

Texas Low Level Radioactive Waste Disposal Compact Commission

Chair

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September 27, 2011

Janice Owens, Branch Chief
Export Controls and International Organizations
Office of International Programs
US Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: APPLICATION FOR NRC IMPORT LICENSE (IW030)

Dear Ms. Owens:

I am responding to your request for comments on the application dated August 1, 2011, from GE Hitachi Nuclear Energy, LLC, requesting a license (IW030) to import up to 210 used Cobalt-60 radioactive sealed sources from China with potential disposal at the Compact facility in Andrews, Texas that is being constructed by Waste Control Specialists.

In early 2011 the Commission adopted Rules that contain a policy barring import of radioactive waste of international origin for disposal at the Texas Compact site in Andrews, Texas. The policy, codified in a Rule at 31 Texas Administrative Code § 675.23(a), became effective on February 8, 2011 and states:

- (a) ... **It is also the policy of the Commission that it will not accept the importation of low-level radioactive waste of international origin.**

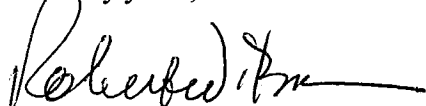
Further, Rule 675.23(d) contains a statement that:

“...No radioactive waste of international origin shall be imported into the Compact Facility for disposal.”

In addition to its own Rules foreclosing import of international waste, the Compact Commission is aware of the action of the Texas Legislature during its 2011 Regular Session addressing waste of international origin in connection with the license for the facility issued by the Texas Commission on Environmental Quality.

Please contact me should you have addition questions and need any more information.

Sincerely yours,



Robert Wilson