

# ENVIRONMENTAL POLICY INSTITUTE

DOCKET NUMBER  
PROPOSED RULE **PR-40**  
**(49 FR 46418)**

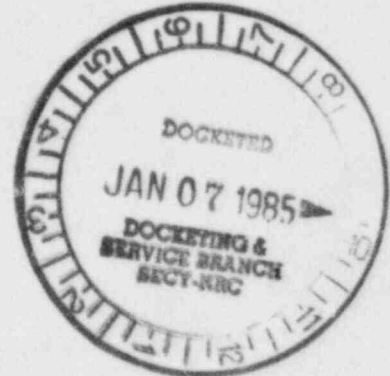
January 4, 1985

Secretary  
U.S. Nuclear Regulatory Commission  
1717 H Street NW  
Washington, DC 20555

Attn: Docketing and Services Branch

In the Matter of:

10 CFR Part 40  
Uranium Mill Tailing Regulations;  
Conforming NRC Requirements to EPA  
Standards



## REQUEST FOR EXTENSION OF PUBLIC COMMENT PERIOD

On November 26, 1984, the Commission published notice in the Federal Register(49 FR 46418--46425) to revise its current regulations governing uranium mill tailings disposal pursuant to P.L. 97-415, the FY 1983 NRC Authorization Act and the Uranium Mill Tailings Radiation Control Act of 1978.

The Environmental Policy Insitute hereby requests an extension of the public comment period of at least fifteen days, and not less than fifteen days for the proposed rule.

We believe that the issues raised by both the proposed rule, the Commission's advanced notice of proposed rule making published on the same date(49 FR 46425-46428), and the information contained in the preambles accompanying both notices are inseparable. Establishing separate and divergent comment periods hinders appropriate comment. Furthermore, the proposals made by the Commission hinge on statutory interpretations of Sec. 84(c), P.L. 97-415, and P.L. 95-604 and require additional time to research and incorporate into comments; comments which would otherwise be fairly perfunctory since the requirements of Sec. 18 of P.L. 97-415 which require NRC conformance are quite clear. The requested extension will make the comment periods for the two proposals the same and provide additional time to research the statutory issues.

The Institute has participated in all Commission rulemakings concerning the promulgation of the Part 40 regulations in question since enactment of the Uranium Mill Tailings Radiation Control Act of 1978.

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add: Robert L. JANN, 9604MNB  
Kitty Dragonette, 62355

ACKNOWLEDGED BY CARD  
JAN 07 1985  
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Respectfully Submitted,

A handwritten signature in cursive script, reading "David Berick". The signature is written in dark ink and is positioned above the printed name and title.

David Berick  
Director  
Nuclear Waste & Safety Project