

December 19, 2007

Mr. George Barnet  
Facility Radiological Safety Officer  
Toxco Material Management Center  
109 Flint Road  
Oak Ridge, TN 37830

Dear Mr. Barnet:

I am responding to the petition for rulemaking dated July 11, 2007, that you submitted to the U.S. Nuclear Regulatory Commission (NRC). Your petition was docketed as PRM-20-27 and requested that NRC amend its regulations in 10 CFR Part 20 to broaden the scope of the requirements pertaining to approval of proposed disposal methods to include recovery of materials for recycling.

NRC has considered the petition and your supporting rationale. For the reasons provided in the enclosed *Federal Register* notice, your petition is denied. In summary, the petition is denied because the issues raised in your petition fall within the scope of the rationale for a recent Commission decision to not conduct rulemaking in the area of setting radiological criteria for controlling the disposition of solid materials. The rationale for the Commission decision was that the current NRC approach for disposition of solid materials is fully protective of public health and safety, and that NRC is currently faced with several high priority and complex tasks.

The *Federal Register* notice denying the petition is being transmitted to the Office of the Federal Register for publication.

Sincerely,

*/RA/*

Luis A. Reyes  
Executive Director  
for Operations

Enclosure:  
*Federal Register* Notice Denying Petition

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