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September 28, 2015

TLLRWDC  
Mrs. Leigh Ing  
333 Guadalupe Street #3-240  
Austin, Texas 78701

Subject: Application for Importation of Non-Party Low-Level Radioactive Waste

Dear Ms. Ing:

Please find enclosed an application from Qal-Tek Associates, LLC to import Class C domestic normal and special form sealed source material for disposal at Waste Control Specialists, LLC facility in Andrews, Texas. Qal-Tek Associates respectfully requests that the application be considered by the Texas LLRW Compact Commission at its next meeting. Qal-Tek Associates understands that the application requires export permits from the Southwest, Central and Rocky Mountain (if applicable) compacts and written authorization from the generator authorizing Qal-Tek Associates to act on behalf of these generators for the disposal of radioactive material. Copies of the approved petitions and copies of the letter from the generator will be submitted as evidence to satisfy the Commission prior to each shipment over the next year of this authorization.

Attachments:

Annex B Term Sheet  
Generator Certification Approval Letter  
Letter of Authority from TX DSHS

Thank you for your consideration,

A handwritten signature in black ink that reads "Michael Albanese". The signature is written in a cursive, flowing style.

Michael Albanese  
Qal-Tek Corporate RSO

Figure: 31 TAC §675.23(e)(1)

**ANNEX A**

**TLLRWDC §675.23—IMPORTATION FORM**

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT COMMISSION APPLICATION FOR IMPORTATION OF NON-PARTY LOW-LEVEL RADIOACTIVE WASTE (NOTE: PURSUANT TO TEXAS HEALTH AND SAFETY CODE, §401.207(j), THIS PETITION MUST BE COMPLETED BY APPROPRIATE REPRESENTATIVES OF THE DEPARTMENT OF DEFENSE OR THE GENERATOR OF THE WASTE UNLESS THE GENERATOR IS A SMALL QUANTITY GENERATOR AS DEFINED IN 31 TAC §675.20(19), IN WHICH CASE THE PETITION MAY BE SUBMITTED BY AN APPROPRIATELY LICENSED BROKER) (Article III, Sec. 3.05(7) of the Compact)

**I. Applicant Information:**

Entity Name: Qal-TeK Associates

Contact Person, Title: Michael Albanese, RSO

Phone: 208-523-5557 ext.34

Email: malbanese@qalteK.com

Website: www.qalteK.com

Business Address: 3998 Commerce Circle  
Idaho Falls, ID 83401

Mailing Address: same as above

Is applicant:

- Generator
- Broker
  - Licensed Waste Processor
  - Licensed Waste Collector
- Department of Defense

**II. Generator Specifications:**

A. Generator type:

- Industrial
- Academic/Research
- Medical
- Utility
- Government

B. Is waste from a "small quantity generator"?

- Yes
- No

**III. Agreement Period:**

Import applications generally will be granted only in single fiscal-year increments. If you are seeking a term that would extend beyond the end of a current fiscal year, please explain the unusual circumstances that would justify a deviation from this general rule?

*N/A*

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IV. Waste proposed for importation:

Waste Volume (Cubic Feet): 36.8

Waste Radioactivity (Curies): 82

Waste Classification:

- Class A,
- Class B, and/or
- Class C

Waste Form

- Stable
- Unstable

Does the proposed waste consist solely of sealed sources?

- No.
- Yes.

Compact and/or unaffiliated state, territory, possession, or district of the United States where the waste was generated (please list):

CA, AZ, ND, SD, NE, KS, OK, AL, LA, IL, KY, MN, WI, IA, MO,  
IN, OH, MI, PA, WV, MD, DE, CT, NJ, DC, ME, NH, MA,  
RI, NY, VA, NC, TN, MS, GA, FL

Waste Description: sealed sources (special & normal form)

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**V. Compliance**

Does Applicant 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 and attach applicable documents.

Does Applicant have any unresolved violation(s), complaint(s), unpaid fee(s), or past due reports associated with radioactive waste receipt, storage, handling, management, processing, or transportation 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 and attach applicable documents.

**VI. Certifications**

Applicant hereby certifies\* the following:

- The information provided herein is complete, accurate, and correct.
- The waste proposed for importation is not waste of international origin.
- The low-level radioactive waste for which this Import 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.
- The person submitting this Import Application is authorized by the Applicant to commit Applicant to each and every obligation and condition set forth herein and in the Agreement for Importation of Non-Party Compact Waste. A copy of a written document containing such authorization must be attached to this Import Application.
- Applicant has delivered to the specified disposal facility and TCEQ a copy of this Application for Importation of Compact Waste (along with any supplement or amendment thereto).

\* If any box is left unchecked, the Commission will assume that requirement was not met.

VII. Authorized Signatory:

Michael Albanese  
Print or type name  
Michael Albanese  
Signature  
Radiation Safety Officer  
Title  
28 Sept. 2015  
Date

VIII. ATTACHMENTS:

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



To whom it may concern,

The Qal-Tek recognized Radiation Safety Officer, Michael Albanese, is the authorized individual for signature of all disposal permitting and applications for WCS as well as all other company approved disposal facilities.

This authorization is offered as of June 1, 2015 and is effective until any other such notice or change of position.

A handwritten signature in black ink, which appears to read 'Travis Snowder'. The signature is written in a cursive, flowing style.

Travis Snowder  
President/CEO  
Qal-Tek Associates

Figure: 31 TAC §675.23(e)(2)

## **ANNEX B**

### **TERMSHEET**

(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, §8.03 of the Compact as compiled in Texas Health and Safety Code (THSC), Chapter 403.
- C. Liability for applicants' own acts, omissions, conduct, and relationships in accordance with applicable law.
- D. Acknowledgement 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 Non-Party 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.



## TEXAS DEPARTMENT OF STATE HEALTH SERVICES

DAVID L. LAKEY, M.D.  
COMMISSIONER

P.O. Box 149347  
Austin, Texas 78714-9347  
1-888-963-7111  
TTY: 1-800-735-2989  
[www.dshs.state.tx.us](http://www.dshs.state.tx.us)

July 12, 2012

QAL-TEK ASSOCIATES LLC  
ATTN ANTHONY BORLAND  
3998 COMMERCE CIRCLE  
IDAHO FALLS ID 83401

Expiration Date: July 31, 2022  
Registration No.: W0020  
Authorized Use: Shipper

Mr. Borland:

Qal-Tek Associates, LLC is hereby registered to Ship Low Level Radioactive Waste (LLRW) to the Texas LLRW Disposal Facility pursuant to Title 25 Texas Administrative Code (TAC) §289.257. This registration will expire on the date listed above.

In addition to the requirements and restrictions of Title 25 TAC §289.257, the following conditions are imposed on your activities as a general licensee while shipping or transporting LLRW in the state of Texas:

1. The registrant shall have the following in their possession at all times when shipping LLRW in Texas to the Texas LLRW disposal facility, and make them available for Texas Department of State Health Services (DSHS) review upon request:
  - a) a copy of this registration letter,
  - b) a copy of the registrant's Emergency Plan,
  - c) a uniform LLRW manifest, and
2. The registrant shall submit a copy of the LLRW manifest including shipping, container and waste information to DSHS at least five (5) days prior to the waste shipping date. This can be faxed to: Manager, Radioactive Material Licensing Branch at (512) 834-6690 or a scanned copy emailed to the Program Coordinator, Industrial Licensing Program: [ray.fleming@dshs.state.tx.us](mailto:ray.fleming@dshs.state.tx.us).
3. If at any time during the registration period the Emergency Plan, Proof of Financial Responsibility, Packaging Information (COC) is amended, the registrant shall provide DSHS with copies of amended documentation at least five (5) days prior to the next LLRW shipment to the Texas LLRW Disposal Facility.



## *Generator Certification Approval Letter*

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DSHS RADIATION

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4. After this registration has expired Qal-Tek Associates, LLC shall apply for renewal of their registration per the requirements outlined in DSHS Regulatory Guide 2.19. The registrant shall provide DSHS with the required documentation at least fourteen (14) days prior to their next LLRW shipment to the Texas LLRW Disposal Facility.

If I may be of assistance, please contact me at (512) 834-6688 extension 2215; or by electronic mail at [keith.smith@dshs.state.tx.us](mailto:keith.smith@dshs.state.tx.us).

Sincerely,

A handwritten signature in black ink that reads "Keith Smith".

Keith Smith, License Reviewer  
Industrial Licensing Program  
Radiation Safety Licensing Branch

Enclosures: Emergency Telephone Notice