



## **NSSI/SOURCES & SERVICES, INC.**

P.O. BOX 34042      HOUSTON, TEXAS 77234  
PH: (713) 641-0391      www.nssihouston.com      FAX: (713) 641-6153

**October 15, 2012**

**Ms. Leigh Ing, Executive Director  
TLLRWDC  
3616 Far West Blvd.  
Ste.117, #294  
Austin, TX 78731**

**ing.leigh@gmail.com  
TEL 512 305 -8981**

**RE: NSSI Petition for Permit for Exportation and/or to Amend Existing Permit**

**Dear Ms. Ing:**

**I have enclosed a "Petition for Permit to Export Low Level Radioactive Waste and/or to Amend Existing Permit." A check for the application fee of Five Hundred Dollars (\$500.00) is also enclosed.**

**NSSI's original petition for a permit to export waste was submitted May 20, 2010 and an "Order Authorizing the Export of Waste for NSSI" was issued July 15, 2010. The order as issued allowed export of waste from the site of generation effective from July 15, 2010 to May 31, 2011 or until the Texas Compact Waste Facility is open and accepting waste for disposal.**

**NSSI receives radioactive wastes for processing from clients located within the Compact States and from clients located outside of the Compact States. For wastes shipped from within the Compact States, NSSI is approved to send such wastes for disposal at the Texas Compact Waste Facility in Andrews County after processing. For waste received from clients outside of the Compact States, NSSI must re-ship that waste to out of Compact States facilities after processing.**

**NSSI uses mechanical processes to repackage some waste or to reduce its volume in order to ready such waste for disposal. NSSI chemically treats some wastes to prepare that waste for disposal. NSSI generates some waste in connection with that treatment.**

**Out of Compact States disposal sites have begun to demand that NSSI present proof that it possesses a TLLRWDC Export Permit for wastes to be delivered to such sites even though the waste originated from out of Compact States clients. As a result, NSSI is compelled to request a renewal of its export permit from the TLLRWDC.**

**I am therefore submitting a "Petition for Extension of Permit to Export Low Level Radioactive Waste and/or to Amend Existing Permit" and requesting that the Order Authorizing Export of**

Waste for Nuclear Sources & Services, Inc. (NSSI) (the "Order") be extended to authorize shipment from the NSSI facility of wastes which originated in states other than Compact States to disposal sites in out of Compact States for twelve (12) months from the date of the grant of the permit.

If any additional information is needed to meet the Petition requirements, please contact me and I will be happy to provide whatever is needed. Since the TLLRWDC rules are not specific as to how petitions for permits are to be handled for an applicant previously possessing a permit, we have filed this in the alternative form. We would ask that this request be treated in the form that will assure its promptest consideration.

I would appreciate your posting the amended Petition on the agenda for consideration by the Commissioners at the earliest possible Texas Low-Level Radioactive Waste Disposal Compact Commission (TLLRWDC) meeting.

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

Thanks you for your consideration of this matter.

Sincerely,



Robert D. Gallagher  
President & RSO -NSSI

RDG/vla  
Ref. #10151201.let  
Rdg 101512a1

cc: Bob Greenslade Fulbright & Jaworski  
Sey Zimmerman Fulbright & Jaworski

# PETITION FOR A PERMIT TO EXPORT LOW LEVEL RADIOACTIVE WASTE AND/OR TO AMEND EXISTING PERMIT

1. Name of petitioner: Nuclear Sources and Services, Inc. (NSSI)

Mailing address: Box 34042, Houston, TX 77234

2. Person to be contacted concerning this petition:

Robert D. Gallagher Radiation Safety Officer  
713 641-0391 [rdgallagher@nssihouston.com](mailto:rdgallagher@nssihouston.com)

3. Proposed out-of Compact disposal facilities:

NSSI treats wastes and utilizes 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  
U.S. Ecology at Richland, WA  
Energy Solutions at Barnwell, SC

NSSI treats wastes and utilizes Toxco of Oak Ridge, TN to provide volume reduction and/or repackaging services for dry active waste (DAW) with the final disposal at:

Energy Solutions at Clive, UT  
U.S. Ecology at Richland, WA  
Energy Solutions at Barnwell, SC  
Waste Management at Heiskell, TN

NSSI treats wastes and utilizes Energy Solutions of Oak Ridge, TN to provide volume reduction and/or repackaging services for dry active waste (DAW) with the final disposal at:

Energy Solutions at Clive, UT  
U.S. Ecology at Richland, WA  
Energy Solutions at Barnwell, SC  
Waste Management at Heiskell, TN

NSSI treats wastes and utilizes Permafrix of Oak Ridge, TN to provide additional treatment and/or repackaging services for bulk liquid wastes with the final disposal at:

Energy Solutions at Clive, UT



U.S. Ecology at Richland, WA  
Energy Solutions at Barnwell, SC  
Waste Management at Heiskell, TN

**4. Effective period for which Petition is made:**

From the date of amended order to twelve (12) months after the amended order for NSSI generated wastes that are not acceptable at the Texas Waste Compact Site.

**5. Total volume of Class A and Class B low-level radioactive waste projected to be exported during the time for which this petition is made, including the weight of the outermost container that will be used for disposal (in cubic units: 300--55 gallon drum equivalents (~2205 cubic feet) per year.**

**6. Description of waste:**

Class A and Class B 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 and Class B solid wastes consisting of concrete and absorber materials from aqueous waste processing as acceptable at the facility to which shipped,  
Class A and Class B solid wastes consisting of contaminated and activated metal, plastic, and glass containers as acceptable at the facility to which shipped,  
Class A and Class B solid residues resulting from chemical and radioactive mixed waste treatment acceptable at the facility to which shipped,  
Class A and Class B solid wastes consisting of construction debris and decontamination materials from facility and source decontamination as acceptable at the facility to which shipped,  
Class A Animal carcasses and tissues from research activities.  
Radioactive wastes that meet the Tennessee BSFR criteria.  
Aqueous and organic bulk liquids resulting from chemical and radioactive mixed waste treatment.  
Class A and Class B sealed sources as acceptable at the facility to which shipped.

**7. 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:**

NSSI is a TCEQ permitted radioactive and mixed waste treatment facility within the State of Texas and has provided radioactive waste management and treatment services since 1971.

NSSI is limited by its TCEQ permit R0-1811 to a limited number of drums of waste that can be stored at the NSSI site without posting additional financial security. When that volume is reached, NSSI can no longer accept radioactive waste for treatment and consolidation. This limits the efficiency of the NSSI operations and limits NSSI's ability

to provide a needed service for industry, hospitals, and research facilities across Texas and the nation.

As other waste compacts refuse to accept wastes manifested from the NSSI Houston facility without a Texas export permit is resulting in a total stoppage of NSSI's processing of out of Texas Compact wastes. This will ultimately result in closure of the NSSI radioactive and mixed waste treatment facility as the facility cannot survive on Texas only generated wastes.

NSSI is the primary contractor for the Department of Energy Offsite Source Recovery Project (OSRP) and while sources received under the program are not received as waste, any waste generated at NSSI as result of this program might not be accepted as Texas generated waste. This could completely shut the OSRP program down.

**8. 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 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.



**Robert D. Gallagher**  
President and Radiological Safety Officer  
October 15, 2012