

Texas Commission on Environmental Quality Program Report for the February 17, 2017 TRAB Meeting

Low-Level Radioactive Waste Disposal: Waste Control Specialists' (WCS) license R04100 has not been amended since amendment number 30 on March 16, 2015. An amendment application was received on October 24, 2016 and a draft supplement on January 9, 2017, which is still under review, to clarify, update and provide corrections to several license conditions, remove Attachment D (pavement design requirements) since it no longer is applicable, authorize certain drainage system design and durability improvements, change the date of the month when the monthly site receipt and disposal activities report is due, change the due date for the performance assessment update from June 30 of each year to each year, remove the five visitor limit that may be escorted by a single trained WCS staff member, replace the table listing the required frequency of surveys with a reference to procedures RSP-100 and RS-3.2.4 which also have these frequency requirements, reduce the inspection frequency of the CPC compactor from daily to prior to use, change the focus of the sum of fractions rules and its point of compliance to the container level rather than the waste profile level for the license condition authorizing WCS to exempt low activity waste for disposal in its RCRA disposal facility, change the notification frequency for tier I and II low activity waste exempted for disposal in the RCRA disposal facility from each shipment to a quarterly basis, extend the possession time of the Los Alamos National Laboratory waste by two years (already authorized by the NRC), include the Federal Waste Disposal Facility into the Waste Acceptance Criteria (WAC) and add authorization to build the Rail Tipper Facility. TCEQ continues to monitor storage and disposal operations at WCS.

Uranium Mining: A new license application from Uranium Energy Corporation (UEC) for their Burke Hollow project and a major amendment for Conoco Phillips' Conquista project are still under technical review.

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

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areas for unrestricted use. The TCEQ is also conducting sampling to finely delineate areas that are above standards for release to unrestricted use and get volume estimates for the next phase of remediation.

Byproduct Material Disposal: 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. TCEQ continues to review WCS's environmental monitoring reports and related data.

Underground Injection Control: A new UIC Class III area permit for UEC's Burke Hollow project, in Bee County was issued on December 6, 2016.

TCEQ also continues to conduct technical review of a Class I renewal application from URI for WDW248. This disposal well is located at Kingsville Dome mine in Kleberg County.

Rulemaking Projects:

Rulemaking to amend Texas Administrative Code Chapter 336 was proposed on January 18, 2017 to remove the word "quarterly" from the rule requiring the holder of a license for a low-level radioactive waste disposal site to pay an annual license fee quarterly for services received from the TCEQ to allow flexibility to invoice cost recoverable activities by TCEQ on an as needed basis.

TCEQ also received a petition from Texas Mining and Reclamation Association for rule changes to injection well permitting and radioactive materials licensing requirements for uranium mining operations. The petition was heard by the Commissioners on the December 15th agenda and the Executive Director was directed to initiate rulemaking with stakeholder input in 2017 after the 85th legislative session.