

The Honorable Richard G. Lugar
United States Senate
Washington, DC 20510

April 5, 2000

Dear Senator Lugar:

I am responding to your letter forwarding the concerns of three of your constituents - - Joseph and Bette Rubinstein, and Anna Cicirelli - - on issues regarding control of releases of solid materials. Specifically, concerns were expressed about release of materials from Department of Energy (DOE) facilities. Although NRC regulations do not apply directly to DOE materials, we understand that the DOE has instituted a moratorium on release of metals with volumetric residual radioactivity. DOE has also established a task force to review its policies on release of all materials for reuse and recycling which would include public participation.

There were also concerns expressed by your constituents that there should be no radioactive material released for recycle from any facility. At this time, the U.S. Nuclear Regulatory Commission (NRC) is in the preliminary stages of examining its approach for controlling solid material. The NRC is seeking public input to its decision-making process through various forums. An initial step in that process was to prepare, for public comment, a paper that discusses issues associated with alternative courses of action. This "Issues Paper" was published in a Federal Register notice (FRN) on June 30, 1999 (64 FR 35090), with a comment period that was originally scheduled to close on November 15, 1999, but which was extended to December 22, 1999. To provide further opportunity for public input, the NRC held a series of public meetings during the Fall of 1999 at four locations, as announced in the FRN. Information about current NRC efforts in this area, including the contents of the Issues Paper, opportunities for further public comment, and summaries of comments at the public meetings held to date, is available on NRC's website address at: <http://www.nrc.gov/NMSS/IMNS/controlsolids.html>. The NRC website can be accessed, using internet services, on computers at home or available at local schools or libraries.

Currently, the Commission is reviewing a paper by the NRC staff summarizing the public's concerns, expressed both during the public meetings and in written comments, along with the staff's recommendations on how to proceed regarding control of solid materials at licensed facilities. The Commission is anticipating holding two separate meetings, open to the public, in May 2000. At the first meeting, the staff will brief the Commission on the paper, and at the second meeting, representatives of various stakeholder groups will be provided with an opportunity to express their comments and concerns to the Commission. The dates of those meetings are tentative and will be announced on NRC's website.

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Please be assured that we will consider the comments of your constituents, along with those of others that are received, as part of the NRC's decision-making process.

We appreciate your interest in this matter.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

The Honorable Richard G. Lugar

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We appreciate your interest in this matter.

Sincerely,

/RA/

William D. Travers
Executive Director
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***See previous concurrence**

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