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Program Report for the Railroad Commission of Texas June 2017

The Railroad Commission of Texas (RRC) staff continues to work with the Texas Department of State Health Services (DSHS) and the Texas Commission on Environmental Quality (TCEQ) relating to jurisdiction, legislation, general licenses, permits and exemptions for the disposal and related handling of Naturally Occurring Radioactive Material (NORM) and Technologically Enhanced Naturally Occurring Radioactive Material (TENORM) on a case by case basis.

Permitting:

Recently, an operator inquired about amending their existing RRC solid waste disposal permit to receive solid radioactive tracer waste generated from oil and gas leases. The request was in relation to the exemption to the low-level radioactive waste (LLRW) licensing requirements for the disposal of certain radioactive tracers used in the exploration, development or production of oil and gas resources in § 336.227 that was adopted by TCEQ on or around February 15, 2013.

The amendment to § 336.227 exempts radioactive tracers from the radioactive licensing and disposal rules in Chapter 336 if the waste meets the criteria specified in § 336.227(b):

- 1) The possession, transportation, and use of the radioactive tracers are licensed or otherwise authorized by DSHS;
- 2) The tracers are in fluids that have been retrieved from a well that is used in the exploration, development or production of oil and gas or geothermal resources and the well is authorized by the RRC;
- 3) The total concentration of radioactivity of all isotopes do not exceed 1,000 picocuries per gram (pCi/g) and the half-life of each isotope is 120 days or less;
- 4) The radioactive tracers are non-water soluble

Section § 336.227(c) authorizes the disposal of qualifying radioactive tracer material in an on-site earthen pit that is permitted by the RRC for the disposal of oil and gas waste with at least two feet

of clean soil, or by § 336.227(d) in a Class II injection well that is permitted by the RRC if the permit specifically authorizes disposal of the qualifying radioactive tracer material. Section § 336.227(e) requires that any person who disposes of radioactive tracers under the exemption to maintain records related to the disposal.

Since the request to dispose of the solid radioactive tracer waste was to be performed off of the oil and gas lease(s) in which it was generated, and at a remote location, even though currently permitted to receive oil and gas waste, the request was outside of the requirements specified within the exemption to § 336.227 pertaining to solids and the proposal was denied.