

July 9, 2007

Ms. Kristine K. Preston, Acting Director
Safety/Rad Waste Directorate
Department of the Army
Headquarters, U.S. Army Joint Munitions Command
1 Rock Island Arsenal
Rock Island, IL 61299-6000

SUBJECT: REQUEST TO DISPOSE OF CAMP DOHA WASTE PER 10 CFR PART 40.13,
"UNIMPORTANT QUANTITIES OF SOURCE MATERIAL"

Dear Ms. Preston:

NRC received your letter dated June 5, 2007, in which you request to dispose of U.S. Army waste, consisting of a mixture of sand and depleted uranium that was generated in a fire at Camp Doha, Kuwait in 1991, at U.S. Ecology's disposal facility in Idaho. The U.S. Army has stated that this waste material qualifies as 10 CFR Part 40, Section 40.13(a) material. Your request has been assigned Technical Assignment Control (TAC) No. J00807. Please reference this number in any future correspondence associated with this request.

Based on our preliminary review and projection of current review schedules, we anticipate completing our review of the Safety Assessment for the waste by the middle of August 2007. This date could change depending on the findings of our technical review, urgent assignments, or other factors. Please note that the complete technical review may identify omissions in the submittal information or technical issues that require additional information. We will promptly communicate any significant changes to this schedule.

You will be contacted separately by the License Fee and Accounts Receivable Branch, Office of the Chief Financial Officer, if the appropriate license fee has not been submitted for your request, or for billing if your request is subject to full cost fee recovery.

Under 10 CFR Part 110.27(c), a specific license is required for import of radioactive waste. However, according to the Army's description, the waste it seeks to bring into the U.S. is exempt from NRC domestic regulation under 10 CFR 40.13(a). In this situation, we believe that an exemption from Part 110's specific import license requirement is justified in order to maintain consistency with NRC's domestic regulations.

Currently, Enclosure 1 of your submittal is marked "Confidential Information - Do not Reproduce or Distribute". The letter itself, Enclosure 2, and all the attachments are not marked in this manner. As we discussed, the U.S. Army will inform NRC staff if Enclosure 1 of the submittal is considered, "Confidential Information submitted under 10 CFR 2.390" or "Proprietary" information, consistent with the regulations contained in 10 CFR 2.390 (b). If the Army determines this portion of the submittal contains information that needs to be withheld, the enclosure will need to be resubmitted with the appropriate markings described in 10 CFR Part 2.390(b)(1)(i)(A), and accompanied by an Affidavit explaining why the Army believes it is necessary to withhold from public release, in accordance with 10 CFR Part 2.390(b)(1)(ii).

K. Preston

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In accordance with 10 CFR 2.390, a copy of this letter will be available electronically for public inspection in the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact Priya Yadav at (301) 415-6667, or by e-mail at ppy@nrc.gov.

Sincerely,

/RA/

Andy Campbell, Acting Deputy Director
Environmental Protection and Performance
Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 030-36062
License No.: 42-27737-01

K. Preston

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