



State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF RADIATION CONTROL

Michael O. Leavitt
Governor

Dianne R. Nielson, Ph.D.
Executive Director

William J. Sinclair
Director

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July 20, 2000

Colonel Sheldon L. Jahn
District Engineer
U.S. Army Corps of Engineers, Alaska District
P.O. Box 898
Anchorage, AK 99506

Dear Colonel Jahn:

Our office has been following with interest events relating to disposal of waste from Ft. Greely, Alaska. We are aware of and have reviewed a letter from you to Kaylin Loveland of Envirocare of Utah Inc. of June 12, 2000, a Notice of July 13, 2000, from the United States Army Alaska regarding a decision document regarding disposal of radioactively contaminated soils and debris from the SM-1A waste pipeline at Envirocare of Utah, Inc., a facsimile from Douglas Dasher to me of July 14, 2000 concerning the position of the Alaska Department of Environmental Conservation regarding this waste, and a letter of July 18, 2000 to you from Kaylin Loveland of Envirocare indicating Envirocare's position on receipt of this waste.

As set forth in Ms. Loveland's letter of July 18, 2000, Envirocare's license specifically requires approval of the Northwest Interstate Compact for shipment of in-region waste to Envirocare. As such, if you determined it was necessary to ship the waste to Envirocare, I would be compelled as their regulator to take enforcement action against them for violation of a license condition. Envirocare has indicated in the letter of July 18, 2000, that until approval is received from the Compact of origin (Northwest Compact), Envirocare is unable to accept the Ft. Greely waste for disposal. I urge you to seek legal verification of your position that this waste is exempt and not subject to the provisions of the Compact. Until the issue is resolved with the State of Alaska and the Northwest Interstate Compact, disposal of this waste at Envirocare of Utah is not an option.

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OSP

OSP-006 Template

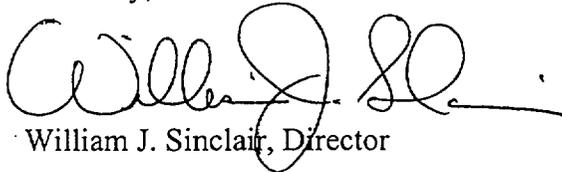
RIDS Code Distribution: SP08

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If you have questions, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Sinclair". The signature is fluid and cursive, with a long horizontal line extending to the right.

William J. Sinclair, Director

cc: Dianne R. Nielson, Ph.D., Executive Director, UDEQ
Mike Garner, Executive Director, Northwest Interstate Compact
Douglas Dasher, ADEC A&WQ Environmental
Ken Spiers, Director of Public Works, United States Army Alaska
Ken Alkema, Envirocare of Utah, Inc.
Myron Bateman, Director, Tooele County Health Department
Charles Hackney, NRC Region IV
✓ Paul Lohaus, Director, OSTP, NRC Headquarters