



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 6, 1999

Edgar D. Bailey, CHP, Chief  
Radiologic Health Branch  
Division of Food, Drug & Radiation Safety  
California Department of Health Services  
P.O. Box 942732  
Sacramento, CA 94234-7320

Dear Mr. Bailey:

I am responding to your letters of August 19, 1999 to Mr. Paul H. Lohaus. In one letter, you asked three questions to clarify the classification of certain process wastes. In the second letter, you asked if you had properly represented the Nuclear Regulatory Commission (NRC) position on the matters discussed. There were no incorrect representations of NRC positions made in your letter to Mr. Almas. The three questions in the other letter and our responses are presented below.

**Question 1:** Is the radioactive waste from a plant that converts  $U_3O_8$  to  $UO_2$  considered to be 11e.(2) waste or source material waste and therefore low-level radioactive waste?

Response:

A facility that converts uranium from one chemical form to another is considered a source material conversion facility. The radioactively contaminated waste from this process is considered to be low-level radioactive waste.

**Question 2:** Similarly, is the radioactive waste from a  $UO_2$  to uranium fluoride conversion facility 11e.(2) waste or low-level wastes?

Response:

See response to Question 1.

**Question 3:** Is the U. S. Nuclear Regulatory Commission aware of any conventional uranium mill or in situ recovery facility that ever processed beyond the  $U_3O_8$  stage?

Response:

The NRC has not licensed any uranium recovery facility to process uranium beyond the  $U_3O_8$  stage. Other facilities, under

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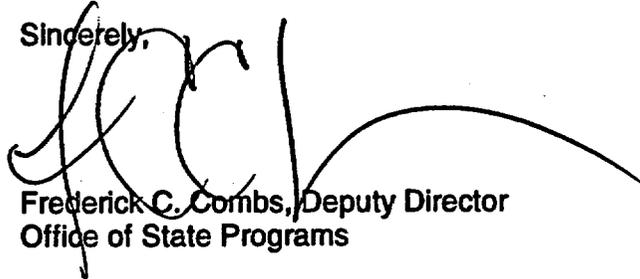
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the Department of Energy (DOE) or its predecessors, or under the Manhattan Engineering District activities, may have conducted combined activities but NRC does not have records for those activities. The historical records for those activities may be available through DOE.

If you have any questions on this letter, please call me at 301-415-2325 or Dennis Sollenberger at 301-415-2819.

Sincerely,

A handwritten signature in black ink, appearing to read 'FC', with a long horizontal flourish extending to the right.

Frederick C. Combs, Deputy Director  
Office of State Programs

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Frederick C. Combs, Deputy Director  
Office of State Programs

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