

October 26, 2006

Mr. Jerry Cochran
378 Highway 315
Columbiana, Alabama 35051

SUBJECT: COMMENTS ON MARCH 6, 2006 FEDERAL REGISTER NOTICE OF
EASTERN TECHNOLOGIES, INC. OF ASHFORD, ALABAMA TO IMPORT
RADIOACTIVE WASTE FROM MEXICO (APPLICATION IWO16)

Dear Mr. Cochran:

I am responding to your March 21, 2006 letter to Ms. Karen Cyr of the Nuclear Regulatory Commission's (NRC) Office of the General Counsel. Your letter provided comments to the NRC's Federal Register Notice published on March 6, 2006 which cited an application by Eastern Technologies, Inc. (ETI) of Ashford, Alabama for a license to import radioactively contaminated protective clothing and related products from the Laguna Verde Nuclear Power Plant in Mexico.

Based on NRC's review of the proposed import and after consultation with the Government of Mexico, the State of Alabama and the Southeast Compact Commission for Low-Level Radioactive Waste Management, the NRC has determined that the proposed import meets the import licensing criteria listed in 10 CFR 110.43. These criteria include determinations that the import is not inimical to the common defense and security of the United States and it does not constitute an unreasonable risk to the public health and safety. As a result, the NRC intends to issue in the near future a specific license authorizing ETI to import polyvinyl alcohol (PVA) based (i.e., dissolvable) protective clothing from the Laguna Verde Nuclear Power Plant in Veracruz, Mexico. The dissolvable clothing will be imported into the United States as radioactive waste pursuant to NRC export/import regulations in 10 CFR Part 110. The launderable protective clothing, which does not meet the definition of radioactive waste in 10 CFR Part 110, may be imported into the United States from Mexico under a Part 110 general import license pursuant to 10 CFR 110.27.

We appreciate your concern that treatment of the dissolvable clothing imported from Mexico as radioactive waste is different from the domestic treatment of the clothing. However, our determination that the dissolvable clothing requires a specific license for import is based on application of regulations in 10 CFR Part 110 that are unique to imports and exports of radioactive waste. These regulations are intended to reflect international guidelines for import and export of radioactive waste. That said, we note that the NRC staff is currently reexamining its regulations pertaining to import of radioactive waste with a view toward

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achieving greater consistency in the treatment of radioactive waste for domestic and import purposes, without jeopardizing consistency with international guidelines.

We wish to thank you for your comments on this matter.

Sincerely,

/RA/

Margaret M. Doane, Deputy Director
Office of International Programs

cc: Karen Cyr

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achieving greater consistency in the treatment of radioactive waste for domestic and import purposes, without jeopardizing consistency with international guidelines.

We wish to thank you for your comments on this matter.

Sincerely,

/RA/

Margaret M. Doane, Deputy Director
Office of International Programs

cc: Karen Cyr

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