

LLW Forum

News Flash

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Waste Control Specialists Authorized to Conduct Additional Operations at Texas Site

On November 3, the Texas Department of Health (TDH) issued a license to Waste Control Specialists (WCS) for the treatment, storage, and processing of commercial Class A, B, and C low-level radioactive waste at the company's facility in Andrews County, Texas. In addition, the Texas Natural Resource Conservation Commission (TNRCC) issued to WCS a naturally-occurring radioactive materials (NORM) disposal authorization on September 9 of this year, which allows for the land disposal of those NORM wastes that are exempt from state or federal licensing requirements. TNRCC also recently licensed WCS to perform research, development, and demonstration activities to help commercialize promising technologies for the treatment and management of hazardous and radioactive materials. This brings to five the number of licenses, permits, and authorizations that have been granted to WCS by the State of Texas and federal agencies, allowing the company to receive, treat, store and dispose of a wide variety of wastes.

LLRW Treatment, Storage, and Processing

License Terms The November 3, 1997 license authorizes WCS to treat, store, and process class A, B, and C low-level radioactive waste and byproduct material, uranium ore received as waste, and NORM waste and/or oil and gas NORM waste, subject to certain listed conditions.

Among the listed conditions are the following:

- the license limits the maximum activity allowed for each group of waste as specified under Texas law;
- the license limits the maximum activity authorized for the total volume of waste allowed to be physically present at the WCS site, which may not exceed 302,865 cubic feet; and
- the license restricts waste processing activities to receipt and survey, repackaging, compaction and consolidation, solidification of liquid radioactive waste, and storage.

The license contains several other terms and conditions, such as those relating to waste holding times, commingling, and reporting. Persons interested in a more detailed review are directed to the license itself.

The license expires in the year 2004.

Impact on Mixed Waste Capabilities By combining this license with the company's 1994 permit for the storage, processing, and disposal of industrial solid waste and hazardous waste, WCS is now able to treat, process, and store mixed wastes. This makes WCS one of two commercial facilities in the country—along with Envirocare of Utah—that are authorized to do so.

B/S

WCS Authorized to Conduct Additional Operations at Texas Site

Background

WCS originally submitted a license application to TDH for the storage, treatment, and processing of low-level radioactive waste on March 3, 1996. After several months of review, TDH published a notice in the *Texas Register* announcing the proposed license issuance. Several persons subsequently requested a hearing.

Under Texas law, TDH is required to hold a hearing on the proposed license if one is requested, in writing, by a "person affected" within 30 days of publication of the notice in the *Texas Register*. A "person affected" is defined as "a person who is a resident of a county, or a county adjacent to a county, in which the radioactive materials are or will be located, including any person who is doing business or who has a legal interest in land in the county or adjacent county, and any local government in the county; and who can demonstrate that he/she has suffered or will suffer actual injury or economic damage."

On August 7, TDH held a preliminary hearing to establish jurisdiction, to take public comment, and to determine party status. As a result of the preliminary hearing, TDH determined that none of the persons present had standing to intervene as a party. Shortly thereafter, TDH issued the license.

The Low-Level Radioactive Waste Forum is an association of state and compact representatives, appointed by governors and compact commissions, established to facilitate state and compact implementation of the Low-Level Radioactive Waste Policy Act of 1980 and the Low-Level Radioactive Waste Policy Amendments Act of 1985 and to promote the objectives of low-level radioactive waste regional compacts. The LLW Forum provides an opportunity for state and compact officials to share information with one another and to exchange views with officials of federal agencies and other interested parties.

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Licenses Held by WCS

WCS currently holds the following permits, authorizations, and licenses:

- **Low-Level Radioactive Waste Treatment, Processing, and Storage License** Issued by the TDH on November 3, 1997, this license authorizes WCS to treat, process, and store Class A, B, and C low-level radioactive waste from the commercial sector.
- **Research, Development, and Demonstration Permit** Issued by the TNRCC on October 24, 1997, this permit authorizes WCS to perform research, development, and demonstration activities, up to pilot-scale level, on promising technologies for the treatment and remediation of contaminated soil and ground water. The permit is limited to the use of wastes already on the WCS site under existing authorizations, permits, or licenses.
- **Naturally Occurring Radioactive Material (NORM) Disposal Authorization** Issued by the TNRCC on September 9, 1997, this authorization allows for the land disposal of NORM wastes exempt from state or federal licensing requirements (wastes under 150 picocuries per gram of uranium or thorium and under 30 picocuries per gram of radium, with a radon emanation rate of less than 20 picocuries per square meter per second).
- **Toxic Substances Control Act Land Disposal Authorization** Issued by the U.S. Environmental Protection Agency on August 5, 1994, this authorization involves the treatment, storage, and land disposal of all categories of polychlorinated biphenyls (PCBs).
- **Industrial Solid Waste and Hazardous Waste Storage, Processing, and Disposal Permit (Resource Conservation and Recovery Act Wastes)** Issued by the TNRCC on August 5, 1994, this permit authorizes the treatment, storage, and land disposal of all 2,000 classifications of Resource Conservation and Recovery Act (RCRA) wastes by WCS.

—Todd Lovinger