

ANNEX A

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL

COMPACT COMMISSION

APPLICATION FOR IMPORTATION OF NONPARTY LOW-LEVEL RADIOACTIVE WASTE

(NOTE: PURSUANT TO SECTION 401.207(J), TEXAS HEALTH AND SAFETY CODE, THIS APPLICATION MUST BE COMPLETED BY APPROPRIATE REPRESENTATIVES OF THE DEPARTMENT OF DEFENSE OR THE GENERATOR OF THE WASTE UNLESS THE GENERATOR IS A SMALL GENERATOR AS DEFINED IN SECTION 675.23(0) OF THIS RULE, IN WHICH CASE THE APPLICATION MAY BE SUBMITTED BY AN APPROPRIATELY LICENSED BROKER)

1. Applicant Information:

Entity Name	Pacific Gas & Electric Company/Diablo Canyon Power Plant
Cell Phone	_____
Website address	_____
Contact Person Phone	C. Clint Miller 805-545-4582
Email	Ccm1@pge.com
Physical Address	9 miles northwest of Avila Beach, Ca 93424
Mailing Address	P.O. Box 56 /MC 104/5/13B, Avila Beach, Ca 93424

Is Applicant:

Generator
 A Broker who is a: Licensed Waste Processor
 Licensed Waste Collector
 Department of Defense

(Notes: (1) An appropriately licensed Broker may act on behalf of a Small Generator only if each such generator is identified and written authorization from each such generator is provided as an attachment hereto. (2) While DoD Regulation 4715.6-R designates the Department of the Army as Executive Agent for disposal of low-level radioactive waste, the Commission will require that any agreement that it enters into in this regard be signed by both the Department of the Army as Executive Agent and the branch of the military that has generated the waste.)

Generator Type:

<input type="checkbox"/>	Industrial
<input type="checkbox"/>	Academic/Research
<input type="checkbox"/>	Medical
<input checked="" type="checkbox"/>	Utility
<input type="checkbox"/>	Government

Is Applicant the entity responsible for the waste shipment? Yes No

If no, please include the name and contact information for the entity responsible for the waste shipment.

Is Waste from a "Small Generator"? Yes No

2. Term/Duration from Date of Approval: _____

12 months (Jan -Dec 2013)

3. Waste proposed for importation.

Waste Volume (Cubic Feet)	440
Waste Radioactivity in Curies	406
Place of origination (State) of waste:	California
Waste description:	Cement encapsulated filters and objects

Waste classification (Class A, Class B, or Class C): _____ Class B and C

Waste form Stable Unstable

Does waste contain any of the following radionuclides, check box(es) and complete blank(s):

<input checked="" type="checkbox"/>	C-14	10,500	millicuries (mCi)
<input checked="" type="checkbox"/>	Tc-99	50	microcuries (uCi)
<input checked="" type="checkbox"/>	1-129	12.5	nanocuries (nCi)
<input type="checkbox"/>	Depleted Uranium		microcuries (uCi)
<input type="checkbox"/>	Concentration		(provide units)
<input type="checkbox"/>	Source of generation	Radioactive water treatment at a Nuclear power plant	

4. Is the proposed waste a sealed source?

No Yes | Please Explain: _____

5. Does Broker and/or Generator(s) have any unresolved violation(s), complaint(s), unpaid fee(s), or past due report(s) with the Texas Low-Level Radioactive Waste Disposal Compact Commission?

No Yes | Please Explain: _____

6. Does Broker and/or Generator(s) have any unresolved [radioactive waste] violation(s), complaint(s), unpaid fee(s), or past due report(s) pending with any other regulatory agency with jurisdiction to regulate radioactive material including, without limitation, the TCEQ?

No Yes | Please Explain: _____

7. Certifications. Applicant hereby certifies the following.

- a. The information provided herein is complete, accurate and correct.
- b. The low-level radioactive waste for which this Application is submitted will be packaged and shipped in accordance with applicable state and federal regulations and is acceptable for disposal at the Compact Facility.
- c. The person submitting this Application is authorized by Applicant to commit Applicant to each and every obligation and condition set forth herein and in the Agreement for Importation of Nonparty Compact Waste. A copy of a written document containing such authorization must be attached to this Application.
- d. Applicant has delivered to the Compact Facility operator a copy of this Application and the Agreement for Importation of Nonparty Compact Waste (along with any supplements or amendment thereto).

8. Authorized Signatory:

James M. Welsch

Print or type name

Signature

Station Director

Title

Date

ATTACHMENTS: (Attachments should include all applicable licenses, authorizations, and other materials needed or useful to fully explain the application.) ANNEX A TO RULE 675.23

ANNEX B

TERM SHEET

(Minimum terms that must be addressed in any Waste Importation Agreement offered to the Texas Low-Level Radioactive Waste Disposal Compact Commission in connection with an Application to Import Waste).

- A. The proposed beginning and ending dates.
- B. Compliance with all applicable federal and state laws and rules including, without limitation, Texas Health and Safety Code (THSC), Chapter 403, §8.03.
- C. Liability for applicants' own acts, omissions, conduct, and relationships in accordance with applicable law.
- D. Acknowledgment that the Commission under any circumstances may amend or revoke the agreement with prior notice and that under emergency circumstances the Commission may suspend authorization to import with such notice as it is able to give under the circumstances.
- E. Agreement shall not be assignable or transferable to any other person.
- F. Agreement is subject to receipt by the Compact Facility Operator and the Commission of written certification from the Texas Commission on Environmental Quality (TCEQ) prior to the acceptance of Generator's Nonparty Compact Waste that the waste to be imported is authorized for disposal under the Compact Facility license.
- G. A description of the characteristics of the waste proposed for importation including (but not limited to) volume, type, physical form, total radioactivity, and radionuclide-specific activities.
- H. A representation by the applicant that it has disclosed:
 - (1) The existence of unresolved violations pending against the applicant with any other regulatory agency with jurisdiction to regulate radioactive material.
 - (2) The existence of any unresolved violation(s), complaint(s), unpaid fee(s), or past due report(s) that the applicant has with the Commission.
 - (3) The existence of any unresolved violation(s), complaint(s), unpaid fee(s), or past due reports that the applicant has with any other regulatory body, including, without limitation, the TCEQ.
- I. An acknowledgement that a misrepresentation with respect to an item listed in H may result in the cancellation of the agreement.

- J. The obligation to report immediately to the Commission any allegation of the violation of any law, rule or regulation related to the storage, shipment or treatment of any form of radioactive material.
- K. A provision acknowledging the right of the Commission to audit or cause to be audited compliance with the agreement.
- L. Agreement to comply to the extent applicable with the rules related to commingling adopted by the TCEQ in coordination with the Commission pursuant to THSC, §401.207(k).
- M. An affirmation that no waste of international origin shall ever be included in the materials to be imported to the Compact facility.
- N. Any other matter required by 31 TAC §675.23 to be included in the agreement.



**Pacific Gas and
Electric Company®**

James M. Welsch
Station Director

Diablo Canyon Power Plant
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P. O. Box 56
Avila Beach, CA 93424

805.545.3242
Internal: 691.3242
Fax: 805.545.4234
Internet: JMW1@pge.com

November 21, 2012

Texas Low-Level Radioactive Waste Disposal Compact Commission
(TLLRWDCC)
3616 Far West Blvd., Suite 117, #294
Austin, TX 78731

Dear Sir or Madam:

**AUTHORITY TO CERTIFY LOW-LEVEL RADIOACTIVE WASTE
TRANSACTIONS**

Clint Miller is currently serving as the Radiation Protection Radwaste Engineer and has full authority to certify all aspects of the management, collection, packaging, manifesting and transportation of LLRW from the Diablo Canyon Power Plant (DCPP). This authority applies to all PG&E LLRW storage, shipment, transportation, and disposal transactions subject to the applicable Nuclear Regulatory Commission (NRC), Texas Commission of Environmental Quality (TCEQ), the Texas Low-Level Radioactive Waste Disposal Compact Commission (TLLRWDCC) regulations, and all other federal, state, and local government laws and regulations that may apply to LLRW generated at DCPP in Avila Beach, CA.

Sincerely,



James M. Welsch

CCM/kly

PACIFIC GAS AND ELECTRIC COMPANY
DIABLO CANYON NUCLEAR POWER PLANT, UNIT 1
DOCKET NO. 50-275
FACILITY OPERATING LICENSE

License No. DPR-80

PACIFIC GAS AND ELECTRIC COMPANY

DIABLO CANYON NUCLEAR POWER PLANT, UNIT 2

DOCKET NO. 50-323

FACILITY OPERATING LICENSE

License No. DPR-82