



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

JUL 12 1999

MEMORANDUM FOR: Carl J. Paperiello, Director
Office of Nuclear Material Safety
and Safeguards

FROM: Russell A. Powell, Chief
Information Services Branch
Information Management Division
Office of the Chief Information Officer

SUBJECT: RELEASE OF RECORDS RELATING TO A DIFFERING
PROFESSIONAL VIEW FROM FORD AND FLIEGEL

By memorandum dated May 20, 1999, you requested that my office coordinate the review for release of records, in accordance with NRC Management Directive 10.159, relating to a Differing Professional View for placement in the NRC Public Document Room (PDR). The review of the subject records has now been completed.

The records identified on the enclosed Appendix A should be placed in the PDR and NUDOCS by your office. The record identified on the enclosed Appendix B should **not** be made available in the PDR and NUDOCS because it is being withheld from public disclosure pursuant to Exemption 5, attorney-client privilege.

Enclosures:

1. Appendix A and B
2. Records

DF03
1/1

IP-12-4

150007
9907160015 990712
PDR ORG NOMA
PDR

9 10 11 12

APPENDIX A

RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	12/21/98	Memorandum for C Paperiello from J Surmeier, Subject: Differing Professional View Panel Report on Handling of Liquid Effluent Releases From In Situ Leach Operations at Licensed Facilities (11 pages)
2.	10/20/98	To C Paperiello from W Ford, Subject: Differing Professional View Concerning Nuclear Regulatory Commission Regulation of Liquid Effluents In Situ Leach Uranium Extraction Facilities (7 pages)
3.	---	Selected pages from National Mining Association White Paper titled, "Recommendations for a Coordinated Approach to Regulating the Uranium Recovery Industry" (8 pages)
4.	5/5/98	Letter to R McBurney from J Holonich (7 pages)
5.	4/95	Staff Technical Position on Effluent Disposal at Licensed Uranium Recovery Facilities (11 pages)
6.	12/1/97	Letter to NRC from M Wittrup (3 pages)
7.	--	Page 313, 10 CFR 440.34 (1 page)
8.	11/19/98	Memorandum to J Holonich from M Fliegel (3 pages)
9.	11/27/98	Memorandum to J Surmeier et al., from C Paperiello, Subject: Differing Professional View Panel (1 page)
10.	11/25/98	Memorandum to J Surmeier et al., from C Paperiello, Subject: Differing Professional View Panel (1 page)
11.	---	Information Considered in DPV Panel Review with Pertinent Notations (6 pages)
12.	---	NRC's Authority to Impose Conditions to Protect Groundwater in its Licenses for the In Situ Extraction of Source Material in Non-Agreement States (18 pages)
13.	4/28/80	Memorandum for Chairman Ahearne from H Shapar, Subject: OELD Legal Opinion on Two Questions Relating to Operation of the Uranium Mill Tailings Radiation Control Act of 1978 (2 pages) (Accession No. 8005270154)

14. 5/28/87 Memorandum for R Smith from M Knapp, Subject: NRC Staff Positions on Regulation of Ground-Water Contaminants and In-Situ Uranium Solution Mining (2 pages)
15. --- 3.4.2.4 Wellfield Bleed (1 page)
16. 6/2/94 Letter to A Thompson from M Knapp, Subject: Suggested Reconsideration of Regulatory Authority Over In-Situ Leach Facility Wellfields (3 pages) (Accession NO. 9406290296)
17. 6/23/94 Letter to Attached List c Licensees, Applicants, and State from J Holonich (10 pages)
18. 2/95 Documentation and Staff Response to Comments, Draft Policy and Guidance Directive for Effluent Release at Uranium Recovery Facilities (13 pages)
19. 4/95 Staff Technical Position on Effluent Disposal at Licensed Uranium Recovery Facilities (1 page)
20. 5/25/95 Memorandum to Those on Attached List from J Holonich, Subject: Uranium Recovery Program Policy and Guidance Directive System Directive DWM 95-01 (4 pages)
21. 10/17/95 Letter to J Austin from P Hildenbrand (7 pages)
22. 6/3-5/97 Uranium Recovery Meeting (22 pages)
23. 12/1/97 Letter to NRC from M Wittrup (1 page)
24. --- Recommendations for a Coordinated Approach to Regulating the Uranium Recovery Industry, A White Paper Presented by National Mining Association (37 pages)
25. --- Appendix C, NUREG-1569, Effluent Disposal at Licensed In Situ Leach Uranium Extraction Facilities (5 pages)
26. 10/27/98 To J Holonich from J Lusher (1 page)
27. --- Draft paper to the Commissioners from W Travers, Subject: Recommendations on Ways to Improve the Efficiency of NRC Regulation at In Situ Leach Uranium Recovery Facilities (9 pages)

APPENDIX B
RECORD WITHHELD IN ITS ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	3/30/94	Memorandum for J Holonich from R Fonner, Subject: Jurisdiction Over Wellfields at Insitu Uranium Recovery Operations (3 pages) EX. 5 ATTORNEY-CLIENT PRIVILEGE