

§675.24.Importation of Waste from a Non-Compact Generator for

Management.



- (a) It is also the policy of the Commission that it will not accept, for the purpose of management the importation of low-level radioactive waste of international origin .
- (b) Agreement Required--No person shall import any low-level radioactive waste for management that was generated in a non-party state unless the Commission has entered into an agreement for the importation of that waste pursuant to this rule.
- (c) Violations of paragraph (b) may result in prohibiting the violator from disposing of low-level radioactive waste in the Compact Facility, or in the imposition of penalty surcharges on shipments to the facility, as determined by the Commission.
- (d) Form of Agreement--The form of the Agreement shall be promulgated by the Commission and posted on the Commission's web site, or otherwise made readily accessible to generators and to the public.
- (e) Fee for Proposed Importation for Managemet Agreements.
- (1) Managenet Import Agreement Application Fee--An non-refundable, application fee of \$100 shall accompany the proposed agreement. Payments

(5) This management import agreement evaluation fee will be due regardless of whether or not an import agreement is issued and shall be made by check or money order made payable to the Texas Low Level Radioactive Waste Disposal Compact Commission.

(e) Notice and Timing of Agreement--A person shall file a proposed management import agreement with the Commission and receive approval by the Commission prior to the proposed importation date.

(1) The proposed management import agreement shall be accompanied by a certification by the Compact Disposal Facility that the waste acceptance criteria have been met for the proposed waste importation.

(2) By electronic mail, the petitioner shall deliver to the Compact Facility operator a copy of the management import agreement (and any supplements or amendments thereto) at the time of filing with the Commission, and a copy shall also be delivered by Certified mail.

(3) Proposed management import agreements received by the Commission during any calendar month may be processed in aggregate at the beginning of the following calendar month. The date of receipt of proposed management import agreements shall be deemed the first business day of the following calendar month. Within 15-days of the date of receipt, the Commission shall post the management import

- (1) The volume, type, physical form and activity of waste proposed for importation;
- (2) The policy and purpose of the Compact;
- (3) Whether the receiving person in the Compact has or will obtain, prior to importation, authorization from party state authorities to manage the waste;
- (4) The existence of unresolved violations pending against the petitioner with any other regulatory agency with jurisdiction to regulate radioactive material, and any comments by the regulatory agency with which the petitioner has unresolved violations;
- (5) Any unresolved violation, complaint, unpaid fee, or past due report that the petitioner has with the Commission;
- (6) Any relevant comments received from the Compact Facility operator, compact generators, the person proposing to export the waste, the Host County, the Host State, interested state or federal regulatory agencies, or the public;
- (7) The authorization of a person to export (if applicable);
- (8) Any other factor the Commission deems relevant to carry out the policy and purpose of the Compact; and
- (g) Decision by the Commission--The Commission may take one of the following actions on the proposed importation agreement, in whole or in part: approve the proposed agreement; deny the proposed agreement; or approve the

(4) The Commission continues to consider the policy issues related to assessment of fees for the importation of low level radioactive waste based on volume or activity of the waste. Upon conclusion of consideration of this issue, the Commission may provide for such fees in this section.

(j) Form of Management Import Agreement--The import agreement shall be on a form promulgated by the Commission, posted on the Commission's website, and shall contain at a minimum the criteria contained in subsection (h) of this section. The form may be amended by the Commission from time to time.

(k) Definitions--Terms used in this subchapter shall have the meaning ascribed to them in the Compact. Where time requirements are specified in "days," that shall be in calendar days.