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### ENVIROCARE AGREES TO ACTIONS REQUIRED TO COMPLY WITH NRC REGULATION

The Nuclear Regulatory Commission sent a Confirmatory Action Letter June 12 to Envirocare of Utah, Inc. which outlines actions the company has agreed to take to promptly dispose of an excessive amount of uranium-235 that inspectors learned was held at the disposal facility near Clive, Utah.

NRC inspectors learned June 10 that more than 2,400 grams of uranium-235 had been held in temporary storage at the facility. The inspection was conducted in response to findings of an inspection conducted by the Utah Department of Environmental Quality. Conditions of the State of Utah license under which Envirocare is permitted to dispose of mildly radioactive waste material allow only 350 grams of "special nuclear material," which includes uranium-235, to be held at the site without being placed in a permanent disposal cell. Possession and processing of more than 350 grams of special nuclear material before burial in a disposal cell would require an NRC license.

The uranium-235 that Envirocare is holding is dispersed in contaminated soil and other waste material it has received from government and industrial cleanup projects. NRC, the State, and Envirocare officials agree that the material present at the site poses no health or safety risk based on the quantity of uranium-235. The uranium-235 is dispersed throughout tons of dirt and debris where it poses no threat of a nuclear chain reaction. Once the debris is dumped into the licensed, permanent disposal cells it is no longer subject to the 350-gram limit.

Envirocare agreed to submit a plan on June 16 to the NRC outlining how it will either remove the material from the facility or place it in a licensed disposal cell. Envirocare's plan also was required to ensure that future deliveries of waste materials will not result in possession of special nuclear material in excess of the maximum allowed by its license. The company submitted its plan on schedule, and officials state that they intend to comply with the actions described in the letter. The NRC and Envirocare discussed actions proposed by Envirocare for future deliveries of special nuclear material during a public meeting on June 19.

The State has issued a separate enforcement action in response to its investigation of this issue for violation of the state license.