



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

January 26, 2017

Mr. Michael Ford
Vice President of Licensing
and Corporate Compliance
Waste Control Specialists, LLC
5430 LBJ Freeway, Ste. 1700
Three Lincoln Centre
Dallas, TX 75240

SUBJECT: LICENSE APPLICATION TO CONSTRUCT AND OPERATE A CONSOLIDATED INTERIM STORAGE FACILITY FOR SPENT NUCLEAR FUEL IN ANDREWS COUNTY, TEXAS – ACCEPTED FOR REVIEW (CAC NO. L25175)

Dear Mr. Ford:

By letter dated April 28, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16133A070), as supplemented on July 20, August 19, August 31, September 27, October 7, November 16, December 16, and December 22, 2016 (ADAMS Accession Nos. ML16229A537, ML16235A467, ML16265A454, ML16280A300, ML16287A527, ML16330A116, ML16356A346 and ML17018A292 respectively), Waste Control Specialists, LLC (WCS) submitted an application for a specific license pursuant to Part 72 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste." In its letter, WCS requested authorization to store up to 5,000 metric tons of uranium for a period of 40 years in a consolidated interim storage facility (CISF).

In addition, by letter dated July 21, 2016, WCS requested that the U.S. Nuclear Regulatory Commission (NRC) initiated its environmental impact statement (EIS) process for the WCS CISF license application as soon as practicable (ML16229A340). By letter dated October 7, 2016, the NRC informed WCS of its decision to start the EIS process in advance of making a decision on docketing the application (ML16285A317). On November 14, 2016, the NRC published a notice in the *Federal Register* announcing its intent to prepare an EIS and to open the scoping period for the EIS (81 FR 79531).

The NRC staff reviewed your application and concluded it provides information in sufficient detail to enable the staff to conduct its detailed review. Accordingly, the NRC staff has established a schedule for this review which includes the issuance of requests for additional information (RAIs) pertaining to the environmental review in the third quarter Fiscal Year (FY) 2017. The schedule also provides that RAIs for the safety review would be issued in the fourth quarter FY 2017 and the second quarter FY 2018, if necessary. The NRC staff anticipates completing its safety and environmental reviews by the third quarter FY 2019.

This schedule assumes that WCS will provide timely and high quality RAI responses in the fourth quarter FY 2017 for the environmental review and in the fourth quarter FY 2017 and the second quarter FY 2018, if necessary, for the safety review. Per SFM-26, "Operational Strategies and Management Expectations" (ML16222A251), RAI responses which are not received within the agreed-upon time may result in the review being suspended. In addition, low quality RAI responses will be deemed non-responsive and will also be grounds for suspending the review. In general, additional changes to the application that are submitted, except for changes resulting from RAI responses, may cause a delay in the schedule outlined above. In addition, the NRC staff estimates that completing the review and making an independent assessment of the proposed application will cost approximately seven and a half million dollars.

The NRC staff will be in contact with you to schedule a public meeting in the near future to discuss additional details regarding the review process and communicate staff expectations on quality and timeliness of responses to RAIs. If you have any questions regarding these matters, please contact the Project Manager, John-Chau Nguyen, at (301) 415-0262. Also, please reference Docket No. 72-1050 and CAC No. L25175 in future correspondence related to this action.

Sincerely,

/RA/

Mark Lombard, Director
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-1050
CAC No. L25175

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 Mark Lombard, Director
 Division of Spent Fuel Management
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Docket No. 72-1050
 CAC No. L25175

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