

Texas Commission on Environmental Quality Program Report for the December 8, 2017 TRAB Meeting

Low-Level Radioactive Waste Disposal: A minor amendment for the low level radioactive waste (LLRW) disposal license held by Waste Control Specialists (WCS), Radioactive Material License (RML) R04100, was issued on October 5, 2017. The more significant changes of this amendment include extending the possession time of the Los Alamos National Laboratory waste by two years and adding authorization to build the Rail Tipper Building for receiving and unloading bulk Class A waste with the provision that the licensee cannot begin operations of this facility until the Executive Director has approved the operational procedures. The TCEQ 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 to reduce the restricted area of the license and amend groundwater monitoring requirements for their Panna Maria tailings impoundment, RML R02402, was noticed to be administratively complete, and is now under technical review. A minor amendment of the UEC Goliad Project for reduction of their licensed area has been finished and a draft license is under review. A confirmatory survey of the Schulz property adjacent to the Ray Point Tailings Impoundment site was completed and analytical results indicate site meets criteria for unrestricted use.

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 currently drafting a work plan for remediation of the site.

Byproduct Material Disposal: An administrative amendment application to allow permanent removal of the "sacrificial sidewall geomembrane" from Cells A and B of the By-product Material Disposal Facility and update additional license conditions for the

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by-product disposal license held by WCS, RML R05807, was received on September 8, 2017 and is expected to be issued by the date of this TRAB meeting. The amendment will also modify some of the license conditions due to decision by the Executive Director; the more significant modification will be to require the licensee to notify the agency as soon as practicable upon knowledge of a possible exceedance of an environmental investigative or action level. 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.

Underground Injection Control: A minor amendment of the UEC Goliad Project was completed for a reduction of the permit boundaries, in responses a Motion to Overturn has been requested. We received comments and a request for a Contested Case Hearing for URI's WDW 248 permit renewal.

Rulemaking Projects: Proposed rulemaking to implement HB 2662 was approved by the Commissioners at agenda on November 1, 2017. The rulemaking, once adopted, will remove from rule the reference to the 5% state fee on all compact and federal waste, which was temporarily removed from statute. Rulemaking to adjust the surcharge fees for generators to dispose of LLRW has been initiated due to a volume adjustment request by WCS and is scheduled to be proposed at agenda on April 4, 2018. This rulemaking, once adopted, will also remove 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. 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.