

## **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 No. 38 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, 30 miles west of Andrews, in Andrews County, Texas 79714, near the Texas-New Mexico state line.
- General:** WCS currently holds 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), received May 17, 2021, to exclude depleted uranium from the 30,000,000 grams above ground possession limit for source material for the LLRW disposal facility to conform with previous major amendment 26, add the GeoMelt In Container Vitrification (ICV) for processing radioactive waste at the storage and processing facility, modify the modular concrete canister (MCC) design to authorize a variable range of height from 4 feet to 10 feet 4 inches, and to extend the time that the Licensee can store transuranic waste that originated at the Los Alamos National Laboratory (LANL) to December 23, 2022. WCS submitted additional information to support the amendment application on June 4, 2021, June 25, 2021, Attachment A of July 2, 2021, July 9, 2021, and July 23, 2021.

**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 high, with a rating of 0.

The WCS site has a compliance history classification of high, with a rating of 0.

### **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. The license was not amended to extend the time that the Licensee can store transuranic waste that originated at LANL to December 23, 2022.

- License Condition (LC) 5.E was modified to add text that excludes depleted uranium from being included in the source material above ground possession limit of 30,000,000 grams for the LLRW disposal facility to conform with previous major amendment 26.
- LC 188.F was modified by removing the word "reserved" and adding authorization for the Licensee to process radioactive waste using GeoMelt ICV to support the treatment of sodium and potassium metal waste that meets the criteria for the conditional exemption in LC 192.
- LC 191.B was modified to add the GeoMelt ICV as a processing technology authorized to be used in the Stabilization Building for waste that meets the criteria for the conditional exemption in LC 192.
- LC 197.A was modified by initiative of the Executive Director to update the license to clarify that waste authorized in LC 191.B for processing within the confines of the Stabilization Building is not excluded in LC 197.A.
- LC 207.A was modified to add tie-down documents for the land disposal facility application for a minor amendment dated May 7, 2021 (cover letter dated May 7, 2021 with subject *Request for Minor Amendment Application for Approval of Changes to Various License Conditions*) to authorize a MCC design between 4 feet and 10 feet 4 inches and letter dated June 25, 2021 with subject *Response to Engineering Request for Additional Information, in support of Minor Amendment Application*.
- LC 207.B was modified to add tie-down documents for the storage and processing facility application for minor amendment dated May 7, 2021 (cover letter dated May 7, 2021, with subject *Request for Minor Amendment Application for Approval of Changes to Various License Conditions*) to add the GeoMelt ICV for waste processing; letter dated June 4, 2021, with subject *Response to Request for Additional Information, in support of Minor Amendment*; Attachment A of letter dated July 2, 2021, with subject *Response to GeoMelt Request for Additional Information, in support of Minor Amendment Application*; letter dated July 9, 2021, with subject *Response to GeoMelt Request for Additional Information, in support of Minor Amendment Application*; and letter dated July 23, 2021 with subject *Revised Drawings for GEOMelt unit, in support of Minor Amendment Application*.

### **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.