



Texas Radiation Advisory Board
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John Hageman, M.S., C.H.P.
Chairman of the Texas Radiation Advisory Board

June 12, 2015

Air and Radiation Docket
Environmental Protection Agency
Mail Code: 2822T
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

RE: Docket ID No. EPA-HQ-OAR-2012-0788
40 Code of Federal Regulations (CFR) Part 192, Health and Environmental
Protection Standards for Uranium and Thorium Mill Tailings; Proposed Rule

Dear Sirs and Madams:

The Texas Radiation Advisory Board (TRAB or Board) was created by Texas statute to review and evaluate state radiation policies and programs, and to make recommendations and furnish technical advice to the following Texas state agencies:

- The Texas Department of State Health Service (DSHS),
- The Texas Commission of Environmental Quality (TCEQ),
- The Railroad Commission of Texas (RRC),
- And any other state agencies or groups that may be involved with radiation safety, such as the Texas Low-Level Radioactive Waste Disposal Compact Commission (TLLRWDC).

The TRAB reviews proposed rules and guidelines of state agencies relating to the regulation of sources of radiation, and to recommend changes in proposed or existing rules and guidelines relating to these issues.

The Texas Radiation Advisory Board consists of members who are expert advisors on issues relating to radiation and radioactive materials; and also has three appointed members of the public. The Board makes recommendations about various issues and regulations related to radiation safety and provide those to the regulatory agencies,

legislatures and the Governor of Texas. As such, the TRAB includes the following on the topic of uranium and thorium mining safety and regulations.

The TRAB has reviewed the proposed Rule published in 80 Federal Register 4156, on January 26, 2015. The TRAB **fully supports** the comments provided in the Texas Commission on Environmental Quality (TCEQ) letter, dated May 12, 2015, and from the Railroad Commission of Texas (RCT) in a letter dated May 26, 2015.

The points made in the TCEQ May 12 letter and supported by the RCT May 26 letter demonstrate that these proposed rules would not, in any significant way, result in added protection of ground water resources and would only have the effect of additional regulatory burdens on energy industries and added regulatory costs for the agencies involved.

The TRAB has concluded that the existing Texas regulations are effective for protection of the public health, safety and environment for uranium in-situ mining therefore, the TRAB urges that these proposed new rules be withdrawn.

Should you have any questions about this report, please contact me either by phone at (210) 522-2633 or by email at john.hageman@swri.org.

Sincerely,



John P. Hageman M.S., C.H.P.
Chairman