranium mining and milling facility. The Facility is located approximately 30 miles east of Grants in Cibola County, New Mexico (see Attachment 1). The nearest communities to the Facility location are Seboyeta, Bibo and Moquino, which are all part of the Cebolleta Land Grant (CLG).

SOHIO milled uranium ore at the Facility. Surface reclamation and cleanup of contaminants took place from 1986 to 2000. Activities included the re-grading of tailings, excavation of diversion and drainage channels, placement of radon barriers, capping of the tailings basin, and groundwater pumping and treatment. Spent ore was disposed of in an unlined tailings basin

located on site, adjacent to the mill. Hazardous and other substances, generated by SOHIO's operation of the Facility, were released from the tailings basin into the groundwater.

The Nuclear Regulatory Commission granted final cleanup approval on September 3, 2001, as well as approval of final alternative concentration limits. The New Mexico Water Quality Control Commission approved alternative abatement standards on July 14, 2003. Based on groundwater sampling trends and computer modeling, the remaining contaminated groundwater is not expected to migrate beyond the Facility boundary. On September 22, 2004, SOHIO transferred ownership and maintenance of the Facility to the United States Department of Energy.

The Department of Energy is responsible for maintenance of the Facility and monitoring groundwater quality. Questions regarding the remediation or cleanup effort can be directed to the New Mexico Environment Department, Ground Water Quality Bureau, Mining Environmental Compliance Section, Harold Runnels Building, Room 2250, 1190 Saint Francis Drive, Santa Fe, NM 87502.

### **3.0 Restoration**

The goal of the restoration projects described in this Plan is to protect groundwater resources in the vicinity of the Facility. ONRT contacted several stakeholders to request restoration project suggestions, including CLG; the New Mexico Environment Department's Groundwater Quality, Construction Programs and Solid Waste Bureaus; the New Mexico Office of the State Engineer; and the Northwest New Mexico Council of Governments. Input also was received from Kennecott Utah Copper Corporation.

The objective of the projects listed below is to implement improvements and repairs to the wastewater treatment facilities and systems serving the three nearby communities of Seboyeta, Bibo and Moquino. The proposed restoration projects were designed in consultation with the CLG Board of Trustees and the New Mexico Environment Department. The CLG will be responsible for project management and implementation as well as maintenance in the future of the improvements associated with the projects. The success of each project will be measured by the number of necessary repairs, enhancements and maintenance activities that can be accomplished to bring the wastewater facilities as close as possible to their designed specifications.

The projects are listed in order of priority and will be implemented in this sequence as funding allows. ONRT may consider additional projects with similar objectives or augmentation of the listed projects if the restoration funds are not exhausted or implementation proves to be impracticable.

The restoration projects include:

1. Repair or replace, as needed, sewer lines to stop or prevent leaks serving the three communities. Some stretches of sewer lines are old and brittle and are in need of replacement.

2. Load, transport and position concrete barriers to prevent storm water run-off entering the primary evaporation sewer lagoon at Moquino. As needed, repair existing earthen berms around the remainder of the sewer lagoons to prevent storm water run-off entering the lagoons.
3. Repair or replace, as needed, liner material at the Moquino and Bibo evaporation sewer lagoons to restore the integrity of the liners.
4. Remove vegetation at the Moquino and Bibo wastewater treatment lagoons and immediate vicinity. Vegetation has compromised the integrity of the sewage lagoon liners.
5. Locate, refurbish and replace sewer manholes serving the three communities to provide access to sewer lines for routine maintenance. Some manholes have been covered over time, are structurally compromised, and need to be repaired or replaced.
6. Install additional liner material to top-off or extend the Moquino sewer lagoons.
7. Pump the wastewater from the Moquino evaporation lagoons and dispose of the wastewater at Bibo's wastewater treatment lagoons.
8. Purchase a sewer-line cleaning machine. Clogged sewer lines have been a reoccurring problem that could compromise the integrity of the lines and contaminate the groundwater. The sewer-line cleaning machine will be used by the CLG for maintaining the sewer system.

Other potential restoration projects were considered and not analyzed further. These include:

- The installation of water supply meters at the CLG as a mechanism to measure and eventually conserve groundwater. Funding for this and other water supply infrastructure work (such as water line replacements, construction of holding tanks, etc.) was obtained through other governmental entities.
- Design and construction of new wastewater facilities for CLG. This project far exceeds the L-Bar settlement funds that are available. Although this project would address some of the same problems that will be addressed under this Plan, funding for a new wastewater facility is not expected to be available in the immediate future.

#### **4.0 Public notification and restoration plan availability**

A notice of availability of this Plan was published in the *Albuquerque Journal* on May 28, 2006 and the *Cibola County Beacon* on June 3, 2006. The 30-day comment period following the notice of availability expired on July 3, 2006. There were no comments on this Plan.

5.0 Signatory



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11/20/06  
Date