



State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF RADIATION CONTROL

DOD(SPO3)

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February 25, 2000

Paul Lohaus, Director
Office of State Programs
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Lohaus:

This letter is in follow-up to our December 14, 1999 letter regarding the land ownership requirements pertaining to disposal of low-level radioactive waste. As you know, the letter was occasioned by an application of Envirocare of Utah, Inc. for a license to dispose of Class B and C low-level radioactive waste. It is come to our attention that a question may have arisen concerning whether by our December 14, 1999 letter that we were asking the NRC to revisit Envirocare's existing exemption for Class A waste. We are not asking the NRC to revisit Envirocare's existing exemption which has been reviewed by the NRC in previous proceedings.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

William J. Sinclair, Director

- cc: Dianne Nielson, Ph.D., Executive Director, UDEQ
- Myron Bateman, E.H.S., M.P.A., Health Officer/Department Director, Tooele County Health Department
- Fred Nelson, Utah Attorney General's Office
- Charles Judd, Envirocare of Utah, Inc.
- John Greeves, Director, NRC Division of Waste Management
- Charles Hackney, NRC Region IV
- Milt Lammering, EPA Region VIII

Template = OSP-006

SP-AG-28