

Texas Commission on Environmental Quality Program Report for the February 23, 2018 TRAB Meeting

Low-Level Radioactive Waste Disposal: The TCEQ continues to monitor storage, processing, and disposal operations at the site.

Uranium Mining: A new license application from Uranium Energy Corporation for their Burke Hollow project; major amendment for Conoco Phillips' Conquista project, RML R01634; and 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, are still under technical review. A minor amendment of the UEC Goliad Project for reduction of their licensed area has been finished and was issued February 8th.

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 Nuclear Regulatory Commission (NRC) for their concurrence in granting a partial release of these areas for unrestricted use. The TCEQ is continuing efforts on drafting a work plan for remediation of the site.

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. The TCEQ continues to review WCS's environmental monitoring reports and related data.

Underground Injection Control: The TCEQ continues to monitor routine reports from permittees for mining and disposal well authorizations at licensed sites.

Rulemaking Projects: The public comment period for the proposed rulemaking to implement HB 2662 was closed on December 22, 2017 with no comments received. The adoption agenda will be April 11, 2018. 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. A request for a volume adjustment to the Compact

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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 to 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.

2018 IMPEP Review: The NRC Integrated Materials Performance Evaluation Program (IMPEP) review team spent a week with both the TCEQ and DSHS staff from January 29th through February 9th. Their preliminary recommendation for the 2018 IMPEP review is for Texas to be found adequate and compatible, which is the highest rating possible.