



UNITED STATES
NUCLEAR REGULATORY COMMISSION

December 9, 2020

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 May 8, 2020 (Agencywide Documents Access and Management System [ADAMS] Accession Number ML20129J934), as supplemented on September 22 (ADAMS Accession No. ML20266G551) and October 13, 2020 (ADAMS Accession No. ML20287A545), Westinghouse Electric Company (WEC) submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for alternate disposal under 10 CFR 20.2002 for specific waste material from (a) the East Lagoon, (b) the East Lagoon liner, (c) soils excavated from below the liner, solid CaF_2 sludge previously dredged from the Calcium Fluoride Lagoons on the site and placed in a storage pile (all of this material is known to contain <0.5 weight percent U-235) and (d) UF_6 cylinders previously used for shipping that have gone through an internal wash/rinse process following their last use but still are internally contaminated with SNM. WEC's submittal indicated that the waste would contain byproduct and special nuclear material. In addition, WEC's submittal contained a proposal to dispose of the material at your facility -- the US Ecology Idaho (USEI) Resource Conservation and Recovery Act (RCRA) 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.

On May 11, 2020, USEI requested that it be considered a party to WEC's May 8, 2020 alternate disposal request (ADAMS Accession No. ML20280A601).

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. 25 which grants WEC exemptions from the requirements of 10 CFR 30.3 and 10 CFR 70.3 for this material. WEC is now permitted to dispose of this specific waste material from (a) the East Lagoon, (b) the East Lagoon liner, (c) soils excavated from below the liner, (d) solid CaF_2 sludge previously dredged from the Calcium Fluoride Lagoons on the site and placed in a storage pile (all of this material is known to contain <0.5 weight percent U-235) and e) UF_6 cylinders previously used for shipping that have gone through an internal wash/rinse process following their last use, but remain internally contaminated with SNM at the USEI facility near Grand View, Idaho.

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 (EA) and a Finding of No Significant Impact were prepared and published in the *Federal Register* (85 FR 79228). 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,

Damaris Marcano, Acting Chief
Fuel Facilities 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. Exemption Federal Register Notice

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Date: December 9, 2020

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ADAMS Accession Number: ML20304A341

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