

Texas Commission on Environmental Quality  
Program Report to the Texas Radiation Advisory Board  
Preparation for January 6, 2007 Meeting  
Submitted on January 4, 2007

1. The Texas Commission on Environmental Quality (TCEQ) is continuing the technical review of the Waste Control Specialist LLC (WCS) license application for the disposal of low-level radioactive waste. Related to the radioactive waste disposal application, the TCEQ is also technical reviewing a RCRA, Subtitle C permit application for the disposal of mixed waste at the same location. The RCRA application was declared administratively complete on August 23, 2006.

On August 30, 2006, Executive Director Shankle granted an extension to the technical review of the application until May 1, 2007, conditioned upon any future clarification by the 80<sup>th</sup> Texas Legislature.

2. The TCEQ is continuing the technical review of a license application for the disposal naturally-occurring radioactive material by underground injection from Newpark Environmental Services of Texas, LP. The application was declared administratively complete on August 4, 2006. The first Technical Notice of Deficiency (TNOD) was sent to Newpark on November 30, 2006. The Applicant has 75 days to respond to the TNOD.
3. The U.S. Nuclear Regulatory Commission visited Texas as part of its periodic review of Agreement States the week of November 13, 2006. No issues were identified for the TCEQ as part of that visit.
4. TCEQ continues to work on closing the historical buried radioactive waste sites that exist under TCEQ jurisdiction in Texas.
5. TCEQ continues to work with the Railroad Commission of Texas on possible amendment to the Memorandum of Understanding between the two agencies.
6. TCEQ remains in the initial stages of the rulemaking process for establishing low-level radioactive waste disposal fees for the proposed Texas Low-Level Radioactive Waste Disposal Compact facility currently under licensing review. The initial stakeholder meeting to open the dialogue for fee rulemaking has been delayed due the requested extension by the Applicant to resolve remaining issues.