

# Texas Low-Level Radioactive Waste Disposal Compact Commission

## Chair

Brandon T. Hurley, Chair, TX

## Vice-Chair

John M. Salsman, Vice-Chair, TX

Stephen Raines, Executive Director

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## Commissioners

Peter Bradford, VT  
Hon. Richard H. Dolgener, TX  
Lisa Edwards, TX  
Linda Morris, LMP, TX  
Jeff Mundy, TX  
Richard Saudek, VT

February 9, 2021

The Honorable Greg Abbott  
Governor of Texas  
P.O. Box 12428  
Austin, Texas 78711-2428

The Honorable Phil Scott  
Governor of Vermont  
109 State Street Pavilion  
Montpelier, VT 05609

The Honorable Dan Patrick  
Lieutenant Governor of Texas  
P.O. Box 12068  
Austin, TX 78711

The Honorable Molly Gray  
Lieutenant Governor of Vermont  
115 State Street  
Montpelier, Vermont 05633

The Honorable Dade Phelan  
Speaker of the House of Texas  
Room 2W.13  
P.O. Box 2910  
Austin, TX 78768

The Honorable Jill Krowinski  
Speaker of the House of Vermont  
115 State Street  
Montpelier, VT 05633

## **Subject: Annual Report for 2020 TLLRWDCC Activities**

Dear Governor Abbott, Governor Scott, Mr. Patrick, Ms. Gray, Mr. Phelan and Ms. Krowinski,

As suggested in Article III, Section 3.04, Paragraph 8 of the Texas Low-Level Radioactive Waste Disposal Compact, I am pleased to provide the 2020 annual report of the Texas Low-Level Radioactive Waste Disposal Compact Commission (“TLLRWDCC” or “Commission”). The Commission is the result of a federal law which created an interstate compact whose member states are Texas and Vermont. It was created to provide a safe and effective disposal facility for generators of low-level radioactive waste generated in Texas and Vermont and to allow Texas to restrict the import and disposal of wastes from states other than Texas and Vermont and from international sources.

This annual report provides: (1) a review of the mission statement of the TLLRWDCC; (2) the current organizational structure including board members and term expiration dates; (3) the volumes of low level radioactive waste exported from and imported into the member states of the Compact; (4) a description of the revenue generated as a result of the agreements approved by the TLLRWDCC for the importation of low-level radioactive waste into the Compact Waste Facility located in Andrews County, Texas that is operated by Waste Control Specialists; and (5) the status of the monitoring and protection of capacity for

disposal at the Compact Waste Facility being done by the Commission. All independent audits conducted on behalf of the TLLRWDC in compliance with the Compact are provided on the TLLRWDC web-site at [www.tllrwdcc.org](http://www.tllrwdcc.org). The most recent audit the Commission has received from its auditors is attached to this report.

**1. Mission Statement:**

It is the mission of the TLLRWDC to promote the health, safety and welfare of the citizens and the environment of the Compact’s party states; to ensure the safe, effective, efficient, and economical disposal and management of low-level radioactive waste and to encourage the reduction of the generation thereof; and to distribute the costs, benefits and obligations among party states of this process; all in accord with the terms of the Compact. The primary activities of the Commission involve review and approval or denial of requests to ship waste from states other than Vermont and Texas to the Compact facility in Andrews, TX. Shipments from other states into the facility are called “imports.” (See Table 2 below). From time to time, the Commission also receives requests to authorize “exports” of low level radioactive waste from generators located in Texas or Vermont to a facility in another state (Table 3 below).

The TLLRWDC and its members have the powers and duties prescribed by the compact and the members of the Commission are responsible for administering the provisions of the compact. Texas and Vermont are the party states to the Compact. The party states recognize a responsibility for each state to effectively manage low-level radioactive waste generated within its boundaries, pursuant to the Low-Level Radioactive Waste Policy Act, as amended by the Low-Level Radioactive Waste Policy Amendments Act of 1985 (42 U.S.C. Sections 2021b-2021j). They also recognize the United States Congress, by enacting the Act, has authorized and encouraged states to enter into compacts for the efficient management and disposal of low-level radioactive waste. It is the stated policy of the party states to cooperate in the protection of the health, safety, and welfare of their citizens and the environment and to provide for and encourage the economic management and disposal of low-level radioactive waste. It is the purpose of this compact to provide the framework for and facilitate such a cooperative effort.

**2. Organizational Structure:**

The TLLRWDC’s governing body is composed of six volunteer Commissioners appointed by the Governor of Texas and two Commissioners appointed by the Governor of Vermont. To support the Commissioners, the TLLRWDC has previously contracted with one Executive Director who was responsible for managing the Commission’s day-to-day operations and one Deputy Executive Director who provided support. During the past year, the Commission selected Stephen Raines as the new Executive Director. The Commission is currently seeking to fill its opening for an Administrative Assistant. Board members and their term expiration dates are provided below in Table 1.

***Table 1: Board Members and Term Expiration Dates***

<b>Board Member</b>	<b>State</b>	<b>Term Expiration Date</b>
Brandon T. Hurley (Chair)	TX	August 31, 2025
John M. Salsman (Vice-Chair)	TX	August 31, 2023
Linda Morris, LMP	TX	August 31, 2021
Jeff Mundy	TX	August 31, 2025
Richard H. Dolgener	TX	August 31, 2021
Lisa Edwards	TX	August 31, 2023
Richard H. Saudek	VT	*

Peter Bradford	VT	*
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\* Vermont Commissioners serve at the pleasure of the Governor of Vermont

### 3. Approved Import and Export Waste Volumes

There are active import agreements entered by the Commission and out-of-compact generators which may have resulted in waste shipments during 2020. These agreements are detailed below in Table 2. The term “volume”, as used in this report, is defined as the total volume of low-level radioactive waste proposed for disposal by out-of-compact generators measured in cubic feet. The term “Curies”, as used in this report, is the unit of measure describing the intensity of radioactivity (produced by the disintegration of radioactive elements) associated with the waste proposed for disposal estimated at the time of receipt of the waste at the Compact Waste Facility in Andrews, Texas.

**Table 2: Import Agreements Impacting 2020**

Petitioner	Volume (ft <sup>3</sup> )	Curies	State
Aerojet Ordnance Tennessee	234	3.5	Tennessee
Aerojet Ordnance Tennessee	60	0.93	Tennessee
Alaron	590	139.8	multiple
Alaron-Veolia	361.2	72.27	multiple
Arizona Public Service	481.2	24.92	Arizona
Arizona Public Service – Palo Verde	1199.5	122.97	Arizona
Bionomics, Inc.	15.52	30.22	multiple
Bionomics, Inc.	72.3	153.59	Michigan
DC Cook Plant	822.8	190.94	Michigan
DC Cook Plant	170.8	2.9	Michigan
Dominion Energy	145.3	116.79	Virginia
Duke Energy	121	50.78	North Carolina
Duke Energy – Brunswick	111.4	17,207.24	North Carolina
Energy Solutions	120.3	107.57	Tennessee
Energy Solutions	485.8	1773.74	Tennessee
Duke Energy – Brunswick	500	1,200	North Carolina
Energy Solutions	650	7,500	multiple
Energy Solutions	650	7,500	multiple
Energy Solutions	650	7,500	multiple
PerkinElmer	97.5	1242.83	Massachusetts
PerkinElmer	232.5	36.9	Massachusetts
Permafix	512	0.04	multiple
PG&E-Diablo Canyon	180	1.74	California
PG&E-Diablo Canyon	180	1.74	California
PG&E-Diablo Canyon	95	150.39	California
RAM Services	11.6	27.02	multiple
Tennessee Valley Authority	68933.3	229	multiple
Tennessee Valley Authority	1412.4	139.91	multiple

Thomas Gray and Associates	7.5	2.58	multiple
Union Electric Ameren Missouri	205.8	0.33	Missouri
Unitech Services	11	0.08	Alabama
University of Missouri Research	36	113.95	Missouri
US Army -Joint Munitions Command	2484	271.25	multiple
Wolf Creek Nuclear Operating Corp.	120.3	30.3	Kansas
Xcel Energy Prairie Island	614.22	102.32	Minnesota

The Commission has issued export authorizations which may have resulted in low level radioactive waste being shipped out of the Compact during 2020. These agreements are detailed below in Table 3.

**Table 3: Export Agreements Impacting 2020**

Petitioner	Volume (ft <sup>3</sup> )	Curie Content	State
Bionomics	7	0.01	TX
Bionomic-Peloton	2	0.002	TX
Bionomics-Quest Diagnostics	50	0.5	TX
Bionomics-Quest Diagnostics	60	0.5	TX
Bionomics-SWRI	52.5	0.5	TX
Excel	15	0.1	TX

#### 4. Revenue Associated with Agreements Approved by the TLLRWDC

As a result of import agreements entered into in 2019 and 2020, a number of shipments were made by out-of-compact generators to the Compact Waste Facility in Andrews, TX. Each of these out-of-compact shipments resulted in a fee of 10% for Q1 to Q3 2020, and 20% for Q4 2020 of the amount charged for disposal being paid to the Texas Commission on Environmental Quality, which oversees the operations of the facility. The quarterly totals of the out-of-compact disposal fees for 2020 are listed below in Table 4. Also provided in Table 4 are the annual out-of-compact disposal fees collected each year since 2013; when the Compact Waste Facility began taking out-of-compact radioactive waste.

**Table 4: Breakdown of Fees from Out –of-Compact Disposal - FY 2020**

Description	Quantity (\$)
1 <sup>st</sup> Quarter 2020	482,505.97
2 <sup>nd</sup> Quarter 2020	823,680.56
3 <sup>rd</sup> Quarter 2020	546,429.99
4 <sup>th</sup> Quarter 2020	757,847.96
Total Fees 2020	2,610,464.48
Total Fees 2019	2,885,763.34
Total Fees 2018	2,091,621.46
Total Fees 2017	4,699,561.12
Total Fees 2016	3,132,315.05
Total Fees 2015	11,037,231.18

Total Fees 2014	3,666,357.39
Total Fees 2013	5,910,178.16
Total Fees – FY 2012 to FY 2020	35,423,452.93

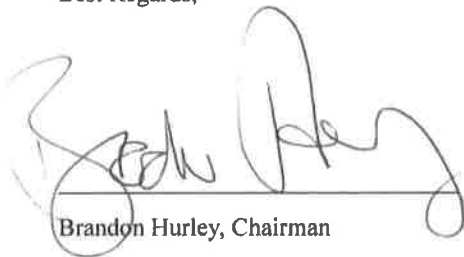
**5. Monitoring and Protection of Capacity at Compact Waste Facility**

Another primary mission of the TLLRWDC is to ensure adequate capacity exists at the Compact Waste Facility in Andrews County for both party states' generators of low level radioactive waste. To this end, each application is reviewed to ensure the proposed disposal by out-of-compact generators will not adversely impact the capacity of the Compact Waste Facility. Specifically, each import application is reviewed by the Technical Committee of the TLLRWDC to ensure the requested volume and curies, when added with other authorized shipments, will not impinge upon the capacity needed by party state generators.


As of December 31, 2020, the total volume of waste disposed of in the Compact Waste Facility (188,420 cubic feet) totals 2.09% of the permitted volumetric capacity of the Compact Waste Facility and the total curies associated with these same volumes of disposed waste (497,145 Ci) totals less than 13.4% of the permitted curies for the facility.

Thank you for the opportunity to provide this report, and please let us know if you have any questions or comments.

Best Regards,



Brandon Hurley, Chairman



John M. Salsman, Vice-Chairman

Attachment: 2019 Audit of the TLLRWDC

- CC: Linda Morris, Commissioner  
 Jeff Mundy, Commissioner  
 Richard H. Dolgener, Commissioner  
 Lisa Edwards, Commissioner  
 Richard H. Saudek, Commissioner  
 Peter Bradford, Commissioner