

April 7, 2000

David L. Meyer  
 Chief, Rules and Directives Branch  
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 U.S. Nuclear Regulatory Commission  
 Washington, DC 20555-0001

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 RULES & DIR. BRANCH  
 US NRC

65FR 11613  
 March 3, 2000

Subject: NRC Strategic Plan 2000-2005

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Dear Mr. Meyer:

The U.S. Nuclear Regulatory Commission ("NRC") has drafted a Strategic Plan for Fiscal Years 2000-2005 and has solicited comments.

Envirocare of Utah, Inc., ("Envirocare") operates an NRC-agreement-state licensed low-level radioactive waste disposal facility and an NRC-licensed 11e.(2) byproduct material disposal facility at Clive, Utah, and as such is involved in radioactive waste cleanup and disposal efforts nationwide.

In general Envirocare supports NRC's plans as drafted and respectfully submits the following comments.

1. As the primary regulatory body for fuel cycle activities, NRC should ensure proper regulation of byproduct, source, and special nuclear materials. NRC's regulations currently exempt some radioactive waste that has been shown in NRC's own studies to pose the potential for public radiation dose to individuals up to 4,000 mrem/yr with a corresponding public dose to a population of up to 20,000 person-rem. These results were published by the NRC in NUREG-1717. In order to fulfill its mission to protect public health and safety, NRC should establish a policy to require regulation of these types of radioactive waste (wastes that are currently exempt yet pose significant public radiation risks) until NRC can promulgate regulations for them.
2. With regard to cross-cutting activities with the U.S. Environmental Protection Agency ("EPA") and the U.S. Department of Energy ("DOE"), the NRC should consider filling a regulatory role. Increasingly, FUSRAP waste, legacy waste from the fuel cycle, has been targeted for disposal at EPA-regulated facilities. As the primary regulatory body for fuel cycle activities and associated waste, NRC should ensure that such radioactive waste is regulated within this primary agency to ensure protection of public health and the environment.

These issues should become part of NRC's regulatory realm and planning. Should you have any questions about these comments, please contact me at (801) 532-1330.

~~ADM-013~~  
 Template: ADM-013

E-RIDS = ADM-03  
 Add Daryl Kade (DWK)

Very Truly Yours,

Charles A. Judd, P.E.  
President