



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

August 10, 2021

Texas Low-Level Radioactive Waste Disposal Compact Commission

Attn: Chairman Brandon Hurley
919 Congress Avenue, Suite 830
Austin, TX 78701

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

Chairman Hurley,

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, and/or the *EnergySolutions* Bear Creek Facility near Oak Ridge, Tennessee. 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 (as a contingency measure only, as described below) for September 1, 2021 through August 31, 2022.

The exportation of waste is permitted if the Compact Waste Facility is either unable or unwilling to accept waste from STP Nuclear Operating Company (STPNOC) for a period of fourteen consecutive days. Upon the giving of notice of the exportation of waste to the Executive Director of the Compact Commission and the operator of the Compact Waste Facility following said fourteen-day period, STP Nuclear Operating Company (STPNOC) shall be authorized to export waste forthwith under the terms of this Order. Export authority shall cease upon a determination by the Compact Commission that the Compact Waste Facility is ready, willing, and able to again accept waste from STP Nuclear Operating Company (STPNOC).

STP Nuclear Operating Company respectfully requests that this Petition be considered and approved at the upcoming September 16, 2021 Compact Commission meeting.



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Page -2-

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

We would be pleased to provide the Commission with further information upon request. The enclosed Petition is being transmitted to you by electronic mail. 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". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kimberly A. Harshaw
Vice President Regulatory Affairs and
General Counsel, STP Nuclear Operating Company
Enclosures: Petition and Suggested 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 Company (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 Texas

Wadsworth, Texas 77483

Mailing Address: P.O. Box 289

Wadsworth, TX 77483

Is applicant:

Generator

Broker

Department of Defense

II. Generator Specifications:

- A. Generator type:
 - Industrial
 - Academic/Research
 - Medical
 - 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, 2021 to August 31, 2022

IV. Waste proposed for exportation:

Waste Volume (Cubic Feet): 5,000

Waste Radioactivity (Curies): 0.50

Waste Classification:

- 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: The exportation of waste is permitted if the Compact Waste Facility is either unable or unwilling to accept waste from STP Nuclear Operating Company (STPNOC) for a period of fourteen consecutive days. Upon the giving of notice of the exportation of waste to the Executive Director of the Compact Commission and the operator of the Compact Waste Facility following said fourteen-day period, STP Nuclear Operating Company (STPNOC) shall be authorized to export waste forthwith under the terms of this Order.

Export authority shall cease upon a determination by the Compact Commission that the Compact Waste Facility is ready, willing and able to again accept waste from STP Nuclear Operating Company (STPNOC).

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

Guadalupe Rodriquez

Signature

RMC Supervisor

Title

8-10-2021

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 for

STP Nuclear Operating Company

On or about August 10, 2021 the Texas Low-Level Radioactive Waste Disposal Compact Commission ("Commission") received from STP Nuclear Operating Company, a Petition to Export Class A Low-Level Radioactive Waste described as 5,000 cubic feet / 0.50 Curies of low level Class A dry active waste. Permanent disposal is proposed at the *EnergySolutions*, LLC burial site near Clive, Utah and or *EnergySolutions* Bear Creek Facility near Oak Ridge Tennessee. 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 September 16, 2021, five or more members of the Commission voted to approve the Petition filed by STP Nuclear Operating Company, on the terms stated in the Petition, subject only to the following terms and conditions:

1. STP Nuclear Operating Company 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, 2022.
2. The period of the shipment of the waste from the site of generation is authorized as effective from September 1, 2021 through August 31, 2022.

It is hereby ordered that STP Nuclear Operating Company 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 _____, 2021.

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