



United States Department of State

Washington, D.C. 20520

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NMSS
DOE/OR
NAC/MMSS

October 31, 1997

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XW002

Mr. Carlton R. Stoiber
Director, International Programs
United States Nuclear Regulatory Commission
Rockville, Maryland

Dear Mr. Stoiber:

I refer to the letter from your office dated August 28, 1997, requesting the assistance of the Department of State in notifying the Canadian Government of the proposed import and export of low level radioactive waste described below and requesting the views of the Department of State as to whether issuance of the requested licenses would be consistent with the IAEA Code of Practice on the Transboundary Movement of Radioactive Waste.

NRC No. IW004 & XW002 -- Diversified Scientific Services Inc. (DSSI), of Kingston, Tennessee, has applied to the U.S. Nuclear Regulatory Commission for a license to import from Canada up to 5,000,000 kilograms per year for three years of low level radioactive waste for incineration in DSSI's Industrial Boiler Facility and return of the resultant ash to Canada for final disposition. The low level radioactive waste from Canada is in the form of used oil and other combustible materials contaminated with small accounts of tritium, carbon 14 and mixed fission product radionuclides generated by Ontario Hydro Technologies nuclear power station operations.

The Department of State has reviewed the application and concluded that the proposed imports and exports of low level radioactive waste are consistent with the IAEA Code of Practice on the Transboundary Movement of Radioactive Waste.

The Canadian Government authorities have confirmed they have no objection to the proposed transfers and share our understanding regarding compliance with the provisions of the IAEA Code of Practice. In view of the Canadian Government confirmation, the Department of State perceives no objection to issuance of the requested import and export licenses.

Sincerely,

Richard J. K. Stratford
Director
Nuclear Energy Affairs

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11/13/97 sup to above
BRW

Canadian Embassy



Ambassade du Canada

501 Pennsylvania Ave., N.W.
Washington, D.C. 20001

November 3, 1997

File: 65-8-5

Mr. Robin DeLaBarre
Office of Nuclear Energy Affairs
Bureau of Political-Military Affairs
U.S. Department of State
PM/NE - Room 7828
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. DeLaBarre,

Thank you for your letter of September 9, 1997 concerning an application to the United States Nuclear Regulatory Commission by Diversified Scientific Services, Inc. (DSSI) for license to import from Ontario Hydro Technologies up to 5,000 tonnes of low level radioactive waste per annum for a three year period. The wastes would be incinerated at DSSI's Industrial Boiler Facility at Kingston, Tennessee and the resultant residue in the form of solid ash would be returned to Canada for final disposition by Ontario Hydro.

I have consulted the Department of Foreign Affairs and International Trade and the Atomic Energy Control Board of Canada about the proposed transaction. I have the honour to inform you that the Government of Canada perceives no objection to the proposed transaction.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'D. McLellan'.

David McLellan
Counsellor (Energy)