

August 7, 2007

Mr. Gary L. Robertson, Director
Division of Radiation Protection
Department of Health
111 Israel Road, SE
Town Center 2
P.O. Box 47827
Olympia, WA 98504

VIA TELEFAX: 360-236-2255

SUBJECT: APPLICATIONS FOR NRC IMPORT LICENSE (IW022) AND EXPORT
LICENSE (XW012)

Dear Mr. Robertson:

Enclosed for your consideration is a letter dated May 15, 2007 which contains two applications from Pacific EcoSolutions/Perma-Fix Environmental Services, Inc. (renamed Perma-Fix Northwest, Inc. effective June 1, 2007) for U.S. Nuclear Regulatory Commission (NRC) licenses to import and export Canadian-origin radioactive waste. As the enclosed May 15, 2007 letter-applications initially were incomplete, they officially became NRC license applications (IW022 and XW012) on June 18, 2007.

Perma-Fix Northwest, Inc. is seeking an NRC license to import a maximum of 5,500 tons – comprising approximately 1,000 tons of metal, 4,000 tons of dry activity material, and 500 tons of liquid – contaminated with radionuclides of various combinations. They state that the activity levels of the radioactive contaminants will not exceed licensee possession limits, and the materials will either be recycled for beneficial reuse or processed for volume reduction by thermal and nonthermal treatment. The purpose of their export license application (XW012) is to authorize the return to Canada of non-conforming imported waste or processed material that can be attributed to a Canadian generator.

The applications were forwarded to the U.S. Department of State (DOS) on July 11, 2007 for assistance in notifying the Canadian Nuclear Safety Commission of the proposed transactions. The NRC also requested DOS's views as to whether approving these applications would be consistent with the guidelines of the Joint Convention of the Safety of Spent Fuel Management and Safety of Radioactive Waste Management.

A Federal Register notice regarding these applications was published on August 1, 2007 (72 FR 421 36). We also are telefaxing an analogous letter to Mr. Michael Garner of the Northwest Interstate Compact on Low-Level Radioactive Waste Management for his consideration.

It would be greatly appreciated if within two weeks of the date of this letter, you could respond with comments as to whether the applicant is appropriately authorized to perform the activities described, or if necessary, provide an estimate of how much additional time may be required to complete your review and provide a written response to the NRC.

We also welcome your response by e-mail or telefax, and request that you refer to NRC license applications IW022 and XW012 in your response. As the Commission's point of contact for this matter, my e-mail address is jeo@nrc.gov and my telefax number is (301) 415-2395. If you respond by e-mail, please copy your response to Mr. Paul MacMurdy at phm1@nrc.gov.

Should you have questions or require additional information, please feel free to contact me at (301) 415-3684 or Mr. MacMurdy at (301) 415-1690.

Sincerely,

/RA/

Janice E. Owens, Acting Branch Chief
Export Controls and International Organizations
Office of International Programs

Enclosures:

1. Ltr. Dtd. 05/15/07 / Appl. Dtd. 05/16/07
IW022 - Canada
Docket Number 11005700
2. Ltr. Dtd. 05/15/07 / Appl. Dtd. 05/16/07
XW012 - Canada
Docket Number 11005699

cc w/encls:

J. Davis, NRC/FSME
J. Kennedy, NRC/FSME
J. Shaffner, NRC/FSME
J. Schlueter, NRC/FSME

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DOCUMENT NAME: S:\Imports\Imports - States-Compacts\IW022-XW012 Ltr to WA State.wpd

ADAMS ACCESSION NOS.:

TEMPLATE NO.: OIP-004

Package No.: ML072140702

Letter No.: ML072140721

Enclosure 1 No.: ML071840141 (IW022)

Enclosure 2 No.: ML071840138 (XW012)

* See previous concurrence

☒ Publicly Available ☐ Non-Publicly Available ☐ Sensitive ☒ Non-Sensitive

OFFICE	OIP	OIP	Acting BC:OIP
NAME	R Barnes	P MacMurdy	J E Owens
DATE	8-2-07	8-6-07	8/7/07

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