

Figure: 31 TAC §675.23(e)(1)

ANNEX A

TLLRWDC §675.23—IMPORTATION FORM

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT COMMISSION APPLICATION FOR IMPORTATION OF NON-PARTY LOW-LEVEL RADIOACTIVE WASTE (NOTE: PURSUANT TO TEXAS HEALTH AND SAFETY CODE, §401.207(j), THIS PETITION MUST BE COMPLETED BY APPROPRIATE REPRESENTATIVES OF THE DEPARTMENT OF DEFENSE OR THE GENERATOR OF THE WASTE UNLESS THE GENERATOR IS A SMALL QUANTITY GENERATOR AS DEFINED IN 31 TAC §675.20(19), IN WHICH CASE THE PETITION MAY BE SUBMITTED BY AN APPROPRIATELY LICENSED BROKER) (Article III, Sec. 3.05(7) of the Compact)

I. Applicant Information:

Entity Name: Philotechnics, Ltd.

Contact Person, Title: Denise Bulechek, Operations Support Specialist

Phone: 865-285-3017

Email: dbulechek@philotechnics.com

Website: www.philotechnics.com

Business Address: 201 Renovare Blvd.

Oak Ridge, TN 37830

Mailing Address: Same as above

Is applicant:

- Generator
- Broker
 - Licensed Waste Processor
 - Licensed Waste Collector
- Department of Defense

II. Generator Specifications:

A. Generator type:

- Industrial
- Academic/Research
- Medical
- Utility
- Government

B. Is waste from a "small quantity generator"?

- Yes
- No

III. Agreement Period:

Import applications generally will be granted only in single fiscal-year increments. If you are seeking a term that would extend beyond the end of a current fiscal year, please explain the unusual circumstances that would justify a deviation from this general rule?

Through August 31, 2019

IV. Waste proposed for importation:

Waste Volume (Cubic Feet): 500

Waste Radioactivity (Curies): 10

Waste Classification:

- Class A,
- Class B, and/or
- Class C

Waste Form

- Stable
- Unstable

Does the proposed waste consist solely of sealed sources?

- No.
- Yes.

Compact and/or unaffiliated state, territory, possession, or district of the United States where the waste was generated (please list):

Will include all US territories with the exception of Texas and Vermont, contingent upon approval from the compacts

that require an export permit for their radioactive waste.

Waste Description: May include domestic sealed sources, special form material, decommissioning

sources, dry active waste, debris, and other discarded radioactive material that is no longer used or wanted.

V. Compliance

Does Applicant 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 Applicant 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

Applicant hereby certifies* the following:

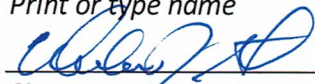
- The information provided herein is complete, accurate, and correct.
- The waste proposed for importation is not waste of international origin.
- The low-level radioactive waste for which this Import Application is submitted will be packaged and shipped in accordance with applicable state and federal regulations and is acceptable for disposal at the Compact Facility.
- The person submitting this Import Application is authorized by the Applicant to commit Applicant to each and every obligation and condition set forth herein and in the Agreement for Importation of Non-Party Compact Waste. A copy of a written document containing such authorization must be attached to this Import Application.
- Applicant has delivered to the specified disposal facility and TCEQ a copy of this Application for Importation of Compact Waste (along with any supplement or amendment thereto).

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

VII. Authorized Signatory:

Wesley Stout

Print or type name



Signature

VP, Radiological Engineering

Title

5/9/2019

Date

VIII. ATTACHMENTS:

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

Annex B Term Sheet
Generator Certification Approval letter
Letters of Authority from TX DSHS (Shipper and Transporter)

Generator Authorization forms and export permits, as applicable, will be submitted as separate attachment

Figure: 31 TAC §675.23(e)(2)

ANNEX B

TERMSHEET

(Minimum terms that must be addressed in any Waste Importation Agreement offered to the Texas Low-Level Radioactive Waste Disposal Compact Commission in connection with an Application to Import Waste).

- A. The proposed beginning and ending dates.
- B. Compliance with all applicable federal and state laws and rules including, without limitation, §8.03 of the Compact as compiled in Texas Health and Safety Code (THSC), Chapter 403.
- C. Liability for applicants' own acts, omissions, conduct, and relationships in accordance with applicable law.
- D. Acknowledgement that the Commission under any circumstances may amend or revoke the agreement with prior notice and that under emergency circumstances the Commission may suspend authorization to import with such notice as it is able to give under the circumstances.
- E. Agreement shall not be assignable or transferable to any other person.
- F. Agreement is subject to receipt by the Compact Facility Operator and the Commission of written certification from the Texas Commission on Environmental Quality (TCEQ) prior to the acceptance of Generator's Non-Party Compact Waste that the waste to be imported is authorized for disposal under the Compact Facility license.
- G. A description of the characteristics of the waste proposed for importation including (but not limited to) volume, type, physical form, total radioactivity, and radionuclide-specific activities.
- H. A representation by the applicant that it has disclosed:

- (1) The existence of unresolved violations pending against the applicant with any other regulatory agency with jurisdiction to regulate radioactive material.
 - (2) The existence of any unresolved violation(s), complaint(s), unpaid fee(s), or past due report(s) that the applicant has with the Commission.
 - (3) The existence of any unresolved violation(s), complaint(s), unpaid fee(s), or past due reports that the applicant has with any other regulatory body, including, without limitation, the TCEQ.
- I. An acknowledgement that a misrepresentation with respect to an item listed in H may result in the cancellation of the agreement.
 - J. The obligation to report immediately to the Commission any allegation of the violation of any law, rule, or regulation related to the storage, shipment, or treatment of any form of radioactive material.
 - K. A provision acknowledging the right of the Commission to audit or cause to be audited compliance with the agreement.
 - L. Agreement to comply to the extent applicable with the rules related to commingling adopted by the TCEQ in coordination with the Commission pursuant to THSC, §401.207(k).
 - M. An affirmation that no waste of international origin shall ever be included in the materials to be imported to the Compact Facility.
 - N. Any other matter required by 31 TAC §675.23 to be included in the agreement.



WASTE CONTROL SPECIALISTS

Generator Certification Approval Letter

March 6, 2019

Meghan Turvey
Vice President Waste Management
Philotechnics, Ltd.
201 Renovare Blvd
Oak Ridge, TN 37830
RE: Philotechnics, Ltd – Generator Cert ID # **TNPHILOPH**

Generator Certification Valid **February 21, 2019** through **February 29, 2020**

Dear Ms. Turvey,

On February 27, 2019, Waste Control Specialists LLC (WCS) completed a review and found Philotechnics, Ltd to have an acceptable waste management program and is authorized to ship waste materials to the Waste Control Specialists LLC Compact Waste Facility.

Be reminded, any change to Philotechnics, Ltd waste management program which reduces administrative control requires notification to Waste Control Specialists LLC. This Certification is valid until the last day of the month, 12 months from the date of issue.

The generator certification identification number is required on all documentation or correspondence with Waste Control Specialists LLC regarding waste disposal.

Waste Control Specialists LLC is pleased to have the opportunity to provide you with the quality waste management services that you need. If you have any questions or need further assistance, please feel free to contact me at (432) 525-8722 or at (432) 425-3517.

Sincerely,
WASTE CONTROL SPECIALISTS LLC

Jeff Shouse
Director of Quality Assurance



April 11, 2019

PHILOTECHNICS LTD
ATTN JUSTIN BUTTON
201 RENOVARE BLVD
OAK RIDGE TN 37830

Expiration Date: April 1, 2023
Registration No.: W0010
Authorized Use: Shipper

Mr. Button:

Philotechnics LTD., is hereby registered to ship Low Level Radioactive Waste (LLRW) to the Texas LLRW Disposal Facility pursuant to Title 25 Texas Administrative Code (TAC) §289.257. This registration will expire on the date listed above.

In addition to the requirements and restrictions of Title 25 TAC §289.257, the following conditions are imposed on your activities as a general licensee while transporting LLRW in the state of Texas:

1. You shall have the following in your possession at all times when transporting LLRW in Texas to the Texas LLRW disposal facility, and make them available for Texas Department of State Health Services (DSHS) review upon request:
 - a) a copy of this registration letter,
 - b) a copy of your Emergency Plan,
 - c) a uniform LLRW manifest, and
2. If at any time during the registration period the Emergency Plan, Packaging Information (COC) and QA/QC Procedures are amended, you shall provide DSHS with copies of amended documentation at least five (5) days prior to the next LLRW shipment to the Texas LLRW Disposal Facility.
3. You shall immediately report by telephone all radioactive waste transportation accidents to the agency, at (512) 458-7460, and the local emergency management officials in the county where the radioactive waste accident occurs. All other accidents involving radioactive material shall be reported in accordance with §289.202(xx) and (yy) of this title.

Philotechnics LTD.

Page 2 of 2

April 11, 2019

4. After this registration has expired, you shall apply for renewal of your registration by submitting the following information.

- Form RC 252-1 (Business Information Form).
- Shippers emergency plan (25 TAC §289.257(r)).
- Submit documentation on the type of package used. For US Department of Transportation (DOT) and/or US Nuclear Regulatory Commission (NRC) approved containers, submit the name of the package manufacturer, the model number, and the certificate of compliance or other pertinent certifying documentation.
- If you are producing your own packaging, submit the quality assurance program for Agency review per 25 TAC §289.257(s)(3).
- Submit the quality assurance program for Agency review per 25 TAC §289.257(v) to ensure container is packaged properly.

You shall provide DSHS with the required documentation at least fourteen (14) days prior to their next LLRW shipment to the Texas LLRW Disposal Facility.

If I may be of assistance, please contact me at (512) 834-4588; or by electronic mail at RAMLicensing@dshs.texas.gov.

Sincerely,



Shawn E. Garza, Program Coordinator
Industrial Licensing Program
Radiation Safety Branch

Enclosures: Emergency Telephone Notice



March 29, 2019

PHILOTECHNICS LTD
ATTN JUSTIN BUTTON
201 RENOVARE BLVD
OAK RIDGE TN 37830

Expiration Date: April 01, 2020
Registration No.: W0097
Authorized Use: Transporter

Mr. Button:

Philotechnics LTD., is hereby registered to transport Low Level Radioactive Waste (LLRW) to the Texas LLRW Disposal Facility pursuant to Title 25 Texas Administrative Code (TAC) §289.257. This registration will expire on the date listed above.

In addition to the requirements and restrictions of Title 25 TAC §289.257, the following conditions are imposed on your activities as a general licensee while transporting LLRW in the state of Texas:

1. You shall have the following in your possession at all times when transporting LLRW in Texas to the Texas LLRW disposal facility, and make them available for Texas Department of State Health Services (DSHS) review upon request:
 - a) a copy of this registration letter,
 - b) a copy of your Emergency Plan,
 - c) a uniform LLRW manifest, and
 - d) a copy of Proof of Financial Responsibility (i.e. insurance certificate).
2. If at any time during the registration period the Emergency Plan or Proof of Financial Responsibility is amended, you shall provide DSHS with copies of amended documentation at least five (5) days prior to the next LLRW shipment to the Texas LLRW Disposal Facility.

March 29, 2019

3. You shall immediately report by telephone all radioactive waste transportation accidents to the agency, at (512) 458-7460, and the local emergency management officials in the county where the radioactive waste accident occurs. All other accidents involving radioactive material shall be reported in accordance with §289.202(xx) and (yy) of this title.
4. After this registration has expired, you shall apply for renewal of your registration per the requirements listed.
 - Proof of financial responsibility (25 TAC §289.257(e)(4)).
 - RC 252-1 Business Information Form.
 - Contact person and contact information.
 - If any of the previously submitted information has changed, resubmit the following information for review.
 - Emergency plan.
 - List of shipping routes.

You shall provide DSHS with the required documentation at least fourteen (14) days prior to their next LLRW shipment to the Texas LLRW Disposal Facility.

If I may be of assistance, please contact me at (512) 834-4588; or by electronic mail at RAMLicensing@dshs.texas.gov.

Sincerely,



Shawn E. Garza, Program Coordinator
Industrial Licensing Program
Radiation Safety Branch

Enclosures: Emergency Telephone Notice