



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

October 12, 2021

Mr. Timothy Jenkins  
US Ecology Corporate Health Physicist  
US Ecology, INC  
101 S. Capitol Blvd, Suite 1000  
Boise, ID 83702

SUBJECT: EXEMPTION FOR ALTERNATE DISPOSAL OF SPECIFIC WASTE FROM THE WESTINGHOUSE COLUMBIA FUEL FABRICATION FACILITY UNDER 10 CFR 20.2002, 10 CFR 30.11 AND 10 CFR 70.17

Dear Mr. Jenkins:

In a letter dated June 1, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21153A001), as supplemented on September 13, 2021 (ADAMS Accession No. ML21257A468), Westinghouse Electric Company, LLC (WEC) requested that the U.S. Nuclear Regulatory Commission (NRC) approve an alternate disposal request pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 20.2002, "Method for obtaining approval of proposed disposal procedures," for the disposal of specified low-activity radioactive materials from the Columbia Fuel Fabrication Facility (CFFF). Characterization of the material identified byproduct material and special nuclear material. The NRC's approval of the 10 CFR 20.2002 request, along with the requested exemptions, would allow WEC to transfer waste meeting the established criteria for disposal at the US Ecology Idaho (USEI) Resource Conservation and Recovery Act Subtitle C disposal facility rather than requiring the disposal of the material in a 10 CFR Part 61 Low-Level Waste disposal facility.

This request was to allow it to transfer, for disposal, 133,000 ft<sup>3</sup> of solid Calcium Fluoride waste material (all of this material is known to contain <0.5 weight percent U-235).

WEC's submittal contained a proposal to dispose of the material at your facility—the USEI Resource Conservation and Recovery Act Subtitle C hazardous disposal facility located near Grand View, Idaho—and also requested exemptions from the NRC license requirements in 10 CFR 30.3 and 10 CFR 70.3 with respect to the waste.

While Idaho is not an NRC Agreement State, Idaho regulations and the Grand View facility permit make USEI's acceptance of NRC-licensed material for disposal contingent upon NRC approval of the exemptions that WEC has requested.

USEI also requested on September 14, 2021 (ADAMS Accession No. ML21258A221) that it be a party to WEC's modified alternate disposal request.

By this letter, the NRC is informing you that we have granted WEC's and USEI's requests for alternate disposal, and that we are issuing license amendment No. 28 which grants WEC and USEI exemptions from the requirements of 10 CFR 30.3 and 10 CFR 70.3 for this material.

WEC is now permitted to dispose of the described 133,000 ft<sup>3</sup> of solid Calcium Fluoride waste material (all of this material is known to contain <0.5 weight percent U-235).

The basis for the NRC's approval is provided in the enclosed Safety Evaluation Report (SER). Associated with the enclosed SER, the staff evaluated the environmental impacts of approving the alternate disposal request and the associated exemptions and license amendment. The staff has determined that approving the alternate disposal and granting these exemptions and license amendment would not result in any significant environmental impacts. A notice of availability of an environmental assessment and a finding of no significant impact were prepared and published in the *Federal Register* (86 FR 56729). We have also enclosed the *Federal Register* notice issuing the exemptions and license amendment.

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

If you have any questions regarding this matter, please contact David Tiktinsky of my staff at 301-415-8740 or via e-mail at David.Tiktinsky@nrc.gov.

Sincerely,

Jacob I. Zimmerman, Chief  
Fuel Facility Licensing Branch  
Division of Fuel Management  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 70-1151  
License No. SNM-1107

Enclosures:

1. Safety Evaluation Report
2. *Federal Register* Notice Issuing Exemption and License Amendment

cc: [westinghouse\\_ff@listmgr.nrc.gov](mailto:westinghouse_ff@listmgr.nrc.gov)

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**ADAMS Accession No.: ML21208A151 (Ltr)**

**\*via e-mail**

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