

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT COMMISSION

Order Authorizing the Export of Waste for

Southwest Research Institute

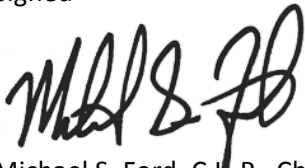
On or about November 5, 2010, the Texas Low-Level Radioactive Waste Disposal Compact Commission ("Commission") received from Southwest Research Institute a Petition to Export Class A Low-Level Radioactive Waste for Permanent Disposal ("Petition") in the Perma-Fix facilities located near Gainesville, Florida; Oak Ridge, Tennessee; and/or Kingston, Tennessee; and/or in the EnergySolutions, LLC, facilities located near Clive, Utah and/or Oak Ridge, Tennessee. 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 7 to 0 vote of those present, with 1 absent, at the Commission's meeting posted for November 13, 2010, a majority of the members of the Commission approved the Petition filed by Southwest Research Institute on the terms stated in the Petition, subject only to the following terms and conditions:

1. Southwest Research Institute 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 November 13, 2010, until such time as the Compact Waste Facility is open and is accepting waste for disposal.

It is hereby ordered that Southwest Research Institute is authorized to export low-level radioactive waste as requested in the Petition, subject to the terms and condition as stated in this Order, excepting the section in the Petition entitled "Conditions of Approval" referencing rule certification. The Petition is attached to this Order.

Signed



Michael S. Ford, C.M.P., Chair
Texas Low-Level Radioactive Waste Disposal Compact Commission
Effective 13 NOV 2010

PETITION TO EXPORT LOW LEVEL RADIOACTIVE WASTE

1. **Name of Petitioner:** Southwest Research Institute
(Individual generator or generators)

Mailing Address: 6220 Culebra Rd, San Antonio TX, 78238-5166

2. **Person to be contacted concerning this petition:**

Name: Mike Dammann
or John Hageman

Title: Assistant Director, Analytical and Environmental Chemistry
Radiation Safety Offocer

Contact Information: Mike: ph. 210-522-5428, mdammann@swri.org
John: ph. 210-522-2633, jph@swri.org
(Telephone, Fax, email)

3. **Proposed out-of-Compact disposal facility:**

SwRI uses Bionomics of Kingston, Tennessee as a Radioactive Waste Broker.
Bionomics will use only the following disposal facilities:

- Perma-Fix
Gainesville, FL
Kingston, TN
Oak Ridge, TN
- Energy Solutions
Oak Ridge, TN 37830
Clyve

4. **Person or Entity who generated the waste:**

Name: Southwest Research Institute

Mailing Address: 6220 Culebra Rd, San Antonio TX, 78238-5166

Contact Information: Mike: ph. 210-522-5428, mdammann@swri.org
John: ph. 210-522-2633, jph@swri.org
(Telephone, Fax, email)

5. **Effective Period for which Petition is made:** November 05, 2010 to final and full opening of the Texas disposal site. This request is made due to the uncertainties that law suits and other delays may cause for the opening of the Texas disposal site.
6. **Total Volume of Class A low-level radioactive waste projected to be exported during the time for which this petition is made, including the outermost container that will be used for disposal (In cubic units):**

Since this petition request has an a uncertain ending period, the projected LLRW will be estimated per year, as follows:

- Five 55-gallon drums/year of Class A Liquid Waste
- One 55-gallon drums/year of Class A Liquid Mixed Waste
- Thirty 55-gallon drums/year of Class A Solid Waste
- One 55-gallon drums/year of Class A Solid Mixed Waste
- One 30-gallon drums/year of Liquid Scintillation Vials

7. **Description of waste:**

- Class A - solid
- Class A - liquid
- Class A, mixed waste – solid
- Class A, mixed waste - liquid
- Liquid Scintillation vials

8. **Reasons that the petition should be granted, including health and safety issues, emergency needs (if any), and the economic impact on the Petitioner if the Export Petition is denied:**

This petition should be granted to help assure that exposures to the personnel working at SwRI, from any stored wastes, are as low as is reasonably achievable (ALARA). Also, due to normal economic inflation and all the unknown factors that will be involved in setting the disposal costs for radioactive wastes, the economic impact of delaying waste disposal can have a definite negative impact on the work (research and development) that SwRI will be able to perform for commercial companies and government contractors. Also, a portion of the stored waste is in a liquid form; and sending this waste for processing and disposal, sooner rather than later, will help to assure that the storage containers will not fail while in storage, which could lead to adverse and unnecessary radiation exposure, loss of income, loss of facilities and equipment, and potential environmental impacts.

9. **Certifications:**

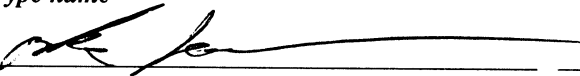
- **I hereby certify that the Petitioner is licensed for radioactive material and/or permitted for hazardous waste, if applicable, and agree to receive the waste if its management or disposal is not allowed at the proposed disposal facility.**
- **I hereby certify that, to the best of my knowledge, the 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, agency, or institution to commit to each and every obligation and condition set forth herein.

Mike Dammann

Print or Type name

Signature  Title Director

Date 11-5-10

Commission Action

Petitioner: _____ Date of Petition: _____

- 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 Commission's legal authority to adopt.