



## Department of Energy

Washington, DC 20585

April 7, 2014

Mr. Larry Camper  
Director  
Division of Waste Management and  
Environmental Protection  
U.S. Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, Maryland 20852

Dear Mr. Camper

I am writing to express my support for Waste Control Specialist, LLC's (WCS) request for an expedited exemption to their special nuclear materials (SNM) license for the storage of Department of Energy (DOE) transuranic waste, which was submitted to the U.S. Nuclear Regulatory Commission (NRC) on March 28. As the request explains, DOE has directed its contractor at the Waste Isolation Pilot Plant (WIPP) to contract with WCS for temporary storage of certain DOE transuranic wastes from the Los Alamos National Laboratory (LANL) due to the current suspension in disposal operations at WIPP. Timely removal of this transuranic waste inventory from LANL is necessary by June 30 in order for DOE to fulfill its commitment to the State of New Mexico and to mitigate the risk of stored combustible wastes prior to the start of wild fire season in New Mexico.

While DOE has determined that a significant portion of the remaining LANL inventory can be shipped to and stored at WCS within the current SNM limits of their license, there is a portion that does not meet the current requirements. Significant additional waste handling, processing, and transportation will be required prior to acceptance and storage of this portion of the inventory at WCS. Each of these additional activities results in increased risk of worker exposures and transportation events. In addition, the requisite processing to meet the current SNM limits will result in considerable volume growth, which further increases worker and transportation risks. As the exemption request is based on the existing and previously NRC-approved safety case associated with the criticality safety of DOE transuranic waste (CH-TRAMPAC, Revision 4), DOE is optimistic that NRC will ultimately concur with this request. Therefore, DOE feels the expedited review of the request will enable DOE to significantly reduce worker and public risks and is consistent with "as low as reasonably achievable" (ALARA) principles. Considerable costs would also be avoided if the additional waste handling and processing activities, which have been proven unnecessary to ensure safety, can be avoided.

If WCS's SNM exemption request is not approved by the end of April, DOE plans to initiate shipments of that portion of the inventory that cannot be stored under current



WCS license limits to another DOE site for processing prior to shipment to WCS. Further, in anticipation of this need, DOE is currently performing additional waste handling and re-packaging activities at LANL to maximize the portion of the LANL inventory that can be shipped under current limits.

DOE greatly appreciates your office's consideration of the WCS request. If there is any information my office can provide to support your expedited review, please feel free to contact me at (202) 586-0370.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Marcinowski", with a large, stylized flourish at the end.

Frank Marcinowski  
Deputy Assistant Secretary for  
Waste Management