

July 13, 2000

The Honorable Mary L. Landrieu  
United States Senate  
Washington, DC 20510

Dear Senator Landrieu:

I am responding to your letter forwarding the concerns of two of your constituents - - Mr. and Mrs. Bill Hihar - - on issues regarding control of releases of solid materials. Specifically, concerns were expressed about release of nickel from U.S. Department of Energy (DOE) facilities. Although U.S. Nuclear Regulatory Commission (NRC) regulations do not apply directly to DOE materials, we understand that DOE has instituted a moratorium on release of metals with volumetric residual radioactivity. DOE has also established a task force to review its policies on release of all materials for reuse and recycling and the public will be invited to participate.

There are also general concerns in your constituents' letter regarding release of radioactive material for recycle. At this time, the NRC is in the preliminary stages of examining its approach for controlling solid material. It is seeking public input to its decision-making process through various forums. An initial step in that process was to prepare, for public comment, a paper that discusses issues associated with alternative courses of action. This "Issues Paper" was published in a Federal Register notice (FRN) on June 30, 1999 (64 FR 35090), with a comment period that was originally scheduled to close on November 15, 1999, but which was extended to December 22, 1999. To provide further opportunity for public input, NRC held a series of public meetings, during the Fall of 1999, at four locations, as announced in the FRN. Information about current NRC efforts in this area, including the contents of the Issues Paper, opportunities for further public comment, and summaries of comments at the public meetings held to date, is available on NRC's website address at:

<http://www.nrc.gov/NMSS/IMNS/controlsolids.html>. The NRC website can be accessed, using internet services, on computers at home or available at local schools or libraries.

Currently, the Commission is reviewing a paper by the NRC staff summarizing the public's concerns, expressed both during the public meetings and in written comments, along with the staff's recommendations on how to proceed regarding control of solid materials at licensed facilities. To assist them in review of that paper, the Commission held two separate meetings, open to the public, in May 2000. At the first meeting, the staff briefed the Commission on the paper, and at the second meeting, representatives of various stakeholder groups were provided with an opportunity to express their comments and concerns to the Commission. Transcripts and written statements from those meetings can be accessed on NRC's website.

The Honorable Mary L. Landrieu

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Please be assured that we will consider the comments of your constituents, along with those of others that are received, as part of NRC's decision-making process. We trust this reply responds to your concerns.

Sincerely,

***/RA by Frank J. Miraglia Acting For/***

William D. Travers  
Executive Director  
for Operations

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Sincerely,

*/RA by Frank J. Miraglia Acting For/*

William D. Travers  
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