

January 21, 2000

Richard A. Ratliff, P.E., LMP, Chief
Bureau of Radiation Control
Texas Department of Health
1100 West 49th Street
Austin, TX 78756-3189

Dear Mr. Ratliff:

As requested on January 3, 2000, we have enclosed a number of references that we believe will be useful to you regarding the storage of low-level radioactive waste (LLW).

1. "Extended Storage of Low-Level Radioactive Waste: Potential Problem Areas," by B. Siskind, D.R. Dougherty, and D. R. MacKenzie, Brookhaven National Laboratory, NUREG/CR-4062, December 1985.
2. "Technical Considerations and Problems Associated with Long-Term Storage of Low-Level Waste," by B. Siskind, BNL, in USDOE XIII Annual LLW Management Conference, Atlanta, GA, November 19-21, 1991, pp-312-323.
3. "Interim Storage of Low-Level Radioactive Waste," by Robert A. Nelson, USNRC, USDOE LLW Management Conference, Phoenix, AZ, December 1-3, 1993.
4. "Review of Existing Guidance concerning the Extended Storage of Low-Level Radioactive Waste," SECY-94-198, August 1, 1994.
5. "Extended Interim Storage of Low-Level Radioactive Waste by Fuel Cycle and Materials Licensees," NRC Information Notice No. 90-01, February 5, 1990.
6. "Alternative Waste Management Procedures in Case of Denial of Access to Low-Level Waste Disposal Sites," NRC Information Notice No. 89-13, February 10, 1989.
7. "Commercial Storage at Power Reactor Sites of Low-Level Radioactive Waste Not Generated by the Utility," Generic Letter 85-14, August 1, 1985.
8. "Storage of Low-Level Radioactive Wastes at Power Reactor Sites," Generic Letter 81-38, November 10, 1981.
9. "Low-Level Radioactive Waste Storage Study Report is Released," News, New York State Energy Research and Development Authority, 11/05/93-29.

Also enclosed are two letters on the subject of assured waste isolation. These letters are from former Chairman Jackson dated May 9, 1996, to Mr. David H. Leroy, Boise, Idaho, and March 19, 1999, to the Honorable Gary L. Walker, Texas House of Representatives. These two letters represent the latest thinking of the Commission on this matter. The letters were faxed to Russ Meyer of your office on September 15, 1999, when we learned through the news media about the interest of Envirocare of Texas pursue an assured waste isolation facility.

Richard A. Ratliff

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In addition, because of the complex issues due to the nature of the application by Envirocare of Texas and its potential national policy impact on LLW management, please continue to keep us informed on the Envirocare of Texas request. We thank you for sending us a copy of your December 2, 1999, letter to Envirocare of Texas and the White Paper on Low-Level Radioactive Waste (LLRW) Storage that you submitted to the Texas Radiation Advisory Board.

We wish to know the nature of the Envirocare of Texas application and Texas' plans regarding the review of the application; the guidance or criteria Texas plans to use to evaluate the application; Texas' use of its Part 61 equivalent regulation; and the proposed time frames for the storage of LLW and any other relevant factors. Finally, please send us the report from the Texas Radiation Advisory Board.

If you have any questions regarding this subject, please contact me or Dr. Stephen N. Salomon of my staff at (301) 415-2368 or SNS@NRC.GOV.

Sincerely,

/S/ Frederick C. Combs

Frederick C. Combs, Deputy Director
Office of State Programs

Enclosures:
As stated

Richard A. Ratliff

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Sincerely,

/S/

Frederick C. Combs, Deputy Director
Office of State Programs

Enclosures:
As stated

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