



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555-0001

May 31, 1994

The Honorable Philip R. Sharp, Chairman
Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

In the near future, the Nuclear Regulatory Commission (NRC) intends to send to the Office of the Federal Register for publication, the enclosed final amendment to the Commission's rules in 10 CFR Part 40. The amendment will require uranium mill licensees to complete the required cover over non-operational tailings impoundments to control radon releases as expeditiously as practicable considering technological feasibility and to perform a one time verification that the radon barrier, as constructed, is effective. This final rule conforms the Commission's regulations governing uranium mill tailings disposal to recent amendments to the Environmental Protection Agency's (EPA's) general environmental standards in 40 CFR Part 192, Subpart D. The ultimate intent of these revisions is to provide the ample margin of safety necessary for the EPA to rescind its applicable National Emission Standard for Hazardous Air Pollutants (NESHAP's) in 40 CFR Part 61, Subpart T in accordance with section 112(d)(9) of the Clean Air Act and eliminate dual regulation of this category of licensees. This rulemaking has been conducted in accordance with a Memorandum of Understanding between NRC, EPA, and the Agreement States that regulate uranium mill tailings disposal on the Clean Air Act Standards in Subparts T and W of 40 CFR Part 61 and a settlement agreement between EPA and litigants on Subpart T and its stay.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dennis K. Rathbun".

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative Michael Bilirakis

CC57/



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NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 31, 1994

The Honorable Joseph I. Lieberman, Chairman
Subcommittee on Clean Air and Nuclear Regulation
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

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Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Senator Alan K. Simpson



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WASHINGTON, D.C. 20555-0001

May 31, 1994

The Honorable Richard H. Lehman, Chairman
Subcommittee on Energy and Mineral Resources
Committee on Natural Resources
United States House of Representatives
Washington, DC 20515

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cc: Representative Barbara Vucanovich

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Committee on Energy and Commerce
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Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative Michael Bilirakis

[CONFORMF.CL3] <i>CRM</i>	<i>KD/for</i>	<i>KSD</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
Offc: RPHEB:DRA	RPHEB:DRA	RPHEB:DRA	DD:DRA:RES	D:DRA:RES	DD/GIR:RES	D:RES
Name: CMattsen	DCool	KDragonnette	FCostanzi	BMorris	CJHeltemes	ESBeckjord
Date: 4/20/94	4/20/94	4/20/94	4/20/94	4/20/94	1/94	4/20/94
Offc: OCA <i>[Signature]</i>					(on travel)	
Name: DKRathbun						
Date: 5/31/94						

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[CONFORM CL2] eⁱⁿ

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