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March 20, 2017

Annette L. Vietti Cook
Secretary of the Commission
U.S. Nuclear Regulatory Commission
*Via email only to NRCExecSec@nrc.gov and
Annette.Vietti-Cook@nrc.gov*

Andrea Jones
NRC contact for Import license request
Via email only to andrea.jones2@nrc.gov

NRC Hearing Docket
Via email only to hearingdocket@nrc.gov

Re: Dockets NRC-2017-0055 and NRC-2017-0054; Dockets #11006248, 11006249
(Import & Export of 10,000 metric tons of radioactive waste by UniTech)

Dear Ms. Cook and Ms. Jones:

I represent Beyond Nuclear, a Takoma Park, MD nonprofit organization that has frequently appeared before the Commission, sometimes with me as its legal counsel.

I am writing with respect to the March 6, 2017 Federal Register notice announcing the proposed permit issuances in the captioned matters and the opportunity for a hearing. Beyond Nuclear saw this notice within a day or so after publication of the March 6 correction, but in my review of the circumstances, I see there was a prior issuance of public notice dated February 16, 2017 which granted only until March 20, 2017 for filing.

Beyond Nuclear wishes to file a petition to intervene, possibly in conjunction with other organizations. I hereby request that the NRC suspend action on this file for 90 days, and reissue notice, given the remarkably incomplete description of the project which is publicly available. The radioactive waste which is proposed for import and export is notably uncharacterized, will apparently undergo ill-described sortation and processing, with unknown percentages of it to be landfilled, some returned to Canada, some classed as beneficial use, some remanufactured, and some recycled. The application does not provide useable estimations of radioactivity, nor the anticipated chemical makeup of the waste, apart from some of it being in metallic form. There is no information on the likely flammability of the material. The ultimate waste streams are only vaguely mentioned and the volumes of wastes likely to remain in the United States as

permanently-disposed landfill waste. beneficial reuse material or remanufactured products using the waste metals are not quantified. Affiliated firms which will handle parts of this large waste stream are not identified by name, location or role. For the NRC to afford a meaningful hearing and comply with the expectations of substantive due process under the Atomic Energy Act, disclosure of such details is imperative.

Alternatively, I hereby request prompt written affirmation that my client and any other members of the public may have 30 days commencing on March 6, *i.e.*, until April 5, 2017, to file a petition. This request is based on 10 C.F.R. § 110.82(c)(1), which sets the petitioning deadline for this type of proceeding at “30 days after notice of receipt in the Federal Register, for those applications published in the Federal Register. . . .”

My clients will include individuals and organizations that will potentially be affected by exposure to this radioactive waste at either the transport, processing, handling, release or remanufacturing stages. In order to determine which direction to take regarding a petition, my clients and I will require all the time lawfully available. Beyond Nuclear is a membership organization, and it is probable that other citizens will have an interest in commenting, especially in light of the multiple international border crossing points listed in the notice.

To summarize, I hereby request an immediate suspension of activity on this matter by the NRC, and an extension of ninety (90) days for my client to obtain further information on this proposed import-export project before the proposed licensing is renoticed for hearing opportunity. Alternatively, I request confirmation that the public comment period is open until April 5, 2017, and further, request confirmation of April 5, 2017 as the deadline date to petition to intervene and request a hearing.

Thank you very much.

Respectfully,

/s/ Terry J. Lodge
Counsel for Beyond Nuclear