

For Vistra / Comanche Peak Letterhead

May 28, 2020

Brandon T. Hurley, Chairman  
Texas Low-Level Radioactive Waste Compact Commission  
919 Congress Avenue, Suite 830  
Austin, Texas. 78701

Re: Export Petition of Comanche Peak Power Company LLC

Dear Chairman Hurley:

This letter is written by way of further explanation and in support of the Export Application of Comanche Peak Power Company ("Comanche Peak") for the period beginning September 1, 2020 and ending August 31, 2021, a copy of which is filed herewith.

By way of background, Comanche Peak currently has in effect an export permit issued by the Compact Commission on July 30, 2019 which will expire on August 31, 2020. During the time that export permit has been in effect, Comanche Peak has not exported any low-level radioactive waste (LLRW) to the Energy Solutions facility in Clive, Utah. Instead, since September 1, 2019 Comanche Peak has disposed of five shipments of LLRW consisting of approximately 858 cubic feet of LLRW in the WCS Compact Waste Facility near Andrews, Texas. In addition, Comanche Peak has made one shipment of waste to the exempt waste facility (commonly referred to as the RCRA Facility) since September 1, 2019, with such shipment totaling approximately 2316 cubic feet of waste. Comanche Peak anticipates further shipments, prior to August 31, 2020, to both the WCS Compact Waste Facility and the WCS RCRA Facility. We do not anticipate making any shipments of LLRW to Energy Solutions during the remaining term of the current export permit.

Despite Comanche Peak's lack of exports under the current export permit, we feel that it is prudent to seek an export permit for the next fiscal year. Quite candidly, it is our hope that we would not need to utilize that export permit, but it is sought out of an abundance of caution. Unforeseen circumstances may occur which could disrupt the availability of the Texas Compact Waste Facility and thus make it highly advisable for Comanche Peak to have a viable alternative for the disposal of at least a portion of its LLRW. If we wait until such a disruption actually occurs, it would likely be several months for Comanche Peak to be able to file and secure an export permit from the Compact Commission. Thus, we feel it advisable at this time to seek an export permit for the upcoming fiscal year, even though it is our hope and expectation that it is unlikely to be used.

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To be clear, it is our intention to ship Comanche Peak's LLRW to either the WCS Compact Waste Facility or the WCS RCRA Facility during the pendency of the upcoming export permit, if granted, provided: 1) that WCS can receive and permanently dispose of the LLRW, and 2) that the cost of disposal at WCS is competitive.

Please note that the export permit Comanche Peak is applying for is only for 5000 cubic feet of LLRW and 1 curie. This is but a fraction of the volumes in the prior export permits which the Commission has authorized for Comanche Peak.

Comanche Peak is agreeable to having a condition in the export permit that it will report to the Commission within ten days of any export of LLRW under the permit.

Comanche Peak would request that this application be brought on for consideration at the Commission's July 9, 2020 meeting. We stand ready to respond to any questions that individual Commissioners may have regarding this application.

Very truly yours,

A handwritten signature in black ink, appearing to read 'G. Wood', with a stylized flourish at the end.

Greg Wood  
RP RMC Supervisor  
Comanche Peak NPP