



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

May 16, 2022

MEMORANDUM: NOTE-TO-FILE

FROM: Harry Felsher, Sr. Project Manager  
Low-Level Waste and Projects Branch  
Division of Decommissioning, Uranium Recovery  
and Waste Programs

A handwritten signature in blue ink that reads "Harry Felsher".

Signed by Felsher, Harry  
on 05/16/22

SUBJECT: SUMMARY OF APRIL 21, 2022, PRE-SUBMITTAL INTERACTION  
WITH WASTE CONTROL SPECIALISTS (CAC NO. 001542 /  
DOCKET NO. 07007005 / EPID NO. L-2022-LRM-0034)

On April 21, 2022, the U.S. Nuclear Regulatory Commission (NRC) held the first Pre-Submittal Interaction Call with Waste Control Specialists LLC (WCS) regarding the expected future WCS submittal to request a superseding NRC Order for Special Nuclear Material (SNM). As the regulator of the WCS Site, the State of Texas was invited to and did participate in this call. The WCS request for pre-submittal interactions is available in the NRC's Agencywide Documents Access and Management System under Accession No. ML22104A048.

The NRC provided high-level information regarding the NRC review process, including that the NRC will perform a safety review and a separate environmental review pursuant to The National Environmental Policy Act. The NRC indicated that a high-quality submittal would include appropriate information regarding technical topics such as: nuclear criticality safety, physical security, and radiation protection. The NRC indicated that if a technical topic is not applicable, then WCS should include it and provide the reason(s) why it is not applicable.

For the NRC environmental review of the WCS submittal, the NRC indicated the need for WCS to provide the specific actions that WCS would need to take to: (1) access the LANL Waste in its current location, (2) move the LANL Waste from the current location to the new location, (3) perform the activities with the LANL Waste at the new location, and (4) store the LANL Waste at that new location. This would include the personnel and equipment needed for those actions, the precautions needed for safe and secure movement of the LANL Waste (e.g., enforced speed limits, restricted access along the movement route), and monitoring throughout those actions. WCS indicated that they would address those in the submittal.

The NRC provided an overview of how the new WCS activities are expected to fit under current NRC Order for SNM Condition 8, including: (1) new 8.C. would be for "Moving" activities, (2) new 8.D would be for "Preparing for Shipment" activities, and (3) current 8.B. would be used as is or modified for "Temporarily Storing" activities until the U.S. Department of Energy (DOE)

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shipped the LANL Waste off the WCS Site. The NRC indicated that it would be very helpful if WCS provided draft versions of those new or modified Order Conditions in the submittal.

WCS indicated that they would submit the request to the NRC sometime in June 2022 and expected NRC approval of the submittal by December 2022. The NRC indicated that the WCS-expected schedule fit the NRC-expected 6-month review time for this type of request with a high-quality submittal.

WCS indicated that the submittal would not include "Prepare for Shipment" activities. Through discussions, the NRC and WCS determined that they were each using the phrase "Prepare for Shipment" activities differently. The NRC was using the phrase "Prepare for Shipment" activities, as it has been used since 2017 during the Quarterly DOE-led Integrated Project Team (e.g., DOE, WCS, NRC, Texas) Meetings, to include both the change-out of the filters in the Standard Waste Boxes (SWBs) containing the LANL Waste and the head-gas sampling of those SWBs. WCS was including the change-out of the filters in the SWBs as part of the "Moving" activities. WCS was using the phrase "Prepare for Shipment" activities to include head-gas sampling of those SWBs because it was unclear at this time: (1) if head-gas sampling will be needed if the DOE removes the code on the LANL Waste prior to the DOE shipping the LANL Waste off the WCS Site, and (2) how the head-gas sampling would be performed because it is not part of the normal "Prepare for Shipment" activities on the WCS Site under the current State of Texas Radioactive Material License (RML) to WCS.

WCS indicated that, as part of the submittal, they planned on providing the NRC a Technical Justification, Draft Conditions, Draft Documented Safety Analysis, Project Plan, and supporting Procedures and Work Instructions. WCS indicated they would need to communicate with the DOE regarding some of the unknowns associated with the submittal. In accordance with current State of Texas RML to WCS, any new or revised procedures for moving the LANL Waste will be submitted to the State of Texas for review and approval prior to WCS moving the LANL Waste.

Both the NRC and WCS expect to have additional pre-submittal interactions related to this future WCS Request and the NRC will continue to invite the State of Texas to participate in those pre-submittal interactions.

Summary of April 21, 2022, NRC/WCS Pre-Submittal Interaction Call DATE May 16, 2022

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| NAME   | HFelsher <i>HF</i> | HFelsher <i>HF</i> |  |  |
| DATE   | May 16, 2022       | May 16, 2022       |  |  |

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