

March 15, 2000

Mr. David W. Miller
333 H Street
Bakersfield, CA 93304

SUBJECT: URANIUM DRIVE-IN

Dear Mr. Miller:

I am responding to your February 4, 2000 letter to Shirley Ann Jackson, former Chairman of the U.S. Nuclear Regulatory Commission (NRC). This also serves as a response to similar letters you have written to several NRC officials. Your letter asks that Ms. Jackson contact you if she has any questions or additional information on an enclosed proposal and fact sheet for a film script on environmental releases that, according to your sources, occurred in the early days of uranium milling.

The NRC does not comment on movie scripts or proposals for movies. However, we would like to provide some information about the NRC's regulation of uranium recovery facilities and environmental releases. First, the period identified in your letter, 1946 to 1974, predates the NRC, which was established on January 20, 1975. Prior to that time, the U.S. Atomic Energy Commission (AEC) regulated source, byproduct, and special nuclear material. However, regulation of the "back end" of the uranium milling process, including regulation of wastes from the process, was not identified in the Atomic Energy Act of 1954 as a function of the AEC. It was not until the passage of the National Environmental Policy Act of 1969 that the AEC had any, albeit indirect, authority over those wastes. In 1978, the Uranium Mill Tailings Radiation Control Act of 1978 (UMTRCA) created a new class of byproduct material to cover the wastes generated in the uranium milling process and gave the NRC direct regulatory authority over that material.

As a result of Title II of UMTRCA, licensed uranium mills are now precluded from releasing contaminants, above specified limits, into the environment. Liquids from the milling process are now disposed of by evaporation from mill tailing impoundments which utilize environmentally sound processes, which for some impoundments includes double lined ponds. In addition, by license condition, uranium mill licensees are required to address the clean up of contaminated ground water resulting from their past activities.

Title I of UMTRCA also required the U.S. Department of Energy (DOE) to clean up old uranium mill tailings sites that the NRC had never licensed or at sites that were not licensed when UMTRCA was enacted. The DOE has completed surface reclamation at those sites and is

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currently in the process of cleaning up contaminated ground water at those sites. I am forwarding a copy of your letter and this response to DOE in the event that DOE would like to respond to you directly.

I hope this clarifies some aspects of uranium milling and environmental releases.

Sincerely,

/RA by Joseph J. Holonich Acting

For/

John T. Greeves, Directo

Division of Waste Management

Office of Nuclear Material Safety

and Safeguards

cc: James Fiore, DOE

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