

AB56-1

(213)

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MEMORANDUM FOR: John G. Davis, Director  
 Office of Nuclear Material Safety  
 and Safeguards

FROM: Robert E. Browning, Director  
 Division of Waste Management, NMSS

SUBJECT: CONTROL OF NRC RULEMAKING - EDO REVIEW

*See Packet 2  
 for encl.*

As indicated in my memorandum to you dated February 14, 1985, the Division of Waste Management reviewed the ongoing rulemaking "Uranium Mill Tailings Regulations: Ground Water Protection and Other Issues" and determined that a reassessment of scope was needed. The current state of the industry and projected outlook prompted us to reassess the approach for rulemaking. Review of existing information indicates a strong downturn in NRC's commercial uranium recovery licensing activities. Indications are that few if any new mills are likely in the next 5-10 years. Almost all licensing activity may involve case-by-case application of the the EPA standards to existing facilities.

The enclosed revised EDO Quarterly Review Package outlines the options we considered. Based on the state of the industry, comments on the ANPRM and our own judgment, we recommend a very modest scope of rulemaking as the best use of NRC resources. The enclosed revised EDO Quarterly Review Package reflects the basis for our decision. We received EDO approval to continue this rulemaking by memorandum dated May 29, 1985.

If you agree with our recommendation, please sign the EDO memorandum to forward the package for EDO approval.

Original Signed by  
 MICHAEL J. BELL

Robert E. Browning, Director  
 Division of Waste Management, NMSS

Enclosure:  
 EDO Quarterly Review Package  
 (Revision 1)

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