

Charles A. Judd, President
 Envirocare of Utah, Inc.
 46 West Broadway, Suite 240
 Salt Lake City, Utah 84101

August 25, 1997

SUBJECT: EVALUATION OF RULEMAKING PETITION AND EXEMPTION REQUESTS
 FROM 10 CFR PART 70 LICENSING REQUIREMENTS

Dear Mr. Judd:

The purpose of this letter is to respond to your letters dated July 15, 1997, and August 11, 1997, to Chairman Jackson. Your letters referenced your October 21, 1992, petition for rulemaking and requested that the rulemaking be expedited and that an exemption from the 10 CFR 70 licensing requirements be granted.

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If you have any questions or comments, please contact John Hickey of my staff, at (301) 415-7234.

Sincerely,
 [Original signed by W. Kane for]
 Carl J. Paperiello, Director
 Office of Nuclear Material Safety
 and Safeguards

Docket No.: 040-8989
 License No.: SMC-1559

cc: W. Sinclair, State of Utah

9709030165 970825
 PDR ADOCK 04008989
 C PDR

TICKET:EDO Control #'s: G970560 and G9700594

DISTRIBUTION: Central File LLDP r/f DWM r/f NMSS r/f JCallan
 EJordan HThompson PNorry SBurns PTressler KCyr
 CPoland EDO r/f DWM t/f NMSS Dir t/f PUBLIC ACNW

SECY-CRC-97-0766

SECY-CRC-97-0826

DOCUMENT NAME:a:\G970560 *See previous concurrence

OFC	LLDP		LLDP		LLDP		OGC		FCLB	
NAME	THarris/cv*		RNelson*		JHickey*		NJensen*		MWeber*	
DATE	8/18/97		8/18/97		8/18/97		8/21/97		8/19/97	
OFC	OSP		DWM		NMSS					
NAME	PLohaus*		JGreeves		CPaperiello					
DATE	8/20/97		8/22/97		8/26/97		/ /97			

OFFICIAL RECORD COPY

LSS: YES ___ NO X
 ACNW: YES ___ NO X
 IG: YES ___ NO X

Delete file after distribution YES ___ NO

020070



97-177
 FILE CENTER COPY

leg s/p

NL17



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 25, 1997

Charles A. Judd, President
Envirocare of Utah, Inc.
46 West Broadway, Suite 240
Salt Lake City, Utah 84101

SUBJECT: EVALUATION OF RULEMAKING PETITION AND EXEMPTION REQUESTS
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Sincerely,

A handwritten signature in black ink, appearing to read "Carl J. Paperiello".

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

Docket No.: 040-8989
License No.: SMC-1559

cc: W. Sinclair, State of Utah

Charles A. Judd, President
 Envirocare of Utah, Inc.
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August 25, 1997

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Sincerely,
 [Original signed by W. Kane for]
 Carl J. Paperiello, Director
 Office of Nuclear Material Safety
 and Safeguards

by 8/25

Docket No.: 040-8989
 License No.: SMC-1559

cc: W. Sinclair, State of Utah

TICKET:EDO Control #'s: G970560 and G9700594

DISTRIBUTION: Central File LLDP r/f DWM r/f NMSS r/f JCallan
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OFC	LLDP		LLDP		LLDP		OGC		FCLB	
NAME	THarris/cv*		RNelson*		JHickey*		NJensen*		MWeber*	
DATE	8/18/97		8/18/97		8/18/97		8 21 /97		8/19/97	
OFC	OSP		DWM		NMSS					
NAME	PLohaus*		JGreeves		CPaperiello					
DATE	8/20/97		8/22/97		8 /26 /97		/ /97			

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LSS: YES ___ NO X
 ACNW: YES ___ NO X
 IG: YES ___ NO X Delete file after distribution YES ___ NO

Charles A. Judd, President
 Envirocare of Utah, Inc.
 46 West Broadway, Suite 240
 Salt Lake City, Utah 84101

August 23, 1997

SUBJECT: EVALUATION OF RULEMAKING PETITION AND EXEMPTION REQUESTS
 FROM 10 CFR PART 70 LICENSING REQUIREMENTS

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Sincerely,
 [original signed by] J. Greeves for)
 Carl J. Paperiello, Director
 Office of Nuclear Material Safety
 and Safeguards

Docket No.: 040-8989
 License No.: SMC-1559
 cc: W. Sinclair, State of Utah

by e/po

TICKET:EDO Control #'s: G970560 and G9700594

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DOCUMENT NAME:a:\G970560 *See previous concurrence

OFC	LLDP		LLDP		LLDP		OGC		FCLB	
NAME	THarris/cv*		RNelson*		JHickey*		NJensen		MWeber*	
DATE	8/18/97		8/18/97		8/18/97		/ /97		8/19/97	
OFC	OSP		DWM		NMSS					
NAME	PLohaus*		JGreeves		CPaperiello					
DATE	8/20/97		8/22/97		8/23/97		/ /97			

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 CPoland EDO r/f DWM t/f NMSS Dir t/f

DOCUMENT NAME: a:\G970560

OFC	LLDP	LLDP	LLDP	E no legal OGC objection	FCLB
NAME	THarris/cv <i>DA</i>	RNelson <i>W</i>	JHickey <i>J</i>	NJensen <i>EW</i>	MWeber
DATE	8/10/97	8/10/97	8/18/97	8/21/97	1/ /97
OFC	OSP	DWM	NMSS		
NAME	PLohaus	JGreeves	CPaperiello		
DATE	1 / /97	1 / /97	1 / /97	1 / /97	

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 CFoland EDO r/f DWM t/f NMSS Dir t/f

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OFC	LLDP	LLDP	LLDP	E	OGC	FCLB
NAME	THarris/cv	RNelson	JHickey		NJensen	MWeber
DATE	8/10/97	8/10/97	8/18/97		1/197	1/197
OFC	OSP	DWM	NMSS			
NAME	PLohaus	JGreeves	CPaperiello			
DATE	8/20/97	1/197	1/197		1/197	

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DOCUMENT NAME: a:\G970560

OFC	LLDP	LLDP	LLDP	E	OGC	FCLB	C
NAME	THarris/cv <i>DA</i>	RNelson <i>WJH</i>	JHickey <i>JH</i>		NJensen	MWeber <i>M</i>	
DATE	8/10/97	8/10/97	8/18/97		1/97	8/19/97	
OFC	OSP	DWM	NMSS				
NAME	PLohaus	JGreeves	CPaperiello				
DATE	1/97	1/97	1/97		1/97		

1 correction noted above

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OFC	LLDP	LLDP	LLDP	E	OGC	FCLB
NAME	THarris/cv <i>DA</i>	RNelson <i>TH</i>	JHickey <i>JH</i>		NJensen	MWeber
DATE	8/10/97	8/10/97	8/10/97		1/197	1/197
OFC	OSP	DWM	NMSS			
NAME	PLohaus	JGreeves	CPaperiello			
DATE	1/197	1/197	1/197		1/197	

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LSS: YES ___ NO X
 ACNVV: YES ___ NO X
 IG: YES ___ NO X Delete file after distribution YES ___ NO ___

ACTION

EDO Principal Correspondence Control

FROM: Charles A. Judd
Envirocare of Utah, Inc.

DUE: 08/28/97

EDO CONTROL: G970560
DOC DT: 07/15/97
FINAL REPLY:

TO: Chairman Jackson

FOR SIGNATURE OF : ** GRN ** CRC NO: 97-0766

Paperiello

DESC: ENVIROCARE OF UTAH, INC. DIFFUSE SPECIAL NUCLEAR MATERIAL REQUEST FOR INTERIM FINAL RULE AND EXEMPTION FROM LICENSING REQUIREMENTS

ROUTING: Callan
Jordan
Thompson
Norry
Blaha
Burns
Cyr, OGC

DATE: 07/28/97

ASSIGNED TO: NMSS CONTACT: Paperiello *NELSON/HARRIS*

SPECIAL INSTRUCTIONS OR REMARKS:

ACTION: Hikey
Due to DWM
Director's Office: 8/21

cc: MUF
JTC

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-97-0766 LOGGING DATE: Jul 23 97
ACTION OFFICE: ~~SECY/BAS~~ EDO
AUTHOR: CHARLES JUDD
AFFILIATION: UTAH
ADDRESSEE: CHAIRMAN JACKSON
LETTER DATE: Jul 15 97 FILE CODE:
SUBJECT: ENVIROCARE OF UTAH, INC. DIFFUSE SPECIAL NUCLEAR
MATERIAL REQUEST FOR INTERIM FINAL RULE AND
EXEMPTION FROM LICENSING REQUIREMENTS
ACTION: Appropriate
DISTRIBUTION: CHAIRMAN, COMRS.
SPECIAL HANDLING: NONE
CONSTITUENT:
NOTES: OCM #9526
DATE DUE:
SIGNATURE: . DATE SIGNED:
AFFILIATION: