

Texas Low-Level Radioactive Waste Disposal Compact Commission

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Linda Morris, LMP, TX
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Sumana Nayak, TX
Richard Saudek, VT

August 24, 2022

Via Email: Dave.Puhalla@AlaronNuclear.com

David Puhalla
Health Physics Specialist / Radioactive Waste Shipper
Alaron Nuclear Services
2138 State Route 18
Wampum, PA 16157

Re: Notice of Revocation of TLLRWDCS Agreement

Dear Mr. Puhalla,

This letter is to inform you the Texas Low Level Radioactive Waste Disposal Compact Commission (TLLRWDCS) voted on Tuesday, August 23, 2022, to revoke Alaron Nuclear Services' ("Alaron") current agreement with the TLLRWDCS for the importation of low-level nuclear waste into the State of Texas, listed under control number TLLRWDCS 2-0306-00. TLLRWDCS made this decision based on its investigation into the improper disposal by Alaron in violation of the importation agreement it entered with TLLRWDCS and applicable laws and rules. The current agreement was set to expire on August 31, 2022.

In Alaron's signed agreement, dated July 15, 2021, it agreed that "[a]uthorization to import out-of-compact low-level radioactive waste as described in this Article II.J. from any of the states listed is not effective until: before any shipment containing out-of-compact waste from a state that is a member of the Southwestern Low-Level Radioactive Waste Compact or the Rocky Mountain Compact, Broker has delivered to the Commission written evidence satisfactory to the Commission of the approval of export of out-of-compact waste from the Southwestern Low-Level Radioactive Waste Compact or the Rocky Mountain Compact;" and "before shipment, Broker has delivered to the Commission written evidence satisfactory to the Commission that has received authorization from each generator for the disposal of the generator's waste in the Texas Low-Level Radioactive Waste Disposal Compact Facility." The information you provided in your August 24, 2021 request for a conditional removal letter listed a series of generators and authorizations from generators. Alaron's previous correspondence to TLLRWDCS and the Company's additional communications with TLLRWDCS confirmed that Alaron included inaccurate information regarding the identity of the generator of at least one shipment of waste included in Alaron's previous shipments of out-of-compact waste to the Compact Waste Facility in Andrews, Texas. TLLRWDCS never received an Export Authorization or a Generator Authorization for the subject waste.

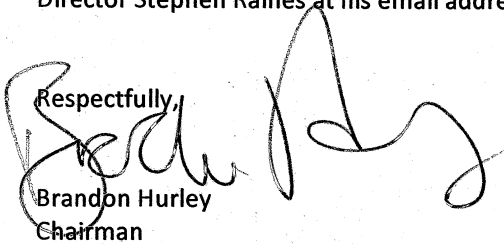
Article I Section F of your agreement states: “[b]roker represents and warrants that it will notify the Commission immediately of any allegation of the violation of any law, rule, or regulation related to the shipment of any form of radioactive waste. Broker represents and warrants that it will report quarterly (on a calendar-year basis) to the Commission any confirmed violation of any law, rule, or regulation in any jurisdiction related to the shipment of any form of radioactive waste. Broker agrees that a failure to report quarterly to the Commission any confirmed violation by the Broker of any law, rule, or regulation related to the shipment of any form of radioactive waste may result in the immediate suspension of this Agreement.” Further, Article II Section D states: “[b]roker agrees that a failure to comply with Items F and G of Article I of this Agreement may result in immediate suspension of this Agreement. Any revocation or suspension of this Agreement shall be effective on the date of the service of notice of such revocation or suspension to Broker by certified mail. The Agreement may be reinstated with or without amendments at the discretion of the Commission after consideration of the Broker’s response.”

Since Alaron’s communications with TLLRWDCD confirm the above-described violations, TLLRWDCD voted unanimously to revoke the current agreement as of Tuesday, August 23, 2022.

Please note that TLLRWDCD may take further action or may take into consideration the violation described in this letter and any other violations of the agreement or of TLLRWDCD rules and applicable laws in deciding any of Alaron’s future requests for an agreement to import low level nuclear waste into the State of Texas. Per the terms of the agreement, a copy of this letter has been provided to the Texas Commission on Environmental Quality and Waste Control Specialists.

If you have any questions regarding this letter or would like to discuss it, you may contact Executive Director Stephen Raines at his email address or via phone at (512) 350-6241.

Respectfully,



Brandon Hurley
Chairman

Texas Low-Level Radioactive Waste Disposal Compact Commission

Cc: Toby Baker, Executive Director, Texas Commission on Environmental Quality
Dave Carlson, Waste Control Specialists