



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

October 26, 2011

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

Re: Notice of Intent to Ship Waste for Treatment/Processing with no return to WCS Site

Dear Ms. Henderson,

It remains unclear if waste sent for treatment to a facility outside the compact is required to have an Export Permit if after treatment there is no waste volume attributed to a Compact generator. As a courtesy to the Compact Commission, Bionomics is submitting the attached "Petition's" to notifying the Commission of the shipment of Scintillation wastes for treatment. This request is being made on behalf of our clients; Texas State University and VA North Texas Health Care System.

"NRC Exempt" Scintillation Vials and fluids should not be regulated under Compact rules. Mixed Wastes and other Scintillation Vials and Fluids are handled under the Best Demonstrated Available Technology (BDAT) as mandated by the USEPA, which is processing and burning at a permitted facility. There is no waste volume attributed to the Compact.

In response to Commission comments on a previous request, we have modified our notifications and requests to indicate that the Generator authorizes Bionomics to act on their behalf. If any other modifications are needed please let us know.

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 over a circular scribble.

John McCormick

Petition to Export Low-Level Radioactive Waste

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

Texas State University
San Marcos, TX 78666

2. Persons to be contacted:

Bionomics, Inc. John McCormick 865-220-8501

3. Proposed out of Compact Disposal Facility:

Scintillation Vials burned at Perma-Fix of Florida

4. Entity who generated the waste: Texas State University

5. Effective Period: one time

6. Specified Amount: 30-gallon Scintillation Vials

7. Description of the wastes:

Scintillating Vials may contain hazardous properties.

8. Reason that petition should be granted:

“NRC Exempt” Scintillation Vials and fluids should not be regulated under Compact rules. Mixed Wastes and other Scintillation Vials and Fluids are handled under the Best Demonstrated Available Technology (BDAT) as mandated by the USEPA, which is processing and burning at a permitted facility. There is no waste volume attributed to the Compact.

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 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.

10. Authorization for Bionomics to act on Behalf

Bionomics is contracted to provide waste disposal services to the Texas State University and as part of those services is authorized to act on our behalf in this matter before the Compact Commission.

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 Commission's legal authority to adopt.