

Congress of the United States

House of Representatives
Washington, DC 20515-1101DOCKETED
USNRC

'98 SEP -4 A11 :20

July 16, 1998

OFFICE OF THE
REGULATORY
ADJUDICATORDr. Shirley A. Jackson
ChairmanU.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SERVED SEP - 4 1998

U 98 2: 58

Dear Dr. Jackson;

I am writing to express concerns that have been raised to me by the Utah Department of Environmental Quality (UDEQ) and the Tooele County Commission. The Commission, as you know, has recently issued an amendment to the license of the White Mesa Uranium Mill operated by International Uranium Corporation in Blanding, Utah. This amendment would essentially allow White Mesa to become an unlicensed disposal facility for radioactively contaminated soil and debris through the disguise of recycling. This apparent back-door approach raises concerns that I believe require review by the Commission. I also respectfully request that you stay the issuance of the license amendment during this review.

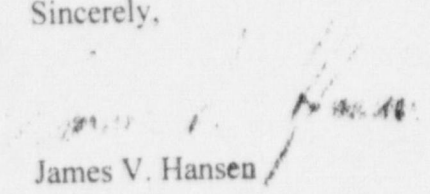
As Dr. Dianne Nielson, the Director of the UDEQ, stated in a June 10, 1998, letter to the Commission, a "policy decision which shifts reprocessing to waste disposal in disguise will trigger several issues... including need for state siting approval, need for a Part 61 license for waste disposal of non-11e.(2) material, payment of appropriate waste disposal fees to the state, and acceleration of the need for a state groundwater discharge permit." Simply put, the state believes reprocessing as a disguise for disposal should not be acceptable. The Commission's action has the effect of removing Utah and other stakeholders from participating in the process of licensing and permitting a radioactive waste disposal facility, a process that has always required full review and public participation.

The process in the state of Utah of licensing and permitting radioactive waste disposal, either through the NRC or the UDEQ, was put into place for the protection of the public and environmental health and safety and to ensure the proper regulation and oversight. There is an existing facility in my district that has been required to follow this process of licensing and permitting, is equipped to handle and dispose of this radioactive material and is a major resource to the county in which it operates. Both facilities should be regulated the same way if they dispose of radioactive waste. An uneven playing field created by the NRC could negatively impact the facility in Tooele County.

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Therefore, I request that the Commission reconsider its decision allowing disguised recycling of radioactive wastes from New York to be disposed in Utah without going through the proper process. Your attention to this matter would be appreciated

Sincerely,


James V. Hansen

MERRILL COOK
2ND DISTRICT, UTAH
COMMITTEES:
TRANSPORTATION
AND INFRASTRUCTURE
BANKING AND
FINANCIAL SERVICES
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Congress of the United States
House of Representatives

July 23, 1998

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40-8681-MLA-4

SERVED SEP - 4 1998

Joseph J. Holonich
Chief of Uranium Recovery Branch
Division of Waste Management
Nuclear Regulatory Commission
Mail Stop T7J9
Washington, D.C. 20555-0001

Dear Mr. Holonich:

I am writing to request a review of the Nuclear Regulatory Commission's (NRC) recent issuance of an amendment to the license of the International Uranium Corporation (IUC) for its White Mesa uranium mill located in Blanding, Utah. I would like to be sure that a facility originally licensed as a reprocessing facility does not become a radioactive waste disposal facility without careful consideration.

On June 23, 1998, the NRC granted IUC an amendment to allow the processing of alternate feed materials from Tonawanda, New York. The Tonawanda shipments of approximately 25,000 tons are much larger than anything ever handled at White Mesa in the past. As you know, I have been concerned about all shipments of nuclear waste into the State of Utah without appropriate state and public input into the permitting process.

The IUC White Mesa facility was originally designed and licensed to process uranium ore and in limited cases unconventional ores which include tailings. Before the White Mesa facility is allowed to expand into reprocessing of nuclear waste, I would hope that state and local concerns are given a fair hearing. I am therefore requesting that the NRC postpone the issuance of the license amendment until all stakeholders can assess the complex policy issues which are sure to surface and make their views known to the Nuclear Regulatory Commission.

Thank you for your review of this situation. I look forward to your reply.

Sincerely

Merrill Cook
Member of Congress

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

INTERNATIONAL URANIUM (USA)
CORPORATION (IUSA)
(Receipt of Material from
Tonawanda, New York)

Docket No.(s) 40-8681-MLA-4

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing SLEIGHT, HANSON AND COOK LTRS. have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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Administrative Judge
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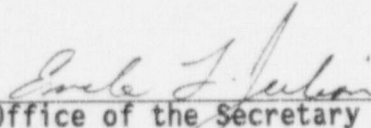
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Dated at Rockville, Md. this
4 day of September 1998


Office of the Secretary of the Commission