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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

DEC 01 1993

MEMORANDUM FOR: *JG* John E. Glenn, Chief
Medical, Academic and Commercial
Use Safety Branch
Division of Industrial and
Nuclear Safety, NMSS

FROM: John H. Austin, Chief
Decommissioning and Regulatory
Issues Branch
Division of Low-Level Waste Management
and Decommissioning, NMSS

SUBJECT: TECHNICAL ASSISTANCE REQUEST FROM PROTECHNICS INTERNATIONAL,
INC., FOR GENERIC AUTHORIZATION TO BURY RADIOACTIVE FRAC
SANDS PURSUANT TO 10 CFR PART 20.2002

This is in response to your memorandum dated Oct. 26, 1993, concerning a request from Protechnics International, Inc. for generic authorization to bury frac sands that are contaminated with radioactive material at temporary job sites.

As your memorandum stated, NRC has approved the burial of frac sands on a case-by-case basis, but is continuing to consider the approval of generic burials. In a response to your office dated May 6, 1991, staff indicated that NUREG/CR-5512 should be finalized and published before a decision concerning generic burials could be completed.

At this time, NUREG/CR-5512 has not been completed in a satisfactory manner and thus, can not be used to support a generic authorization. However, the Enhanced Participatory Rulemaking (EPR) process is currently being used by the Commission to develop residual radioactive contamination criteria. Although the EPR is not specifically intended for this type of application, the results of the rulemaking, scheduled to be finalized by May of 1995, could be extended to cover these cases.

JH

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Therefore, the staff believes that decisions concerning generic approval should be postponed until after the EPR process has been completed. Until that time site specific requests will continue to be considered on a case-by-case basis.

John H. Austin

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