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Docket 49FR46418 MJ Bell
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C Cudd, NMSS D Smith, URFO
R Fonner, ELD D Nussbaumer, S
W Kerr, SP G Cunningham, R
V Stello SECY85-770(3)
EDO 994-1015 JG Davis
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Anthony J. Thompson, Esq.
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Washington, D.C. 20006

Dear Mr. Thompson:

Your letter to the Chairman dated September 11, 1985, expressed appreciation on behalf of your client, the American Mining Congress (AMC), for the opportunity to present industry views on uranium mill tailings.

Your letter discussed two specific matters related to radon risk. We note that these two matters were discussed in precisely the same manner in your client's comments on the proposed rule. The points were made in support of arguments that "Radon emissions from mill tailings piles do not pose a significant risk of harm to public health" (reference Pages 36-43). Since the matters were included in the AMC's comments, they were given due consideration in formulating the recommended final rule. We also note that the issue of demonstrating the significance of the radon risk from tailings was an issue before the Tenth Circuit.

Thank you for your continued interest in our mill tailings rulemakings. The Commission will take the appropriate action on the radon issue.

Sincerely,

~~John G. Davis~~

John G. Davis, Director
Office of Nuclear Material Safety
and Safeguards

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OFC	WMLU	WMLU	ELD	WM	WM	NMSS	NMSS
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DATE	85/09/26	85/09/26	85/09/26	85/09/26	85/09/26	85/09/27	85/09/27

per telephone
leave