



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

January 17, 1991

The Honorable Bob Graham  
United States Senator  
P. O. Box 3050  
Tallahassee, FL 32315

Dear Senator Graham:

I refer to Mr. John Chafin's letter to you expressing concern about an article entitled, "Decommissioning of NUKEM Fuel Plant Blocked by Political Waste Problem." The article stated that last year the U.S. Nuclear Regulatory Commission (NRC) agreed to allow Envirocare to receive certain uranium and thorium-contaminated wastes from the NUKEM fuel fabrication plant at Hanau, Germany.

The enclosed letter was sent to Mr. Erwin Wehner, General Manager for Decommissioning of the NUKEM facility, on February 4, 1990. The letter advised him that NRC regulations currently do not require an importer in the U.S. (e.g., Envirocare) to obtain a specific NRC import license to receive material such as that in question (i.e., 6000 tons of soil with uranium contamination levels averaging 2400 picocuries per gram), if the importer is already licensed to possess such material. The letter also pointed out, however, that Envirocare was not licensed to dispose of such material at its Utah facility. This is still the case, and no application for such disposal has been received by the NRC.

I should note that the NRC, on February 7, 1990, published an Advanced Notice of Proposed Rulemaking on Import and Export of Wastes. Public comments were solicited and received on four policy options, including changes to Title 10 of the Code of Federal Regulations, Part 110, to require specific NRC licenses for future imports and exports of radioactive wastes. The matter of whether or not to change NRC's regulations, and if so, what changes to make, will be addressed in the future.

Sincerely,

Dennis K. Rathbun, Director  
Congressional Affairs  
Office of Governmental and Public Affairs

Enclosure:

Ltr frm Shea to Wehner dtd 2/14/90

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