



August 18, 2017

VIA EMAIL AND FEDEX

Mr. John Tappert  
Director, Division of Decommissioning, Uranium Recovery, and Waste Programs  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
11555 Rockville Pike  
Mail Stop: 8 F5  
Rockville, MD 20852

- References: (1) Letter from J. Scott Kirk (WCS) to Catherine Haney (NRC), re: Exemption Request to Possess Special Nuclear Materials in Excess of Critical Mass Limits Specified in 10 CFR 150.11, dated December 4, 2014 (WCS 2014c Request - ADAMS ML14093B155)
- (2) Letter from Scott W. Moore (NRC) to J. Scott Kirk (WCS), re: Future Special Nuclear Material-related Activities at WCS, dated July 7, 2016 (ADAMS ML15093A222)
- (3) Letter from Marc L. Dapas (NRC) to Rod Baltzer (WCS), re: Response to Request for Possession Time Extension in the U.S. Nuclear Regulatory Commission Exemption Order Condition 8.B.4 at Waste Control Specialists LLC (CAC No. L00904) (ML16097A265), dated September 23, 2016 (WCS 2014b Request Related)
- (4) Radioactive Material License No. 4100, Amendment 30 CN600616890, RN101702439
- (5) NRC Docket No. 70-7005

**Subject: Withdrawal of Waste Control Specialists LLC's December 4, 2014 Exemption Request to Possess Special Nuclear Materials in Excess of Critical Mass Limits Specified in 10 CFR 150.11**

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Dear Mr. Tappert:

On December 4, 2014 Waste Control Specialists LLC (WCS) submitted an exemption request in accordance with Title 10 of the Code of Federal Regulations (CFR) Part 70.17, *Exemptions*, to possess Special Nuclear Material in excess of critical mass limits specified in 10 CFR 150.11. In 2014, the NRC received three requests from WCS to amend the NRC's 2009 Order (that superseded the previous 2004 order) to modify WCS's exemption from the requirements of 10 CFR Part 70. The December 4, 2014 request, as noted in NRC correspondence Reference 2 above, is considered "2014c."

At this time WCS respectfully withdraws the 2014c request dated December 4, 2014 to amend the 2009 Order. WCS additionally requests that the NRC consider this withdrawal to be effective immediately so that no further time and effort is directed toward this project.

In the matter related to WCS' July 18, 2014 "2014b" request to store waste from the Department of Energy (DOE) at the Federal Waste Facility which resulted in issuance of a new Exemption Order on December 3, 2014, on September 23, 2016 the NRC responded (Reference 3) to a WCS request to relax Order Condition 8.B.4 to allow WCS to possess the DOE Waste until December 23, 2018. We understand that the authorization letter stands alone and no further authorization or revision to the order is needed. WCS appreciates this consideration and has submitted an amendment request to the Texas Commission on Environmental Quality so that this authorization is also found in our radioactive materials license (Reference 4).

If you have any additional questions or need additional information, please contact me by email ([rbaltzer@valhi.net](mailto:rbaltzer@valhi.net)) or by phone at 972-450-4235.

Sincerely,



Rod Baltzer  
Waste Control Specialists LLC  
President and CEO

cc: Andrea Koch, NRC  
Harry Felsher, NRC  
Charles Maguire, TCEQ  
Elicia Sanchez, WCS  
Courtney Riley, WCS  
Jay Britten, WCS  
Jay Cartwright, WCS  
Betsy Madru, WCS

WCS Regulatory Compliance  
WCS Records Management