

NSSI/Sources & Services, Inc.

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May 31, 2015

Delivered by Email and Federal Express

Texas Low-Level Radioactive Waste
Disposal Compact Commission
Attn: Leigh Ing, Executive Director
333 Guadalupe Street, #3-240
Austin, TX 78701

RE: Petition for Permit to Export Low-Level Radioactive Waste

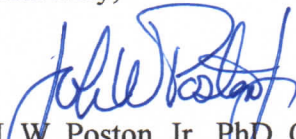
Dear Ms. Ing:

On December 29, 2014, NSSI petitioned the Commission for an amendment and extension of an existing Export Permit dated December 16, 2013. That Export Permit was originally issued by the Commission on July 15, 2010, and was extended, without revision or limitation, on February 22, 2013 and again on December 16, 2013.

The Commission at their regularly scheduled meeting on April 16, 2015, considered the petition and denied it pending resolution of certain concerns raised by the Commission, with the understanding that a future application could be made correcting items noted during the Commission's deliberations. The Commission instructed NSSI to reapply and provide appropriate documentation. The purpose of this letter is to provide additional information required for the Commission to issue the requested export permit.

The amended petition is attached.

Sincerely,



J. W. Poston, Jr., PhD, CHP, CSP
Radiation Safety Officer

JWP/lj

Encl.

Petition for a Permit to Export Low-Level Radioactive Waste

1. Name of Petitioner:

Nuclear Sources and Services Inc. (NSSI)
P.O. Box 34042
Houston, TX 77234

2. Person to be Contacted Concerning this Petition:

J. W. Poston, Jr., PhD, CHP, CSP
Radiation Safety Officer
(713) 641-0391
jposton@nssihouston.com

3. Proposed Out-of-Compact Disposal Facilities:

The waste has been exported under the existing Export Agreement to Thomas Gray and Associates (TGA) and Environmental Management (EMC) of Turlock, CA to provide volume reduction and/or repackaging services for dry active waste (DAW) with the final disposal at Energy Solutions at Clive, UT.

4. Entity that Generated the Waste:

NSSI received mixed waste generated in a variety of states, including Texas, many years ago, perhaps as long ago as a decade or more. The waste was treated at NSSI in Houston to remove the RCRA component and then commingled in several 55-gallon drums.

5. Effective Period for Which Petition is Made:

NSSI is requesting this Export Permit be issued for the period ending December 31, 2015.

6. Total Volume of Waste to be Exported:

NSSI is seeking an Export Permit for a total of 40 drums (300 cubic feet) of Class A waste, which was previously exported pursuant to an existing export permit, from its Houston facility to Thomas Gray and Associates in Turlock, California, for ultimate disposal at EnergySolutions in Clive Utah.

7. Description of Waste:

Class A solid wastes consisting of plastic, paper, metal, and glass from the handling of radioactive materials as acceptable at the facility to which shipped;
Class A solid wastes consisting of concrete and absorber materials from aqueous waste processing as acceptable at the facility to which shipped;

Class A solid wastes consisting of contaminated and activated metal, plastic, and glass containers as acceptable at the facility to which shipped;

Class A solid residues resulting from chemical and radioactive mixed waste treatment acceptable at the facility to which shipped;

Class A solid wastes consisting of construction debris and decontamination materials from facility and source decontamination as acceptable at the facility to which shipped; and

Class A sealed sources as acceptable at the facility to which shipped.

8. Reasons 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:

The Commission has previously authorized the export of the amount, type, class and quantity of low-level waste that is the subject of this petition (*See* Order Authorizing the Export of Waste for NSSI, dated July 15, 2010; Order Authorizing the Export of Waste for Nuclear Sources and Services, Inc. (NSSI), dated February 22, 2013; and, Order Authorizing the Export of Waste for Nuclear Sources and Service, Inc. (“NSSI”), dated December 16, 2013)

NSSI received mixed waste from a variety of states, including Texas, many years ago, perhaps as long ago as a decade or more. The waste was treated at NSSI in Houston to remove the RCRA component and then commingled in several 55-gallon drums. The treated waste was then sent to Thomas Gray and Associates in California beginning in 2012 to be sent to EnergySolutions in Utah.

After re-packaging the waste, Thomas Gray sent several drums of the waste to EnergySolutions for disposal under the previous export permit. There are 40 more drums to be shipped from Thomas Gray to EnergySolutions. Because the waste was processed in Texas and might contain some waste originating in Texas, EnergySolutions is requesting an export authorization from the Texas Compact before they will receive this waste in Utah.

Normally, the Texas-generated waste would be isolated from waste generated in other states. An export authorization would not be required for the non-compact waste processed in Texas and shipped to another state for disposal. This request for an export permit for this particular shipment is a one-time request for a legacy waste stream that is comingled out-of-compact and in-compact waste because the waste was received very long ago from multiple states and generators. It was not received under any import authorization because there was no procedure for doing so at that time.

EnergySolutions, in an abundance of caution, is requesting an export authorization for this legacy waste stream. They would possibly accept such authorization from the individual states where the original generators reside. But, because the waste was received long ago and was comingled with Texas waste after processing, determining where the waste was originally generated is difficult at best and impossible at worst.

The drums remaining at Thomas Gray and Associates were shipped there under the previous export permit that was granted by the Commission. Thomas Gray was not able to complete the repackaging and shipment to EnergySolutions prior to the expiration of that permit.

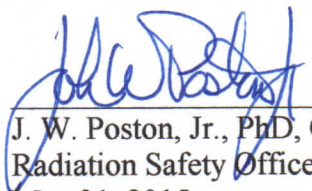
If the Commission fails to re-authorize the export of the remaining waste to EnergySolutions, Thomas Gray and Associates and NSSI potentially will be in violation of their regulatory requirements and license conditions for limitations on waste storage. The public health is best served if the waste is authorized for ultimate disposal as opposed to prolonged storage. Moreover, delays in waste disposal could result in economic harm to Thomas Gray and Associates and to NSSI if disposal costs at the facility escalate.

9. Certifications:

I hereby certify that the Petitioner is licensed for radioactive material and waste and permitted for hazardous and mixed waste, and agrees to receive back its 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 will be treated to be acceptable at the intended final 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.



J. W. Poston, Jr., PhD, CHP, CSP
Radiation Safety Officer
May 31, 2015