

WASTE CONTROL SPECIALISTS LLC

July 22, 2011

BY ELECTRONIC MAIL
margarehenderson@tllrwdcc.org

Ms. Margaret Henderson
Interim Executive Director
Texas Low-Level Radioactive
Waste Disposal Compact Commission
3616 Far West Blvd.
Suite 117, # 294
Austin, Texas 78731

Re: Mixed Waste Proposed for Exportation by the University of Texas System

Dear Ms. Henderson:

Waste Control Specialists LLC (“WCS”) is in receipt of the University of Texas System’s (the “University’s”) July 20, 2011, letter to you providing notice of the University’s intent to ship and dispose of mixed waste out of state. As stated previously, WCS recognizes the complexity presented by the dual regulatory scheme that governs the management and disposal of mixed waste; however, WCS disagrees with the conclusions asserted by the University that mixed waste falls outside the regulatory jurisdiction of the Texas Low-Level Radioactive Waste Disposal Compact Commission (the “Commission”). The Texas Low-Level Radioactive Waste Disposal Compact (the “Compact”) speaks directly to this situation and contemplates that the Commission shall monitor the disposition of Low-Level Radioactive Waste (“LLRW”) sent for treatment or processing in another state. Accordingly, the Commission should require the University to submit an export petition for this waste.

WCS is not opposed to granting an export petition for the waste described in the University’s July 20, 2011, letter. However, WCS urges the Commission to require an export petition for any LLRW or mixed LLRW that is shipped outside the Compact for ultimate disposal.

WCS appreciates the University’s openness about its disposal needs, and WCS looks forward to additional dialogue with the Commission, the University, and other generators as we work through these matters.

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Sincerely,

A handwritten signature in black ink, appearing to read "Rodney A. Baltzer". The signature is written in a cursive, slightly slanted style.

Rodney A. Baltzer
President
Waste Control Specialists LLC

cc:

James M. Phillips, Senior Attorney
The University of Texas System
Office of General Counsel
201 W. Seventh St.
Austin, Texas 78701-2981