

January 21, 2011

Ms. Kathryn V. Haynes  
Executive Director  
Southeast Compact Commission for  
Low-Level Radioactive Waste Management  
21 Glenwood Avenue, Suite 207  
Raleigh, NC 27603

Dear Ms. Haynes:

SUBJECT: APPLICATION FOR NRC IMPORT LICENSE (IW029)

Enclosed for your consideration is an application (Enclosure 1) for a license (IW029) dated August 27, 2010, received by the U.S. Nuclear Regulatory Commission (NRC) November 3, 2010 from EnergySolutions, concerning the import of radioactive waste from Germany. We are sending an analogous letter to Mr. Johnny Graves, of the State of Tennessee, for his consideration.

If issued, the license will allow the import of 1000 tons of contaminated material for incineration at the EnergySolutions Oak Ridge, TN site. The incinerated material in the form of ash will be exported, along with non-incinerable and non-conforming waste, back to two licensed facilities in Germany under XW018 (Enclosure 2). The incineration process will be campaigned to allow for segregation of the resultant ash, proper repackaging of the ash and return of the ash in accordance with NRC-issued XW018.

The import application was forwarded to the U.S. Department of State (DOS) on November 16, 2010, for assistance in notifying EURATOM and German Government authorities of the proposed radioactive waste import into the United States. NRC also requested DOS's views as to whether approving the application 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 this application was published on November 30, 2010 (Enclosure 3).

It would be greatly appreciated if within three weeks of the date of this letter, you could respond with any comments you may have concerning the import license application, or if necessary, provide an estimate of how much additional time may be required to complete your review and provide a written response to NRC.

We would welcome your response by e-mail or telefax, and request that you refer to NRC license application IW029 in your response. As the NRC's point of contact for this matter, my e-mail address is [Janice.Owens@nrc.gov](mailto:Janice.Owens@nrc.gov) and my telefax number is (301) 415-2395. If you respond by e-mail, please copy your response to Ms. Jenny Wollenweber at [Jennifer.Tobin@nrc.gov](mailto:Jennifer.Tobin@nrc.gov).

K. Haynes

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Should you have questions or require additional information, please feel free to contact me at (301) 415-3684 or Ms. Wollenweber at (301) 415-2328.

Sincerely,

***/RA/***

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

Enclosures:

1. Application Dated 08/27/10  
IW029 - Germany  
Docket Number 11005896
2. Application Dated 08/27/10  
XW018 - Germany  
Docket Number 11005897
3. Federal Register Notice

cc w/encls:

G. Kim, NRC/OGC  
J. Kennedy, NRC/FSME  
J. Shaffner, NRC/FSME

K. Haynes

-2-

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- J. Kennedy, NRC/FSME
- J. Shaffner, NRC/FSME

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**ADAMS ACCESSION NOS.:**

TEMPLATE NO.: OIP-004

- Package: ML103360168**
- Letter: ML103360164**
- Enclosure 1: ML103090582**
- Enclosure 2: ML103090595**
- Enclosure 3: ML103340121**

Publicly Available       Non-Publicly Available       Sensitive       Non-Sensitive

OFFICE	OIP	OIP	BC:OIP
NAME	JChimood	JWollenweber	JOwens
DATE	12/2/10	1/19/11	1/21/11

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