

April 25, 2000

Ms. Pamela Allister
Executive Director
Snake River Alliance
Box 1731
Boise, ID 83701

SUBJECT: SNAKE RIVER ALLIANCE 2.206 PETITION REQUEST

Dear Ms. Allister:

I am writing to acknowledge receipt of the petition submitted to the U.S. Nuclear Regulatory Commission (NRC) by the Snake River Alliance on February 24, 2000. The petition requests that the NRC regulate disposal of mill tailings resulting from the Formerly Utilized Sites Remedial Action Program (FUSRAP) and take action to ensure that workers and the public are fully protected from radiation exposure due to disposal of this material. Additionally, you requested that the NRC take action to enforce the Atomic Energy Act (AEA) and the NRC's regulations governing disposal of 11e.(2) byproduct material whether or not it was generated after 1978.

Your petition has been combined with a petition from Envirocare of Utah, which requests the same action, and also requests that the NRC take appropriate action to license disposal sites which are currently disposing, or intend to dispose, of FUSRAP materials.

The NRC has decided to accept the petitions under 10 CFR 2.206, and is currently reviewing your request. The NRC will take no action on the petitions until its review is complete which is expected to be 120 days from the date of this letter.

Enclosed for your information is a copy of the attendance list, and copies of letters from the U.S. Army Corps of Engineers and Envirosource Technologies, which were introduced at the public portion of the petition review board meeting on April 11, 2000, (Enclosures 1, 2 & 3). Also enclosed is the transcript of the public portion of the meeting (Enclosure 4) and a copy of the Federal Register Notice (Enclosure 5). If you have any questions regarding this response or the staff's ongoing review of the AEA and the NRC regulations governing disposal of 11e.(2) byproduct material, whether or not it was generated after 1978, please contact Mr. H. Hampton Newsome III of the Office of the General Counsel (301-415-1623) or Mr. John H. Lusher of my staff (301-415-7694).

Sincerely,

/RA/ by William F. Kane, For

Martin J. Virgilio, Deputy Director
Office of Nuclear Material Safety
and Safeguards

Enclosures:

1. Attendance list
2. Copy of letter from U.S. Army Corps of Engineers
3. Copy of letter from Envirosource
4. Transcript
5. Federal Register Notice

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| 2. Copy of letter from U.S. Army Corps of Engineers | 5. Federal Register Notice |
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