

THE TEXAS SOLUTION

June 27, 2012

Pierre Saverot  
U.S. Nuclear Regulatory Commission  
6003 Executive Blvd.,  
Rockville, Maryland 20852

Dear Mr. Saverot:

Waste Control Specialists LLC ("WCS") is the license holder and operator for the Texas Low-level Radioactive Waste Compact Disposal Facility ("Texas CWF"). The Texas CWF is the disposal solution for Low-level Radioactive Waste ("LLW") from Texas, Vermont and other generators that receive an import agreement with the Texas LLRW Disposal Compact Commission ("Texas Compact Commission"). We expect that Class B and C LLW from 36 states that have not had a disposal solution since Barnwell closed to states outside the Atlantic Compact in 2008, to be disposed of in the Texas CWF.

The Texas CWF is the only disposal facility licensed, constructed and operated since the LLW Policy Amendments Act passed in 1985. There have been 10 attempts and over \$1 billion spent, but WCS is the only success. The Texas CWF opened for business on April 27, 2012, and was immediately effected by the severe shortage of Type B casks that are used to transport resins and other Class B and C LLW. For many reasons, not the least of which is the hundreds of millions of dollars spent to get the Texas CWF open, it is vital in this first year, that the site receive consistent shipments of LLW for disposal in a timely manner.

As you know, EnergySolutions holds the Certificate of Compliance for all four Type B casks that are currently used to transport Class B and C waste. On April 27<sup>th</sup>, after discovering a design flaw in a previously unanalyzed hypothetical crash scenario, EnergySolutions stopped all casks shipments. The casks are now back in service in a restricted operating mode, but this has compounded the difficulty of generators to ship to WCS and as of today, several previously scheduled shipments have been not been rescheduled.

WCS and Robatel Technologies, LLC ("Robatel") have entered into an agreement that will allow at least two additional casks to be built and enter the U.S. market to help address this shortage. The need is urgent and there is a backlog in disposal demand with the lack of disposal options and compounding this is the unreliable availability of shipping casks.

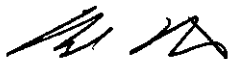
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We understand and embrace the NRC's role as a regulatory agency with safety as your primary concern. To the extent that you can without comprising your primary mission we urge the NRC to expedite the review and approval of the Robatel RT-100 cask so it may be used to facilitate safe, compliant disposal of LLW that is in storage across the United States.

If there is any way that WCS can facilitate this process or if you have any questions, please contact me at (972) 450-4235.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rod Baltzer', with a stylized flourish at the end.

Rod Baltzer  
President

Cc: Teo Grochowski, Jr., Robatel