

OCT 16 2014

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1401 MCKINNEY STREET
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Kelly D. Brown
Shareholder

Email: kbrown@craincaton.com

October 15, 2014

Via Federal Express
Via Email: audrey.ferrell@tllrwdcc.org
Via Email: administration@tllrwdcc.org

Texas Low-Level Radioactive Waste Disposal Compact Commission
Attn: Ms. Audrey Ferrell
333 Guadalupe St., #3-240
Austin, Texas 78701

RE: STP-Petition to Export Low-Dose Rate Class A Waste for Disposal

Dear Ms. Ferrell:

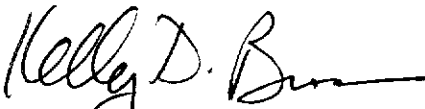
Please see attached export petition and related documents, submitted on behalf of STP Nuclear Operating Company.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

CRAIN, CATON & JAMES, P.C.

By:



Kelly D. Brown

KDB/rr
Enclosures

081841/000009
125 - 949899v2





South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

October 15, 2014

Via Federal Express
Via Email: audrey.ferrell@tllrwdcc.org
Via Email: administration@tllrwdcc.org

Texas Low-Level Radioactive Waste Disposal Compact Commission
Attn: Audrey Ferrell
333 Guadalupe St., #3-240
Austin, TX 78701

Re: Petition to Export Low-Dose Rate Class A Waste for Disposal

Dear Ms. Ferrell:

Enclosed is STP Nuclear Operating Company's (STPNOC) Petition to export low-dose rate (<100 mR/hr contact per manifested container) Class A waste for permanent disposal in the non-compact EnergySolutions, LLC, facility located in Clive, Utah. Disposal would occur pursuant to an existing long-term disposal agreement between STPNOC and EnergySolutions for disposal of Class A LLRW generated at the South Texas Project. Note that the Petition does not include the volumes of higher dose rate Class A waste generated at the South Texas Project, which STPNOC plans to send to WCS for disposal. The Petition seeks export authorization from January 1, 2015 through August 31, 2015. STPNOC respectfully requests that this Petition be considered and approved at the upcoming November 13, 2014 Compact Commission meeting.

Also enclosed is a letter from WCS to the Compact Commission endorsing STPNOC's export of "Low-Dose Rate, Low-Density DAW, and Low-Dose Rate, High-Density Class A LLRW through September 23, 2018." In this letter, WCS explains the financial and other benefits that would be derived by the State of Texas, Andrews County, and WCS if the Petition is approved. STPNOC would like to continue utilizing EnergySolutions for processing, volume reduction, and disposal of low-dose rate Class A waste and maintain its current onsite processes to support the shipments. Shipments of low-dose rate Class A waste to the Compact Facility would require additional onsite process changes, potential increased manpower, and training of personnel to ensure adherence to ALARA and the WCS Waste Acceptance Criteria.

A suggested form of Order Authorizing the Export of LLRW is also enclosed. We would be pleased to provide the Commission further information upon request. The enclosed Petition is being transmitted to you by electronic mail and certified mail. Please be so kind as to confirm receipt by return email to me at gkelton@stpegs.com.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'G. Kelton', is written over the signature line.

Grady Kelton, NRRPT
Radioactive Material Control Supervisor
STP Nuclear Operating Company

Enclosures: Petition, Order, WCS Letter of Support

081841/000009
125 - 938950v2





South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

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

- Petitioner:** STP Nuclear Operating Company (STPNOC), P.O. Box 289, Wadsworth, Texas 77483.
- Proposed Disposal Facility:** EnergySolutions, LLC, non-compact, commercial facility near Clive, Utah, pursuant to life-of-plant contract with STPNOC.
- Effective Period:** January 1, 2015 through August 31, 2015.
- Specified Amount:** The waste quantity provided below represents an untreated waste volume that will be shipped from the South Texas Project. Pursuant to the existing contract with EnergySolutions, waste treatment decisions, methods, and timing occur at EnergySolutions' discretion to provide optimized cost.

| <i>Class A Waste (<100 mr/hr contact per manifested container) ft³</i> | <i>10% Contingency ft³</i> | <i>Total Estimate ft³</i> |
|--------------------------------------------------------------------------------------|---------------------------------------|--------------------------------------|
| 18,720 | 1,872 | 20,592 |

Submitted this 15 day of October 2014

Grady Kelton, NRRPT
Radioactive Material Control Supervisor
STP Nuclear Operating Company



**TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL
COMPACT COMMISSION**

Order Authorizing the Export of Waste

STP Nuclear Operating Company

On October ____, 2014 the Texas Low-Level Radioactive Waste Disposal Compact Commission ("Commission") received from the STP Nuclear Operating Company ("STPNOC") a Petition to Export low-dose rate Class A Low-Level Radioactive Waste for Permanent Disposal ("Petition") in the EnergySolutions, LLC, facility located near Clive, Utah. The Petition was filed pursuant to Section 3.05(7) of the Texas Low-Level Radioactive Waste Disposal Compact and the Commission resolution dated December 11, 2009 authorizing consideration of such export petitions.

By a [] vote of those present, with [] absent, at the Commission's meeting posted for November 13, 2014, a majority of the members of the Commission approved the Petition filed by STPNOC on the terms stated in the Petition, subject only to the following terms and conditions:

1. STPNOC will supply to the Commission:
 - a. Manifests and/or reports of volume, mass, and activity sent for ultimate disposal that 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 waste from the site of generation is authorized as effective from January 1, 2015 and shall expire at the end of the day on August 31, 2014.

It is hereby Ordered that the STP Nuclear Operating Company is authorized to export low-level radioactive waste as requested in the Petition, subject to the terms and conditions as stated in this Order. The Petition is attached to this Order.

Signed November ____, 2014.

Bob Wilson, Chair
Texas Low-Level Radioactive Waste Disposal Compact Commission





THE TEXAS SOLUTION

November 8, 2012

Robert Wilson
Chairman
Texas Low-Level Radioactive Waste Disposal Compact Commission
3616 Far West Blvd., Suite 17, #294
Austin, TX 78731

Subject: Endorsement of South Texas Project to Export Low-Dose Rate, Low-Density DAW
and Low-Dose Rate, High-Density Class A LLRW through September 23, 2018

Dear Chairman Wilson,

The Compact Waste Facility (CWF), operated by Waste Control Specialists LLC (WCS), is the most robustly designed facility for low-level radioactive waste (LLRW) disposal in the United States. The multiple liner systems, containerization of all LLRW in concrete canisters and filling of void spaces with grout provide an extremely robust solution to high-dose rate and challenging LLRW. These same qualities that are desired and sought out for high-dose rate, Class B and C LLRW also create challenges for low-dose rate (i.e., ≤ 100 mR/hr) Class A LLRW that may not require such robust solutions. The biggest challenge is the economic disposal of low-dose rate, low-density Class A DAW and low-dose rate, high-density Class A LLRW.

In our contract discussions with South Texas Project (STP), it became apparent that WCS was not able to provide an economical solution for their low-dose rate, low-density DAW and low-dose rate, high-density Class A LLRW under our current license conditions and operating restrictions. WCS has a plan on how to become more economical, but it will take some period of time and regulatory approvals for the CWF, which we do not currently have. In order to provide a solution for the higher-dose rate LLRW and allow the continuation of operations as usual at STP, WCS has agreed that STP should export their low-dose rate LLRW until WCS can provide a competitive price.

The benefit to STP is a price that allows them to continue to dispose of Class A low-dose rate LLRW using their normal operating processes. The export of low-dose rate Class A LLRW will allow them to continue to keep their radiation levels as low as reasonable achievable.

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Ph. 972-715-9800
Fx. 972-448-1419

Facility
P.O. Box 1120
Andrews, TX 79714
Ph. 888-789-2783
Fx. 505-394-3427



Letter to Chairman Wilson
November 8, 2012

The benefits to WCS and the CWF include more time to become economical for Class A low-dose rate LLRW and that additional volumes will be available for importation. If WCS were required to take the Class A low-dose rate LLRW at current market rates, it could create a financial burden on the CWF. WCS expects that with additional time, an economical solution can be provided to allow STP to dispose of all of their LLRW at the CWF.

With the export of low-dose rate, low-density DAW and low-dose rate, high-density Class A LLRW, there will be more volumes available for importation. The imported LLRW is disposed of at prices above the maximum rate for Compact LLRW and this may allow for additional importation and a better revenue mix for the CWF. Higher revenues at the CWF benefit not only WCS, but the State of Texas and Andrews County as well.

We urge the Compact Commission to approve the export petitions for STP for low-dose rate, low-density DAW and low-dose rate, high-density Class A LLRW. We appreciate the opportunity to provide input to the Commission. If you have any questions, please do not hesitate to call me at (972) 450-4235.

Sincerely,



Rod Baltzer
President

Cc Milton B. Lue II, Commissioner, Vice Chair, TLLRWD Compact Commission
Peter Bradford, Commissioner, TLLRWD Compact Commission
The Honorable Richard H. Dolgener, Commissioner, TLLRWD Compact Commission
Eric J. Doyal, Commissioner, TLLRWD Compact Commission
Linda Morris, Commissioner, TLLRWD Compact Commission
John M. Salsman, Commissioner, TLLRWD Compact Commission
Richard Saudek, Commissioner, TLLRWD Compact Commission

