

TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

Description of Application

- Applicant:** Waste Control Specialists LLC (WCS)
Radioactive Material License (RML) No.: R04100
Customer Number: CN600616890
Regulated Entity Number: RN101702439
- Action:** Proposed Minor Amendment of RML No. R04100 for low-level radioactive waste (LLRW) disposal and storage and processing of radioactive waste.
- Location:** WCS is located at 9998 State Highway 176 West, Andrews, Andrews County, Texas 79714, near the Texas-New Mexico state line.
- General:** WCS currently holds a radioactive material license (RML No. R04100) for a LLRW land disposal facility and for a radioactive waste storage and processing facility.

Request: WCS submitted a minor amendment application to the Texas Commission on Environmental Quality (TCEQ) on March 5, 2019 and a letter dated March 20, 2019 to authorize the use of the Rail Pedestal Unloading Building (RPUB) to receive bulk waste - which is to be limited to Tier 1 (one) and 2 (two) waste as defined in procedure RS-5.0.0, *Exemption Process for the RCRA Landfill*, and license condition 192 - by rail and transfer the bulk waste from the train to a truck for direct disposal in the RCRA landfill according to procedure RS-5.0.0 and license condition 192.

Authority: A TCEQ radioactive material license for the receipt and disposal of LLRW and for the storage and processing of radioactive waste is required by Chapter 401 of the Texas Health and Safety Code. An amended license has been prepared in accordance with the applicable requirements of Title 30, Texas Administrative Code (TAC) Chapters 281, 305 and 336.

Administrative Information

At the time of this review, WCS did not have any delinquent fees.

The regulated entity, WCS, has a compliance history classification of satisfactory, with a rating of 0.51.

The WCS site has a compliance history classification of satisfactory, with a rating of 0.51.

Technical Information:

This license amendment has been reviewed in accordance with applicable rules and statutes, including 30 TAC Chapter 336 (Radioactive Substance Rule) and Chapter 401 of the Texas Health and Safety Code. Review of the requests included an assessment of the radiological and non-radiological effects of the license changes on the public health and safety.

- License condition (LC) 188.J was changed to LC 188.J.1. The phrase “in accordance with applicable procedures, including OP 1.2.40,” was replaced with “in accordance with approved, applicable procedures” by decision of the Executive Director.
- LC 188.J.2 was added to authorize the use of the RPUB to receive bulk waste - which is to be limited to Tier 1 (one) and 2 (two) waste as defined in procedure RS-5.0.0, *Exemption Process for the RCRA Landfill*, and license condition 192 - by rail and transfer the bulk waste from the train to a truck for direct disposal in the RCRA landfill according to procedure RS-5.0.0 and license condition 192. The Licensee shall ensure that no loose material remains in the train when returned to service and to perform contamination surveys of the RPUB weekly if waste was received at the RPUB that week. Contamination found in a railcar shall be decontaminated to the proper Department of Transportation release criteria at the RPUB and according to approved procedures.
- LC 203.I authorizes the licensee to modify the RPUB according to specific documents and was modified to add the application dated March 4, 2019 (cover letter dated March 5, 2019).
- LC 207.B was modified to add as tie-down documents the application for amendment dated March 4, 2019 (cover letter dated March 5, 2019) and supporting letter dated March 20, 2019 to authorize off-loading from railcars in the RPUB.

Preliminary Decision and Recommendation

The executive director has made a preliminary decision that the proposed license amendment, if issued, will meet all statutory and regulatory requirements.