

Advocates for Responsible Disposal in Texas

Post Office Box 26586 • Austin, Texas 78755-0586 • 512-391-0400

April 13, 2010

VIA ELECTRONIC MAIL TO: margaret.henderson@tllrwdcc.org.

Ms. Margaret Henderson
Interim Executive Director
Texas Low-Level Radioactive Waste Disposal Compact
3616 Far West Boulevard, Suite 117, #294
Austin, Texas 78731

**Re: Formal Comments to Proposed 31 TAC §§ 675.21-675.23
Exportation and Importation of Waste**

Dear Ms. Henderson:

Advocates for Responsible Disposal in Texas ("ARDT") appreciates the opportunity to submit these comments to the proposed Texas Low-Level Radioactive Waste Disposal Compact Commission (the "Commission") rules published in the *Texas Register* on February 12, 2010. The particular proposed rules to which ARDT's comments apply are the rules proposed to be contained in Texas Administrative Code, Title 31, Part 21, Chapter 675, governing export and import of low-level radioactive waste ("LLRW").

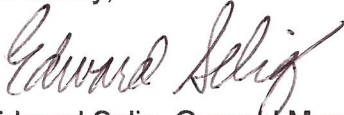
ARDT is an association that includes the generators of LLRW located in Texas and Vermont, which include STP Nuclear Operating Company, Comanche Peak Nuclear Power Plant, and the Entergy Nuclear-Vermont Yankee Nuclear Plant. ARDT is submitting these comments on behalf of such generators. For your convenience, ARDT is attaching two documents: (i) comments on specific provisions in the preamble and in the proposed rule text, and (ii) a complete redline-strikeout version of the preamble and rule text with ARDT's comments incorporated.

ARDT appreciates the Commission's previous consideration of ARDT's comments and suggestions which have been submitted both in writing and verbally at various Commission meetings over the last year. In general, ARDT supports the proposed rules as they relate to export of waste, and ARDT has no objection to the proposed rules as they relate to imported waste. ARDT is offering comments in the attachment to particular sections of the rules and is offering comments in general which would make the rules comport with Texas Health and Safety Code Chapter 401, relating to Radioactive Materials and other Sources of Radiation, and Texas Health and Safety Code Chapter 403, establishing the Texas Low-Level Radioactive Waste Disposal Compact.

ARDT appreciates the opportunity to provide comments, and looks forward to the Commission's responses to our comments and the reasoned justifications required under Texas Government Code § 2001.033.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Edward Selig". The signature is written in black ink and is positioned above the typed name.

Edward Selig, General Manager
Advocates for Responsible Disposal in Texas