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NRC ISSUES CONFIRMATORY ORDER TO ENVIROCARE

The Nuclear Regulatory Commission has today issued a Confirmatory Order to Envirocare of Utah, Inc. directing the company to stop receiving shipments of waste material containing the special nuclear material uranium-235. Shipments en route to Envirocare on or before June 11 may be received.

The company also must submit by July 7 an acceptable compliance plan for handling waste that will conform to the provisions of the Commission's regulations and limit the quantity of special nuclear material held on the site outside of a permanent disposal cell to less than 350 grams.

Envirocare submitted a plan on June 16 to the NRC outlining how it will either remove the excess amounts of uranium-235 from the facility or place it in a licensed disposal cell. Under additional terms of the Order, company officials must confirm in writing and under oath by August 4 that the actions described in this plan have been completed. The company may resume receiving shipments of waste material four business days after the confirmation is provided unless written authorization is given earlier by the NRC.

The Order extends to August 4 the date for removing or disposing of the excess uranium-235. A Confirmatory Action Letter (CAL) sent June 12 set a compliance date of June 25. Today's Order supersedes the June 12 CAL. Company officials requested the extension because it was physically not possible to meet the June 25 deadline.

NRC and Envirocare will hold a meeting open to the public on or before July 3 to discuss special nuclear material possession limits and how the company can comply with the terms of the Commission's regulations. The NRC intends to coordinate its actions with the State of Utah, Division of Radiation Control.

NRC inspectors learned June 10 that more than 2,400 grams of uranium-235 had been held in temporary storage at the Envirocare facility near Clive, Utah. Conditions of the State of Utah license under which Envirocare is permitted to dispose of mildly radioactive waste material allow only 350 grams of which includes uranium-235, to be held at the site without being placed in a permanent disposal cell. Possession and processing of more than 350 grams of special nuclear material before burial in a disposal cell would require an NRC license.

The uranium-235 that Envirocare has been holding is dispersed in contaminated soil and other waste material it has received from government and industrial cleanup projects. NRC

and State of Utah officials agree that there is no danger of a criticality incident arising from the violation. Theoretically, if a sufficient quantity of special nuclear material were lumped together, a nuclear chain reaction, or criticality, could occur. However, the uranium-235 is dispersed throughout tons of dirt and debris where it poses no threat of such an event. Once the debris is dumped into the licensed, permanent disposal cells it is no longer subject to the 350-gram limit.

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