



## TEXAS DEPARTMENT OF HEALTH

## MEMO

To: WCS Review (L04971)

Thru: Ruth E. McBurney, CHP, Director, Division of Licensing, Registration and Standards *WMD* *REM*

From: Wesley M. Dunn, CHP, Deputy Director, Licensing

Subject: Final Technical Evaluation of WCS Application

Date: May 21, 1997

---

**Final Recommendation**

I recommend that the attached license be proposed for issuance to Waste Control Specialists, LLC (WCS) in accordance with Texas Regulations for Control of Radiation (TRCR) 13.5 and 44.60. The license, the Texas Regulations for Control of Radiation (TRCR), and the submitted documentation provide reasonable assurance that

- (a) the proposed radioactive waste facility will be sited, designed, operations, decommissioned, and closed in accordance with TRCR Part 40; and
- (b) the issuance of the license will not be inimical to the health and safety of the public or the environment.

Futhermore, it has been determined that the proposed licensed activity will not have a significant effect on the human environment. As such, in accordance with Section 401.113(a) of the Health and Safety Code, no written analysis of the effect on the environmental of the proposed licensed activity is required.

**Basis**

For a license to be issued, the Agency must make a determination that (A) the application is in accordance with all statutory and regulatory requirements; (B) the applicant and all personnel are qualified to use the material for the purpose requested in accordance with the rules and in such a manner as to minimize danger to public health and safety or the environment; and (C) the proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or the environment. The Agency's determination is based solely on the review of all documentation submitted that pertains to the application. If the Agency can not make such a determination, the application will necessarily be denied.

*6/21*

Final Technical Evaluation of WCS Application  
May 21, 1997  
Page 2

The review of the applicant's submissions and facilities indicates that these conditions appear to be met with an ample margin of safety. The supporting review documentation is attached.

#### Review Process

WCS submitted their initial application on March 27, 1996. A review team of various specialists was appointed. While each team member was assigned specific sections of the application, they were encouraged to provide any additional comments on the remainder of the application. In addition to the primary review team, other individuals with particular expertise were utilized to review specific issues. The review assignments were as follows:

Wesley M. Dunn, CHP, LMP, Deputy Director, Licensing  
Project Leader; Facilities; Personnel; Operations; Application

Charles (Russ) Meyer, CHP, Project Leader, Environmental Surveillance Project  
Environmental Monitoring; Waste Acceptance/Form; Transportation

Philip E. Shaver, MPH, Project Chief, Special Licensing Projects  
Administrative Completeness; Financial Assurance

Gary L. Smith, Ph.D., Project Manager, Radiation Risk Assessment  
Environmental Assessment; Off-site Dose Estimates

#### Additional Reviewers:

Clarence Born; Joe Thiel; John Rawlston: Project Leaders, Emergency Response  
Emergency Plan; Contingency Plan

Vicky Batson, TNRCC  
Geology

Karen Cleveland, TNRCC  
Surface Hydrology

Margaret Henderson, Texas Radiation Advisory Board Liaison  
Economic Impact

Final Technical Evaluation of WCS Application  
May 21, 1997  
Page 3

The initial application was found to be incomplete and inadequate. The major deficiencies were discussed in a letter dated May 1, 1996. Several documents were submitted throughout the summer and early fall to respond to that letter. A comprehensive review was performed. The detailed findings of that review were provided in a letter dated November 27, 1996.

A complete resubmission was provided to the Agency on February 11, 1997. As such, the final recommendations are only based on the submissions on or after that date, plus the pre-licensing inspections. A supplement providing a revised Decommissioning Funding Plan was provided on April 11, 1997.

Upon review of the new application and a visit to the site, a limited number of questions remained. These were discussed with WCS and a letter responding to those issues was provided on May 2, 1997. Based on the additional commitments contained within the May 2, 1997 letter, a determination was made that a proposed license could be drafted based on all current submissions and the Texas Regulations for Control of Radiation (TRCR). The draft license was submitted for internal review by the Project Team and other key Agency members, including by the Bureau Chief. A copy of the proposed license has been forwarded to OGC for review.

Attachments