

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT COMMISSION

Order Authorizing the Export of Waste for

VA Medical Center Houston

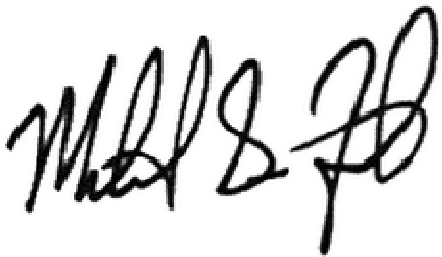
On or about November 3, 2010, the Texas Low-Level Radioactive Waste Disposal Compact Commission ("Commission") received from Bionomics on behalf of VA Medical Center Houston a Petition to Export Class A Low-Level Radioactive Waste for Permanent Disposal ("Petition") in the EnergySolutions, LLC, facility 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 7 to 0 vote of those present, with 1 absent, at the Commission's meeting posted for January 4, 2011, majority of the members of the Commission approved the Petition filed by Bionomics on behalf of VA Medical Center Houston on the terms stated in the Petition, subject only to the following terms and conditions:

1. VA Medical Center Houston 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 January 4, 2011, until such time as the Compact Waste Facility is open and is accepting waste for disposal.

It is hereby ordered that VA Medical Center Houston 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', written in a cursive style.

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



P.O. Box 817 — Kingston, TN 37763 — (865) 220-8501

November 3, 2010

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 a courtesy to the Compact Commission, Bionomics is submitting the attached "Petition" to export Class A LLRW and Scintillation wastes for processing and disposal outside of the compact. This request is being made on behalf of our clients; the Baylor University, IHI Southwest, Texas Children's Hospital, VA Medical Center in Houston and Memorial Hermann Hospital.

Some of the waste is considered "NRC Exempt" Scintillation Vials and these should not be covered under any Compact rules, however we have included them in the petition. A large portion of the wastes are being sent for incineration at the Energy Solutions in Oak Ridge, Tennessee. The resulting ash will be disposed at the Energy Solutions facility located near Clive, Utah. This ash is considered "secondary waste" generated by the incinerator and will be disposed of as Energy Solutions waste.

Please contact me at 865-220-8501 if there are any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'John McCormick', written in a cursive style.

John McCormick

Petition to Export Low-Level Radioactive Waste

1. Petitioner: Bionomics, Inc. of behalf of:

VA Medical Center
2002 Holcome Blvd.
Houston, TX 77030

2. Persons to be contacted:

Bionomics, Inc.	John McCormick	865-220-8501
VA Medical Center	Joseph Bravenec	713-794-7188

3. Proposed out of Compact Disposal Facility:

Wastes will be processed in the following manner;
Scintillation Vials and Fluids processed at Perma-Fix of Florida with burning in an energy recovery program at a hazardous wastes facility or DSSI in Tennessee. Since the material is processed by burning there is no waste volume attributed to the VA Medical Center. Dry Solid waste is either compacted or incinerated at Energy Solutions in Oak Ridge, Tennessee with the ash shipped to Energy Solutions in Clive Utah listing Energy Solutions as the generator. No waste volume attributed to the VA Medical Center for ash.

4. Entity who generated the waste: VA Medical Center

5. Effective Period: From August 1, 2010 to full opening of the Texas disposal site.

6. Specified Amount:

15 cubic feet of Dry Waste for Incineration or Compaction
22.5 Cubic Feet of NRC Exempt Scintillation Vials

7. Description of the wastes:

Solid Dry Active waste consisting of paper, plastic and glass generated by research laboratories. Scintillation Vials and fluids generated by research laboratories.

8. Reason that petition should be granted:

Accumulation of radioactive and mixed wastes 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 increase 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.



John McCormick
Bionomics, Inc. / V.P. Waste Management
August 20, 2010

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.