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OF THE
COMMITTEE ON ENERGY AND COMMERCE
WASHINGTON, DC 20515

December 5, 1985

The Honorable Nunzio Palladino
Chairman
Nuclear Regulatory Commission
1717 H Street
Washington, D.C. 20555

Dear Chairman Palladino:

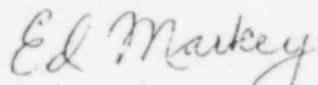
The House is today considering Superfund legislation. Section 118(c) of the bill provides that any radon contaminated soil meeting certain criteria "shall be disposed of at a facility licensed by the Nuclear Regulation Commission, or by a State pursuant to an agreement under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021), for the land disposal of low-level radioactive waste." In order to better understand the implications of this provision, I would appreciate the answer to the following questions:

- (1) Is this radon contaminated soil within the NRC definition of low-level radioactive waste?
- (2) Do the licenses at the three commercial low-level radioactive waste facilities permit the acceptance of such soil?
- (3) Could such licenses be amended to preclude acceptance?
- (4) How, if at all, does the NRC regulate such soil or similar substances?
- (5) What further information does the NRC have on this matter which would be relevant to the consideration of this provision?

Because this provision is likely to be considered on the house floor today, an expeditious response from your staff is requested prior to Floor consideration.

Thank you for your cooperation in this matter.

Sincerely,



Edward J. Markey
Chairman

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PDR COMMS NRCC
CORRESPONDENCE PDR

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