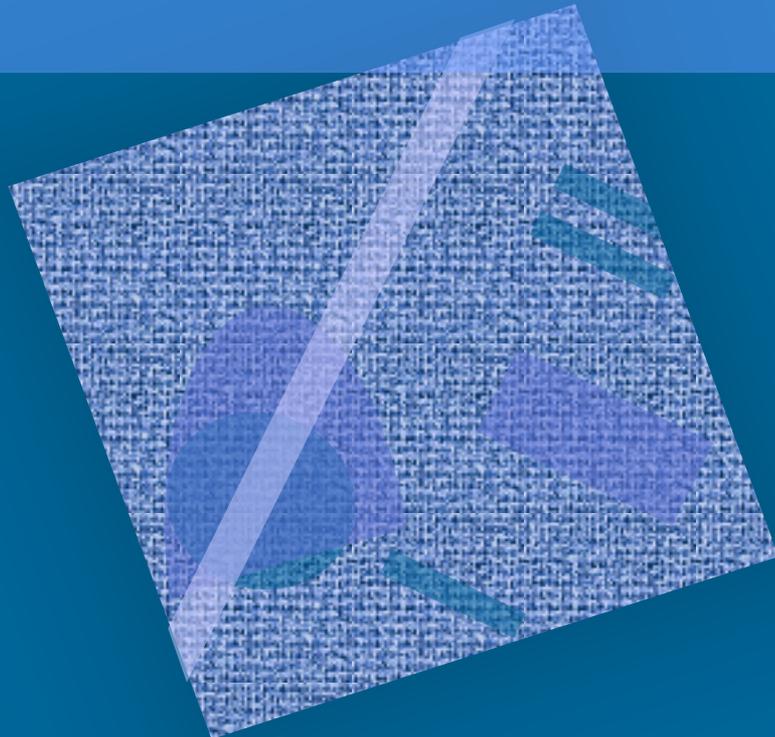


TCEQ Update on Regulations and Policies



Texas Commission on Environmental Quality

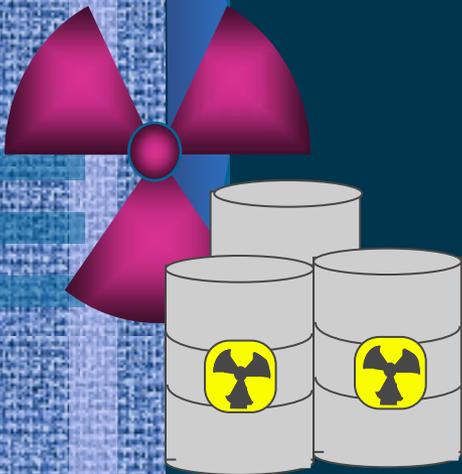
Susan Jablonski, P.E.

TRRC - September 2, 2010



Radiation Waste Regulation

- There are three Texas state agencies and the federal government involved in the regulation of radioactive waste management and disposal associated with possession activities
- The Texas Legislature has addressed the consolidation of radioactive waste management regulation at the state level



Introduction: Texas Regulation

- Exclusive authority to regulate and manage radioactive materials and radioactive waste, except nuclear reactors and certain types of high-level radioactive materials
- Under federal law, addresses most radioactive waste generated within its borders
- Recently approved ‘hybrid’ licensing
 - Low-level radioactive waste disposal - commercial
 - Mixed waste disposal - federal government facility
 - By-product radioactive material disposal
 - NORM disposal by deep well injection



Regulatory Transfer Legislation

- Senate Bill 1604, 80th Texas Legislature, transferred regulatory authority from the Texas Department of State Health Services to the TCEQ for:
 - Source material recovery licensing (uranium mining surface activities);
 - Commercial radioactive waste storage and processing; and
 - By-product material disposal
 - Added to the authority already at TCEQ for disposal of low-level radioactive waste and non-oil and gas NORM



Phase I and II Rulemaking

- Implementation of Regulatory Transfer
 - Two phase of rulemaking
 - Source material recovery licensing (uranium mining surface activities);
 - Commercial radioactive waste storage and processing; and
 - By-product material disposal
 - Added to the authority already at TCEQ for disposal of low-level radioactive waste and non-oil and gas NORM



LLW Disposal Licensing

- Two facilities under one license
 - Texas Compact Waste Facility
 - Federal Waste Disposal Facility
- License Issued on September 10, 2010
 - Pending License Amendment
 - Construction Authorization
 - Ongoing Requirements
 - Allowing for Waste Acceptance



Waste Disposal Fee Setting

- TCEQ statutorily charged with setting fees for the disposal of Texas Compact waste
 - Created rates schedules that are fair, just, reasonable and sufficient considering allowable expenses plus rate of return.
 - TCEQ has the responsibility for auditing and approving rates and fees and collecting the rates & fees.

