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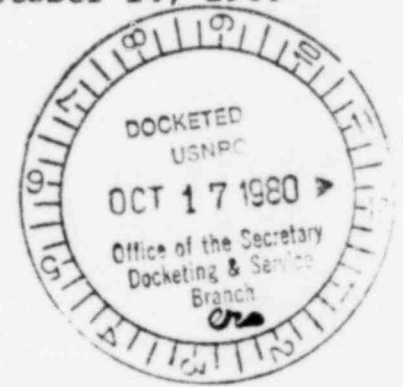
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October 14, 1980



The Honorable Douglas M. Costle
Administrator
Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Dear Mr. Costle:

On January 13, 1977, the Environmental Protection Agency published final regulations establishing radiation protection standards for normal operations for facilities in the uranium fuel cycle (42 Fed. Reg. 2858; codified in 40 CFR 190). For uranium mills, these standards become effective on December 1, 1980.

The American Mining Congress is a trade association that includes among its members the major producers and processors of uranium. The AMC, through its Uranium Environmental Subcommittee, participated on behalf of the uranium industry in the proceedings leading to 40 CFR Part 190.

At the time EPA was considering the radiation protection standards, the Nuclear Regulatory Commission expressed the belief that the proposed standards were based on incorrect assessments of not only radioactive effluent control technology but also the practicality of compliance and that they would be impracticable to implement for technical and economic reasons with respect to uranium mills. NRC further expressed the view that it would be impossible to demonstrate compliance at the low levels specified in the standard using environmental monitoring. The AMC agreed.

Since the promulgation of the standard the uranium industry has attempted to find a means of complying with 40 CFR 190. However, because of the inherent inadequacy in the established standards, which has been highlighted by subsequent technical and scientific data, such a means has not been found for the milling segment of the uranium fuel cycle.

Accordingly, on behalf of the uranium industry, AMC requests that you and your agency reopen the rule-making process, reconsider the radiation protection standards of 40 CFR 190, and revise them so that they are practicable for all segments of the uranium fuel

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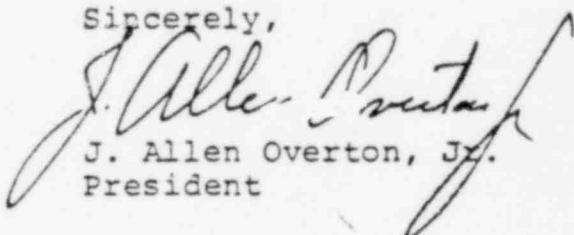
cycle. The AMC also requests that the effective date of the standards for mills (as noted above, presently December 1, 1980) be stayed pending consideration of this request. The AMC is simultaneously requesting that NRC stay any enforcement or implementation of 40 CFR 190. A copy of that request is enclosed.

In support of our request, we transmit under this cover a petition for reconsideration and revision supported by two appendices. Appendix A includes summaries and analyses of new data available since promulgation of 40 CFR 190, and Appendix B compiles relevant portions of the original rulemaking record.

Please advise Larry A. Boggs of my staff and Anthony Thompson of Hamel, Park, McCabe & Saunders, outside counsel for AMC in this matter (see address below), of any action taken.

Prompt consideration of this petition will be appreciated.

Sincerely,



J. Allen Overton, Jr.
President

cc: Allen C. B. Richardson
Office of Radiation Programs
Environmental Protection Agency

✓ Samuel J. Chilk
Secretary to the Commission
Nuclear Regulatory Commission

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