

March 26, 2014

Mr. Richard Ratliff, Director
Radiation Control Program
Texas Department of State Health Services
P.O. Box 149347
Austin, Texas 78714-9347

Dear Mr. Ratliff:

We understand that you are interested in the U.S. Nuclear Regulatory Commission's (NRC's) views regarding a request from NSSI Sources and Services, Inc. (NSSI) as to whether importing approximately 550 gallons of water containing tritium from Fukushima would require a specific import license. NSSI would like to use this amount of water to determine if their existing process for removing tritium from water for recovery and reuse could be used to treat the large amounts of tritiated water currently being stored at Fukushima. The other radioactive contaminants from the accident at Fukushima have already been removed from the water. Based on information obtained from NSSI, there will be an approximate total of 280 millicuries of tritium in the water to be imported. Also, there will be no radioactive material generated for disposal during this process since NSSI has the capability to remove this contaminant from water and intends to sell the tritium it recovers.

The NRC's regulations in 10 CFR Part 110 define "radioactive waste" for the purposes of import and export. Under this definition, material is defined as radioactive waste if it is imported for purposes of recycling, waste treatment or other waste management process that generates radioactive material for disposal in a land disposal facility as defined in 10 CFR Part 61, a disposal area as defined in Appendix A to 10 CFR Part 40, or an equivalent facility. Based on the information provided to the NRC, NSSI will be recovering and selling the tritium, and the recovered tritium will not be disposed of as a result of the recovery process. Therefore, this imported material does not meet the definition of "radioactive waste" in 10 CFR Part 110 and it may be imported using the general license found in 10 CFR 110.27 General license for imports, as long as NSSI is authorized to receive and possess the material under the relevant NRC or Agreement State regulations.

If you have any further questions on this matter, please contact the Branch Chief for Export Controls & International Organizations, Ms. Brooke Smith at (301) 415-2347 or by e-mail at Brooke.Smith@nrc.gov.

Sincerely,

/RA/

Janice E. Owens, Acting Director
Office of International Programs

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Radiation Control Program
Texas Department of State Health Services
P.O. Box 149347
Austin, Texas 78714-9347

Dear Mr. Ratliff:

NSSI Sources and Services, Inc. (NSSI) requested the U.S. Nuclear Regulatory Commission's (NRC's) views on whether importing approximately 550 gallons of water containing tritium from Fukushima would require a specific import license. NSSI would like to use this amount of water to determine if their existing process for removing tritium from water for recovery and reuse could be used to treat the large amounts of tritiated water currently being stored at Fukushima. The other radioactive contaminants from the accident at Fukushima have already been removed from the water. Based on information obtained from NSSI, there will be an approximate total of 280 millicuries of tritium in the water to be imported. Also, there will be no radioactive material generated for disposal during this process since NSSI has the capability to remove this contaminant from water and intends to sell the tritium it recovers.

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If you have any further questions on this matter, please contact the Branch Chief for Export Controls & International Organizations, Ms. Brooke Smith at (301) 415-2347 or by e-mail at Brooke.Smith@nrc.gov.

Sincerely,

/RA/

Janice E. Owens, Acting Director
Office of International Programs

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