

May 1, 2000

MEMORANDUM TO: Ronald D. Hauber, Deputy Director  
Office of International Programs

FROM: John T. Greeves, Director **/RA/ Joseph J. Holonich for**  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: PROPOSED EXPORT TO CANADA OF ELECTRIC ARC FURNACE  
DUST CLASSIFIED AS CLASS A MIXED WASTE (XW004)

Your memorandum of March 27, 2000, requested our review of the subject waste export license application from Bayou Steel Corporation. We have reviewed the information you provided against the technical criteria in 10 CFR 110 and have prepared the enclosed request for additional information. If you have any questions, please contact James Kennedy of my staff at 301-415-6668.

Enclosure: as stated

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name date

Request for Additional Information on Bayou Steel Corporation  
Application to Export Class A Mixed Waste to Canada

1. §110.42(d)(2) requires that the receiving country for the export of radioactive waste, after being advised on information in §110.32(f)(5) concerning the characteristics of the waste, its disposition, and other information, have the administrative and technical capacity and regulatory structure to manage and dispose of the waste and consent to the receipt of the radioactive waste. As the Office of International Programs has already noted in its memorandum of March 27, 2000, to the Division of Waste Management, the license applicant has included letters approving shipment of this material from the U.S. Environmental Protection Agency (EPA) (because the waste has hazardous constituents regulated by them) and the Canadian government, but both approvals are based on hazardous waste shipments only, not mixed waste shipments. We agree with your memorandum to us that this issue needs to be resolved. Your recent letters to EPA and the State Department should help to provide the necessary information to make a decision on the license application. Either the licensee or the State Department should furnish documentation that the Canadian government consents to receive the waste, consistent with the conditions in §110.32(f)(5).

Enclosure