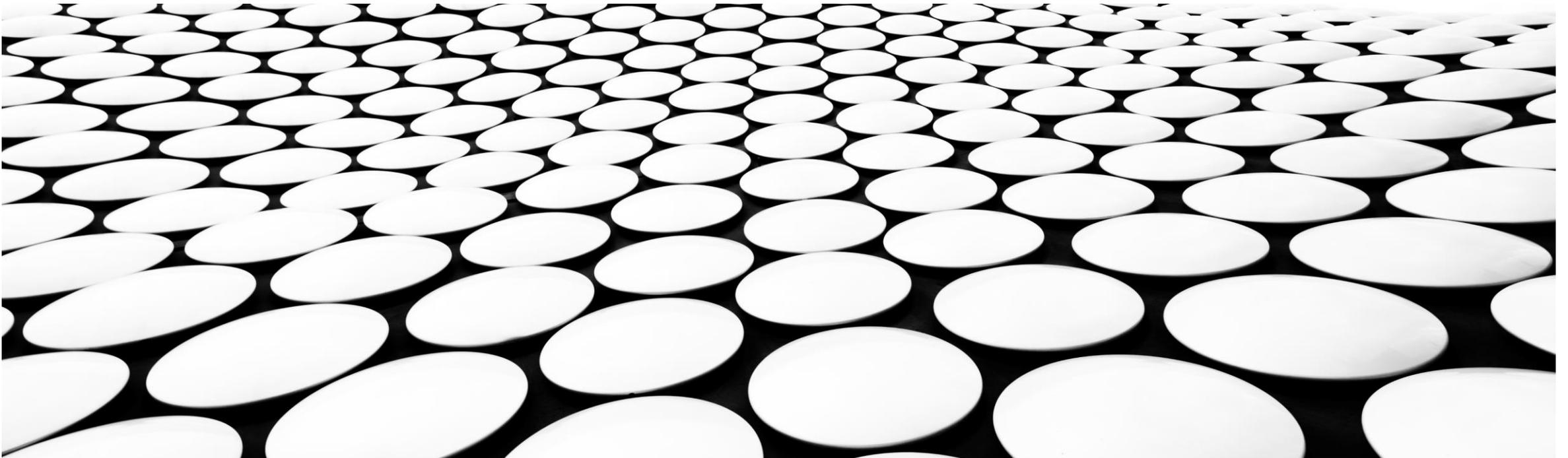

THE TEXAS/VERMONT LOW LEVEL RADIOACTIVE WASTE COMPACT COMMISSION

FOR THE VERMONT NUCLEAR DECOMMISSIONING CITIZENS' ADVISORY PANEL

PETER A. BRADFORD, COMMISSIONER TEXAS/VERMONT LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT COMMISSION

SEPTEMBER 20, 2021





THE TEXAS SOLUTION

WCS Current Facilities



COMPACT WASTE FACILITY



COMPACT COMMISSION MILESTONES

1985 – Congress enacts Low Level Nuclear Waste Policy Act making LLW a state responsibility and encouraging multistate compacts

1993 – Maine, Vermont and Texas form the Compact Commission

 Maine drops out after Maine Yankee closes in 1997

2009 – Texas licenses the Compact facility and construction of the disposal pit begins

2011 – Texas law allows importation of noncompact waste up to 30% of facility capacity.

2012 – Compact Commission begins receiving waste.

CHANGES IN THE NUCLEAR INDUSTRY IMPACTING LLW DISPOSAL, 2011 -2021

2011

- 104 operating reactors (including VY) expected to operate at least another 20 years.
- +/- 30 applications for new reactors pending at NRC.
- Yucca Mountain still on life support as spent fuel disposal site, little interest in interim storage.

2021

- VY closed and partially decommissioned
- 93 Operating Reactors. 12 closed, one opened, at least three more expected to close.
- Only 2 of those 30 reactors (both in Georgia) still being built
- No active applications for new reactor sites pending at NRC
- Yucca Mountain abandoned. No specific spent fuel disposal site pending, interim storage now more important than in 2011.

COMPACT COMMISSION ACTIVITIES I

- Licensing imports of Low Level Waste from noncompact states
 - VY and Texas waste shipments to WCS do not require licensing
- Licensing Exports of Low Level Waste by compact state licensees
- The Vermont Commissioners primary responsibility – in addition to applicable laws and regulations – is assuring that the capacity for LLW originating in Vermont is available as needed.

WCS LLW RECEIPTS FY 2020-21

PURSUANT TO TEXAS GOVERNMENT CODE 552.110 (a)-(c)



WASTE CONTROL SPECIALISTS

	FY 2020-2021 Received Activity (Ci)
Total	39,651.51
Available Activity	235,348.49
Fiscal Limit	275,000.00
% used	14.42%

	FY 2020-2021 Decayed Activity (Ci)
Total	36,824.54
Available Activity	238,175.46
Fiscal Limit	275,000.00
% used	13.39%

	Life of Facility Decayed Activity (Ci)
Total	438,456.85
Available Activity	728,543.15
Life of Facility Limit	1,167,000.00
% used	37.57%

COMPACT COMMISSION ACTIVITIES II

- The Compact Commission does not have primary jurisdiction over health and safety or environmental impacts or the rates charged by the compact facility.
- As the host state, Texas has put those responsibilities with the Texas Commission on Environmental Quality (TCEQ)
- The federal government has jurisdiction over transportation of nuclear waste

COMPACT COMMISSION LOGISTICS

- Seven commissioners, five appointed by the Governor of Texas, two by the Governor of Vermont
- 5-6 meetings per year, mostly in Austin but one per year in Andrews County and in Vermont
 - All virtual until this week since the pandemic
- Staff of two full time
- Much of the work done in subcommittees meeting remotely
 - One Vermonter per subcommittee

IMPORT LICENSING CRITERIA

- Based on volume and radioactivity of the application judged against annual curie and volume limits
- Also considers source of LLW, requirements of other compacts and track record of applicants

CONTINGENCY PLAN

- Grants authorization to in-compact generators to ship outside of Texas with conditions as necessary on short notice if a closing of the facility produces an emergency.
- There have been no such shutdowns, but such an event cannot be completely ruled out.
- Commission is still reviewing issues having to do with carrying out a state takeover
- Financial solvency has been a concern, though no crisis seems imminent.
 - Overall shipment of LLW has not lived up to 2011 expectations (operating nuclear licensees have kept it on site, also downblending has become more pervasive).



PROPOSED SPENT FUEL STORAGE AT WCS SITE

LICENSE APPLICATION SUBMITTED TO NRC IN
2016, WITHDRAWN, RESUBMITTED 2018

NRC LICENSE ISSUED SEPTEMBER 13, 2021

TEXAS RECENTLY ENACTED A LAW
PROHIBITING STORAGE OF SPENT FUEL IN
THE STATE, SETTING UP A CHALLENGE OF
STATE VERSUS FEDERAL JURISDICTION.

SPENT FUEL STORAGE APPLICATION
PENDING FOR NEW MEXICO, ALSO OPPOSED
BY THE STATE.

CONCLUSION

Adequate space for all Vermont Yankee waste at the compact facility seems assured.

While changes in WCS ownership can never be ruled out, I believe that the compact facility will remain in operation for long enough to receive the remaining Vermont Yankee waste.