

## Texas Commission on Environmental Quality Program Report for the December 9, 2016 TRAB Meeting

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**Low-Level Radioactive Waste Disposal:** Waste Control Specialists' (WCS) license RO4100 has not been amended since amendment number 30 on March 16, 2015. An amendment application was received on October 24, 2016, 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, 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 areas for unrestricted use. TCEQ has completed work on the removal of six piles of debris from the site, totaling approximately 1851 yards of material. The work began on May 2, under regular supervision by the TCEQ and ended on June 25. The TCEQ is also conducting sampling campaigns 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.

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**Underground Injection Control:** A new UIC Class III area permit for UEC's Burke Hollow project, in Bee County has been posted on the Executive Director's agenda for issuance. A major amendment was issued on November 3, 2016 to the area permit for the Vasquez mine in Duval County, in response to a request from URI to amend the permit range table.

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 to revise rules concerning definitions, general requirements for surveys and monitoring, physical protection of Category 1 and Category 2 quantities of radioactive material, and licensee notification requirements for byproduct material retention systems to ensure compatibility with federal regulations promulgated by the NRC was adopted on November 16, 2016 and will become effective on December 8, 2016.

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 will be heard by the Commissioners on the December 15th agenda.

## **Legislative Reports:**

TCEQ completed and submitted two reports to the Legislature per statutory requirements under Texas Health and Safety Code sections 401.208 and 401.207(h-1): The Capacity Report for Low-Level Radioactive Waste (SFR-104-2016) and The Study on Surcharge Revenue from Imported Nonparty Waste (SFR-117).