



South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

Via Email: leigh.ing@tllrwdcc.org
Via Email: administration@tllrwdcc.org

May 20, 2019

Texas Low-Level Radioactive Waste Disposal Compact Commission

Attn: Leigh Ing

919 Congress Avenue, Suite 830

Austin, TX 78701

Re: Petition to Export Low-Dose Rate Class A Waste for Disposal

Dear Ms. Ing,

Enclosed is STP Nuclear Operating Company's (STPNOC) Petition to Export Class A Low Level Radioactive Waste (<100 mr/hr contact per manifested container) to be disposed of in the non-compact EnergySolutions, LLC facility near Clive, Utah. The permanent disposal of Class A LLRW would occur pursuant to an existing long-term agreement between STPNOC and EnergySolutions. The Petition seeks export authorization for September 1, 2019 through August 31, 2020. STPNOC respectfully requests that this Petition be considered and approved at the upcoming July 11, 2019 Compact Commission meeting. Note that the Petition does not include the volumes of higher dose rate Class A waste, which STPNOC plans to send to WCS for disposal.

Waste Control Specialists (WCS) in Andrews County has proposed to receive all STPNOC's Class A Low Level Radioactive Waste. At the present time, substantial onsite process changes and regulatory approvals would be required to send this waste to the WCS facility. In addition to the need for increased manpower and training of personnel, the physical plant lay-out and STPNOC Radiation Protection program do not readily support the sorting and processing that would be required to ensure adherence to WCS ALARA and Waste Acceptance Criteria.

Please note that STPNOC is pursuing the required regulatory approvals necessary to utilize the disposal options offered by the WCS Andrews County Facility.

If the Petition is approved, STPNOC would like to continue utilizing EnergySolutions for processing, volume reduction, and disposal of low-dose rate Class A waste and maintain its current onsite processes to support the shipments.

A suggested form of Order Authorizing the Export of LLRW is also enclosed. We would be pleased to provide the Commission with further information upon request. The enclosed Petition is being transmitted to you by electronic mail and Federal Express. Please be so kind as to confirm receipt by return email to Guadalupe (Pete) Rodriquez at grodriguez@stpegs.com.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kimberly A. Harshaw', is written over the typed name.

Kimberly A. Harshaw

General Counsel, STP Nuclear Operating Company

Enclosures: Petition and Order

TLLRWDC §675.21—EXPORTATION FORM

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT COMMISSION PETITION FOR EXPORTATION OF NON-PARTY LOW-LEVEL RADIOACTIVE WASTE. THIS PETITION MUST BE COMPLETED BY APPROPRIATE REPRESENTATIVES OF THE DEPARTMENT OF DEFENSE, THE GENERATOR, OR A BROKER.

I. Petitioner Information:

Entity Name: STP Nuclear Operating Corporation (STPNOC)

Contact Person, Title: Guadalupe (Pete) Rodriguez, Radioactive Material Control Supervisor

Phone: 361-972-4057

Email: grodriguez@stpegs.com

Website: _____

Business Address: FM 521, 8 miles West of Wadsworth

Wadsworth, Texas 77483

Mailing Address: PO Box 289

Wadsworth, Texas 77483

Is applicant:

Generator

Broker

Department of Defense

II. Generator Specifications:

A. Generator type:

Industrial

Academic/Research

Medical

X Utility

Government

III. Export Permit Period:

Export petitions generally will be granted to expire on August 31 (that is, the end of the Compact's fiscal and operating year). If you are seeking a term that would extend over more than one fiscal year, please explain the unusual circumstances that would justify a deviation from this principle?

September 1, 2019 through August 31, 2020

IV. Waste proposed for exportation:

Waste Volume (Cubic Feet): 25,131

Waste Radioactivity (Curies): 0.97

Waste Classification:

X Class A,

Class B, and/or

Class C

If Class B and/or Class C is indicated, provide explanation for cause to export.

N/A

Name and Location of Proposed Treatment and /or Disposal Facility:

EnergySolutions Bear Creek Facility / EnergySolutions Clive Utah Burial Site

Approximate Date of Proposed Exportation (if known):

Periodically during Petition term.

Waste Description: Low Level Class A, Bulk Dry Active Waste

Justification for Exportation: At the present time, substantial onsite process changes and regulatory approvals would be required to send this waste to the WCS facility. In addition to the need for increased manpower and training of personnel, the physical plant lay-out and STPNOC Radiation Protection program do not readily support the sorting and processing that would be required to ensure adherence to WCS ALARA and Waste Acceptance Criteria.

Please note that STPNOC is pursuing the required regulatory approvals necessary to utilize the disposal options offered by the WCS Andrews County Facility.

V. Compliance

Does Petitioner 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 Petitioner 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

Petitioner hereby certifies* the following:

The information provided herein is complete, accurate, and correct.

The low-level radioactive waste for which this Export Petition is submitted will be packaged and shipped in accordance with applicable state and federal regulations and is acceptable for disposal at the proposed disposal facility.

If a Broker is submitting this petition on behalf of the Petitioner, the Broker hereby certifies* the following:

The Broker submitting this Export Petition is authorized by the Petitioner to act on behalf of the Petitioner related to this Permit for Exportation of In-Compact waste. A copy of written documentation containing such authorization is attached to this Export Petition.

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

VII. Authorized Signatory:

Guadalupe (Pete) Rodriquez

Print or type name

Signature

Radioactive Material Control Supervisor

Title

Date

VIII. ATTACHMENTS:

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

**TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL
COMPACT COMMISSION**

Order Authorizing the Export of Waste

STP Nuclear Operating Company

On or about May 20, 2019 the Texas Low-Level Radioactive Waste Disposal Compact Commission ("Commission") received from STP Nuclear Operating Company ("STPNOC") a Petition to Export low-dose rate Class A Low-Level Radioactive Waste for permanent disposal ("Petition") in the *EnergySolutions*, LLC burial site near Clive, Utah. The Petition was filed pursuant to Section 3.05(7) of the Texas Low-Level Radioactive Waste Disposal Compact and Commission Rule §675.21, Exportation of Waste to a Non-Party State for Disposal, authorizing consideration of such export petitions.

At the Commission's meeting posted for and held on July 11, 2019, five or more members of the Commission voted to approve the Petition filed by STPNOC, on the terms stated in the Petition, subject only to the following terms and conditions:

1. STPNOC will supply to the Commission:
 - a. Manifests and/or reports of volume, mass, and activity sent for ultimate disposal that are satisfactory to the Commission.
 - b. Final reconciliation of waste exports during the order period not later than October 31, 2020.
2. The period of the shipment of the waste from the site of generation is authorized as effective from September 1, 2019 through August 31, 2020.

It is hereby ordered that STPNOC is authorized to export low-level radioactive waste as requested in the Petition, subject to the terms and conditions as stated in this Order. The Petition is attached to this Order.

Signed this ___ day of _____, 2019.

Brandon T. Hurley, Chairman
Texas Low-Level Radioactive Waste Disposal Compact Commission