

**WCS OUT OF COMPLIANCE
WITH TCEQ ISSUED
RADIOACTIVE MATERIAL
STORAGE LICENSE**

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Sustainable Energy & Economic Development (SEED)
Coalition

365-day Storage Limit Expired Yesterday



- Under a TCEQ issued radioactive material storage license, Waste Control Specialists is currently storing radioactive waste from Studsvik, a radioactive waste processor in Tennessee.
- 365-day time limit in license expired June 8, 2010
- Formal complaint filed June 9, 2010
- In December 2009, WCS President Rod Baltzer irresponsibly told the Compact Commission that it could store waste under its storage license “indefinitely”

Timeline



- May 24, 2010 – TCEQ denied WCS request to extend the time limit by an additional 365 days
- May 25, 2010 – TCEQ contacted WCS with questions concerning ongoing Studsvik Storage
- May 27, 2010 – WCS responded to May 24th denial requesting reconsideration

Reasons Given for Denial



The TCEQ is denying your request. The justification for this determination is that new information in the amendment application itself and recent observations by TCEQ staff do not justify an extension of the 365-day storage term limit imposed by your license. First, the application form does not include sufficient details pertaining to the radioactive material data to assess how the extension will impact public health and the environment. Second, because this extension addresses material that has yet to arrive on site, TCEQ cannot determine the waste characteristics and preemptively license the extended storage for shipments expected in the weeks before June 8, 2010. Third, TCEQ has determined that the financial assurance does not benefit or adequately protect the State of Texas in the event of decommissioning, closure, or unforeseen events in order to justify the long-term storage of this waste material. Additionally, TCEQ staff will be following up separately with the company regarding a recent inspection at the site.

Unanswered Questions

- What action will TCEQ take to enforce the license? And when?
- TCEQ's Enforcement division has not yet received an enforcement action referral from the regional office. When will that happen?
- How does the Studsvik "take-back" mechanism referenced in the TCEQ May 24th denial letter work? When does it go into effect?
- Studsvik's 365-day storage limitation in Tennessee? What happens if Studsvik is unwilling or unable to take back the waste?

- When is the TCEQ response to WCS' May 27th request for reconsideration of TCEQ's extension denial expected?
- When is WCS' response to TCEQ May 25th letter regarding "Questions Concerning Ongoing Storage of Studsvik Waste at WCS" expected?
 - Could the responses result in a reversal of TCEQ's denial for an extension?

Who's calling the shots?

- WCS' ability to play by the rules seriously called into question
- WCS pressuring Compact Commission to open Texas to import of radioactive waste from 36 states and threatening not to dispose of Compact waste from Texas and Vermont if import rule is not approved
- Compact Commission, with no staff or budget, should not be doing WCS' bidding in order to provide revenue for a private company
- Compact Commission needs to be conducting thorough, independent analysis, but instead is pushing forward import rule in a nontransparent process which does not account for risks that the import rule imposes on Texas taxpayers