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December 12, 2014

Texas Low Level Radioactive Waste Disposal Compact Commission
333 Guadalupe St #3-240
Austin, Texas 78701

Subject: Application for Importation of Non- Party Low Level Radioactive Waste
Class A, B and C

Please see the enclosed application by WMG Inc. to import Class A, B and C processed filter media, dewatered sludge and Dry Active Waste into the State of Texas. All waste will be disposed of at the Waste Control Specialists, LLC facility located in Andrews, Texas. This application includes the importation of the described wastes from all applicable U.S. states and Territories. WMG Inc. will provide a signed generator Authorization form (TLLRWDCG Generator Authorization 110912) for each generator and compact export permits (as applicable) for all Low Level Waste Compacts that require exportation permits. Fully executed Generator authorizations forms and any applicable export permits will be provided at least two weeks prior to any shipment into the state of Texas.

WMG Inc. respectfully requests that the petition be considered and approved by the Texas Low Level Waste Compact Commission at the next available commission meeting (tentatively scheduled for March 5, 2015). WMG Inc. is currently in the process of completing our waste Generator certification and developing specific waste profiles for any intended waste shipments.

If you have any questions concerning this import application please do not hesitate to contact me via phone at (914) 736 7100 or by email at jlepere@wmginc.com.

Respectfully,

John LePere
Vice President –Field Services
WMG Inc.

Enclosures:

Annex A Texas Low Level Radioactive Waste Disposal Compact Commission
Application for Importation of Non-Party Low Level Radioactive Waste
Annex B- Term Sheet

Figure: 31 TAC §675.23(f)(1)

ANNEX A

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL
COMPACT COMMISSION

APPLICATION FOR IMPORTATION OF NONPARTY LOW-LEVEL RADIOACTIVE WASTE

(NOTE: PURSUANT TO TEXAS HEALTH AND SAFETY CODE, §401.207(j), 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 31 TAC §675.23(o), IN WHICH CASE THE APPLICATION MAY BE SUBMITTED BY AN APPROPRIATELY LICENSED BROKER)

1. Applicant Information:

Entity Name	<u>WMG Inc.</u>
Contact Person	<u>John LePere</u>
Phone	<u>(914) 736 7100</u>
Email	<u>jlepere@wmginc.com</u>
Website address	<u>wmginc.com</u>
Business Address	<u>2138 State Route 18</u> <u>Wampum, PA 16157</u>
Mailing Address	<u>16 Bank Street</u> <u>Peekskill, NY 10566</u>

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 Department of Defense 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: Industrial
 Academic/Research
 Medical
 Utility
 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. Veolia ES Alaron LLC. Michael Otlowski michael.otlowski@veolia.com

Is Waste from a "Small Generator"? yes no

2. Term/Duration from Date of Approval: 1/1/2015 through 12/31/2105

3. Waste proposed for importation.

Waste Volume (Cubic Feet) 792

Waste Radioactivity in Curies 500

Place of origination (State) of waste: **All US States and Territories with authorized access to the WCS disposal facilities**

Waste description:

Processed filter materials, dewatered/dried sludges, and Dry Active Waste.

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

Waste form: stable unstable

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

C-14 10 millicuries (mCi)

Tc-99 55000 microcuries (uCi)

I-129 LLD nanocuries (nCi)

Depleted Uranium _____ microcuries (uCi)

Concentration _____ (provide units)

Source of generation

Nuclear Power Plant Operations. Filters and DAW from system cleaning and decontamination processes, dried sludge from tank and sump cleaning projects

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 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 Texas Commission on Environmental Quality (TCEQ)?

No Yes. Please explain: _____

7. **Certifications.** Applicant hereby certifies the following.

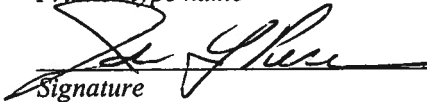
- a. The information provided herein is complete, accurate and correct.
- b. The low-level radioactive waste for which this Application is submitted will be packaged and shipped in accordance with applicable state and federal regulations and is acceptable for disposal at the Compact Facility.

- 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 and TCEQ a copy of this Application and the Agreement for Importation of Nonparty Compact Waste (along with any supplements or amendment thereto).

8. **Authorized Signatory:**

John LePere

Print or type name


Signature

Vice President Field Services

Title

12/8/2014

Date

ATTACHMENTS:

(Attachments should include all applicable licenses, authorizations, and other materials needed or useful to fully explain the application.)

Figure: 31 TAC §675.23(f)(2)

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.