



State of Utah

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Environmental Quality

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DIVISION OF WASTE MANAGEMENT  
AND RADIATION CONTROL

Douglas J. Hansen  
Director

May 16, 2023

Phil Rutherford  
Phil Rutherford Consulting  
8655 Delmonico Avenue  
West Hills, CA 91304

RE: Shipments of Waste from the Former Energy Technology Engineering Center

Dear Mr. Rutherford:

The Division of Waste Management and Radiation Control (Division) received your letter dated February 9, 2023 (DRC-2023-001509), regarding waste shipments sent to EnergySolutions' Clive Disposal Facility (Clive) for disposal from the Department of Energy's (DOE) former Energy Technology Engineering Center (ETEC) spanning 2020-2022.

The classification of Low-Level Radioactive Waste shipments sent to the State of Utah for disposal are determined by following the procedures delineated in Utah Administrative Code (UAC) R313-15-1009. Additionally, Utah Code 19-3-103.7(1)(a) prohibits the disposition of Low-Level Radioactive Waste that is greater than Class-A in the State of Utah. As part of the Division's regulatory oversight, shipments are scrutinized to ensure that waste greater than Class-A is not accepted for disposal at Clive.

In accordance with the Division's responsibility to ensure that its licensees (in this case EnergySolutions, LLC) are compliant with all applicable state codes, rules, regulations, statutes, permits, and radioactive material license conditions, the Division investigated the issues outlined in your letter. The inspectors conducted interviews and reviewed documents, including waste manifests related to shipments to Clive.

The Division has determined that waste shipments received in the time frame which you described are in compliance with the Clive Waste Acceptance Criteria (WAC) and all applicable regulations. Based on the findings of this investigation, the Division considers this matter closed.

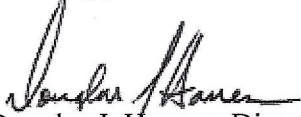
(Over)

DRC-2023-004115

195 North 1950 West • Salt Lake City, UT  
Mailing Address: P.O. Box 144880 • Salt Lake City, UT 84114-4880  
Telephone (801) 536-0200 • Fax (801) 536-0222 • T.D.D. 711  
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If you have any questions, please call Larry Kellum at 385-622-1876.

Sincerely,



Douglas J. Hansen, Director  
Division of Waste Management and Radiation Control

DJH/LTK/wa

- c: Jeff Coombs, EHS, Health Officer, Tooele County Health Department  
Bryan Slade, Environmental Health Director, Tooele County Health Department  
EnergySolutions General Correspondence Email  
LLRW General Correspondence Email