



INDUSTRIAL, NUCLEAR POWER, URANIUM and WASTE COMMITTEE
of the TEXAS RADIATION ADVISORY BOARD (TRAB)
MEETING MINUTES

Austin-Health and Human Services Commission, MHMR Center
Conference Room 164, 909 W. 45th Street, Austin, Texas 78751
Friday, June 12 at 9:00 AM

1. Call to Order

Mitch Lucas, P.E., Vice-Chair, called the meeting to order at 9:05 am. A quorum was present.

Members present for the meeting: John Hageman, M.S., C.H.P.; Stephen Harris; Kevin Raabe; and Judy Raab.

Members not present: Ian Scott Hamilton, Ph.D., Chair; Kenneth Krieger, C.H.P., Chair; Darshan Sachde; and Amy Clark.

2. Introduction of guests

Department of State Health Services (DSHS) staff present: Ruben Cortez, Ray Fleming, Robert Free, Eric Skotak, and Peggy Westlund

Texas Commission of Environmental Quality (TCEQ): Catie Arnold, Charles Maguire, Bobby Janecka, Monica Sullivan and Brad Broussard.

Low Level Radioactive Waste Disposal Compact Commission (LLRWDC): Audrey Ferrell, Leigh Ing, and John Salsman.

Advocates for Responsible Disposal in Texas: Eddie Selig

Texas Railroad Commission (RRC): Grant Chambless

Waste Control Specialist: Betsy Madru

3. Consideration and, as needed, discussion and possible action concerning amendment and/or approval of the minutes of this Committee's February 27, 2015, meeting

Mr. Raabe made a motion to approve the minutes. Mr. Hageman seconded the motion and the minutes were unanimously approved.

4. Continuing Business:

A. Update and discussion on the Texas Low Level Radioactive Waste Disposal (TLLRWD) Facility

Mr. Janecka reported no significant updates to report at the TLLRWD facility.

B. Discussion and consideration of EPA's proposed rules in 40 CFR Part 192 regarding in-situ mining of uranium, and consideration of comments submitted to the EPA on those proposed rules for possible recommendation to TRAB of a letter, including a possible letter of support and/or endorsement, to the EPA.

Mr. Hageman made a motion to adopt the letter to the EPA supporting the TCEQ and RRC comments on the proposed rules. Judy Raab seconded the motion and the committee unanimously approved to present the letter to the full Board.

C. Discussion of issues, impacts, and potential recommendations related to the consideration of grandfathering from out-of-compact waste charges those sealed sources that were in Texas before current radioactive waste regulations were enacted

Mr. Salsman asked that if TRAB prepares comments to include the legal basis of how the commission can change the rules with the existing laws. The comment period ends June 22, 2015.

D. Discussion of NRC's July 25, 2014, Advance Notice of Proposed Rulemaking (ANPR), Docket ID NRC-2009-0279, related to the consideration of potential amendments to 10 CFR Part 20, the NRC's current radiation protection regulations, including potential recommendation to TRAB for additional submission of comments during the comment period extended to June 22, 2015

No comments

5. New Business

A. Discuss the U.S. Nuclear Regulatory Commission's proposed rule changes regarding the criteria for low-level radioactive waste disposal 10 CFR Part 61 and consider whether to recommend possible TRAB action or recommendations during the comment period ending July 24, 2015

Mr. Maguire reviewed the 10 CFR Part 61 and no further action required.

B. Consider and make recommendations to TRAB on draft rule packet for the following sections of 25 Texas Administrative Code Chapter 289 to ensure compatibility with the new 10 CFR Part 37, *Physical protection of category 1 and category 2 quantities of radioactive material*

The committee reviewed Mr. Hageman's written comments in response to draft rule packet 10 CFR Part 37: (Corresponding to comment number)

Comment 1: Mr. Hageman made a motion to add the definition of NORM. Mr. Harris seconded the motion and the committee unanimously approved.

Comment 8: Mr. Hageman made a motion to clarify the meaning of “hold”. Ms. Raab seconded the motion and the committee unanimously approved.

Comment 10: Mr. Hageman made a motion to clarify the phraseology of “radioactive waste, sources” and devices”. Mr. Harris seconded the motion and the committee unanimously approved.

“Kept in stand-by” is not defined by DSHS or NRC. DSHS will clarify in the review process. No action required.

6. Public Comments

None

7. **Summarize Committee meeting and recommendations for Committee Report and proposed action items for TRAB**

A. Recommend TRAB issue a letter supporting comments by TCEQ and RRC of EPA proposed rules 40 CFR Part 192

B. Recommend comments on draft rule packet to ensure compatibility with the new 10 CFR Part 37: Add meaning of NORM and clarify meaning of “hold, radioactive wastes, sources, and devices”

8. **Identification of Future Meeting Topics for this Committee**

None

9. **Adjourn**

Mitch Lucas adjourned the meeting at 10:27 am.