



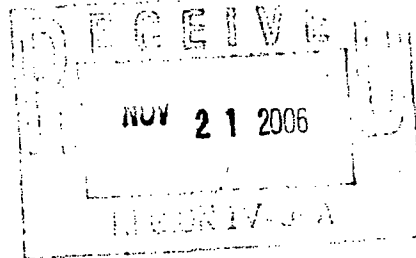
## TEXAS DEPARTMENT OF STATE HEALTH SERVICES

CHARLES E. BELL, M.D.  
ACTING COMMISSIONER

1100 W. 49<sup>th</sup> Street • Austin, Texas 78756  
1-888-963-7111 • <http://www.dshs.state.tx.us>  
TDD: 512-458-7708

November 14, 2006

William Maier  
Regional State Liaison Officer  
USNRC Region IV  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011-4005



Dear Mr. Maier:

The Texas Department of State Health Services (DSHS) has received a request dated October 27, 2006, from LeTourneau, Inc., Longview, Texas, asking that the company be allowed to dispose of fly ash (KO61 materials) and other materials contaminated with Cs-137 at the US Ecology Idaho Subtitle C RCRA disposal facility near Grand View, Idaho. This contaminated waste is believed to have resulted from the accidental melting of a Cs-137 sealed source in the company's electric arc furnace on or about July 20, 2006. A letter to you dated October 27, 2006, and an attached report entitled, "LeTourneau Evaluation in Support of Alternate Waste Disposal Authorization and Byproduct Material Exemption Request," accompanied that request.

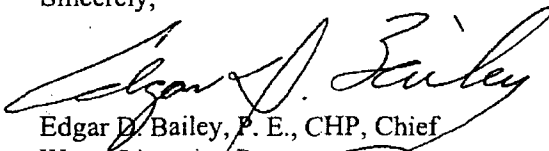
LeTourneau's request to the U. S. Nuclear Regulatory Commission (NRC) is based upon Title 10 Code of Federal Regulations Part 20.2002 and Part 30.11.

Since the proposed disposal site is located in Idaho, a state in which the NRC retains jurisdiction over byproduct materials and their disposal, DSHS is requesting that the NRC make a determination as to whether or not these wastes may be disposed of at the US Ecology Idaho disposal facility.

If the NRC determines that the disposal can occur, DSHS will approve the removal of the wastes from the LeTourneau site in Longview, Texas, for the purposes of transporting them to and disposing of them in the US Ecology Idaho disposal facility.

If you have any questions regarding this action or would like additional information regarding it, please contact me at 512-834-6688 extension 2223 or by e-mail at [edgar.bailey@dshs.state.tx.us](mailto:edgar.bailey@dshs.state.tx.us).

Sincerely,

  
Edgar D. Bailey, P. E., CHP, Chief  
Waste Licensing Program

Cc: Robert Free, DSHS  
Richard Ratliff, DSHS  
Ruth McBurney, DSHS  
Linda McLain, NRC ([mlml@nrc.gov](mailto:mlml@nrc.gov))