

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT COMMISSION

Order Authorizing the Export of Waste for Dow Chemical Company

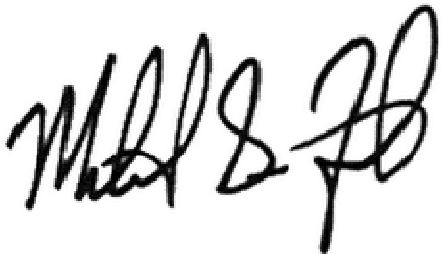
On or about July 22, 2011, the Texas Low-Level Radioactive Waste Disposal Compact Commission ("Commission") received from Dow Chemical Company a Petition to Export Class A Low-Level Radioactive Waste for Permanent Disposal ("Petition") in the Energy Solutions site, located near Clive, Utah. The Petition was filed pursuant to Section 3.05(7) of the Texas Low-Level Radioactive Waste Disposal Compact and the Commission resolution dated December 11, 2009, authorizing consideration of such export petitions.

By a majority vote of those present, at the Commission's meeting posted for August 20, 2011, a majority of the members of the Commission approved the Petition filed by Dow Chemical Company on the terms stated in the Petition, subject only to the following terms and conditions:

1. Dow Chemical Company will supply to the Commission:
 - a. Manifests and/or reports of volume, mass, and activity sent for ultimate disposal which are satisfactory to the Commission.
 - b. Final reconciliation of waste volume concluded not later than 180 days post Order period.
2. The Period of the shipment of the waste from the site of generation is authorized as effective from August 20, 2011 until such time as the Compact Waste Facility is open and is accepting waste for disposal.

It is hereby ordered that Dow Chemical Company is authorized to export low-level radioactive waste as requested in the Petition, subject to the terms and condition as stated in this Order. The Petition is attached to this Order.

Signed August 31, 2011

A handwritten signature in black ink, appearing to read "Michael S. Ford". The signature is stylized and cursive, with the first name "Michael" and last name "Ford" clearly legible.

Michael S. Ford, C.H.P., Chair
Texas Low-Level Radioactive Waste Disposal Compact Commission



The Dow Chemical Company
1701 N. Braker Blvd.
Austin, Texas 78758
512.835.7000

July 22, 2011

CERTIFIED MAIL 7011 0470 0000 2782 5808 RETURN RECEIPT REQUESTED

Ms. Margaret Henderson
Interim Executive Director
TLLRWDC
3616 Far West Blvd., Ste. 117, # 294
Austin, Texas 78731

Re: Petition to Export Class A Low-Level Radioactive ("LLRW") Waste pursuant to Resolution adopted by the TLLRWDC on July 21, 2009

Dear Ms. Henderson,

As required by the above referenced Resolution, The Dow Chemical Company is submitting the attached "Petition" to export Class A LLRW for disposal outside of the Texas Low Level Radioactive Waste Disposal Compact. The waste will be disposed at the EnergySolutions disposal facility located in Clive, Utah.

Please contact me at 979-238-2653 if there are any questions.

Sincerely,

Mary Waters Boneau
Radiation Safety Officer
The Dow Chemical Company

Petition to Export Low-Level Radioactive Waste

1. Petitioner:

The Dow Chemical Company
2301 Brazosport Blvd
Freeport, TX 77541

2. Persons to be contacted:

Mary Waters Boneau 979-238-2112

3. Proposed out of Compact Disposal Facility:

The waste will be disposed at the EnergySolutions LLRW disposal facility in Clive Utah.

4. Entity who generated the waste:

The Dow Chemical Company

5. Effective Period: From August 20, 2011 until such time the Waste Compact Facility is open and accepting waste.

6. Specified Amount:

1,000 cubic feet of Dry Active Waste

7. Description of the wastes:

Solid Dry Active waste consisting of plastic sheets, anti-contamination paper clothing (e.g. Tyvek suits), rubber gloves and booties, HEPA units with filters, metal hopper, metal buckets, ventilation hose, and scaffolding pieces (e.g. pipe, wood, and connecting knuckles).

8. Reason that petition should be granted:

Accumulation of radioactive waste is a potential hazard to health and safety and the storage of these materials is limited by regulation to a specific time and quantity. Cost of disposal increases each year and any delay in shipping these wastes could affect our limited budget and cause undue hardship on our program.

9. Certifications:

- I hereby certify that the Petitioner is licensed (for radioactive materials) and/or permitted (for hazardous wastes), if applicable, and agrees to receive back the waste if its management or disposal is not allowed at the proposed disposal facility.
- I hereby certify that to the best of my knowledge the information provided herein is accurate and correct and that the low-level radioactive waste for which this Export Petition is submitted will be packaged and shipped in accordance with applicable state and federal regulations and is acceptable for disposal at the intended disposal facility.
- I hereby certify that I am authorized by my company, facility, or agency to commit it to each and every obligation and condition set forth herein.



Mary Waters Boneau
The Dow Chemical Company/ Radiation Safety Officer

August 20, 2011

Commission Action

Approved

Disapproved

Approved, subject to the following conditions (if the conditions are not accepted by the Applicant within the time periods set out in Subsection (e)(1) of Rule 675.2, Part 21, Title 31, Texas Administrative Code, the permit is void:)

Conditions of Approval

The commission hereby certifies that proposed Rule 675.2 to be added to Chapter 675, Part 21, Title 31, Texas Administrative Code has been reviewed by legal counsel and found to be within the Commissions legal authority to adopt.