

September 8, 2005

Mr. Dane L. Finerfrock, Director
Division of Radiation Control
Department of Environmental Quality
P.O. Box 144850
Salt Lake City, Utah 84114-4850

SUBJECT: CLARIFICATION OF POSSESSION LIMIT IN ENVIROCARE LICENSE

Dear Mr. Finerfrock:

We understand that in Amendment 21 of the Envirocare of Utah (Envirocare) license for low-level radioactive waste disposal issued by the State of Utah, you merged the Envirocare low-level radioactive waste disposal license with the Envirocare license for portable gauges. In combining the two licenses, the possession limit table was modified to add the gauges and sources Envirocare is licensed to possess. One of the sources is listed in Item 6.K of the table as a "Custom source - 55 gallon drum containing Depleted Uranium shavings in a homogeneous concrete mix." Under "Authorized Use," Item 9.J, it states that that item is for operational checks and efficiency determinations of radiation detection instrumentation.

As you are aware, we are in hearing on the Louisiana Energy Services (LES) project for a gas centrifuge uranium enrichment facility proposed to be located in Lea County, New Mexico. One of the intervenors in the hearing has suggested that the depleted uranium source in Item 6.K of the Envirocare license is a waste disposal limit for depleted uranium and is not a possession limit for an instrument calibration source. We would, therefore, appreciate it if you would clarify by September 16, 2005, in writing the possession limit for the depleted uranium custom source listed in Item 6.K and the authorized use of it under "Authorized Use," Item 9.J, of the Envirocare license. Please also clarify whether there is a quantity limit for disposal of depleted uranium.

If you have any questions, please contact Mr. Timothy C. Johnson at 301-415-7299.

Sincerely,

/RA/

Paul H. Lohaus, Director
Office of State and Tribal Programs

Docket: 70-3103

cc: William Szymanski/DOE
Monty Newman/Hobbs
Peter Miner/USEC
Glen Hackler/Andrews
James Brown/Eunice
Michael Marriotte/NIRS
Derrith Watchman-Moore/NM
Patricia Madrid/NMAG
Lindsey Lovejoy/NIRS

Claydean Claiborne/Jal
James Curtiss/W&S
Betty Rickman/Tatum
Lue Ethridge/Lea County
Richard Ratliff/Texas
Jerry Clift/Hartsville
Joseph Malherek/PC
Glen Smith/NMAG

Rod Krich/Exelon
Troy Harris/Lovington
James Ferland/LES
John Parker/NMED
Ron Curry/NMED
Carol O'Claire/Ohio
Tannis Fox/NMED
Roger Mulder/Texas

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Monty Newman/Hobbs	James Curtiss/W&S	Troy Harris/Lovington
Peter Miner/USEC	Betty Rickman/Tatum	James Ferland/LES
Glen Hackler/Andrews	Lue Ethridge/Lea County	John Parker/NMED
James Brown/Eunice	Richard Ratliff/Texas	Ron Curry/NMED
Michael Marriotte/NIRS	Jerry Clift/Hartsville	Carol O'Claire/Ohio
Derrith Watchman-Moore/NM	Joseph Malherek/PC	Tannis Fox/NMED
Patricia Madrid/NMAG	Glen Smith/NMAG	Roger Mulder/Texas
Lindsey Lovejoy/NIRS		

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