



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

OFFICE OF THE
COMMISSIONER

April 30, 1984

MEMORANDUM FOR: Chairman Palladino
FROM: Thomas M. Roberts *TR*
SUBJECT: URANIUM MILL TAILINGS: COMMENTS ON PART 3 AND MOU

I continue to believe that the fundamental issue to be resolved between EPA and NRC in the matter of uranium mill tailings standards is that of jurisdiction. I question whether an MOU, no matter how tightly drawn or sincerely agreed to, will solve this issue. I can envision either the environmentalists or the industry suing NRC each time we act contrary to their interpretation of the applicable acts - even if consistent with the MOU. Thus, I believe we should let the AMC legal challenge to EPA run its course and, if desirable, inform Congress of this. Since both OGC and ELD indicate we must conform our regulations, I continue to prefer the original staff proposal for doing this. I believe there is sufficient technical data available to justify the deletions.

cc: Commissioners
OGC
OPE ✓
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