

Texas Commission on Environmental Quality Program Report for the June 22, 2018 TRAB Meeting

Low-Level Radioactive Waste Disposal: A request for additional information letter was sent to WCS on June 7, 2018 for the review of the 2017 Performance Assessment Update. The TCEQ continues to monitor storage, processing, and disposal operations at the site.

Uranium Mining: A new license application from Uranium Energy Corporation for their Burke Hollow project; major amendment for Conoco Phillips' Conquista project, RML R01634; and major amendment application from Rio Grande Resources to reduce the restricted area of the license and amend groundwater monitoring requirements for their Panna Maria tailings impoundment, RML R02402, are still under technical review. An application for termination of Signal Equities' license was received and is under review.

The TCEQ continues to work towards obtaining partial release for a portion of the former licensed area of the abandoned Intercontinental Energy Corporation Lamprecht/Zamzow site, primarily focusing on the Completion Review Report which must be submitted to the Nuclear Regulatory Commission (NRC) for their concurrence in granting a partial release of these areas for unrestricted use. The TCEQ has acquired a contractor through joint cooperation with the Remediation Division and is moving ahead with remediation, starting with a scoping tour of the site.

Byproduct Material Disposal: Operation of the byproduct waste disposal facility continues under WCS's current byproduct license. By license condition, the byproduct disposal operation is limited to receiving only the Fernald byproduct waste. The TCEQ continues to review WCS's environmental monitoring reports and related data. A renewal application for the license was received May 31, 2018 and is currently under review for administrative completeness.

Underground Injection Control: The TCEQ continues to monitor routine reports from permittees for mining and disposal well authorizations at licensed sites.

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Rulemaking Projects: The proposed rulemaking to implement HB 2662 was adopted by the Commissioners at the April 4, 2018 agenda and became effective April 26, 2018. This rulemaking removed from rule the reference to the 5% state fee on all compact and federal waste, which was temporarily removed from statute. The Commissioners proposed rulemaking to adopt a requested volume adjustment to the Compact disposal rate at the May 23, 2018 agenda. If adopted, in addition to the volume adjustment, the rulemaking will remove the annual requirement for rate adjustment for disposal of LLRW, allow flexibility to incorporate rate adjustments into rule on an as needed basis, amend language to add clarity, remove obsolete language for the rules concerning LLRW disposal fees, and to require licensees to minimize the introduction of residual radioactivity into the site, including the subsurface, to be compatible with the Nuclear Regulatory Commission rules. The public comment period is from June 8 to July 10, 2018 with a public hearing scheduled for June 28, 2018. TCEQ has filed backup for the draft rulemaking responding to the rulemaking petition from Texas Mining and Reclamation Association for rule changes to injection well permitting and radioactive materials licensing requirements for uranium mining operations, and which is scheduled to be considered by the Commission for proposal on June 27, 2018.

2018 IMPEP Review: The NRC Integrated Materials Performance Evaluation Program (IMPEP) review team proposed a final report, which was approved by the NRC Management Review Board on April 24, 2018. The final report, dated May 22, 2018, found the Texas Agreement State Program to be adequate to protect public health and safety and compatible with the NRC program.