

February 18, 1997

John S. Frisco
Superfund Remedy Manager
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway
New York, NY 10007-1866

Dear Mr. Frisco:

I am responding to your January 21, 1997, letter to Mr. Hugh L. Thompson, Jr., Acting Executive Director for Operations. In that letter, you wanted to inform the U.S. Nuclear Regulatory Commission (NRC) about your thoughts regarding the January 8, 1997, Natural Resources Defense Council (NRDC), 10 CRR 2.206 petition concerning Envirocare of Utah (Envirocare). The NRDC petition requested that the NRC take immediate action on a number of Envirocare matters, including, but not limited to, the immediate revocation of all licenses issued to Envirocare for the disposal of radiological waste materials.

As you may be aware, on February 7, 1997, the NRC issued the Director's Decision on the NRDC, 10 CFR 2.206 Petition (enclosure) denying the NRDC requests. Based on the Director's assessment the NRC concluded that "no substantial health and safety issues have been raised regarding Envirocare that would require initiation of the immediate action requested by the NRDC." Although concerned about the issues recently reported in the press about Envirocare, the NRC concluded that there was not a sufficient basis to take the action requested in the NRDC petition. The bases for this conclusion are provided in the enclosed petition. The NRC will be closely monitoring the investigations being conducted by the State of Utah. This is being done in order to ensure that the NRC is aware of any new information that may warrant action on NRC's part.

I trust this letter responds to your concerns. If you have any questions, please feel free to contact me or the NRC Project Manager for the Envirocare facility, Mr. Harold Lefevre. I can be reached at (301) 415-7238, and Mr. Lefevre can be reached at (301) 415-6678.

Sincerely,
(Original signed by)
Joseph J. Holonich
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated
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