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November 8, 2010

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

***VIA Email and Regular Mail***

Re: Amended Petition to Export Class A Low-Level Radioactive ("LLRW") Waste pursuant to Resolution adopted by the TLLRWDC on December 11, 2009

Dear Ms. Henderson:

Enclosed please find an Amended Petition (the "Amended Petition") to export Class A LLRW for permanent disposal in the non-compact, commercial, EnergySolutions, LLC, facility located near Clive, Utah, pursuant to an existing long-term disposal agreement between Entergy Nuclear Operations, Inc./Vermont Yankee Nuclear Power Station and EnergySolutions, LLC for disposal of LLRW from the Vermont Yankee Nuclear Power Station. The Amended Petition replaces the Petition filed with the TLLRWDC on April 28, 2010. The proposed expiration date of the Amended Petition for all forms of Class A LLRW is December 31, 2011, or until such later time as the Compact Waste Facility is open and accepting LLRW for disposal. Also enclosed is a suggested form of Order Authorizing the Export of LLRW.

We would be pleased to provide you with any further information upon your written request if the Commission needs more information in order to act upon the Amended Petition. Please contact me if there are any questions.

The enclosed Petition is being transmitted to you by electronic mail and regular mail.

Respectfully submitted,



Derek Seal

Enclosure: Petition  
Proposed Order

**Amended Petition to Export Class A Low-Level Radioactive  
Waste for Permanent Disposal**

1. **Petitioner:** Vermont Yankee Nuclear Power Station, an affiliate of Entergy Nuclear Operations, Inc., with principal offices of Entergy Nuclear Operations, Inc. located at 440 Hamilton Ave., White Plains, New York 10601.
2. **Proposed Disposal Facility:** EnergySolutions, LLC's, non-compact, commercial facility near Clive, Utah, pursuant to a life-of plant contract between Entergy Nuclear Operations, Inc. and EnergySolutions, LLC.

**Note:** Some or all wastes will require volume reduction processing or treatment at EnergySolutions' facilities in Tennessee prior to disposal at EnergySolutions facilities in Utah pursuant to the existing contract agreement.

3. **Effective Period:** From November 13, 2010 through December 31, 2011, or until such later time as the Compact Waste Facility is open and accepting low-level radioactive waste for disposal.
4. **Specified Amount:** The table below estimates the volume and waste type that will be shipped during the period of this petition. The waste quantity provided below represents an untreated waste volume that will be shipped from Vermont Yankee Nuclear Power Station. Pursuant to the existing contract with EnergySolutions, waste treatment decisions, methods and timing occur at EnergySolutions' discretion to provide optimized cost.

Dry Active Waste ft <sup>3</sup>	Class A Resins and Filters ft <sup>3</sup>	Total Estimate ft <sup>3</sup>
26,000	2,700	28,700
	10% Contingency	2,870
	Total petition ft <sup>3</sup>	31,570

Submitted this 8<sup>th</sup> day of November 2010

**Mark L. Carver**



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Mark L. Carver  
Entergy Services, Inc.  
Manager, Fleet Radwaste

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT COMMISSION

**Order Authorizing the Export of Waste**

Vermont Yankee Nuclear Power Station/Entergy Nuclear Operations, Inc.

On or about November 8, 2010 the Texas Low-Level Radioactive Waste Disposal Compact Commission (the "Commission") received from Vermont Yankee Nuclear Power Station/Entergy Nuclear Operations, Inc. ("Vermont Yankee") an Amended Petition to export Class A Low-Level Radioactive Waste for Permanent Disposal (the "Amended Petition") in the EnergySolutions, LLC facility located near Clive, Utah. The Amended Petition was filed pursuant to Section 3.05(7) of the Texas Low-Level Radioactive Waste Disposal Compact, as a follow-up to the Vermont Yankee petitions previously approved by Commission Orders signed September 9, 2009 and December 31, 2009, and the Commission resolution dated December 11, 2009 authorizing the consideration of such export petitions.

By a vote of [X-X] at the Commission's meeting posted for November 13, 2010, a majority of the members of the Commission approved the Amended Petition filed by Vermont Yankee on the terms stated in the Amended Petition, subject only to the following terms and conditions:

1. Vermont Yankee 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 volumes of the waste as stated in the Amended Petition from the site of generation is authorized as effective from November 13, 2010 and shall expire at the end of the day on December 31, 2011, or until such later time as the Texas Compact Waste Facility is open for commercial operation and accepting waste for disposal.

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

**Signed November \_\_\_\_\_, 2010**

**Michael Ford, Chairman  
Texas Low-Level Radioactive Waste Disposal Compact Commission**