



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 27, 2000

MEMORANDUM TO: John T Greeves, Director  
Division of Waste Management  
Office of Nuclear Material Safety and Safeguards

FROM: Ronald D. Hauber, Deputy Director *R Hauber*  
Office of International Programs

SUBJECT: PROPOSED EXPORT TO CANADA OF ELECTRIC ARC  
FURNACE DUST CLASSIFIED AS CLASS A MIXED  
HAZARDOUS WASTE (XW004)

Attached is an application (XW004) from Bayou Steel Corporation for a license to export Class A mixed waste to Stablex Canada, Inc., for treatment and disposal. The material consists of 70.73 tons (84.5 cubic yards) of electric arc furnace (EAF) dust which contains <1300 pCi/g of cesium-137 (approximately 9.6 milligrams); Bayou inadvertently melted the cesium-137 source that was buried within a load of scrap metal that was charged to the furnace.

Bayou Steel produces carbon steel products by melting scrap metal in an electric arc furnace. The melting process generates dust that is captured and controlled by an emission control baghouse; the resulting dust (EAF dust) is regulated by EPA as the hazardous waste KO61 and must be disposed of at a permitted hazardous waste landfill or recycled by the high temperature metals recovery process.

We are also enclosing the attachments to the export license application which include copies of correspondence between the applicant and EPA (identified as EPA Notice No. 558/99 dated October 6, 1999) and a Written Confirmation from the Canadian Atomic Energy Control Board (AECB) dated October 4, 1999. These documents authorize the export/import of the hazardous waste from the United States to Canada. Also included in the application package is a description of the physical or chemical characteristics of the EAF dust and the route of transit of the shipments from La Place, Louisiana to Blainville, Quebec, Canada.

Please note that none of the correspondence between Bayou Steel and EPA and the Written Confirmation from the AECB identified the presence of the radioactive cesium-137. This is an issue which we will have to address in our review of the export license application. Betty Wright of our office has spoken with Bob Small of EPA regarding the proposed export, and we forwarded a letter to EPA on March 27 requesting their review and comments regarding the license application. A copy of our letter to EPA is attached for your information.

Template OIP-002

DF03

Enclosed also is a copy of our March 23 letter to the Department of State (DOS) in which we request that they notify the Canadian government of the proposed Class A mixed waste import; we also asked DOS for their comments with respect to the Code of Practice on Transboundary Movement of Radioactive Waste and their views as to whether the subject export would be consistent with the Code's guidelines.

Before taking action on this application, we would appreciate receiving your comments regarding the proposed export and identifying any additional information which we should obtain from the applicant or any of the involved agencies. If you require any additional information from our office, please call me or Betty Wright, export/import licensing officer, at 301-415-2344.

Attachments:

1. Application XW004 dated October 06, 1999, w/attachments
2. NRC letter to Department of State dated March 23, 2000
3. NRC letter to Environmental Protection Agency dated March 27, 2000

cc w/attachments: C. Lohaus, OSP



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 23, 2000

Mr. Robin DeLaBarre  
Non-Proliferation/Nuclear Energy Affairs (NP/NEA)  
Office of Nuclear Energy Affairs  
U.S. Department of State  
Washington, DC 20520

Dear Mr. DeLaBarre:

Enclosed is an application from Bayou Steel Corporation (XW004) for a license to export Class A mixed hazardous radioactive waste to Stablex Canada, Inc., for treatment and disposal. The material consists of 70.73 tons (84.5 cubic yards) of electric arc furnace (EAF) dust which contains <1300 pCi/g of cesium-137 (approximately 9.6 milligrams); Bayou inadvertently melted the cesium-137 source that was buried within a load of scrap metal that was charged to the furnace.

Bayou Steel produces carbon steel products by melting scrap metal in an electric arc furnace. The melting process generates dust that is captured and controlled by an emission control baghouse; the resulting dust (EAF dust) is regulated by EPA as the hazardous waste KO61 and must be disposed of at a permitted hazardous waste landfill or recycled by the high temperature metals recovery process.

Before taking action on this application, we request your assistance in notifying the Canadian government of the proposed Class A mixed hazardous radioactive waste import and obtaining any comments in the context of the Code of Practice on Transboundary Movement of Radioactive Waste. We also request your views as to whether the subject export would be consistent with the Code's guidelines.

Sincerely,

Ronald D. Hauber, Deputy Director  
Office of International Programs

Enclosure:  
Appl. dtd 10/06/99 w/attachments (XW004 - Canada)

cc w/enclosure: A. Welihozkiy, DOE  
M. Krupa, DOE  
W. Witter, DOD  
S. Clagett, DOC  
AECB



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 27, 2000

Mr. Robert G. Heiss  
Director  
Import-Export Program  
Enforcement, Planning, Targeting and  
Data Division  
Office of Compliance (2222A)  
U.S. Environmental Protection Agency  
Washington, DC 20460

Dear Mr. Heiss:

Enclosed for your review and comment is a copy of an application from Bayou Steel Corporation (XW004) for a license to export Class A mixed hazardous radioactive waste to Stalex Canada, Inc., for treatment and disposal. The material consists of 70.73 tons (84.5 cubic yards) of electric arc furnace (EAF) dust which contains <1300 pCi/g of cesium-137 (approximately 9.6 milligrams); Bayou inadvertently melted the cesium-137 source that was buried within a load of scrap metal that was charged to the furnace.

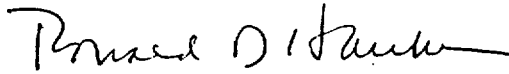
Bayou Steel produces carbon steel products by melting scrap metal in an electric arc furnace. The melting process generates dust that is captured and controlled by an emission control baghouse; the resulting dust (EAF dust) is regulated by EPA as the hazardous waste KO61 and must be disposed of at a permitted hazardous waste landfill or recycled by the high temperature metals recovery process.

We are also enclosing the attachments to the export license application which include copies of correspondence between the applicant and EPA (identified as EPA Notice No. 558/99 dated October 6, 1999) and a Written Confirmation from the Canadian Atomic Energy Control Board (dated October 4, 1999). These documents authorize the export/import of the hazardous waste from the United States to Canada. Additionally, inasmuch as the material is classified as "mixed waste", since it also contains the radioactive isotope cesium-137, Bayou Steel is required to obtain a specific export license from the NRC before any shipments can be made.

Enclosed also for your information is a copy of our March 23 letter to the Department of State in which we request that they notify the Canadian government of the proposed Class A mixed hazardous radioactive waste import. We have also asked for their comments with respect to the Code of Practice on Transboundary Movement of Radioactive Waste and their views as to whether the subject export would be consistent with the Code's guidelines.

Before taking action on this application, we would appreciate receiving your comments regarding the proposed export. If you require any additional information, please call me or Betty Wright, export/import licensing officer, at 301-415-2344.

Sincerely,

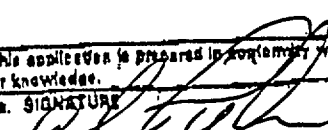


Ronald D. Hauber, Deputy Director  
Office of International Programs

Enclosures:

Appl. dtd 10/06/99 (XW004 - Canada)  
w/attachments as noted

cc w/enclosure:      A. Welihozkiy, DOE  
                             M. Krupa, DOE  
                             W. Witter, DOD  
                             S. Clagett, DOC  
                             AECB

NRC FORM 7 (3-98) 10 CFR 110		U.S. NUCLEAR REGULATORY COMMISSION		APPROVED BY OMB: NO. 3150-0027 EXPIRES: 3-31-97	
<b>APPLICATION FOR LICENSE TO EXPORT NUCLEAR MATERIAL AND EQUIPMENT</b> <i>(See Instructions on Reverse)</i>				ESTIMATED BURDEN FOR RECEIVING AGENCY WITH THIS INFORMATION COLLECTION REQUEST: 1.7 HOURS. THE MANDATORY ELEMENTS ARE REQUIRED TO ENSURE THAT THE APPLICABLE STATUTORY, REGULATORY, AND POLICY CONSIDERATIONS ARE SATISFIED. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORD MANAGEMENT BRANCH (IT-833), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555-0001, AND TO THE PAPERWORK REDUCTION PROJECT DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.	
1. APPLICANT'S USE	2. DATE OF APPLICATION	3. APPLICANT'S REFERENCE	4. NRC USE	5. DOCUMENT NUMBER	6. LICENSE NUMBER
	10/6/99			11005189	XW004
8. APPLICANT'S NAME AND ADDRESS			9. SUPPLIER'S NAME AND ADDRESS		
a. NAME <b>Bayou Steel Corporation</b>			(Complete if applicant is not supplier of material) a. NAME		
b. STREET ADDRESS (Facility Site) <b>Post Office Box 5000 River Road</b>			b. STREET ADDRESS		
c. CITY		d. STATE	e. ZIP CODE	f. STREET ADDRESS	
LaPlace		LA	70069		
1. TELEPHONE NUMBER (Area Code - Number - Extension)			g. CITY		h. STATE
(504) 652-0409					
5. FIRST SHIPMENT SCHEDULED	6. FINAL SHIPMENT SCHEDULED	7. APPLICANT'S CONTRACTUAL DELIVERY DATE	8. PROPOSED LICENSE EXPIRATION DATE	9. U.S. DEPARTMENT OF ENERGY CONTRACT NO. (If known)	
10/99	10/00				
10. ULTIMATE FOREIGN CONSIGNEE			11. ULTIMATE END USE		
a. NAME <b>Stablex Canada, Inc.</b>			(Include plant or facility name) <b>Disposal of mixed hazardous waste incident-related material</b>		
b. STREET ADDRESS (Facility Site) <b>760 Industrial Boulevard</b>			USE CODE <b>Cesium-137</b> <i>class A mixed hazardous waste</i>		
c. CITY		d. COUNTRY	11a. DATE REQUIRED		
Blainville, Quebec		Canada			
12. INTERMEDIATE FOREIGN CONSIGNEE			13. INTERMEDIATE END USE		
a. NAME			USE CODE		
b. STREET ADDRESS			13a. DATE REQUIRED		
c. CITY		d. COUNTRY	14. DATE REQUIRED		
14. INTERMEDIATE FOREIGN CONSIGNEE			15. INTERMEDIATE END USE		
a. NAME			USE CODE		
b. STREET ADDRESS (Facility Site)			15a. DATE REQUIRED		
c. CITY		d. COUNTRY			
16. COM CODE	17. DESCRIPTION		18. MAX. ELEMENT WEIGHT	19. MAX. WT. %	20. MAX. ISOTOPE WEIGHT
	<i>Analyze chemical and physical form of nuclear material; give dollar value of nuclear equipment and components.</i> <b>No dollar value</b> <b>Cesium-137 mixed with U.S. KPA hazardous waste K061</b> <i>contained in 70.73 tons of electric arc furnace dust</i>		<b>Cesium-137</b> <b>&lt; 1300 pCi/g</b> <b>&lt; 80 tons for disposal</b>	UK	UK
22. COUNTRY OF ORIGIN - SOURCE MATERIAL		23. COUNTRY OF ORIGIN - ENRICHED OR PRODUCED		24. COUNTRIES WHICH ATTACK SAFEGUARDS (If known)	
UK		UK		UK	
25. ADDITIONAL INFORMATION ON CONSIGNEES, END USES, AND PRODUCT DESCRIPTION (Use separate sheet if necessary)					
26. The applicant certifies that this application is prepared in conformity with Title 10, Code of Federal Regulations, and that all information in this application is correct to the best of his/her knowledge.					
27. AUTHORIZED OFFICIAL			28. TITLE		
a. SIGNATURE 			<b>Manager, Environment and Safety</b>		

FDR/ACS  
2-2-00  
G

**Collier, Shannon, Rill & Scott, PLLC**

Attorneys-at-Law  
3050 K Street, N.W.  
Suite 400  
Washington, D.C. 20007

Chet M. Thompson  
(202) 342-8815  
Internet: cmt@colshan.com

Tel.: (202) 342-8400  
Fax: (202) 342-8451

10 Barrack Street  
Level 12  
Sydney, NSW 2000, Australia  
Tel.: 61-2-262-6700  
Fax: 61-2-262-8268

(202) 342-8815

January 20, 2000

Mr. Ronald Hauber  
Director, Non-Proliferation, Exports and  
Multilateral Relations  
Office of International Programs  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Re: Bayou Steel Corporation Export License Application

RECEIVED OIP  
2000 JAN 24 PM 5:16

Dear Mr. Hauber:

Attached for your review and consideration is the information that you recommended in your October 28, 1999 letter to me that Bayou Steel Corporation ("Bayou Steel") submit to support its request for an export license in order to make a one-time shipment of electric arc furnace ("EAF") dust that was inadvertently contaminated with small amounts of cesium-137 to Stablex Inc., Quebec, Canada for treatment and disposal. Specifically, I have enclosed:

1. an NRC form 7 that was originally submitted in October 1999;
2. the information required by 10 C.F.R. § 110.32(f)(5);
3. our original request to you for a license variance dated October 8, 1999, which provides some background information;
4. Bayou Steel's correspondence with the U.S. Environmental Protection Agency;
5. Stablex's correspondence with Environment Canada; and
6. a check, pursuant to 10 C.F.R. § 170.31, in the amount of \$5,600.00.

In addition to the above, two other factors bear mentioning and support the issuance of an export license in this case. First, because of the relatively small concentrations of cesium-137 found

Mr. Ronald Hauber  
January 20, 2000  
Page 2

in the dust, neither Environment Canada nor the Atomic Energy Control Board of Canada ("AECB") would consider this material "radioactive." Second, Stablex recently had its Certificate of Compliance modified specifically to allow it to accept volumes and concentrations of cesium-137 exceeding those found in the EAF dust at issue here. Presumably, Environment Canada and AECB would not have issued this modification had they had any reason to believe that Stablex was unable to safely manage and dispose of the material.

In short, I am confident that following your review of this package, you will conclude that Bayou Steel's application satisfies the criteria set forth at ~~40~~ C.F.R. § 110.42, namely, that (1) the export of the EAF dust is not inimical to the common defense and security of the United States; and (2) both the receiving country, Canada, and receiving facility, Stablex, have the administrative and technical capacity to handle the material safely.

If you have any questions or need additional information, please do not hesitate to contact me. I appreciate your and Ms. Wright's assistance to date and look forward to hearing from you soon.

Sincerely,



Chet M. Thompson  
Counsel to Bayou Steel Corporation

cc: Mr. Al Pulliam, Bayou Steel Corporation  
Mr. David R. Johnson, Bayou Steel Corporation

RECEIVED OIP  
2000 JAN 24 PM 5:16





# BAYOU STEEL CORPORATION

January 11, 2000

Mr. Chet M. Thompson  
Collier, Shannon, Rill & Scott, PLLC  
3050 K Street, N.W.  
Suite 400  
Washington, D.C. 30007

**RE: NRC Export License**

Dear Mr. Thompson:

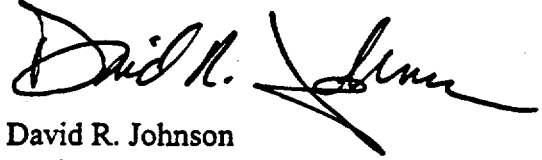
Listed below and attached are the items/information requested for the Nuclear Regulatory Commission to process the export license request. Additionally, enclosed is the filing fee check in the amount of \$5,600.

RECEIVED OIP  
2000 JAN 24 PM 5:36

- A. Volume of material.** 84.5 cubic yards, 70.73 tons.
- B. Material classification.** Class A material.
- C. Physical or chemical characteristics.** Rust-colored dust or granular; physical state: solid; Contains approximately, 0-5% arsenic, 0-5% silver, 0.05% barium, 0.05 % cadmium, 0.36% chromium, 0.32% copper, 0-5% tin, 0-5% mercury, 0.04% nickel, 2.34% lead, 0-5% selenium, 18.5% zinc; specific gravity: 0.8-5.5; insoluble; Stability: stable; USEPA listed hazardous waste K061 incident related material, 11.37 - 1424.0 pCi/gm (average 876 pCi/gm) Cs-137. (see attached K061 MSDS)
- D. Route of transit of shipment.** See attached truck route from La Place, Louisiana to Blainville, Quebec.
- E. Description of ultimate disposition of material.** Chemical de-activation, insolubilization, physiochemical stabilization, and physical solidification after placement in secure cells.
- F. Copy of correspondence with EPA.** See attached.

If you have any questions or need additional information, please let me know.

Sincerely,  
BAYOU STEEL CORPORATION



David R. Johnson  
Environmental Supervisor

Attachments

cc: Al Pulliam

RECEIVED DIP  
200 JAN 24 PM 5:16



BAYOU STEEL CORPORATION

**MATERIAL SAFETY DATA SHEET**

**I. GENERAL INFORMATION**

Identity: **ELECTRIC ARC FURNACE DUST** Revision: **#3**  
 Synonyms: **Baghouse Dust, K061** Date: **10/12/93**  
 Family: **Inorganic Compounds** Effective Date: **10/1/85**

Manufacturer's Name: **BAYOU STEEL CORPORATION**  
 Manufacturer's Address: **P.O. Box 5000, River Road**  
**LaPlace, LA 70069-1156**

Information Telephone Number: **504-652-4900**  
 Emergency Telephone Number: **504-652-0409**

**II. HAZARDOUS CONSTITUENTS**

Dust may contain the following:

Constituent <sup>a</sup>	OSHA PEL (mg/m <sup>3</sup> )	ACGIH TLV (mg/m <sup>3</sup> )	% (Range)	CAS #
Calcium oxide	5	2	0-35	1305-78-8
Iron oxide <sup>b</sup>	10 <sup>c</sup>	5	0-35	1309-37-1
Zinc <sup>d</sup>	5	5	0-25	1314-13-2
Silica dioxide	0.05 <sup>e, f</sup>	0.05 <sup>e, f</sup>	0-15	14464-46-1
Manganese <sup>g</sup>	1	1	5-10	7439-96-5
Magnesium <sup>h</sup>	10 <sup>c</sup> , 5 <sup>g</sup>	10	5-10	1309-48-4
Alumina	15 <sup>c</sup> , 5 <sup>g</sup>	10	0-5	1344-28-1
Chromium III <sup>h</sup>	0.05	0.05	0-5	7440-47-3
Phosphorus pentoxide	-	-	0-5	1314-56-3
Sulfur dioxide	5	5.2	0-5	7446-09-5
Calcium fluoride	-	1.6	0-5	-----
Fluorine	0.2	0.2	0-5	7782-41-4
Copper <sup>a</sup>	0.1	1.6	0-5	7440-50-8
Molybdenum <sup>t</sup>	5	5	0-5	7439-98-7
Tin <sup>u, v</sup>	0.1	0.1	0-5	7440-31-5
Vanadium <sup>w, x</sup>	0.05 <sup>i</sup>	0.05 <sup>i</sup>	0-5	1314-62-1
Cobalt <sup>a</sup>	0.05	0.05	0-5	7440-49-4
Titanium	10 <sup>c</sup> , 5 <sup>g</sup>	10	0-5	13463-67-7
Potassium	-	-	0-5	1310-58-3
Arsenic	0.01 <sup>h</sup>	0.2	0-5	7440-38-2
Barium	0.5	0.5	0-5	7440-39-3
Cadmium <sup>o</sup>	0.1	0.05 <sup>p</sup>	0-5	1306-19-0
Lead	0.05	0.15	0-5	7439-92-1
Tungsten <sup>q, r</sup>	1	1	0-5	-----
Mercury <sup>s</sup>	0.1 <sup>h</sup>	0.1	0-5	-----
Nickel	1	1	0-5	7440-02-0
Selenium	0.2	0.2	0-5	7782-49-2
Silver	0.01	0.01	0-5	7440-22-4

- Notes: (a) Elemental or oxide. Constituents are listed as elements unless significant differences exist for oxide in PEL and/or TLV.  
 (b) Fume, as Fe (k) Skin exposure may be possible  
 (c) Total particulate (l) Vanadium pentoxide, as V<sub>2</sub>O<sub>5</sub>  
 (d) Fume (m) Inorganic and elemental, as Co  
 (e) Respirable fraction  
 (f) Lowest PEL (n) Inorganic compounds  
 (g) Fume, as Mn (o) Cadmium oxide fume, as Cd  
 (h) Compounds, as Cr (p) Ceiling  
 (i) Soluble compounds  
 (j) Organic compounds

Many substances do not have a unique exposure limit. The absence of it does not lessen consideration for exposure risk. In the absence of specific information professional judgment may be required.

### III. PHYSICAL AND CHEMICAL CHARACTERISTICS

<u>Boiling Point:</u>	±5000 °F	<u>Melting Point:</u>	±2800 °F
<u>Vapor Pressure:</u> (mm Hg)	N/A	<u>Specific Gravity:</u> (H <sub>2</sub> O = 1)	0.8-5.5
<u>Vapor Density:</u> (Air = 1)	N/A	<u>Evaporation Rate:</u> (Butyl Acetate = 1)	N/A
<u>Solubility in Water:</u>	Insoluble		
<u>Appearance and Odor:</u>	Brown, odorless, granular or powder		

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### IV. PHYSICAL AND CHEMICAL HAZARDS

LEL: N/A    UEL: N/A

Flash Point: Not Flammable

Extinguishing Media: N/A

Special Fire Fighting Procedures: N/A

Unusual Fire and Explosion Hazards: N/A

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### V. REACTIVITY DATA

Stability: Stable

Conditions to Avoid: N/A

Incompatibility: Calcium hypochlorite, performic acid, finely divided aluminum, ethylene oxide and bromine pentafluoride.

Hazardous decomposition: Lead, cadmium and zinc boil off at high temperatures.

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### VI. HEALTH HAZARD DATA

Routes of Entry: Inhalation: Yes  
Skin: No  
Ingestion: Yes

Health Hazards:

Acute: Inhalation of fumes may result in metal fume fever, irritation to eyes, mucous membranes and respiratory system, pneumonia, bronchitis, sinusitis, laryngitis, chest pain, conjunctivitis, gingivitis, cardiopulmonary arrest. Skin exposure may result in dermatitis and skin lesions.

Chronic: Chronic bronchitis, chronic atrophic nasopharyngitis, pulmonary fibrosis, silicosis, insomnia, irritability, speech disorders, muscle incoordination, mucosal ulcerations, anemia, metallic taste, nausea, vomiting, weakness, headache, pallor, lead line on gums, chromitosis, anorexia, duodenal ulcer, colitis, reproductive effects.

Carcinogenic:

NTP: Arsenic, nickel, chromium, cadmium, crystalline silica  
IARC: Arsenic, nickel, chromium, lead, cadmium, crystalline silica  
OSHA: Arsenic

Signs and Symptoms of Exposure:

Nausea, tightness of chest, fever, cough, irritation of eyes, nose, and throat, metallic taste, photophobia, elevated blood lead level.

Medical Conditions Generally Aggravated by Exposure:

Respiratory diseases, allergic conditions.

Emergency and First Aid Procedures:

Eye or skin contact - flush with water.  
Inhalation - remove to fresh air.

VII. PRECAUTIONS FOR SAFE HANDLING AND USE

Steps To Be Taken In Case of Release or Spill:

Dust should be swept up or vacuumed and placed in suitable container. Prevent release to air, sinks, drains, sewers, or water runoff.

Waste Disposal Method:

Material is a RCRA hazardous waste K061. Must be manifested and containerized for shipment to waste treatment or disposal facility.

Precautions to be Taken in Handling and Storing:

Wear appropriate personnel protective equipment. Use good housekeeping to prevent accumulation.

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VIII. SPECIAL PROTECTION INFORMATION

Respiratory Protection: Dust/fume respirator

Local Exhaust: May be appropriate. Exhaust should be filtered to prevent release to air.

Protective Gloves: Disposable, impervious.

Eye Protection: ANSI specified safety glasses and/or dust monogoggles.

Other Protective Clothing or Equipment:

Impervious, disposable coveralls and rubber boots.

This document serves as a guideline for the safe handling of materials in compliance with SARA and OSHA. The information contained herein is the latest available on the subject. Bayou Steel Corporation assumes no responsibility, expresses no warranty and assumes no liability from the use of this information.

**70068 La Place, LA to Blainville, PQ: No Stops**

Miles: 1680.2 Time: 25:49

Practical Route, Borders Open

State	Route	Miles	Hours	Interchange	Leg Miles	Leg Hours	Total Miles	Total Hours
Origin: 70068 La Place, LA					0:00 (On-duty)	\$0.00		
LA	N US-51	3.0	0:04	I 10 X209, LA	3.0	0:04	3.0	0:04
LA	E I-10	21.4	0:23	+I- 10 I-610W, LA	24.4	0:26	24.4	0:26
LA	C I-1010	4.6	0:05	+I- 10 I-810E, LA	29.4	0:32	31.4	0:32
LA	E I-10	30.2	0:35	+I- 10 I- 12E, LA	58.6	1:06	58.6	1:06
LA	N I-59	11.5	0:11	LA/MS State Line	70.1	1:17	70.1	1:17
MS	N I-59	172.6	2:28	MS/AL State Line	242.7	3:45	242.7	3:45
AL	N I-59	106.2	1:31	+I- 20 I-459W, AL	348.9	5:16	348.9	5:16
AL	N I-459	33.4	0:29	+I- 59 I-459, AL	382.3	5:45	382.3	5:45
AL	N I-59	104.0	1:29	AL/GA State Line	486.3	7:14	486.3	7:14
GA	N I-59	19.2	0:16	+I- 24 I- 59, GA	505.5	7:30	505.5	7:30
GA	E I-24	2.8	0:02	GA/TN State Line	508.3	7:33	508.3	7:33
TN	E I-24	13.8	0:13	+I- 24 I- 75, TN	522.1	7:45	522.1	7:45
TN	N I-75	101.1	1:33	+I- 40 I- 75N, TN	623.2	9:19	623.2	9:19
TN	E I-40	36.6	0:37	+I- 40 I- 81, TN	659.8	9:56	659.8	9:56
TN	N I-81	75.8	1:10	TN/VA State Line	735.6	11:06	735.6	11:06
VA	N I-81	324.4	4:59	VA/WV State Line	1060.0	16:05	1060.0	16:05
WV	N I-81	26.0	0:24	WV/MD State Line	1086.0	16:29	1086.0	16:29
MD	N I-81	12.4	0:11	MD/PA State Line	1098.4	16:40	1098.4	16:40
PA	N I-81	174.7	2:41	I 81 X48, PA	1273.1	19:22	1273.1	19:22
PA	E PA-315	0.7	0:02	Patpk Ne X37, PA	1273.8	19:24	1273.8	19:24
PA	\$ N I-476	15.7	0:14	Patpk Ne X39, PA	1289.5	19:38	1289.5	19:38
PA	E ACCESS	0.2	0:00	I 81 X58, PA	1289.7	19:39	1289.7	19:39
PA	N I-81	40.7	0:38	PA/NY State Line	1330.4	20:16	1330.4	20:16
NY	N I-81	83.2	1:17	+I- 81 I-481S, NY	1413.6	21:33	1413.6	21:33
NY	N I-481	14.8	0:14	+I- 81 I-481N, NY	1428.4	21:47	1428.4	21:47
NY	N I-81	85.7	1:19	I 81 X50, NY	1514.1	23:06	1514.1	23:06
NY	\$ N I-81	1.1	0:01	I 81 X51, NY	1515.2	23:07	1515.2	23:07
NY	N I-81	3.8	0:04	+I- 81 INTBRD, NY	1519.0	23:10	1519.0	23:10
NY	N INTBRD	0.1	0:00	NY/ON State Line	1519.1	23:11	1519.1	23:11
ON	N ON-137	2.5	0:02	On401 X661, ON	1521.6	23:13	1521.6	23:13
ON	E ON-2	15.8	0:15	On401 X687, ON	1537.4	23:28	1537.4	23:28
ON	E ON-401	87.7	1:25	ON/PQ State Line	1625.1	24:53	1625.1	24:53
PQ	E PQ-20	18.2	0:18	Pq20 X29, PQ	1643.3	25:11	1643.3	25:11
PQ	N PQ-540	2.5	0:02	Trc40 X32, PQ	1645.8	25:13	1645.8	25:13
PQ	E TRC-40	17.7	0:18	Trc40 X60, PQ	1663.5	25:31	1663.5	25:31
PQ	W PQ-13	10.1	0:11	Pq640 X22, PQ	1673.6	25:42	1673.6	25:42
PQ	E PQ-640	2.5	0:02	Trc15 X21, PQ	1676.1	25:45	1676.1	25:45
PQ	W TRC-15	2.9	0:03	Trc15 X25, PQ	1679.0	25:47	1679.0	25:47
PQ	N Lcl-0	1.2	0:01	Blainville, PQ	1680.2	25:49	1680.2	25:49
Arrive Loaded								
Dest: Blainville, PQ					0:00 (On-duty)	\$0.00	1680.2	25:49



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 28, 1999

Chet M. Thompson, Esq.  
Collier, Shannon, Rill and Scott, PLLC  
3050 K Street, N.W.  
Suite 400  
Washington, D.C. 20007

Dear Mr. Thompson:

I refer to your October 8, 1999, letter on behalf of Bayou Steel Corporation requesting an exemption from the specific license requirement of 10 CFR 110.23(d) in regard to the export of less than 80 tons of electric arc furnace (EAF) dust contaminated with cesium-137 to Stablex Canada, Inc. for treatment and disposal at their facility in Quebec. You cited as a possible precedent for such an exemption, a case earlier this year (my letter of May 25, 1999) allowing Inmetco to export cesium-137 contaminated bag dust to Stablex Canada, Inc. under the 10 CFR 110.23 general license.

I do not support an exemption in the current case. In contrast to the case you cited, the contamination of the EAF dust occurred and originated in the U.S. rather than in Canada. Moreover, the level of contamination, while low, is higher than it was in the Inmetco case, and the degree and extent of official Canadian knowledge and acceptance of the proposed shipment is less apparent to us. These considerations, and possibly others, lead me to conclude that the specific licensing requirements of 10 CFR 110.23(d) are relevant and appropriate in the current case. These requirements will, for example, assure the NRC and other U.S. agencies that the shipment of the Bayou Steel Corporation's EAF materials for treatment and disposal in Canada is acceptable to the Canadian Government.

We note that you enclosed in your October 8 letter, an NRC Form 7 signed by an officer of the Bayou Steel Corporation. If Bayou Steel Corporation wishes to file this or a similar application with us, there is a \$5,600 application fee required under 10 CFR 170.31. I recommend that the applicant also include, as an attachment to the application, its correspondence with the Environmental Protection Agency, the information required in 10 CFR 110.32(f)(5), and any other information which may facilitate NRC's review of the proposal and the Department of State's consultation with the Government of Canada. Ms. Betty Wright, our Licensing Officer (phone 301-415-2342), would be pleased to answer questions about the application process.

Sincerely,

A handwritten signature in cursive script, reading "Ronald D. Hauber".

Ronald D. Hauber, Director  
Non-Proliferation, Exports and  
Multilateral Relations  
Office of International Programs

Collier, Shannon, Rill & Scott, PLLC

Attorneys-at-Law  
3050 K Street, N.W.  
Suite 400  
Washington, D.C. 20007

Chet M. Thompson  
(202) 342-8815  
Internet: cmt@colshan.com

Tel: (202) 342-8400  
Fax: (202) 342-8451

10 Barrack Street  
Level 12  
Sydney, NSW 2000, Australia  
Tel: 61-2-262-6700  
Fax: 61-2-262-3263

October 8, 1999

Mr. Ronald Hauber  
Director, Non-proliferation, Export, and Multilateral Relations  
Office of International Programs  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Export License Variance

Dear Mr. Hauber:

Per our telephone conversation yesterday, on behalf of Bayou Steel Corporation ("Bayou"), we are writing to request your assistance in obtaining a variance from the Nuclear Regulatory Commission's ("NRC's") export licensing requirements codified at 10 C.F.R. part 110. To facilitate your review, this letter briefly describes the material at issue and the manner in which we propose to export it to Stablex Canada, Inc. ("Stablex"), a Canadian facility fully licensed to receive and dispose of the material. We have also enclosed the following documents for your review:

- (1) an executed NRC Form 7;
- (2) the U.S. Environmental Protection Agency's ("EPA's") Acknowledgment of Consent for Export of the material to Stablex, dated October 6, 1999; and
- (3) a letter from you to me dated May 25, 1999 granting another company a permitting variance to ship the same type of material to Stablex.

Bayou Steel produces carbon steel products by melting scrap metal in an electric arc furnace ("EAF"). The EAF melting process generates dust that is captured and controlled by an emission control baghouse. The resulting dust ("EAF dust") is regulated by EPA as the hazardous waste K061 and must be disposed of at a permitted hazardous waste landfill or recycled by the high temperature metals recovery ("HTMR") process.

Bayou inadvertently melted a cesium-137 source that was buried within a load of scrap metal that was charged to the furnace. Like all EAF steel mills, Bayou uses state-of-the-art radiation detection equipment to monitor all incoming loads of scrap metal. Loads that trip an alarm are

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2000 JAN 24 PM 5:16



Mr. Ronald Hauber  
October 8, 1999  
Page 2

rejected and returned. However, as the NRC is aware, no matter how sophisticated, detectors are not guaranteed to detect all sources all of the time, especially those that are well-shielded or buried deep with a load of scrap metal. As a result of that inadvertent melting, Bayou is in the possession of approximately 80 tons of EAF dust that contains relatively low levels of cesium-137 (less than 1300 pCi/g).

The material is regulated as a "mixed waste" under U.S. law because it is both hazardous under the Resource Conservation and Recovery Act ("RCRA") and "radioactive." Under NRC regulations, any material that contains cesium-137 above background levels (*i.e.*, above two pCi/g) is considered radioactive. The material is not, however, radioactive under Canadian law.

Stablex has analyzed the waste and determined that it can accept, treat, and dispose of the wastestream pursuant to its Certificate of Operation. Before landfilling the material, Stablex has agreed to treat it to meet applicable U.S. land disposal restrictions ("LDR") treatment standards. As evidenced by the attached EPA Acknowledgment of Consent, Environment Canada and EPA have also reviewed and approved the shipment. The only remaining hurdle is NRC approval.

Thus, Bayou Steel hereby requests NRC to grant a licensing waiver for this one-time shipment. Bayou does not believe that this shipment, one to a company authorized and capable of safely handling the material, falls within the rubric of export transactions that NRC is attempting to regulate under 40 C.F.R. part 110 (*e.g.*, shipments to countries that cannot handle the waste, the proliferation of nuclear material, etc.). If authorized, the material would be sent directly to Stablex for treatment and disposal in an environmentally-sound manner. Given the relative simplicity of the proposed transaction, the low-levels of cesium-137 involved, and the fact that NRC recently granted a similar waiver (see attached letter), we believe that NRC's review should be fairly cursory. Bayou Steel has already incurred enormous expenses as a result of the inadvertent melting and is anxious to resolve this matter as expeditiously as possible.

Environment Canada and EPA have already approved this transaction. Bayou Steel needs only NRC's approval to initiate the shipment. To that end, we would greatly appreciate any assistance you can provide us on this matter and look forward to your response. If you have any questions, please call me at the above number:

Sincerely,



Chet M. Thompson  
Counsel to Bayou Steel Corporation

RECEIVED OIP  
JAN 24 PM 5:16

cc: Mr. Al Pulliam



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

October 6, 1999

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

EPA Notice No.: 558/99

MR. KENT D. PEASLEE  
BAYOU STEEL CORPORATION  
P.O. BOX 5000  
RIVER ROAD  
LAPLACE, LA 70069-1156  
EPA I.D. No.: LAD094919339

Dear MR. PEASLEE:

This is to acknowledge receipt of your notice, dated September 9, 1999, of intent to export hazardous waste to Canada as required by Title 40, Code of Federal Regulations, Part 262, Subpart E, Section 262.53 promulgated pursuant to the Resource Conservation and Recovery Act (RCRA). In accordance with the U.S.-Canada Bilateral Agreement on the Transboundary Movement of Hazardous Waste, the U.S. Environmental Protection Agency (EPA) forwarded your notice to the Government of Canada and Canada has no objection to your shipment(s) of hazardous waste.

This letter constitutes the EPA Acknowledgment of Consent for the export of the following hazardous waste as specified in your notice:

Waste Description: FLUE DUST/BAGHOUSE DUST. EPA Waste Code: K061. DOT Shipping Name: HAZARDOUS WASTE, SOLID, NOS; DOT Hazard Class: 9; DOT I.D. No.: NA3077. Total Volume to be Exported: 80 TONS. Estimated Frequency: 1 load per YEAR.

You may ship this waste to the following consignee:

STABLEX CANADA, INC.  
760 INDUSTRIAL BLVD.  
BLAINVILLE, QUEBEC  
CANADA J7C 3V4

Shipments may occur during the period from October 4, 1999 to October 1, 2000.

You are also reminded of the following special RCRA requirements for export shipments of hazardous waste. Specific details of these requirements are contained in Title 40 of the Code of Federal Regulations, Part 262, Subpart E.

1. If the major terms of the original notice of intent to export on which this consent is based should change, you must renotify EPA. Please send your renotification to: EPA, Office of Enforcement and Compliance Assurance (OECA), Office of Compliance (OC), (2222A), 401 M Street, S.W., Washington, D.C. 20460, with "ATTENTION: NOTIFICATION TO EXPORT" prominently displayed on the front of the envelope. (262.53(c))
2. The Uniform Hazardous Waste Manifest Form for each shipment must identify the point of departure from the United States in Item 15, Special Handling Instructions. (262.54(c))
3. The following statement must be added to the end of the first sentence of the certification set forth in Item 16 of the Uniform Hazardous Waste Manifest Form: "and conforms to the terms of the attached EPA Acknowledgment of Consent". (262.54(d))
4. A copy of this Acknowledgment of Consent must be attached to the U.S. hazardous waste manifest that accompanies each shipment of hazardous waste. (262.54(h))
5. You must provide the waste transporter with an additional copy of the U.S. hazardous waste manifest accompanying the shipment for delivery to a U.S. Customs official at the point the hazardous waste leaves the United States in accordance with 263.20(g)(4) and (262.54(i)).
6. You must file an exception report with the EPA, Office of Enforcement and Compliance Assurance (OECA), Office of Compliance, (2222A), 401 M Street, S.W., Washington, DC 20460, Attn: NOTIFICATION TO EXPORT, if you have not received a copy of the manifest signed by the transporter stating the date and place of departure from the U.S. within forty five (45) days from the date it was accepted by the initial transporter; if within ninety (90) days from the date the waste was accepted by the initial transporter, the primary exporter has not received written confirmation from the consignee that the hazardous waste was received; or if the waste is returned to the United States. (262.55).
7. You must file an annual report by March 1 of each year with the EPA, Office of Enforcement and Compliance Assurance (OECA), Office of Compliance (2222A), 401 M Street, S.W., Washington, DC 20460, Attn: NOTIFICATION TO EXPORT, summarizing all hazardous waste shipments exported during the previous calendar year. The report must include all items listed in 262.56.

All shipments of hazardous waste must conform to all applicable State and Federal hazardous waste regulations and transportation requirements as well as these specific export requirements.

Any questions you may have concerning this Acknowledgment of Consent or other export requirements may be directed to Mr. Scott Nelson (Phone 202/564-5032), or Mr. Bob Small (Phone 202/564-5043), EPA, Office of Enforcement and Compliance Assurance.

Sincerely,

*Scott D. Nelson / 102*

Robert G. Heiss  
Director  
Import-Export Program  
Enforcement, Planning, Targeting and  
Data Division  
Office of Compliance (2222A)



Environment Canada / Environnement Canada

Ottawa, Ontario  
K1A 0H3

04 Oct 1999

WRITTEN CONFIRMATION  
(IMPORTATION)

Patricia Roy  
Stablex Inc.  
760 Industrial Blvd.  
Blainville, Quebec  
Canada J7C 3V4

RE: File Number: 99-558IMP4342

STABLEX CANADA

This is to confirm that this office has received your notice in Form 1 of Schedule II, which was submitted pursuant to the Export and Import of Hazardous Wastes Regulations (EIHWR), under the Canadian Environmental Protection Act (CEPA). The documentation has been reviewed by our office.

This letter provides the WRITTEN CONFIRMATION from the Chief of the Transboundary Movement Division as set out in the EIHWR, concerning your company's proposed import of hazardous wastes to Canada.

This WRITTEN CONFIRMATION is valid for the period of 04 Oct 1999 to 01 Oct 2000.

Waste Description for 1 Waste(s)

01) 01) - Q08//D09//S21//C07+18//H11.0//A211  
CEPA ID. #: CR1001  
PIN #: NA9380 Packing Group: III  
Class: 9.3 Notice #: 100610 Qty: 80,000 KG

**From:**

Bayou Steel Corporation  
138 Highway 3217, P.o.box 5000  
La Palace, LA  
United States of America 70068

**To:**

Stablex Inc.  
760 Industrial Blvd.  
Blainville, PQ  
CA J7C 3V4

Clean Harbors Environmental Services  
Freehold Cartage  
John Pfrommer  
S.J. Trucking  
United Industrial Services

**15 Carrier(s)**  
Dart Trucking  
Harold Marcus Ltd.  
Page ETC  
Sani-Mobile Environmental Inc.  
Waste Management of Connecticut, Inc.

Franklin Environmental Services Inc.  
Horwith Trucking  
Rollex  
Tri-State Motor Transit Co.  
Wills Trucking, Inc.

**10 Border Crossing(s)**

Lansdowne / Alexandria Bay  
Fort Erie / Buffalo  
Sarnia / Port Huron  
Philipsburg / Highgate  
Niagara Falls / Niagara Falls : 0+942

Lacolle / Champlain  
Queenston / Lewiston  
Windsor / Detroit  
Cornwall / Massena  
Rock Island / Derby Line

Please take note that it is your responsibility to ensure that the foreign generator, the carrier(s), and yourself are duly registered, approved or authorized, as the case may be, for the waste stream(s) listed above as per the legislative requirements in the province(s) involved with this transboundary movement, before the waste(s) is imported.

Please be advised that a copy of this WRITTEN CONFIRMATION must accompany every shipment along with all other required attachments (notice form and manifest). Furthermore, a copy of this WRITTEN CONFIRMATION and the attachments named above must be deposited at the Canadian Customs Office, where the hazardous waste is required to be reported upon entry, and Section 95 of that Act upon exit.

For all shipments for which this WRITTEN CONFIRMATION is being issued, you and the carrier or carriers of the hazardous wastes must be insured in accordance with section 9 or 14 of the EIHWR under CEPA. In the event that the current policy, or the one(s) of the carrier(s) expire(s) during the date period for which this WRITTEN CONFIRMATION is issued, you must submit immediately to this office a copy of the insurance renewal or a copy of the documentation to certify the issuance of a new policy.

We wish to remind you that the export or import of the hazardous wastes, in violation of the EIHWR, may be prosecuted as offences under paragraph 113(j) and section 116 of CEPA.

Should you require any clarification concerning this letter, contact Manon Pellerin by telephone at 819-953-1116 or by facsimile at (819) 953-0508.

Yours sincerely;



John Myslicki, P.Eng.  
Chief  
Transboundary Movement Division  
Environmental Protection Service  
Tel: (819) 953-1390  
Fax: (819) 997-3068  
e-mail: john.myslicki@ec.gc.ca

STAPLER CHARGE

File Name: 92771050.300

For proposed export or import of hazardous wastes, where Canada is not a country of transit, pursuant to subsection 43(3) of the Canadian Environmental Protection Act / Aux fins d'exportation ou d'importation de déchets dangereux, lorsque le Canada n'est pas un pays de transit, conformément au paragraphe 43(3) de la Loi canadienne sur la protection de l'environnement

Indicate the option that applies to your export or import. / Indiquez l'option qui s'applique à l'exportation ou l'importation visée.

- Disposal, Part II / Élimination, partie II  
 Recycling, Part III, Division A / Recyclage, partie III, section A  
 Recycling, Part III, Division B / Recyclage, partie III, section B  
 Pre-approved Facility / Installation approuvée au préalable  
 Recycling, Part III, Division B, subsection 16(3) or 17(3) / Recyclage, partie III, section B, paragraphe 16(3) ou 17(3)

<b>EXPORTER OR FOREIGN GENERATOR</b> EXPORTATEUR OU PRODUCTEUR ÉTRANGER		<b>3 FOREIGN RECEIVER OR IMPORTER</b> DESTINATAIRE ÉTRANGER OU IMPORTATEUR	
No. from Province or Country: N° d'identification provincial ou national: <b>LAD094919339</b>		Licence or Permit No: N° de licence ou de permis: <b>1143649946</b>	
Name: Nom: <b>BAYOU STEEL CORPORATION</b>		Name: Nom: <b>STABLEX CANADA INC.</b>	
Address: Adresse: <b>138 HIGHWAY 3217 P.O. BOX 5000 LA PLACE, LA. 70068</b>		Address: Adresse: <b>760 BOUL. INDUSTRIEL BLAINVILLE, QUEBEC J7C 3V4</b>	
Shipping Site Address: Adresse du site d'envoi: <b>SAME</b>		Receiving Site Address: Adresse du site de réception: <b>SAME</b>	
Tel No: N° de tél.: <b>504 652-0409</b>		Tel No: N° de tél.: <b>450 430-9230</b>	
Fax No: N° de téléc.: <b>504 652-0373</b>		Fax No: N° de téléc.: <b>450 430-4642</b>	
<b>CARRIER</b> TRANSPORTEUR		<b>5 FINAL DESTINATION</b> (IF OPERATION D13, D14, R, I OR R13, OR IF THE IMPORTER IS NOT THE RECYCLER OF THE HAZARDOUS WASTE IN CANADA) DESTINATION FINALE (DANS LE CAS DES OPÉRATIONS D13, D14, R12 OU R13 OÙ DANS LE CAS OÙ L'IMPORTATEUR N'EST PAS LE RECYCLEUR DES DÉCHETS DANGEREUX AU CANADA)	
Licence or Permit No: de licence ou de permis:		Licence or Permit No: N° de licence ou de permis:	
Name: Nom: <b>SEE ATTACHED ANNEX I</b>		Name: Nom:	
Address: Adresse: <b>SEE ATTACHED ANNEX I</b>		Address: Adresse:	
Mode of Transport: Mode de transport: <input checked="" type="checkbox"/> Road / Route <input type="checkbox"/> Rail / Rail <input type="checkbox"/> Marine / Mer <input type="checkbox"/> Air / Air		Receiving Site Address: Adresse du site de réception:	
If other carriers, attach a list. / S'il y a d'autres transporteurs, annexe une liste. <input checked="" type="checkbox"/> Attached / ci-joint		<b>N/A</b>	
Tel No: N° de tél.:		Tel No: N° de tél.:	
Fax No: N° de téléc.:		Fax No: N° de téléc.:	

**SHIPPING DETAILS - DÉTAILS SUR LES ENVOIS**

NUMBER OF EXPORTS OR IMPORTS: NOMBRE D'EXPORTATIONS OU D'IMPORTATIONS: <b>1</b>		<b>7</b> CUSTOMS OFFICES: BUREAUX DE DOUANE:		Attached ci-jointe: <input checked="" type="checkbox"/>	
FIRST EXPORT OR IMPORT PREMIÈRE EXPORTATION OU IMPORTATION:		Departure: Départ: <b>9-9 1 Mo 2-3</b>	Arrival: Arrivée: <b>9-9 1 Mo 2-3</b>		
TRANSIT COUNTRY(IES) PAYS DE TRANSIT: <b>N/A</b>		Length of Stay: Durée du transit:		Attached ci-jointe: <input type="checkbox"/>	
HAZARDOUS WASTE INFORMATION RENSEIGNEMENTS SUR LES DÉCHETS DANGEREUX		(b) ID No. set out in Schedule III: N° d'identification donné à l'annexe III: <b>CR1001</b>	(c) TDGR PIN: NIP du RTMD: <b>NA9380</b>	(d) Class: Classe: <b>9.3</b>	(e) Quantity of Each Waste: Quantité par déchet: <b>80,000 kg</b>
(a) International Waste Identification Code: Code international d'identification des déchets: <b>QB//D9//S21//C7+C18//H11//R211 SEE ATTACHED ANNEX I 004658</b>		(f) Packing Group: Groupe d'emballage: <b>III</b>		(g) Packaging Type: Type d'emballage: <b>01, 02, 03, 04, 05, 06, 07</b>	



kg  
 L

11 SPECIAL HANDLING INSTRUCTIONS:  
INSTRUCTIONS DE MANUTENTION PARTICULIÈRES :

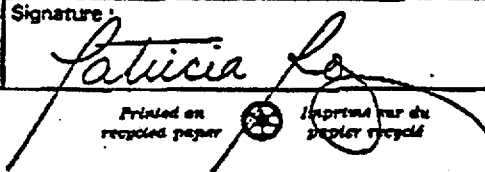
Attached  
ci-jointe

12 UNDERTAKING OF EXPORTER • ENGAGEMENT DE L'EXPORTATEUR

I undertake, where Canada is not a country of transit, under the circumstances set out in subsection 19(1) of the *Export and Import of Hazardous Wastes Regulations*, to make other arrangements or return the hazardous waste as provided in section 19 of those Regulations.  
Je m'engage, lorsque le Canada n'est pas un pays de transit, dans les circonstances visées au paragraphe 19(1) du *Règlement sur l'exportation et l'importation des déchets dangereux*, à prendre d'autres arrangements ou à renvoyer les déchets dangereux conformément à l'article 19 du règlement.

Name: Nom :	Signature :	Date :
----------------	-------------	--------

13 CERTIFICATION OF EXPORTER OR IMPORTER:  
ATTESTATION DE L'EXPORTATEUR OU DE L'IMPORTATEUR :  
I declare that I have personal knowledge of the information in this notice and that it is correct.  
Je déclare avoir pris connaissance des renseignements contenus dans le présent avis et l'atteste sur les faits exacts.

Name: Nom : PATRICIA ROY	Signature : 	Date : 99/09/22	Tel No: N° de tél : ( ) 450 430-9230
--------------------------------	---	--------------------	--

04-2621 (9409)

Printed on recycled paper  Imprimé sur du papier recyclé

COPY 1 (WHITE) CHIEF-ENVIRONMENT CANADA  
COPY 1 (BLANCHE) CHEF-ENVIRONNEMENT CANADA

NOTIFICATION : 100610  
 GENERATOR : BAYOU STEEL CORPORATION

CUSTOMS OFFICES : CORNWALL, ON  
 FORT ERIE, ON  
 LACOLLE, QC  
 LANDSDOWNE, ON  
 NIAGARA FALLS, ON  
 PHILLIPSBURG, QC  
 QUEENSTON, ON  
 ROCK ISLAND, QC  
 SARNIA, ON  
 WINDSOR, ON

CLEAN HARBORS ENV. SERVICES  
 1200 CROWN COLONY DRIVE

QUINCY, MA  
 02269-9137  
 TEL: 617 849-1800  
 FAX: 617 786-9716  
 EPA: MAD039322250

DART TRUCKING  
 61 RAILROAD STREET

CANFIELD, OH  
 44406  
 TEL: 330 533-9841  
 FAX: 330 533-9835  
 EPA: OHD009865825

FRANKLIN ENVIRONM. SERVICES  
 185 INDUSTRIAL ROAD  
 P.O. BOX 617  
 WRENTHAM, MA  
 02093  
 TEL: 508 384-6151  
 FAX: 508 384-6028  
 EPA: MAD084814136

FREEHOLD CARTAGE INC.  
 HIGHWAY 33 EAST  
 P.O. BOX 4629  
 FREEHOLD, NJ  
 07728

TEL: 732 462-1001  
 FAX: 732 308-0924  
 EPA: NJD054126164

HAROLD MARCUS LIMITED

R.R. #3  
 314842 STABLEM CANA

BOTHWELL, ONT  
 N0P 1C0  
 TEL: 519 695-3734  
 FAX: 519 695-2249  
 EPA: MIT270012321

HORWITH TRUCKING INC.

ROUTE 329  
 P.O. BOX 7  
 NORHAMPTON, PA  
 18067  
 TEL: 610 261-2220  
 FAX: 610 261-2879  
 EPA: PAD146714878

JOHN PFROMMER INC.  
 1320 BENJAMIN FRANKLIN  
 HIGHWAY EAST  
 DOUGLASSVILLE, PA  
 19518

TEL: 610 385-3051  
 FAX: 610 385-7040  
 EPA: PAD008781072

PAGE E.T.C. INC.  
 2758 TROMBLEY ROAD  
 P.O. BOX 1290  
 WEEDSPORT, NY  
 13166

TEL: 800 233-2126  
 FAX: 315 834-6274  
 EPA: NYD986969947

S.J. TRANSPORTATION

P.O. BOX 169  
 US ROUTE 40  
 WOODSTOWN, NJ  
 08098  
 TEL: 609 769-2741  
 FAX: 609 769-4248  
 EPA: NJD071629976

ANI MOBILE ENVIRONNEMENT INC.  
 887, RUE GRENACHE

NJOU, QC  
 1J 1C4  
 EL: 514 351-7264  
 AX: 514 351-7222  
 PA: NYO000260828

TRANSPORT ROLLEX LIMITEE  
 910, BOUL. LIONEL-BOULET

VARENNES, QC  
 J3X 1T6  
 TEL: 450 652-4282  
 FAX: 450 652-3038  
 EPA: NYF006000053

TRI-STATE MOTOR TRANSIT, CO.

EAST 7TH STREET  
 P.O. BOX 113  
 JOPLIN, MO  
 64802  
 TEL: 800 568-7476  
 FAX: 417 624-8489  
 EPA: MOD95038998

NITED INDUSTRIAL SERVICES  
 IV. OF UNITED OIL RECOVERY  
 4-16, WEST MAIN STREET

ERIDEN, CT  
 6457-4158  
 EL: 203 238-6745  
 AX: 203 238-6772  
 PA: CTD021816889

WASTE MANAGEMENT OF CT, INC.  
 209 PICKERING STREET

PORTLAND, CT  
 06480  
 TEL: 860 342-0667  
 FAX: 860 342-4819  
 EPA: CTD983896341

WILLS TRUCKING INC.  
 3185 COLUMBIA ROAD

RICHFIELD, OH  
 44286  
 TEL: 330 659-9381  
 FAX: 330 659-9269  
 EPA: OHD068913409

EMERGENCY RESPONSE PLAN: ERP 2-0493

IN CASE OF EMERGENCY CALL: 1-800-782-2539

SPECIAL HANDLING INSTRUCTIONS: Wear Protective Hands and Face Equipment

ADDITIONAL WASTE DESCRIPTION

WASTE STREAM #7 (03S NEUTRAL SOLID)

WASTE TYPE 80  
 NA9380, 9.3, III



## BAYOU STEEL CORPORATION

September 9, 1999

USEPA  
c/o Mr. Bob Small  
Office of Enforcement and Compliance  
Office of Compliance (2222A)  
401 M Street, SW  
Washington, DC 20460

Dear Mr. Small

Enclosed is a Notification of Intent (NOI) to export hazardous waste to Canada from the United States. A copy of the NOI will be delivered to all appropriate Quebec and Canada authorities by Stablex Canada Inc.

If you have any questions about this NOI please do not hesitate to call me at 504-652-0409.

Sincerely

Al Pulliam  
Manager, Environment  
Health & Safety

NOTIFICATION OF EXPORT HAZARDOUS WASTE FROM U.S.A. TO CANADA

Date: \_\_\_\_\_ EPA Notification No. (EPA Use Only): \_\_\_\_\_ Renewal: ( )

PRIMARY EXPORTER (CONSIGNOR)

Name: BAYOU STEEL CORPORATION

MAILING ADDRESS SHIPPING ADDRESS (if different)

STREET:  
P.O. BOX 8000  
LA PLACH LA  
70060

Phone: (504) 652-0409 Fax: (504) 652-0373  
EPA ID No.: LAD094912133  
CONTACT: AL PULLIAM

Signature: 

CONSIGNEE

Name: STABLEX CANADA INC.  
Address: 769 Industrial Blvd.  
Blainville (Quebec) CANADA  
J7C 3V4

Phone: (450) 430-9230 Fax: (450) 430-4642  
EPA ID No.: NYD980756415

CARRIERS See Attached Annex I

WASTE INFORMATION

General Description of Waste: FLUE DUST / BAGHOUSE DUST  
Stablax Code Number: 004658 WASTE STREAM #7 (03S NEUTRAL SOLID)

U.S.A. TECHNICAL DESCRIPTION  
(DOT Proper Shipping Name, Hazard Class, ID Code,  
Packing Group, Waste Number)

CANADA TECHNICAL DESCRIPTION  
(TDG Shipping Name, Classification, PIN Number,  
Packing Group)

NO HAZARDOUS WASTE, SOLID, N.O.S. (EAF DUST)  
9 NA3077 III X061

WASTE TYPE 80  
9.3 NA3380 III

SHIPPING INFORMATION

Frequency of Shipments: 1 per ( ) month, ( ) quarter, ( ) year

Total Volume for next 12 months: 80 Units: ( ) tons, ( ) US gal., ( ) pounds, ( ) cubic yard

Expected Date of First Shipment: 12/1/99 Mode of Transportation: ( ) Road ( ) Rail

Container type:

(X) Bulk Tanker Truck, (X) Drum  
(X) Bulk Dumper Trailer, (X) Ton Sae  
(X) Roll-on/Roll-off container, (X) Other

U.S.A. Container Type Code: CM

TDG Packaging Type Code: I III

METHOD OF TREATMENT OR DISPOSAL

Chemical de-activation, insolubilization, physicochemical stabilization,  
physical solidification after placement in secure cells.

TRANSIT INFORMATION

Entry to Canada	Exit from United States	Entry to Canada	Exit from United States
Lacolle, QC	Champlain, NY	Niagara Falls, ON	Niagara Falls, NY
Landsdowne, ON	Alexandria Bay, NY	Sarnia, ON	Port Huron, MI
Rock Island, QC	Derby Line, VT	Windsor, ON	Detroit, MI
Phillipsburg, QC	Swanton, VT	Fort Erie, ON	Buffalo, NY
Cornwall, ON	Massena, NY	Queenston, ON	Lewiston, NY

Please forward original to:  
USEPA, c/o: Bob Small  
Office of Enforcement and Compliance  
Office Compliance (2222A)  
401 M Street, SW  
Washington, DC 20460

Please forward a copy to:  
STABLEX CANADA INC.  
c/o Customer Service Agent  
760 Industrial Blvd.  
Blainville (Quebec)  
J7C 3V4

Trans: 005691  
Bill: 99/09/09

**ANNEX I - CARRIER'S LIST FOR ALL**

**NOTIFICATION OF INTENT TO EXPORT HAZARDOUS WASTE FROM U.S.A. TO CANADA**

**CLEAN HARBORS  
ENVIRONMENTAL SERVICES,  
INC.**  
Transportation Compliance  
1200 Crown Colony  
Quincy, MA 02184  
Tel.: 617-849-1800  
Fax: 617-786-9716  
EPA: MAD039322250

**DART TRUCKING CO., INC.**  
61 Railroad Street  
Canfield, OH 44406  
Tel.: 216-533-9841  
Fax: 216-533-9835  
EPA: OHD009865825

**FRANKLIN ENVIRONMENTAL  
SERVICES, INC.**  
185 Industrial Road  
P.O. Box 617  
Wrentham, MA 02093  
Tel.: 508-384-6131  
Fax: 508-384-6028  
EPA: MAD084814136

**FREEHOLD CARTAGE INC.**  
Highway 33 East  
P.O. Box 4629  
Freehold, NJ 07728  
Tel.: 908-462-1001  
Fax: 908-308-0924  
EPA: NJD054126164

**HAROLD MARCUS LIMITED**  
R.R. # 3  
Bothwell, ON  
N0P 1C0  
Tel.: 519-695-3734  
Fax: 519-695-2249  
EPA: MIT270012321

**HORWITH TRUCKING INC.**  
Route 329  
P.O. Box 7  
Northampton, PA 18067  
Tel.: 610-261-2220  
Fax: 610-261-2879  
EPA: PAD146714878

**JOHN PFROMMER, INC.**  
1320 Benjamin Franklin Highway  
East  
Douglassville, PA 19518  
Tel.: 610-385-3051  
Fax: 610-385-7040  
EPA: PAD008781072

**PAGE E.T.C., INC.**  
2758 Trombley Road  
P.O. Box 1290  
Weedsport, NY 13166  
Tel.: 800-233-2126  
Fax: 315-834-6274  
EPA: NYD986969947

**S.J. TRANSPORTATION CO.**  
U.S. Route 40  
P.O. Box 169  
Woodstown, NJ 08098  
Tel.: 609-769-2741  
Fax: 609-769-4248  
EPA: NJD071629976

**SANI MOBILE ENVIRONNEMENT  
INC.**  
(formally Services Sanitaires  
Blainville)  
7887. rue Grenache  
Anjou, QC  
H1J 1C4  
Tel.: 514-351-7264  
Fax: 514-351-7222  
EPA: NYD000260828

**TRANSPORT ROLLEX LTÉE**  
910 Lionel-Boulet Blvd  
Varenes, QC  
J3X 1T6  
Tel.: 450-652-4282  
Fax: 450-652-3038  
EPA: NYF006000053

**TRI STATE MOTOR TRANSIT CO.**  
P.O. Box 113  
Joplin, MO 64802  
Tel.: 1-800-568-7476  
Fax: 417-624-8489  
EPA: MOD095038998

**UNITED INDUSTRIAL SERVICES**  
(formally Sealand Env.Serv.)  
14-16 West Main Street  
Meriden, CT 06457-4158  
Tel.: 203-238-6745  
Fax: 203-238-6772  
EPA: CTD021816889

**WASTE MANAGEMENT OF  
CONNECTICUT, INC.**  
(formally Logano Transp. Cie  
and USA Waste of CT, Inc.)  
209 Pickering Street  
Portland, CT 06480  
Tel.: 860-342-0667  
Fax: 860-342-4817  
EPA: CTD983896341

**WILLS TRUCKING, INC.**  
3185 Columbia Road  
Richfield, OH 44286  
Tel.: 330-659-9381  
Fax: 330-659-9269  
EPA: OHD069913409

**ADDITIONAL CARRIER**

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**ADDITIONAL CARRIER**

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99/05/17



Collier, Shannon, Rill & Scott, PLLC

Attorneys-at-Law  
3050 K Street, N.W.  
Suite 400  
Washington, D.C. 20007

Chet M. Thompson  
(202) 842-8815  
Internet: cmt@colshan.com

Tel.: (202) 842-8400  
Fax: (202) 842-8451

10 Barrack Street  
Level 12  
Sydney, NSW 2000, Australia  
Tel: 61-2-262-6700  
Fax: 61-2-262-8268

(202) 342-8815

February 22, 2000

XW004  
11005189

Ms. Betty Wright  
Licensing Officer  
Office of International Programs  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Re: Bayou Steel Export License Application

Dear Ms. Wright:

Last week, you requested that I provide you with an estimate of the total quantity of cesium-137 contained in the 70.73 tons of electric arc furnace dust at issue in Bayou Steel Corporation's export license application. Based on some rough calculations, we estimate the total quantity of cesium-137 in the dust to be approximately 0.0096 grams or 9.6 milligrams. I would be happy to provide you with our calculations if you deem it necessary.

I hope this helps. Let me know if you need additional information.

Sincerely,



Chet M. Thompson  
Counsel to Bayou Steel Corporation

cc: Mr. Al Pulliam

RECEIVED OIP  
200 FEB 25 AM 9:40

**Environmental Impacts of the Proposed Action**

The NRC has completed its evaluation of the proposed action and concludes that the exemption will not endanger life or property and is otherwise in the public interest.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not involve any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

**Alternatives to the Proposed Action**

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

**Alternative Use of Resources**

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the Monticello Nuclear Generating Plant.

**Agencies and Persons Consulted**

In accordance with its stated policy, on February 9, 2000, the staff consulted with the Minnesota State official, Ms. J. Peterson of the Department of Commerce, regarding the environmental impact of the proposed action. The State official had no comments.

**Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated January 19, 2000, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC. Publicly available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Electronic Reading Room).

For the Nuclear Regulatory Commission:

**NRC EXPORT LICENSE APPLICATION**

Dated at Rockville, Maryland, this 10th day of February, 2000.

Carl F. Lyon,

Project Manager, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 00-3628 Filed 2-15-00; 8:45 am]

BILLING CODE 7590-01-P

**NUCLEAR REGULATORY COMMISSION****Application for a License To Export Radioactive Waste**

Pursuant to 10 CFR 110.70(c) "Public notice of receipt of an application", please take notice that the Nuclear Regulatory Commission has received the following application for an export license. Copies of the application are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link <http://www.nrc.gov/NRC/ADAMS/index.html> at the NRC Homepage.

A request for a hearing or petition for leave to intervene may be filed within 30 days after publication of this notice in the Federal Register. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington DC 20555; the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555; and the Executive Secretary, U.S. Department of State, Washington, DC 20520.

The information concerning the application follows.

Name of applicant, date of application, date received, application number	Description of material			Country of destination
	Material type	Total qty	End use	
Bayou Steel Corp., October 6, 1999, January 24, 2000, XW004.	Radioactive waste Class A mixed hazardous waste.	70.73 tons of arc furnace dust containing <1300 pCi/g Cesium-137.	For disposal at Stablex Canada, Inc.	Canada.

For the Nuclear Regulatory Commission:

Dated this 10th day of February, 2000 at Rockville, Maryland.

Ronald D. Hauber,

Deputy Director, Office of International Programs.

[FR Doc. 00-3629 Filed 2-15-00; 8:45 am]

BILLING CODE 7590-01-P

**NUCLEAR REGULATORY COMMISSION****Sunshine Act Meeting**

AGENCY HOLDING THE MEETING: Nuclear Regulatory Commission.

DATES: Weeks of February 13, 21, 28, and March 6, 2000.

PLACE: Commissioner's Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

**MATTERS TO BE CONSIDERED:****Week of February 14**

There are no meetings scheduled for the Week of February 14.

**Week of February 21—Tentative****Tuesday, February 22**

9:00 a.m. Briefing on Threat Environment Assessment (Closed-Ex. 1)

11:00 a.m. Briefing by the Executive Branch (Closed-Ex. 1) Wednesday, February 23

8:55 a.m. Affirmation Session (Public Meeting) (if needed)

9:00 a.m. Briefing on Status of Spent Fuel

**UNITED STATES**  
**NUCLEAR REGULATORY COMMISSION**  
**APPLICATION FOR A LICENSE TO EXPORT**  
**RADIOACTIVE WASTE**

Pursuant to 10 CFR 110.70(b)(4) "Public notice of receipt of an application", please take notice that the Nuclear Regulatory Commission has received the following application for an export license. Copies of the application are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link <http://www.nrc.gov/NRC/ADAMS/index.html> at the NRC Homepage.

A request for a hearing or petition for leave to intervene may be filed within 30 days after publication of this notice in the Federal Register. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington D.C. 20555; the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555; and the Executive Secretary, U.S. Department of State, Washington, D.C. 20520.

The information concerning the application follows.



**NRC EXPORT LICENSE APPLICATION**

Name of Applicant Date of Application	Description of Material			Country of Destination
	Date Received Application Number	Material Type	Total Qty	
Bayou Steel Corp.  October 6, 1999 January 24, 2000  XW004	Radioactive waste Class A mixed hazardous waste	70.73 tons of arc furnace dust containing (1300 pCi/g Cesium-137	For disposal at Stablex Canada, Inc.	Canada

FOR THE NUCLEAR REGULATORY COMMISSION

*Ronald D. Hauber*

Ronald D. Hauber, Deputy Director  
Office of International Programs

Dated this <sup>15<sup>th</sup></sup> day of February 2000  
at Rockville, Maryland