



Texas Radiation Advisory Board

Michael Ford, C.H.P.
Chair

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February 18, 2003

The Honorable David Dewhurst
Lieutenant Governor
State of Texas
P.O. Box 12068
Austin, Texas 78711

Dear Governor Dewhurst:

The Texas Radiation Advisory Board has recommended against Texas adopting the Environmental Protection Agency's (EPA) Federal Radionuclide Rule and sent that recommendation to the Texas Commission on Environmental Quality in May 2002. The EPA promulgated the Radionuclide Rule, under the federal Safe Drinking Water Act (SDWA), 42 U.S.C. Sections 300f-j mandate that the states revise their approved primacy programs in accordance with the revised national drinking water standards as they relate to uranium, radium, and maximum contaminant levels (MCLs) for beta-/photon-emitting radionuclides.

Now a narrow window of opportunity closing 28 February 2003 allows Texas a means to communicate the need for the federal government to reconsider this requirement.

We have sent letters to the Texas delegation expressing the recommendations of the Texas Radiation Advisory Board and I wanted to let you know of these communications. (See attached correspondence.) The consequences to Texas are significant and are detailed in our 6 May 2002 letter (attached) to the then TNRCC (now TCEQ). Over 130 community water systems (CWSs) will be adversely affected by this rule. Of particular note is that the small rural CWSs most affected by these proposed rules could be financially devastated by the liability and cost of safely handling and disposing of the radioactive materials created by these rules. In many cases, these small rural systems that are unable to meet the new limits are the sole source of suitable pathogen-free water for rural Texans.

If you have any questions regarding the TRAB position on this EPA rule, please feel free to contact me at your earliest convenience at 806-477-5727. We are hopeful that you will take advantage of this opportunity to act in the interest of all Texans and demand that sound science – not unproven theories – be at the root of our federal drinking water rules.

Very Respectfully,
Original signed by:

Michael S. Ford
Chair

Attachment