



# RAILROAD COMMISSION OF TEXAS

## TEXAS RADIATION ADVISORY BOARD

### Program Report for the Railroad Commission of Texas February 2017

The Railroad Commission of Texas (RRC) staff continues to work with the Texas Department of State Health Services (DSHS) and the Texas Commission on Environmental Quality (TCEQ) relating to jurisdiction, legislation, general licenses, permits and exemptions for the disposal and related handling of Naturally Occurring Radioactive Material (NORM) and Technologically Enhanced Naturally Occurring Radioactive Material (TENORM) on a case by case basis.

#### **Permitting:**

Recently, multiple operators have inquired about amending their existing Class II injection well permits to accommodate NORM waste. In addition, two operators have also inquired about the possibility of permitting surface disposal cells to receive NORM (interment within a disposal cell). 16 TAC Chapter 4 Subchapter F, RULE §4.620(b) states:

*(b) "Standards for permit issuance. The Commission shall issue a permit to dispose of oil and gas NORM waste under §3.8 of this title only if the Commission determines that the subject oil and gas NORM waste will be disposed of in a manner that protects public health, safety, and the environment. Any permit to dispose of oil and gas NORM waste issued pursuant to §3.8 of this title shall contain construction and operating requirements that are reasonably necessary to protect public health, safety, and the environment. In addition, the Commission shall issue a permit for burial of oil and gas NORM waste only if, prior to burial, the oil and gas NORM waste has been treated or processed so that the radioactivity concentration does not exceed 30 pCi/g Radium-226 combined with Radium-228 or 150 pCi/g of any other NORM radionuclide. The Commission shall issue a permit to dispose of oil and gas NORM waste by applying it to and mixing it with the land surface only if, after such application and mixing, the radioactivity concentration in the area where the oil and gas NORM waste was applied and mixed will not exceed 30 pCi/g Radium-226 combined with Radium-228 or 150 pCi/g of any other NORM radionuclide."*

In addition, RULE §4.623 states:

*"The Commission may approve alternatives to the provisions of §4.617 and §4.620 of this title (relating to Permit for Injection, and Permit for Surface Disposal) for good cause if the applicant demonstrates to the Commission's satisfaction that the alternatives will protect public*

*health, safety, and the environment. An operator requesting to use an alternative method shall submit the request in writing. The Commission shall review the request within 30 days and shall approve or deny the request in writing.”*

It is the intent of at least one of these operators to petition the surface disposal conditions defined under §4.620 with an alternative provision as allowed under §4.623 so that the radioactivity concentration of 30 pCi/g Radium-226 combined with Radium-228 or 150 pCi/g of any other NORM radionuclide may be exceeded if acceptable protective measures are in place.