

Northwest Interstate Compact

On Low-Level Radioactive Waste Management

P.O. Box 47600. Olympia, Washington 98504-7600. (360) 407-7102. Mike Garner, Executive Director

~~RA~~
BW

cc: to J. Kennedy
NMSS

April 18, 2000

Mr. Ronald D. Hauber, Deputy Director
Office of International Programs
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

IW 009
11005149
additional information

Dear Mr. Hauber:

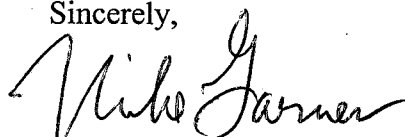
Thank you for your March 29, 2000 in which you request comments regarding a request by Siemens Power Corporation for a license to import Class A low-level radioactive waste from Germany. The Northwest Compact has no issue with the request made by Siemens Power Corporation however, I would like to take the opportunity to clarify a couple of points.

First, all low-level radioactive waste resulting from the vacuum filtration stage of the uranium recovery process at Siemen's Richland facility would be eligible for disposal at the commercial low-level radioactive waste disposal facility located near Richland, Washington and operated by US Ecology, Inc. However, in accordance with the 'Second Amended Resolution and Order' adopted by the Northwest Compact Committee on November 9, 1998, such low-level radioactive waste could not be sent to the Envirocare of Utah, Inc. facility without first obtaining the approval of the Northwest Compact Committee (see enclosure).

Second, if the material resulting from the uranium recovery process was a low-level mixed waste it may be sent to the Envirocare of Utah, Inc. facility without the approval of the Northwest Compact Committee.

Should you have additional questions please contact me at 360/407-7102.

Sincerely,



Mike Garner, Executive Director
Northwest Interstate Compact

Enclosure

cc: Northwest Compact Committee

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Northwest Interstate Compact

On Low-Level Radioactive Waste Management

P.O. Box 47600. Olympia, Washington 98504-7600. (360) 407-7102. Mike Garner, Executive Director

**SECOND AMENDED
RESOLUTION AND ORDER**

Whereas, the Compact Committee continues to support the Low-Level Radioactive Waste Policy Amendments Act, Public Law 99-240;

Whereas, the State of Utah has licensed Envirocare of Utah, Inc. as a low-level radioactive waste disposal facility;

Whereas, the Envirocare of Utah, Inc. facility in Clive, Utah, serves an important national purpose in accepting certain types of low-level radioactive waste for treatment and disposal;

Whereas, allowing certain low-level radioactive waste access to the licensed Envirocare of Utah, Inc. facility should not be construed to diminish the Compact Committee's support for Public Law 99-240;

Whereas, since allowing access to the Envirocare of Utah, Inc. facility, as restricted by the radioactive materials license issued by the State of Utah, will not resolve continued uncertainties about national capacity for the disposal of low-level radioactive waste, the Compact Committee urges other compacts and unaffiliated states to provide disposal capacity for such waste;

Whereas, no facility located in any party state may accept low-level waste generated outside the region comprised of the party states except as may be agreed to under Articles IV and V of the Compact statute; and

Whereas, the Compact Committee has been asked by the State of Utah to allow access to Envirocare of Utah, Inc. for certain low-level radioactive wastes;

BE IT HEREBY RESOLVED AND ORDERED THAT:

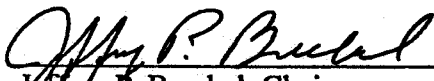
1. Low-level radioactive mixed waste, as defined in federal and/or state law is allowed access to the Envirocare of Utah, Inc. facility in the Northwest Interstate Compact region.
2. Low-level radioactive waste (as defined in Public Law 99-240) as allowed under, and regulated by the terms of, the radioactive materials license of Envirocare of Utah, Inc. as determined by the State of Utah, is allowed access to the Envirocare of Utah, Inc. facility in the Northwest Interstate Compact region.

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3. While the Compact allows the above described wastes access to the licensed Envirocare of Utah, Inc. facility in the Northwest Interstate Compact region, in accordance with Article V of the Compact, Utah retains the right to specifically approve each disposal arrangement before the waste is allowed access to the licensed Envirocare of Utah, Inc. facility.
4. All federal and state environmental and other laws and regulations shall be complied with by the licensed Envirocare of Utah, Inc. facility accepting the above referenced media or waste for treatment, storage, or disposal. The Compact has no authority and assumes no responsibility for the licensing and operation of the Envirocare of Utah, Inc. facility.
5. It is the intent of the Committee that only those wastes approved by the compact of origin (including the Northwest Compact) be allowed. For states unaffiliated with a compact, state approval for export is required to the extent states can exercise such approval. This Resolution and Order shall constitute an arrangement under Article V of the Compact statute with any unaffiliated state or compact that approves waste for export to the Envirocare of Utah, Inc. facility.
6. The licensed Envirocare of Utah, Inc. facility accepting any of the above described low-level radioactive wastes shall provide monthly to the Compact Executive Director a record of all shipments to include generator name, state of generation, the kind of waste, waste form, total waste volume, and average concentration of each such shipment.
7. The Northwest Interstate Compact retains the right to modify or rescind this authorization at any time. The Compact Executive Director shall monitor progress of other compacts and states in siting low-level radioactive waste disposal facilities under Public Law 99-240. At three-year intervals, the Compact Committee shall evaluate such progress with regard to access to the Envirocare of Utah, Inc. facility.

As approved by the Northwest Interstate Compact on Low-Level Radioactive Waste Management, I execute this revised Resolution and Order on the 9TH day of November 1998.


Jeffrey B. Breckel, Chair
Northwest Interstate Compact on
Low-Level Radioactive Waste Management