

Our ref: BR/06/TFS/2006/003

Your ref:

Date: 1 August 2006

Mr John Hayess
Mailstop T-8F5
US N.R.C
Washington DC
20555
United States of America

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Dear Jack,

**PROPOSED EXPORT OF RADIOACTIVELY CONTAMINATED STEEL
FROM THE UK TO DURATEK, OAK RIDGE, TENNESSEE**

I enclose for your attention an application for the export from the UK to the USA of 5.2 tonnes of radioactively contaminated steel to Duratek for the purposes of a trial process.

Within the European Union the export of radioactive waste, is regulated in accordance with EC Directive 92/3 Euratom (on the transfrontier shipment of radioactive waste). The Directive includes provisions covering the export of radioactive waste. In the UK the Directive is implemented by the Transfrontier Shipment of Radioactive Waste Regulations 1993 (the Regulations). Please note that the Regulations are separate to, and distinct from, the IAEA and UK transport requirements.

The Environment Agency is the competent authority for the Regulations in England and Wales and is required to consult with, and seek approval of, the relevant competent authorities in the country of destination. For the purposes of the Regulations this consignment of steel is considered under the Regulations to be radioactive waste.

A copy of both the application from British Nuclear Group (BNG) and the Approval form are appended. Section 20 of the Approval form provides the opportunity for the NRC to approve or refuse the proposed shipment. We will not grant the authorisation to BNG without the approval of the NRC.

If you wish to approve please tick the YES box at Section 20 and include any conditions you may wish to make. It should then be signed, dated and stamped. I will impose a small number of conditions, which will include the requirement on BNG to accept back the consignment if it cannot for any reason be completed. In addition BNG/Duratek will have to report on the outcome of the trial within 6 months of its completion.

If you wish to refuse the shipment please tick the NO box at Section 20 and provide your reason for refusal. It should then be signed, dated and stamped.

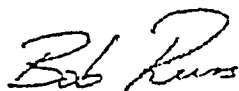
Cont/d..

Environment Agency
Head Office, Block 1, Government Buildings, Burghill Road, Westbury-on-Trym, Bristol, BS10 6BF
Tel: 0117 914 2700 Fax: 0117 914 2770

h:\06 - letter to nrc magnox pond skips trial_duratek.doc

Should you have any queries concerning the content of the application, or the application of the UK regulations or European Directive, I can be contacted on 0044 (0)117 9142977 or by e-mail at bob.russ@environment-agency.gov.uk

Yours sincerely



BOB RUSS
Policy Manager (International),
Radioactive Substances Regulation
Environment Agency

Direct dial 0117 9142977
Direct fax 0117 9142734

Enc. Section 1
Section 2

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COMMISSION DECISION

of 1 October 1993

establishing the standard document for the supervision and control of shipments of radioactive waste referred to in Council Directive 92/3/Euratom

(93/552/Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community, and in particular Article 20 thereof,

Whereas by virtue of Directive 92/3/Euratom the Commission is required to establish a standard document;

Whereas that Directive applies not only to shipments of radioactive waste between Member States but also to imports into and exports out of the Community of such waste and to its transit through the Community from a third country to another third country;

Whereas under certain circumstances an application may be sent in respect of more than one shipment;

Whereas it is appropriate to include all these cases in a uniform document, with a number of sections reflecting the various cases envisaged by the Directive;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee instituted under Article 19 of that Directive,

HAS ADOPTED THIS DECISION:

Article 1

The standard document contained in the Annex shall be used in respect of any shipments of radioactive waste between Member States or into and out of the Community within the scope of Directive 92/3/Euratom.

Article 2

The standard document must be completed in accordance with the notes contained in its different sections.

Article 3

1. The standard document shall be printed in black ink on white paper, weighing at least 40 grams per square metre, and its strength should be such that in normal use it does not easily tear or crease.

2. The standard document shall measure 210 by 297 mm (A4) with a maximum tolerance as to length of 5 mm less and 8 mm more.

3. Member States may require that the forms show the name and address of the printer or a mark enabling the printer to be identified. They may also make private printing of the forms conditional on prior approval.

Article 4

Member States shall take the measures necessary to comply with this Decision not later than 1 January 1994.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 1 October 1993.

For the commission

Yannis PALEOKRASSAS

Member of the Commission

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ANNEX

STANDARD DOCUMENT FOR THE SUPERVISION AND CONTROL OF SHIPMENTS OF
RADIOACTIVE WASTE (DIRECTIVE 92/3/EURATOM)

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SECTION 1

Registration No: TFS/2006/003
*(to be completed by the authorities responsible
 for issuing the shipment authorization)*

STANDARD DOCUMENT FOR MONITORING RADIOACTIVE WASTE SHIPMENTS
 (DIRECTIVE 92/3/EURATOM)

APPLICATION FOR SHIPMENT AUTHORIZATION

NOTE

The applicant must complete boxes 1 to 16 and must then send the entire standard document (sections 1 to 5) to the competent authorities of his country, who are responsible for issuing the authorization for the radioactive waste shipment.

The applicant is the following, depending on the type of shipment (see box 1):

- Type A: Shipment between Member States - *the holder of the radioactive waste;*
 Type B: Import into the Community - *the consignee of the radioactive waste;*
 Type C: Export from the Community - *the holder of the radioactive waste;*
 Type D: Transit through the Community - *the person responsible for the shipment in the Member State by way of which the waste enters the Community.*

Section 1 accompanies the waste as it is shipped, as do sections 3 and 4.

1	Type of Shipment (tick the appropriate box) Type A: Shipment between Member States <input type="checkbox"/> Type B: Import into the Community <input type="checkbox"/> Type C: Export from the Community <input checked="" type="checkbox"/> Type D: Transit through the Community <input type="checkbox"/>
2	Application for authorization for (tick the appropriate box) a single shipment <input checked="" type="checkbox"/> several shipments <input type="checkbox"/> Number of shipments planned: _____ Planned period of execution: 2005-2007
3	(Box to be completed for shipments(s) between Member States via one or more third countries.) Frontier post of exit from the Community: N/A Frontier post of entry to third country (first country crossed): N/A Frontier post of exit from third country (last country crossed): N/A Frontier post of return to the Community: N/A (These frontier posts must be identical for all shipments covered by the application unless otherwise agreed by the competent authorities.)
4	Holder (trade name): <u>Magnox Electric</u> Contact person: Mr/Ms <u>Karan North</u> Address: <u>British Nuclear Group, Magnox Generation, Hinkley Point A Site Nr Bridgewater Somerset</u> Post code: <u>TA5 1YA</u> Town: <u>Nr Bridgewater</u> Country: <u>England, UK</u> Tel.: <u>012785652481</u> Fax: <u>N/A</u> Telex: <u>N/A</u>
5	(Box to be completed if the information to be entered differs from that in box 4.) Place where the waste is held: <u>Hinkley Point A</u> Contact person: Mr/Ms <u>As above in Section 4.</u> Address: <u>As above in Section 4.</u> Post code: - Town: - Country: - Tel.: - Fax: - Telex: -

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Section 1 page 3

11	Proposed form of transport (road, rail, sea, air, inland waterway)	Point of departure	Point of arrival	Proposed carrier
	1 Road	British Nuclear Group, Magnox Generation, Hinkley Point A Site, Nr Bridgwater, Somerset	Thamesport London (England-UK)	Geologistics
	2 Sea	Thamesport London (England-UK)	Norfolk, Virginia (USA)	Atlantic Container Line (ACL-Hapag-Lloyd)
	3 Road	Norfolk, Virginia (USA)	1560 Bear Creek Road, Oak Ridge, Tennessee 37831	Hittman Transportation (owned and operated by EnergySolutions)
	4			
	5			
12	Ordered list of countries involved in the shipment (the first country is that where the waste is held and the last is the country of destination)			
	1 England	3	5	7
	2 USA	4	6	8
13	Consignee (trade name): <u>Duratek</u> Contact person: Mr/Ms <u>Mr. Fred Schulz</u> Address: <u>1560 Bear Creek Road, Oak Ridge, Tennessee 37831</u> Post code: <u>37831</u> Town: <u>Oak Ridge</u> Country: <u>USA</u> Tel.: <u>001 865-220-1589</u> Fax: <u>001 865-220-5850</u> Telex:			
14	(Box to be completed if the information to be entered differs from that in box 13) Place of destination of the waste <u>As above in Section 13</u> Contact person: Mr/Ms <u>As above in Section 13</u> Address: <u>As above in Section 13</u> Post code: <u>-</u> Town: <u>-</u> Country: <u>-</u> Tel.: <u>-</u> Fax: <u>-</u> Telex: <u>-</u>			
15	Applicant (trade name) <u>Magnox Electric</u> Person responsible: Mr/Ms <u>Karan North</u> Address: <u>British Nuclear Group, Magnox Generation, Hinkley Point A Site Nr Bridgwater Somerset</u> Post code: <u>TAS 1 YA</u> Town: <u>Nr Bridgwater</u> Country: <u>England</u> Tel.: <u>012783652481</u> Fax: Telex:			
16	In accordance with the provisions of Directive 92/3/Euratom, I hereby: (i) apply for authorization to make the shipment(s) of radioactive waste described above; certify that (ii) the information provided above is correct to the best of my knowledge and that the shipment(s) will be carried out in accordance with all the relevant statutory provisions; (Where the shipment is of type A or C) (iii) - undertake to take back the waste if the shipment(s) cannot take place or if the conditions for shipment cannot be fulfilled(*), (Where the shipment is of type B or D) - attach hereto a declaration by the holder of the radioactive waste established in the third country that he will take back the waste if the shipment(s) cannot take place or if the conditions for shipment cannot be fulfilled(*).			

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Stamp

20 July 06
(Date and place)

Gaspar Nouch
(Signature)

(*) Only one of the asterisked statements can apply; delete whichever is inapplicable.

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SECTION 2

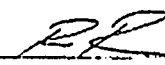
Registration No: TFS/2006/003

(to be completed by the authorities responsible
for issuing the shipment authorization)STANDARD DOCUMENT FOR MONITORING RADIOACTIVE WASTE SHIPMENTS
(DIRECTIVE 92/3/EURATOM)

APPROVAL BY THE COMPETENT AUTHORITIES CONSULTED

NOTE

1. The competent authorities responsible for issuing the authorization for the radioactive waste shipment should complete boxes 17 and 18 immediately on receipt of the application and enter the registration number at the top of each section of the standard document. They should then make sufficient copies of section 2 to send to any other competent authorities whose approval is required for the shipment(s) to be authorized ('the competent authority consulted'). For each competent authority to be consulted, box 19 should be completed on a copy of section 2; that copy of section 2, together with a copy of section 1, should be sent to the competent authority to be consulted named therein.
2. The competent authority consulted should make any necessary additional entries in box 19 and should give the application due consideration. Within two months from the date of receipt it should complete box 20 and return the original copy of section 2 to the competent authority responsible for issuing the authorization. An extension of up to one month in the time required to consider an application may be requested by the competent authority consulted. Failure to complete and return the form by the due time shall be taken as deemed approval of the shipment application, subject to Article 6 (4) of Directive 92/3/Euratom.

17	<p>Competent authorities responsible for issuing the shipment authorization</p> <p>Depending on the type of shipment, these authorities are:</p> <p>Type A: the authorities of the country of origin;</p> <p>Type B: the authorities of the country of destination;</p> <p>Type C: the authorities of the country of origin;</p> <p>Type D: the authorities of the Member State by way of which the waste enters the Community.</p> <p>Name of the competent authorities: <u>Environment Agency</u></p> <p>Contact person: Mr/Ms <u>Mr Bob Russ</u></p> <p>Address: <u>Block 1 Government Buildings, Burghill Road, Westbury-on Trym</u></p> <p>Post code: <u>BS10 6BF</u> Town: <u>Bristol</u> Country: <u>England, UK</u></p> <p>Tel.: <u>+441179142977</u> Fax: <u>+441179142734</u> Telex: _____</p>
18	<p>Date of registration of the application: _____</p> <div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="text-align: center;">Stamp 31 JUL 2006</p> <p style="text-align: center;">Environment Agency</p> </div> <p style="text-align: right; margin-top: 20px;">  (Signature) </p>
19	<p>Competent authorities of the country consulted</p> <p>Country: <u>United States of America</u></p> <p>Country of origin <input type="checkbox"/> of transit <input type="checkbox"/> of destination <input checked="" type="checkbox"/></p> <p>Name of the competent authorities: <u>NRC</u></p> <p>Contact person: Mr/Ms <u>Mr John Hayes</u></p> <p>Address: <u>Mailstop T-8F5, US NRC</u></p> <p>Post code: <u>20555</u> Town: <u>Washington</u> Country: <u>USA</u></p> <p>Tel.: <u>+1 3014153584</u> Fax: <u>+1 3014152395</u> Telex: _____</p>

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