



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

RELEASED TO THE PDR
1/28/91
Date initials

January 8, 1991

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations
FROM: Samuel J. Chilk, Secretary
SUBJECT: SECY-90-409 - PROPOSED NOTICE OF RECEIPT OF
AN APPLICATION FROM ENVIROCARE OF UTAH, INC.,
TO DISPOSE OF SECTION 11e.(2) BYPRODUCT
MATERIAL

This is to advise you that the Commission has not objected to the publication in the Federal Register of a Notice of Receipt of the application by Envirocare of Utah, Inc., to dispose of Section 11e.(2) byproduct material. The Federal Register Notice should include the attached changes.

Attachment:
As stated

cc: Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
OGC

SECY NOTE: THIS SRM AND SECY-90-409 WILL BE MADE PUBLICLY
AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS
SRM

DF02
111

(3) Certain administrative and record-keeping requirements delineated in 10 CFR Part 61, Subpart G, shall be included in the license. These requirements are given in 10 CFR 61.80 and 61.82.

(4) The waste manifest requirements contained in 10 CFR 20.311 will *BE MADE APPLICABLE BY A* ~~apply.~~ *By* license condition, the licensee will be allowed to accept waste only if it is accompanied by a manifest prepared according to 10 CFR 20.311. Based on the application, the NRC staff may consider, as part of the licensing process, exemptions from certain specific packaging, classification, and labeling requirements contained in 10 CFR 20.311, for land burial, that may not be germane to Section 11e.(2) byproduct material waste shipped to the facility. *The staff will also require that more information be obtained from the generator on the chemical constituents than the "principles chemical form" as specified in 20.311(b) in order to address the date and ground-water protection requirements of Appendix A to 10CFR Part 40.*

(5) The general requirements of other Commission regulations: 10 CFR Part 19 - "Notices, Instructions, and Reports to Workers; Inspections"; 10 CFR Part 20 - "Standards for Protection against Radiation"; and 10 CFR Part 21 - "Reporting of Defects and Noncompliance," will apply according to their terms.

NOTICE OF OPPORTUNITY FOR HEARING

The applicant and any person whose interest may be affected by the issuance of this license may file a request for a hearing. A request for hearing must be filed with the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, within 30 days of the