

April 13, 2017

Mr. Charles W. Maguire, Director
Radioactive Materials Division (MC 233)
Office of Waste
Texas Commission
on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

SUBJECT: INTEREST IN COOPERATING AGENCY STATUS FOR THE ENVIRONMENTAL
IMPACT STATEMENT ADDRESSING WASTE CONTROL SPECIALISTS'
PROPOSED CONSOLIDATED INTERIM STORAGE FACILITY FOR SPENT
NUCLEAR FUEL, ANDREWS COUNTY, TEXAS (DOCKET NUMBER 72-1050)

Dear Mr. Maguire:

On January 26, 2017, the U.S. Nuclear Regulatory Commission (NRC) accepted for detailed technical review a license application from Waste Control Specialists LLC (WCS) to construct and operate a consolidated interim storage facility (CISF) for spent nuclear fuel in Andrews County, Texas. A map showing the proposed CISF location is enclosed with this letter.

As part of its technical review, the NRC staff is preparing an Environmental Impact Statement (EIS) to document its independent assessment of the potential impacts from the CISF. The NRC staff is preparing the EIS in accordance with its regulations at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," which implement the provisions of the National Environmental Policy Act of 1969.

The NRC currently is conducting its scoping process for the EIS, and as provided for at 10 CFR 51.29(a)(7), is seeking to identify cooperating agencies in the preparation of the EIS. Cooperating agencies, as defined at 10 CFR 51.14(a), may include State agencies with either jurisdiction by law or special expertise with respect to any environmental impact involved in a major Federal action significantly affecting the quality of the human environment. The State of Texas, under agreement with the NRC, regulates the currently authorized waste handling, treatment, storage, and disposal activities at WCS' site, under the state-issued radioactive materials license (RML) R04100.

Given the authority of the Texas Commission on Environmental Quality (TCEQ) in licensing, inspecting, and enforcing WCS' waste-related activities under RML R04100, the NRC would like to discuss with you and your staff the TCEQ's interest in serving as a cooperating agency in the preparation of the NRC's EIS for the proposed CISF. At your convenience, please contact Mr. James Park of my staff to discuss your interest in and arrangements for this discussion. Mr. Park can be reached at (301) 415-6954 or via e-mail at James.Park@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules and Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management Systems (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Cinthya I. Román, Chief
Environmental Review Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-1050

Enclosure: Map of CISF Location

SUBJECT: INTEREST IN COOPERATING AGENCY STATUS FOR THE ENVIRONMENTAL IMPACT STATEMENT ADDRESSING WASTE CONTROL SPECIALISTS' PROPOSED CONSOLIDATED INTERIM STORAGE FACILITY FOR SPENT NUCLEAR FUEL, ANDREWS COUNTY, TEXAS (DOCKET NUMBER 72-1050) DATED: April 13, 2017

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