



NUCLEAR ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20555

November 20, 1984

The Honorable William D. Ruckelshaus
Administrator
United States Environmental Protection Agency
401 M Street, S.W.
Washington, DC 20460

Dear Mr. Ruckelshaus:

The Commission recently concluded its deliberations on the issuance of conforming regulations regarding uranium mill tailings operations and is publishing the attached Federal Register notices for public comment.

You should note particularly our position on implementation of any case specific exemptions that arise in connection with existing or new licenses to operate uranium mills. It is our position that Section 84(c) of the Atomic Energy Act, as amended, provides the NRC with the authority to grant such exemptions, and that the NRC need not seek concurrence from EPA before granting the exemptions. We will continue to work with your agency in an attempt to reach an agreement on an appropriate memorandum of understanding. This will include our agreement to attempt the development of a generic methodology that would be followed by the NRC in reviewing the exemption requests. We would ask that you have your staff reconsider the latest draft language in this regard that was transmitted by our staff. It is our expectation that our efforts can produce a mutually satisfactory methodology.

Should you have any desire to discuss this matter with me, I am available to meet with you at your convenience.

Sincerely,

Nunzio Palladino

Nunzio J. Palladino

Attachment: As stated

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PDR FOIA
EYEB5-170

PDR

*See memo RRB
11/27
Burlingame
Where do
the mill tailings
stand? Ball
court not
over there
PCR*

Sancti