

Texas Low-Level Radioactive Waste Disposal Compact Commission

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April 26, 2024

Via E-Mail: BAKins@adpcr3.com
Leon Akins
Radiation Protection and Chemistry Manager
15760 West Power Line St
Crystal River, FL 34428

RE: Import Agreement TLLRWDC #2-0396-00
Conditional Curie Release Letter #5

Dear Mr. Akins:

Pursuant to the condition expressed as a part of Article II.J. (c) of your Import Agreement TLLRWDC #2-0396-00 with the Texas Low-Level Radioactive Waste Disposal Compact Commission ("TLLRWDC"), I have received your request dated April 16, 2024, to dispose of low level radioactive waste in the following shipment:

- The first shipment was scheduled to be shipped on or about January 22, 2024, with a disposal volume of 2,500 cubic feet with approximately .39 curies of activity.

As of the date of this letter, there is sufficient capacity for importation during the State of Texas Fiscal Year to accommodate the shipments of an additional .39 curies and 2,500 cubic feet as requested in your letter dated April 16, 2024. This letter does not authorize the importation to the Compact Facility in Andrews County of any cubic feet or curies of low-level radioactive waste beyond the .39 curies and 2,500 cubic feet requested in the shipments.

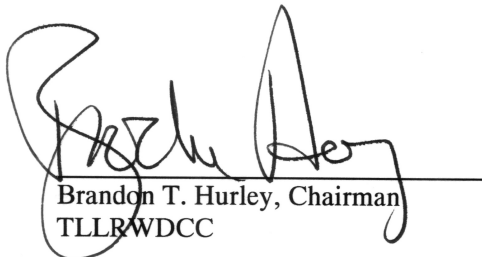
While this letter authorizes the disposal of waste identified above, the contents of your letter show that this request does not comply with the terms of your Import Agreement listed at the beginning of this letter. Specifically, Article II, Section J(b)(2) of your Import Agreement requires that "No less than 15 days *before* a shipment is made under this Agreement, the Generator shall provide the Commission a written notice . . ." As described in your letter, your shipment of low level radioactive waste occurred multiple months before you sent your letter requesting this Curie Release Letter.

The Commission understands that the shipment covered by this Curie Release Letter was initially shipped into the Compact with the expectation that it would go to the RCRA facility. However, nothing about the RCRA disposal process changes the contractual obligations to which you agreed in your Import Agreement.

Nevertheless, the fact that this is the first instance of you seeking a Curie Release Letter after the shipment has already entered the state and the extremely small amount of curies contained in the shipment has lead the Commission to decide to issue this Curie Release Letter. Please understand that this waiver of the specific violation of the Import Agreement is not a waiver of any future violations nor should it be viewed as a course of dealing to be applied to future situations.

Therefore, you are authorized as of the date of your receipt of this communication to import from ADP CR3 to the Compact Facility in Andrews County, Texas .39 curies and 2,500 cubic feet described in agreement TLLRWDC #2-0396-00. These shipments are approximately 12% of the volume and less than 1% of the activity specified in Article II.J. of agreement TLLRWDC #2-0396-00. With this letter, ADP CR3 has remaining 56 of 20,000 cubic feet and 4,064 of 19,800 curies authorized to be shipped conditionally under agreement TLLRWDC #2-0396-00.

Please update the TLLRWDC once the shipment is placed in the Compact Waste Facility and make all future requests before you send any future shipments under your Import Agreement. .



Brandon T. Hurley, Chairman
TLLRWDC

4/26/2024
Date