



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

March 24, 2022

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 Timothy Jenkins:

In a letter dated November 5, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21351A038), US Ecology, Inc. (USEI) cited a request from Westinghouse Electric Company, LLC (WEC) for the U.S. Nuclear Regulatory Commission (NRC) to 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" and requested that the NRC staff grant USEI exemptions from licensing requirements in 10 CFR 30.3 and 10 CFR 70.3. WEC's request was submitted via a separate letter dated November 5, 2021 (ADAMS Accession No. ML21309A095). WEC subsequently corrected that submission and submitted an updated letter, dated December 1, 2021 (ADAMS Accession No. ML21336A461). In these letters, WEC requested that the NRC approve an alternate disposal request for the disposal of specified volumetrically contaminated and surface-contaminated low-activity radioactive waste containing byproduct material and special nuclear material from the Columbia Fuel Fabrication Facility (CFFF) at the USEI Resource Conservation and Recovery Act Subtitle C hazardous and low-activity radioactive waste treatment and disposal facility located near Grand View, Idaho. All of this material is known to contain < 0.5 weight percent U-235.

WEC's submittal proposes to dispose of the material at USEI and requests exemptions from the NRC licensing requirements in 10 CFR 30.3 and 10 CFR 70.3 with respect to the proposed disposal action. Thus, approval of the 10 CFR 20.2002 request and requested exemptions would allow WEC to transfer waste meeting the established criteria for disposal at USEI rather than in a 10 CFR Part 61 Low-Level Waste disposal facility, as would otherwise be required.

By this letter, the NRC is informing you that it has granted WEC's alternate disposal request and WEC's and USEI's exemption requests. The NRC staff is issuing WEC CFFF license amendment No. 29, which reflects the WEC and USEI exemptions from the licensing requirements for this material. WEC is now permitted to dispose of the volumetrically contaminated waste and surface-contaminated waste at the USEI Grand View disposal site as specified in its alternate disposal request.

The basis for the NRC staff'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 determined that approving the alternate disposal request 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* 87 FRN 16772. 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 (PDR) or from ADAMS. The PDR is currently closed. You may submit your request to the PDR via e-mail at [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays. 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 Jenny Tobin of my staff at 301-415-2328 or via e-mail at [Jennifer.Tobin@nrc.gov](mailto:Jennifer.Tobin@nrc.gov).

Sincerely,



Bartlett, Matthew signing on behalf  
of Zimmerman, Jacob  
on 03/24/22

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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Date: March 24, 2022

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**ADAMS Accession Nos.: ML22068A051 (Ltr), ML22054A047 (Encl. 1),  
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