August 11, 2000

Dr. Robert Perciasepe, Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency
401 M Street SW. (6101)
Washington, DC 20460

Dear Dr. Perciasepe:

In November 1999, the U.S. Nuclear Regulatory Commission (NRC) staff submitted a paper to the Commission concerning the regulation of low-concentration uranium materials and waste (enclosure 1). The Commission provided direction to the staff to initiate interaction with the Environmental Protection Agency, the Occupational Safety and Health Administration and the States to explore the best approach to delineate the responsibilities of the NRC and these agencies and consult with the Department of Transportation, the Department of Energy, the Department of Interior, and the Army Corps of Engineers for potential implications to the existing regulatory responsibilities (enclosure 2). NRC is establishing a Working Group to resolve jurisdictional and technical issues associated with regulating these materials. I am requesting that you provide a representative to serve on the working group. Working group members are to represent their agencies regarding future regulation of the low-level uranium and thorium.

I anticipate that the Working Group will conduct its first meeting in early September. This meeting will be held in the Washington, DC, metro area and will last 2-3 days. The result of that meeting will be a charter describing activities and the approach that the working group will use in its efforts to delineate future regulatory responsibilities of the various agencies. This approach will then be provided to the NRC Commission, for its information. Future meetings of the Working Group will be scheduled according to the charter.

Thank you for participating in this important project, which we anticipate will be a step toward resolving this very important matter. If you would like additional information o this issue before assigning your staff to the Working Group, please contact Ms. Linda Suttora of my staff at 301-415-6858 or email at lcs2@nrc.gov. Please provide the name of your representative for the Working Group to Ms. Linda Suttora by August 25, 2000.

Sincerely,

/RA/

William F. Kane, Director
Office of Nuclear Material Safety
and Safeguards

Enclosures:
1. SECY-99-259, “Exemption in 10 CFR Part 40 for Materials Less than 0.05 Percent Source Material - Options and Other Issues Concerning the Control of Source Material”
2. Staff Requirements Memorandum for SECY-99-259

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Identical letter sent to OSHA

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