

From: Felsher, Harry
Sent: Tuesday, November 10, 2015 4:32 PM
To: 'Scott Kirk' skirk@VALHI.NET
Cc: Brimfield, Terrence Terrence.Brimfield@nrc.gov
Subject: 2nd Set of RAIs for WCS December 2014 Request

Scott,

During the October 27, 2015, NRC teleconference with Waste Control Specialists LLC (WCS) to discuss the proposed NRC order conditions based on the WCS December 2014 Request, NRC/WCS teleconferences, and WCS responses to the NRC May 2015 Request for Additional Information Questions (RAIs), there appeared to be confusion regarding information provided by WCS, reviewed by NRC, and proposed to be approved by NRC. Therefore, NRC has written this 2nd set of RAIs (see attached).

As with current NRC process with RAIs, NRC recommends that after WCS receives the RAIs and before WCS provides written RAI Responses back to NRC that there be a teleconference between NRC and WCS so that it is clear that WCS understands the NRC RAIs.

As a reminder about information security under 10 CFR Part 37 for the WCS RAIs Response, if WCS decides to submit detailed security information (or other information that should not be made public), then that information needs to be submitted under 10 CFR 2.390 and needs to be withheld from the public.

Thanks,
Harry Felsher,
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During the October 27, 2015, NRC teleconference with Waste Control Specialists LLC (WCS) to discuss the proposed NRC order conditions based on the WCS December 2014 Request, NRC/WCS teleconferences, and WCS responses to the NRC May 2015 Request for Additional Information Questions (RAIs), there appeared to be confusion regarding information provided by WCS, reviewed by NRC, and proposed to be approved by NRC. Therefore, NRC has written this 2nd set of RAIs.

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As a reminder about information security under 10 CFR Part 37 for the WCS RAIs Response, if WCS decides to submit detailed security information (or other information that should not be made public), then that information needs to be submitted under 10 CFR 2.390 and needs to be withheld from the public.

BACKGROUND:

Based on the NRC review of the WCS December 2014 Request, NRC/WCS teleconferences, and WCS responses to the NRC May 2015 RAIs, NRC understood the following:

NRC detailed understanding of what is currently happening at the WCS site under the NRC 2014 Order:

- At all times, WCS follows the safety and security conditions in the current State of Texas License and the safety and security conditions in the NRC 2014 Order.
- Truck shipments of waste arrive at the WCS site at the same single location as rail shipments of waste arrive at the WCS site.
 - That same single location for receipt of waste at the WCS site is not at either the WCS Compact Waste Facility (CWF) or the WCS Federal Waste Facility (FWF).
 - After WCS confirms that the waste (i.e., either truck shipment of waste or rail shipment of waste) meets the WCS Waste Acceptance Criteria (WAC), WCS accepts the waste.
- In amounts less than a critical mass of special nuclear material (SNM), WCS transfers the waste to the WCS CWF for disposal, the WCS FWF for disposal, or someplace else at the WCS site for storage and/or treatment using the following process for each transportation package on either the truck shipment of waste or the rail shipment of waste:
 - If the transportation package contains less than a critical mass of SNM, then WCS puts the transportation package on a WCS onsite transfer vehicle and drives the WCS onsite transfer vehicle to its destination.
 - If the transportation package contains equal to or more than a critical mass of SNM, then WCS opens the transportation package, puts one or more inner containers on a WCS onsite transfer vehicle, and drives the WCS onsite transfer vehicle to its destination.
 - If the destination of the waste on the WCS onsite transfer vehicle is either the WCS CWF or the WCS FWF, then WCS follows its process to dispose of the waste after the WCS onsite vehicle arrives at that location.

NRC understanding of what was requested by WCS:

- The WCS Request will only apply to truck shipments of waste to the WCS site to be disposed only at either the WCS CWF or the WCS FWF.

- At all times, WCS would follow the safety and security conditions in the then current State of Texas License and the safety and security conditions in that future NRC 2015 Order.
- Truck shipments of waste arrive at the WCS site at the same single location as rail shipments of waste arrive at the WCS.
 - That same single location for receipt of waste at the WCS site is not at either the WCS CWF or the WCS FWF.
 - After WCS confirms that the incoming truck shipment of waste meets the WCS WAC, WCS accepts the waste.
- WCS transfers the truck shipment of waste to the WCS CWF for disposal or the WCS FWF for disposal using the following process:
 - WCS puts all the transportation packages from the truck shipment of waste on a WCS onsite transfer vehicle and drives the WCS onsite transfer vehicle to its destination.
 - WCS follows its process to dispose of the waste after the WCS onsite vehicle arrives at that location.

However, during the October 27, 2015, NRC/WCS teleconference it was not clear:

- If WCS intended for the WCS December 2014 Request to cover both truck shipments of waste to the WCS site and rail shipments of waste to the WCS site.
- If, currently, WCS does the following:
 - WCS drives a truck transportation vehicle (i.e., truck shipment of waste from public roads) directly to either the WCS CWF or the WCS FWF, where WCS determines if the waste meets the WCS WAC and, if so, then WCS accepts the waste.
 - Before WCS drives a truck transportation vehicle to either the WCS CWF or the WCS FWF, the truck transportation vehicle stops at a single location at the WCS site (e.g., perhaps the same location where a rail shipment of waste arrives at the WCS site), where WCS determines if the waste meets the WCS WAC and if so, then WCS accepts the waste.
- If, in the future, WCS wants to do the following:
 - WCS would drive a truck transportation vehicle to either the WCS CWF or the WCS FWF, where WCS would determine if the waste meets the WCS WAC and, if so, then WCS would accept the waste.
 - Before WCS would drive a truck transportation vehicles to either the WCS CWF or the WCS FWF, the truck transportation vehicle would stop at a single location (e.g., perhaps same location where a rail shipment of waste would arrive at the WCS site), where WCS would determine if the waste meets the WCS WAC and if so, then WCS would accept the waste.
- If the “onsite transfer” in the WCS December 2014 Request is to be one or more of the following:
 - for a rail shipment of waste on a WCS onsite transfer vehicle, from where the rail shipment of waste arrives at the WCS site (assuming that WCS determines that the waste meets the WCS WAC and the waste is put on the WCS onsite transfer vehicle) to either the WCS CWF or the WCS FWF;

- for a rail shipment of waste on a WCS onsite transfer vehicle (assuming that WCS determines that the waste meets the WCS WAC, the waste is put on the WCS onsite transfer vehicle, and the waste is driven from where it arrives at the WCS site to either the WCS CWF or the WCS FWF), from where the WCS onsite transfer vehicle arrives at either the WCS CWF or the WCS FWF to where the waste is disposed of at that location;
- for a truck shipment of waste on a truck transportation vehicle, from where the truck transportation vehicle arrives at either the WCS CWF or the WCS FWF (assuming that WCS determines that the waste meets the WCS WAC) to where the waste is disposed of at that location;
- for a truck shipment of waste on a truck transportation vehicle, from where the truck transportation vehicle arrives at the WCS site (assuming that WCS determines that the waste meets the WCS WAC) to either the WCS CWF or the WCS FWF;
- for a truck shipment of waste on a WCS onsite vehicle, from where the truck transportation vehicle arrives at the WCS site (assuming that WCS determines that the waste meets the WCS WAC and the waste is put on the WCS onsite transfer vehicle) to either the WCS CWF or the WCS FWF; **and/or**
- for a truck shipment of waste on a WCS onsite vehicle (after the truck transportation vehicle arrives at the WCS site, WCS determines that the waste meets the WCS WAC, and the waste is put on the WCS onsite transfer vehicle), from where the WCS onsite vehicle arrives at either the WCS CWF or the WCS FWF to where the waste is disposed of at that location.

NRC requests that WCS answer the following RAIs in writing to provide clarity and understanding of what WCS wants to do now:

The NRC will use the information that WCS provides in the RAI Responses as part of the NRC review of the WCS 2014 Request, so it is all right if WCS wants to change (e.g., clarify, add, delete) information from the WCS 2014 Request.

The NRC RAIs assume that the process related to transferring the waste to or within either the WCS CWF or the WCS FWF is the same. If that is not true then please answer separately for the waste to be disposed of at the WCS CWF and for the waste to be disposed of at the WCS FWF.

1. Is it current WCS practice under the NRC 2014 Order for truck transportation vehicles with waste (i.e., vehicles from public roads) go directly to either the WCS Compact Waste Facility (CWF) or the WCS Federal Waste Facility (FWF)?
2. If NRC issues a superseding order based on the WCS December 2014 Request and what WCS now wants, then:
 - a. Would truck transportation vehicles with waste go directly to either the WCS CWF or the WCS FWF?
 - b. Would WCS want that superseding NRC Order to include both truck shipments of waste and rail shipments of waste?
 - c. What security would be used to protect the waste on a truck transportation vehicle or on a WCS onsite transfer vehicle (i.e., vehicle that stays inside the WCS site) that is waiting to be offloaded at either the WCS CWF, the WCS FWF, or other location at the WCS site? Do the security

measures include immediate detection, assessment, and response to actual or attempted unauthorized access to the waste that remains on either the truck transportation vehicle or the WCS onsite transfer vehicle?

3. Provide maps and or diagrams with specific locations clearly noted where the activities occur of what WCS did (i.e., similar level of detail as to what NRC described above) before the State of Texas approved the change in the state license definition of "in transport" for each of the following situations:
 - a. A truck shipment of waste from receipt through only disposal at either the WCS CWF or the WCS FWF.
 - b. A rail shipment of waste from receipt through only disposal at either the WCS CWF or the WCS FWF.
4. Provide maps and or diagrams with specific locations clearly noted where the activities occur of what WCS does now (i.e., similar level of detail as to what NRC described above) after the State of Texas approved the change in the state license definition of "in transport" for each of the following situations:
 - a. A truck shipment of waste from receipt through only disposal at either the WCS CWF or the WCS FWF.
 - b. A rail shipment of waste from receipt through only disposal at either the WCS CWF or the WCS FWF.
5. Provide maps and or diagrams with specific locations clearly noted where the activities occur of what WCS would do in the future (i.e., similar level of detail as to what NRC described above) now that the State of Texas approved the change in the state license definition of "in transport" and following the superseding NRC Order based on the WCS December 2014 Request and what WCS now wants for each of the following situations:
 - a. A truck shipment of waste from receipt through only disposal at either the WCS CWF or the WCS FWF.
 - b. A rail shipment of waste from receipt through only disposal at either the WCS CWF or the WCS FWF.
6. In general, what are the differences in what WCS currently does now versus what WCS would do differently in the future if NRC issues a superseding NRC Order based on the WCS 2014 Request and what WCS now wants for each of the following situations:
 - a. A truck shipment of waste from receipt through only disposal at either the WCS CWF or the WCS FWF.
 - b. A rail shipment of waste from receipt through only disposal at either the WCS CWF or the WCS FWF.