



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 6, 2016

Mr. J. Scott Kirk, Vice President
Licensing and Regulatory Affairs
Waste Control Specialists LLC
P.O. Box 1129
Andrews, TX 79714

SUBJECT: QUESTION RELATED TO WASTE CONTROL SPECIALISTS LLC
REQUEST FOR POSSESSION TIME EXTENSION FROM THE U.S. NUCLEAR
REGULATORY COMMISSION EXEMPTION ORDER CONDITION 8.B.4
(COST ACTIVITY CODE: J00873)

Dear Mr. Kirk:

On March 28, 2016, Waste Control Specialists LLC (WCS) sent a letter to the U.S. Nuclear Regulatory Commission (NRC) requesting to relax Condition 8.B.4 of the currently effective NRC Special Nuclear Materials (SNM) Order to WCS to allow possession of the U.S. Department of Energy (DOE) Los Alamos National Laboratory (LANL) Waste from two years to until December 23, 2018. The publicly available part of the WCS Request is available in the NRC's Agencywide Documents Access and Management System (ADAMS) as Accession Number ML16095A361.

In order to consider your request for relaxation, the NRC requests more information from WCS. As any entity that has received NRC permission for an activity (e.g., license, permit, order), WCS is required to inform NRC if anything changes that affects the basis of that NRC permission. Also, the currently effective NRC SNM Order to WCS includes Condition 8.B.6, which states that: "WCS shall keep NRC informed of the status of the DOE investigation of the [Waste Isolation Pilot Plant (WIPP)] incident. If DOE determines that some of LANL Waste at WCS was similar to the waste that DOE determines to have contributed to the WIPP incident then WCS will notify NRC."

Thus, the NRC requests that WCS provide any available information that could impact the safety basis described in the NRC's Safety Evaluation Report (see ADAMS Accession Number: ML14230A804) for the currently effective NRC SNM Order to WCS related to storage of LANL Waste at the WCS site. Such information could include data on monitoring of temperature of LANL Waste in storage at WCS, including any temperature spikes.

The NRC is aware that on March 22, 2016, the Defense Nuclear Facilities Safety Board (DNFSB) held a hearing to gather information regarding the hazards to the public and workers posed by the management of transuranic waste at the LANL as well as the DOE's plans to address those hazards at LANL (see <http://www.dnfsb.gov/board-activities/public-hearings/los-alamos-national-laboratory-transuranic-waste-management-public->). In addition, the NRC is aware that on April 29, 2016, the DOE and WCS had a discussion that included the topic of LANL Waste in storage at WCS.

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When WCS responds to this NRC letter, please consider any appropriate information from that March 22, 2016, DNFSB hearing, from that April 29, 2016, DOE/WCS discussion, and from any other interactions that WCS has had with the DOE about storage of LANL Waste at WCS.

If you have any questions, then please contact me at (301) 415-6559 or via e-mail at Harry.Felsher@nrc.gov.

Sincerely,

/RA/

Harry Felsher, Sr. Project Manager
Low-Level Waste Branch
Division of Decommissioning,
Uranium Recover, and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No.: 070-7005

cc: Charles Maguire, Director
Texas Commission
on Environmental Quality

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DATE	05/26/16	05/26/16	05/26/16	06/06/16	06/06/16

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