



**INDUSTRIAL, NUCLEAR POWER, URANIUM and WASTE COMMITTEE
of the TEXAS RADIATION ADVISORY BOARD (TRAB)
MEETING MINUTES**

**Austin-Health and Human Services Commission, MHMR Center
Conference Room 164, 909 W. 45th Street, Austin, Texas 78751
Friday, February 23, 2018 at 9:00 AM**

1. Call to Order

Mr. Lucas, Chair, called the meeting to order at 9:05 a.m. A quorum was present.

Members present for the meeting: Kevin Raabe, Vice Chair; Darshan Sachde, Ph.D.; John Hageman, MS, CHP; Tim Powell; Judy Raab; and Melissa Shorey.

Members not present: Stephen Harris and Ken Krieger

2. Introduction of Guests:

Department of State Health Services (DSHS) staff present: Ruben Cortez, Chuck Flynn, Bob Free, Eric Skotak and Peggy Westlund

Texas Railroad Commission (RRC): Grant Chambless

Texas Commission of Environmental Quality (TCEQ): Charles Maguire and Alisha Stallard

Advocates for Responsible Disposal in Texas (ARDT): Eddie Selig

CPS Energy: Robert Nathan

Waste Control Specialist: Betsy Madru

3. Review and, as needed, discuss and take possible action concerning amendment and/or approval of the minutes of the December 8, 2017 TRAB Industrial, Nuclear Power, Uranium and Waste Committee meeting

Mr. Powell made a motion to approve the minutes with the correction that Ms. Shorey was present at the meeting. Mr. Raabe seconded the motion and the minutes were unanimously approved.

4. Routine and Continuing Business

A. Update and discussion on the Texas Low Level Radioactive Waste Disposal Facility

Dave Carson, CEO/President of Waste Control Specialists (WCS), is meeting with one of the TCEQ Commissioners this morning and will attend the TRAB meeting this morning. License changes will not be made at this time.

B. Update on proposed TCEQ regulations Mr. Maguire provided an update of proposed TCEQ regulations:

- i.* HB 2662: Proposed rule will remove the reference to the 5% state fee on all compact and federal waste, which was temporarily removed from statute. Public comment period ended December 22, 2017. The adoption agenda will be April 11, 2018.
- ii.* A request for a volume adjustment to the Compact disposal rate has been received and is scheduled to be considered by the Commission as a rulemaking at the May 23, 2018 agenda. In addition to the volume adjustment, the rulemaking is expected to propose the removal of the annual requirement for rate adjustment for disposal of LLRW and allow flexibility to incorporate rate adjustments into rule on an as needed basis, amend language to add clarity and remove obsolete language for the rules concerning LLRW disposal fees and to require licensees to minimize the introduction of residual radioactivity into the site, including the subsurface, to be compatible with the Nuclear Regulatory Commission rules.
- iii.* TCEQ also continues to gather stakeholder input for the rulemaking petition from Texas Mining and Reclamation Association for rule changes to injection well permitting and

radioactive materials licensing requirements for uranium mining operations that was approved on December 15, 2016.

C. Continue review and recommendations of older Advisories and Position Statements on the TRAB Publications web page

- i. October 14, 2014 Advisory Statement on Sealed Source Disposal: Mr. Hageman recommended to archive.*
- ii. September 1, 2014 TRAB Position Statement on Storage of Spent Fuel in Texas: Mr. Lucas recommended to archive*
- iii. November 17, 2005 Letter to Albert Hawkins, Commissioner from Michael Ford, TRAB Chair; WCS Petition requesting DSHS to Amend Radiation Rules: Mr. Powell recommended to archive*
- iv. September 19, 2003 Letter to Robert Huston, TCEQ Chairman, from Michael Ford, TRAB Chair; Recommendations for Low Level Radioactive Rules Log No. 2003-037-336-WS: Mr. Powell recommended to archive*
- v. February 23, 2003 Letter to Senator Duncan from Michael Ford, TRAB Chair; Low Level Radioactive Waste Recommendations and Estimates: Mr. Powell recommended keeping on the webpage.*
- vi. July 20, 2002 TRAB Statement supporting the need for a safe disposal facility for low level radioactive waste: Mr. Powell recommended to keep on the webpage.*
- vii. October 23, 2000 Letter to John Grant, Colorado River Municipal Water District, from Dale Klein, TRAB Chair; Recommendation by TRAB addressing the EPA revision to the Safe Drinking Water Act regarding radon: Mr. Powell recommended to archive*
- viii. April 15, 2000 TRAB recommendation on Storage of Low Level Radioactive Waste: Mr. Powell recommended to archive*
- ix. August 30, 1999 Letter to Jack Krohmer, TRAB Chair, from John Howard, Jr., Environmental and Natural Resources; Response to letter sent to Governor Bush dated August 16, 1999: Mr. Powell recommended to archive*
- x. August 16, 1999 Letter to Governor Bush from Jack Krohmer, TRAB Chair; TRAB recommendations on low level radioactive waste policy of Texas: Mr. Powell recommended to archive*

Mr. Hageman made a motion to approve the above dispositions and forward recommendations to the Board. Mr. Powell seconded the motion and was unanimously approved.

5. New Business

A. Consider and make recommendations on the proposed rule packet for the following sections of 25 Texas Administrative Code, Chapter 289

- i. §289.251 Exemptions, General Licenses, and General License Acknowledgements
- ii. §289.252 Licensing of Radioactive Material
- iii. §289.253 Radiation Safety Requirements for Well Logging Service Operations and Tracer Studies
- iv. §289.256 Medical and Veterinary Use of Radioactive Material
- v. §289.257 Packaging and Transportation of Radioactive Material

Mr. Hageman made a motion to recommend to the Board approval of all rule changes with the exception of §289.252(i) in order for DSHS to ensure compatibility with 10 CRF 20.002. Mr. Raabe seconded the motion and was unanimously approved.

B. Identify any additional topics that need further research to be addressed by the TRAB

Mr. Powell spoke about the awareness that Texas General Land Office is proposing a project to look at the safety risk assessment to nuclear power plants in case of severe weather conditions. Texas A&M is proposing to participate along with South Texas Project Electric Generating Station (STP) and Matagorda County.

C. Identify topics to recommend for further discussion and/or to be addressed at future meetings of the Medical Committee, Industrial, Nuclear Power, Uranium, and Waste (INUW) Committee, or full Board.

None

6. Public Comments

None

7. Summarize Committee meeting and recommendations for Committee Report and proposed action items for TRAB

Advisory statements on the TRAB website
DSHS proposed regulations with exception

8. Identification of Future Meeting Topics for this Committee

None

9. Mr. Lucas adjourned the meeting at 9:45 a.m.