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COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, DC 20515

June 26, 1985

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The Honorable Nunzio Palladino
 Chairman
 United States Nuclear Regulatory
 Commission
 Washington, D.C. 20555

Dear Mr. Chairman:

On July 16, 1985, the Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources will conduct a joint hearing on legislation to provide for the financing of reclamation and other remedial action with respect to uranium mill tailings at active uranium and thorium processing sites.

Two bills have recently been introduced on this subject, H.R. 2236, the "Uranium Mill Tailings Reclamation Act of 1985", and its Senate companion, S. 1004. This legislation calls for the establishment of a Uranium Mill Tailings Fund, similar to the Nuclear Waste Fund embodied in the Nuclear Waste Policy Act, which shall be used to finance cleanup activities. Utilities are required to contribute 55 percent of the cleanup costs through a .15 mil per kilowatt-hour charge on nuclear-generated electricity. The Federal government is to contribute 30 percent of the cost and the site owners or licensees--15 percent.

These bills involve the creation of a complex new system for the cleanup of uranium mill tailings at active sites, and raise a number of important questions which must be addressed by the Committees in considering action on such legislation. I would appreciate the assistance of the Nuclear Regulatory Commission in bringing these issues to light. Consequently, I have attached a list of specific questions that I would like the NRC to provide the Committee with the responses to by Monday, July 8, 1985.

Thank you for your cooperation.

Sincerely,

8508020440 850715
 PDR COMMS NRCC
 CORRESPONDENCE PDR

MORRIS K. UDALL
 Chairman

Attachment

QUESTIONS FOR THE NUCLEAR REGULATORY COMMISSION STAFF

- 1 A. Please provide a list of all active processing sites that would be eligible for cleanup under the provisions of H.R. 2236 or S. 1004, and a list of the appropriate licensees.
 - B. Which of these sites are licensed by the Commission? Which are licensed by NRC agreement states?
 - C. What is the current status of NRC issued licenses and agreement state issued licenses at these sites?
 - D. What, if any, surety arrangements have been made with regard to licensees' cleanup of the tailings, and what other obligations do licensees have concerning these sites?
2. In the event that a site is owned or licensed to a company's subsidiary, what are the liabilities of the parent company with regard to the subsidiary's activities?
- 3 A. S. 1004 and H.R. 2236 call for the transfer of processing site licenses to the Department of Energy. What would be the Commission's role in regulating a DOE site licensed to the DOE?
 - B. What would be the implications of such a transfer in the event that the site is licensed by an NRC agreement state?
 - C. How would the NRC make certain that sites are not poorly managed between the time that such legislation is passed and the time that licenses are transferred to the Department and/or the appropriate time to undertake reclamation activities?
 - D. What effect, if any, does the NRC believe that Section 83c of the Atomic Energy Act will have in ensuring that reclamation standards are ultimately complied with by licensees, assuming the site was regulated by an agreement state and that no additional legislation (such as H.R. 2236 and S. 1004) is passed by Congress? In the event that the site is regulated by NRC?
4. In determining the cost of mill tailings reclamation, what factors would account for variances in cost per cubic foot or cost per pound from site to site?

5. What is the NRC's estimate of how long an industry-funded cleanup of mill tailings sites will take under the current legislative framework?
- 6 A. Is it the NRC's view that these active sites will be abandoned without legislation such as what is proposed by H.R. 2236 and S. 1004?
 - B. If sites are not cleaned up through any other mechanism, is it the NRC's view that reclamation can take place under the Superfund program?