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## **Issues with WCS proposed import rules:**

**Public Citizen questions the propriety of the regulated entity developing the rules that will regulate them and support the Chairman's inclination to do a workshop for the commission to develop its own rules, rather than relying on those submitted by the regulated entity.**

Fundamentally – the proposed rules eliminate many of the key checks that balance the system

- They state that the legislature wanted to encourage the importation of waste rather than regulate it and assure its safe disposal
- They eliminate the requirement that applicants specify what radionuclides are contained in each shipment- thus making measurement of the longevity of the radioactivity far more difficult
- They do not specify the process nor the time limits for citizens and outside experts to comment on import petitions
- They aren't clear about the role of TCEQ in the review process and don't require specific findings by TCEQ that each shipment will fit within the capacity and curie limits

Respectfully submitted by Tom "Smitty" Smith, Director of the Texas office of Public Citizen on November 9, 2011 to the Texas Low Level Radioactive Waste Disposal Compact Commission.