

Texas Commission on Environmental Quality Program Report for the June 23, 2017 TRAB Meeting

Low-Level Radioactive Waste Disposal: A renewal with major amendment for the license held by Ascend Performance Materials, RML RWO219, was noticed as technically complete and the comment period ended approximately the middle of June (final confirmation is pending). Any comments or contested hearing requests received will be considered before final action can occur. An application for administrative amendment for the license held by NSSI, RML R01811, was received on April 20, 2017. The amendment would simply replace the radiation safety officer of record, and is currently under review. The TCEQ continues to review the WCS amendment application received on October 24, 2016 and draft supplement received on January 9, 2017 and also continues to monitor storage and disposal operations at the site.

Uranium Mining: A new license application from Uranium Energy Corporation for their Burke Hollow project and a major amendment for Conoco Phillips' Conquista project, RML R01634, are still under technical review. A major amendment application from Rio Grande Resources for their Panna Maria tailings impoundment, RML R02402, was noticed to be administratively complete, and is now under technical 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 NRC for their concurrence in granting a partial release of these areas for unrestricted use. The TCEQ is also conducting sampling to finely delineate areas that are above standards for release to unrestricted use and get volume estimates for the next phase of remediation.

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.

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Underground Injection Control: The TCEQ continues to conduct technical review of a Class I renewal application from URI for WDW248. This disposal well is located at Kingsville Dome mine in Kleberg County.

Rulemaking Projects: Rulemaking to amend Texas Administrative Code Chapter 336 was adopted on May 10, 2017 to remove the word "quarterly" from the rule requiring the holder of a license for a low-level radioactive waste disposal site to pay an annual license fee quarterly for services received from the TCEQ to allow flexibility to invoice cost recoverable activities by the TCEQ on an as needed basis.

Legislative Implementation: The TCEQ will be implementing three bills that became law during the 85th regular legislative session:

SB 1330, by Seliger, *Relating to funding for the operations of the Texas Low-Level Radioactive Waste Disposal Compact Commission*, which redirects from State General Revenue to the Low Level Waste Fund, deposit of the 1.25% Compact Fee imposed on all waste disposed in the compact facility.

SB 1667, by Seliger, *Relating to the Texas Low-Level Radioactive Waste Disposal Compact waste disposal facility*, which affirms the independent status of the Compact Commission in regards to funding by the host state.

HB 2662, by Landgraf, *Relating to the Texas Low-Level Radioactive Waste Disposal Compact waste disposal facility; reducing a surcharge; eliminating a fee*, which requires the TCEQ to conduct a capacity study at least once every four years, establishes a temporary legislative oversight committee to study several issues related to low-level waste disposal and the compact facility until December 31, 2018, and temporarily eliminates the 5% state fee on all compact and federal waste and reduces from 20% to 10% the import surcharge on non-party compact waste until September 1, 2019.