



United States Department of State

Washington, D.C. 20520

August 1, 2016

Ms. Brooke G. Smith, Chief
Export Controls and Nonproliferation Branch
Office of International Programs
United States Nuclear Regulatory Commission
Rockville, Maryland

Dear Ms. Smith:

I refer to your letter dated April 11, 2016 requesting the assistance of the Department of State in notifying the British Government of applications from Perma-Fix Northwest, Richland, Inc. (PFNW) for the import (IW033) from the United Kingdom of low-level radioactive waste in the form of radium-luminized watch dials and the subsequent re-export (XW022) to the United Kingdom of the residue from the incineration, shredding (of non-combustible elements) and grouting (mixing of ash from incinerated material with the shredded noncombustible material into a waste form acceptable for ultimate land disposal in the United Kingdom. The source of the radioactive waste and the recipient of the residue following its reduction in the United States is:

The Active Collection Bureau Limited
Socorro House
Liphook Way
20/20 Business Park
Maidstone, Kent ME16 0LQ

In response to the requested notification by the Department of State, Paul Jackson, Lead Contact for the International Waste Shipments team of the British Government Environment Agency, confirmed by email (copy enclosed) that the Agency is aware of the applications of the Active Collection Bureau Limited to export the subject low-level radioactive waste to PFWN for processing in the United States and that the British government is prepared to accept return of the residue from the processing of the subject radioactive waste in accordance with EC Directive 2006/117/Euratom in the United Kingdom. In addition, Mr. Jackson noted that the intention of this Directive, inter alia, is to “guarantee consistency with other Community and international provisions, and in particular with the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.”

In view of the foregoing, the proposed imports and exports would appear to be consistent with the guidelines of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin DeLaBarre". The signature is fluid and cursive, with the first name "Robin" and last name "DeLaBarre" clearly distinguishable.

Robin DeLaBarre

Office of Nuclear Energy, Safety and Security Affairs

Enclosure: as stated.

DeLaBarre, R. Robin

From: Baker, Stephen <Stephen.Baker@nrc.gov>
Sent: Monday, August 01, 2016 1:04 PM
To: Jackson, Paul
Cc: Streatfield, Ian; Gray, Richard; Mayall, Andy; DeLaBarre, R. Robin; Smith, Brooke
Subject: RE: RE: Permafex application

Mr. Jackson:

Please resubmit both TFSRW/2015/010 and TFSRW/2015/011 forms so that the NRC can provide you with the proper documentation needed to prove the U.S. has authorized the shipments.

You may send the forms directly to me via email. I can have them processed and send back (if authorized) to you via email.

Stephen C. Baker
Licensing Officer
Export Controls and Non-Proliferation Branch
Office of International Programs
(301) 415-3329

From: Jackson, Paul [<http://redirect.state.sbu/?url=mailto:paul.jackson@environment-agency.gov.uk>]
Sent: Monday, August 01, 2016 6:32 AM
To: DeLaBarreR@state.gov
Cc: Streatfield, Ian <ian.streatfield@environment-agency.gov.uk>; Gray, Richard <richard.e.gray@environment-agency.gov.uk>; Mayall, Andy <andrew.mayall@environment-agency.gov.uk>; Baker, Stephen <Stephen.Baker@nrc.gov>
Subject: [External_Sender] RE: Permafex application

Good morning Mr DelaBarre

I can confirm that ACB have made two applications under the TFSRW&SF Regulations that my colleague Andy mentions below. One is for the initial export of these wastes to Permafex for the incineration and conditioning steps, with a separate application to cover the return shipments of the conditioned wastes back to England for final disposal.

I have been in correspondence with ACB over their applications and understand that they have taken steps with Permafex to ensure that the waste will be conditioned and grouted into a form suitable for final disposal here in England under the disposal site's waste acceptance criteria.

Regardless of this, ACB will be under an obligation to accept the return of any non-conforming waste that they may export under an authorisation granted by the Environment Agency. This obligation arises from the above Regulations, which themselves implement the requirements of EC Directive 2006/117/Euratom in the United Kingdom. I have attached a copy of this Directive for your information.

You will also see from the first page of this Directive that it is intended (amongst other purposes) to "guarantee consistency with other Community and international provisions, and in particular with the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management".

I trust this answers your questions and allays any concerns, however please contact me again if I can assist further.

I also trust this will enable NRC to determine the relevant US import and export licenses. I would be very grateful if NRC could confirm whether they require me to re-consult them on applications TFSRW/2015/010 and TFSRW/2015/011 again as I need their consent before I may issue any authorisation for the shipment of these wastes.

Kind regards

Paul Jackson BSc, MSc, FGS, MSRP
International Waste Shipments
part of National Services E&B
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☎ +44 (0)7979 705211

Did you know you can use IWS online for all your UK export notifications and to record shipment data? [IWS online](#)

Contact us: askshipments@environment-agency.gov.uk

<http://redirect.state.sbu/?url=https://www.gov.uk/importing-and-exporting-waste>

<http://redirect.state.sbu/?url=https://www.gov.uk/radioactive-waste-spent-fuel-or-sources>

Please tell us what you think about our service:

<http://redirect.state.sbu/?url=http://www.smartsurvey.co.uk/s/EnvironmentAgencyNTRScustomer/?r=IWS>

From: Mayall, Andy
Sent: 28 July 2016 12:18
To: DeLaBarreR@state.gov
Cc: Jackson, Paul; Streatfield, Ian; Gray, Richard
Subject: Permafex application

Dear Mr DeLaBarre

Thank you for your letter dated 18 July which was passed to the Environment Agency by the Office for Nuclear Regulation (ONR) on 26 July.

As you have heard from ONR the competent authority for the Transfrontier Shipment of Radioactive Waste and Spent Fuel (TFSRW&SF) Regulations 2008 in England is the Environment Agency. The process of authorising export and import of radioactive waste is led by our International Waste Shipments team (lead contact Paul Jackson) with policy-related support from myself.

We are aware of the applications under the TFSRW&SF Regulations from Active Collection Bureau (ACB) in England to export radium dial waste to Permafex for treatment and the import of waste residues back to England for disposal. We will respond to the queries set out in your letter as soon as possible.

Best regards.

Andy Mayall
Senior Advisor (Nuclear Specialist)
New and Operational Sites
Radioactive Substances Regulation
Environment Agency