



November 16, 2017

VIA EMAIL

Ms. Annette L. Viette-Cook, Secretary
U.S. Nuclear Regulatory Commission
ATTN: Rulemaking and Adjudications Staff
Washington, DC 20555-001

References: (1) NRC Docket ID NRC-2011-0012
(2) Letter from Scott Kirk (WCS), dated July 24, 2015, to NRC re: Proposed Revisions to 10 CFR Part 61, Federal Register, Low-Level Radioactive Waste Disposal, Volume 80, No. 58, published on March 26, 2015

Subject: Waste Control Specialists LLC's Comments on U.S. Nuclear Regulatory Commission "Draft Regulatory Analysis for Final Rule: Low-Level Radioactive Waste Disposal"

Dear Madam Secretary:

Waste Control Specialists LLC (WCS) appreciates the opportunity to provide feedback on the U.S. Nuclear Regulatory Commission's (NRC) published Federal Register notice (82 Federal Register 48,283 dated October 17, 2017) requesting comment on the draft regulatory analysis, "Draft Regulatory Analysis for Final Rule: Low-Level Radioactive Waste Disposal" and seeking specific cost and benefit information to better inform the draft regulatory analysis. WCS has provided comments throughout this rulemaking process (e.g., Reference 2) and would like to specifically address question 5, but first provide the following general statement.

General Statement

WCS is a modern, well-sited and precisely engineered facility that can ensure the isolation of long lived radionuclides. The low level radioactive waste disposal facilities at WCS have been licensed and constructed to meet a compliance period in excess of 10,000 years. The facility was built in an arid and remote part of the country with impermeable geology. Whereas previous disposal facilities were built due to their proximity to generator sites, the WCS facility

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was sited specifically based on the environmental performance of the land and its distance from potable water sources. In addition to the favorable natural climate and geology, each disposal cell is specifically and intentionally constructed into a low-permeability red bed clay sub-surface. The waste is placed at depths greater than 30 meters in a cell that is required to have a 7 foot liner system, including a 1 foot steel reinforced concrete barrier encasing the entirety of the cell. Additionally, the WCS license requires that low level radioactive waste be disposed of in intruder resistant disposal canisters.

There is no other facility as capable for meeting the nation's needs in order to ensure safe and proper permanent disposal of radioactive material. The WCS facility is not only an asset to the Department of Energy as it cleans up from the promises of the Manhattan Project, but it is an integral part of the commercial decommissioning landscape for the country's nuclear fleet. The WCS site is the most extensively characterized site for low level radioactive waste disposal in the entire U.S. and can safely dispose of materials previously thought problematic; migration was generally anticipated with large quantities of depleted uranium, but does not materialize in the WCS model. Our requirements are more stringent than the Part 61 rules are today or are proposed to be.

WCS continues to support a capability level C for Agreement states, which in the case of Texas means requirements that are stricter and more protective than the current allowances. Even with a higher standard, the national inventory still meets the WCS performance assessment, which is 1,000 years or peak dose.

WCS is the new industry standard that the public and regulators have come to rely on as the basis for future clean-up needs. Our disposal facility goes well beyond the regulations, current and proposed.

Question 5: Are there any costs that should be assigned to those sites not planning to accept large quantities of depleted uranium for disposal in the future?

As noted above, the WCS disposal facilities were originally designed and constructed to meet a compliance period of peak dose, which we modeled to be more than one million years. Therefore, there will not be a cost differential. Additionally, due to already rigorous regulatory requirements in Texas for the facility as a whole, there are no pass through costs specific to the disposal of large quantities of depleted uranium.

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WCS appreciates the opportunity provided by the Commission to share our views on this important rulemaking. WCS requests that all correspondence or questions regarding this matter be emailed directly to my attention (rbaltzer@valhi.net). If we can provide additional information, please contact me at 972-450-4235.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rod Baltzer', with a stylized flourish at the end.

Rod Baltzer
President & CEO

cc: John Tappert, NRC
Charles Maguire, TCEQ
Betsy Madru, WCS
Elicia Sanchez, WCS
Courtney Riley, WCS
WCS Regulatory Compliance
WCS Records Management

From: Roy King
To: [RulemakingComments Resource](#)
Cc: [Rod Baltzer](#); [Betsy Madru Valhi](#)
Subject: [External_Sender] Waste Control Specialists LLC Comments on NRC-2011-0012 / Draft Regulatory Analysis for Final Rule: Low-Level Radioactive Waste Disposal
Date: Thursday, November 16, 2017 12:29:58 PM
Attachments: [image001.png](#)
[Waste Control Specialists LLC Comments on NRCs Draft Regulatory Analysis for Final Rule on LLRW Disposal NRC-2011-0012.pdf](#)

Please find attached Waste Control Specialists LLC's (WCS) comments on the Nuclear Regulatory Commission's (NRC) Draft Regulatory Analysis for Final Rule: Low-Level Radioactive Waste Disposal, Docket NRC-2011-0012, as requested in Federal Register Notice 82, No. 199, dated October 17, 2017.

Kind Regards,
Roy J. King
Manager of Facility Compliance



AMERICA'S NUCLEAR SOLUTION

Waste Control Specialists LLC

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