

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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Troy Harris/Lovington  
James Ferland/LES  
John Parker/NMED  
Ron Curry/NMED  
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