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NRC PROPOSES TO AMEND URANIUM MILL TAILINGS REGULATIONS
TO CONFORM TO PROPOSED EPA STANDARDS

The Nuclear Regulatory Commission is proposing to amend its regulations governing the disposal of uranium mill tailings to conform them to proposed amendments of the Environmental Protection Agency's generally applicable standards. This action is required by the Atomic Energy Act of 1954, as amended.

As proposed, the amendments would add, to existing requirements to cover uranium mill tailings to control the release of radon, a requirement for timeliness in completing the cover and a requirement to verify that the cover over the tailings is effective in controlling the release of radon.

The Environmental Protection Agency also has proposed rescinding similar requirements issued under the Clean Air Act if it finds that the NRC program in this area provides an ample margin of safety to the public. This would eliminate dual regulation of this group of licensees while providing adequate protection of the public from releases of radon from uranium mill tailings.

At present, the NRC requires:

-- that an earthen cover (or approved alternative cover) be placed over uranium mill tailings to control the release of radon-222 gases at the end of milling operations; and

-- that the earthen cover be designed to provide reasonable assurance that releases of radon will not exceed an average of 20 picocuries per square meter per second and that the barrier be effective in controlling radon releases for 1,000 years to the extent reasonably achievable and, in any case, for at least 200 years.

As proposed, the agency also would require:

-- that the emplacement of the earthen cover be carried out in accordance with a written, NRC-approved plan that includes enforceable dates for the completion of key reclamation milestone activities; and

-- that the plan provide for the completion of the final radon barrier (and erosion protection features) as expeditiously as is practicable considering technological feasibility after the pile or impoundment ceases operation.

There would also be a goal of completing the final radon barrier for specified non-operational uranium mill tailing impoundments by December 31, 1997, and, for all other impoundments, seven years after the date on which the impoundments cease operation.

Written comments on the proposed rule amendments to Part 40 of the Commission's regulations should be received by December 20, 1993. They should be addressed to the Secretary of the Commission, Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

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