



INDUSTRIAL, NUCLEAR POWER, URANIUM and WASTE COMMITTEE  
of the TEXAS RADIATION ADVISORY BOARD (TRAB)  
MEETING MINUTES

Austin-Health and Human Services Commission, MHMR Center  
Conference Room 164, 909 W. 45<sup>th</sup> Street, Austin, Texas 78751  
Friday, September 18, 2015 at 9:00 AM

**1. Call to Order**

Kenneth Krieger, C.H.P., Chair, called the meeting to order at 9:09 a.m. A quorum was present.

Members present for the meeting: Mitch Lucas, P.E., Vice-Chair; John Hageman, M.S., C.H.P.;  
Judy Raab and Darshan Sachde.

Members not present: Ian Hamilton, Ph.D.; Amy Clark, Steve Harris, Kevin Raabe

**2. Introduction of guests**

Department of State Health Services (DSHS) staff present:

Ruben Cortez, Ray Fleming, Chuck Flynn, Billy Duncan, Karl Von Ahn and Peggy Westlund

Texas Commission of Environmental Quality (TCEQ): Charles Maguire, Catie Arnold, Bobby  
Janecka, and Monica Sullivan

Advocates for Responsible Disposal in Texas: Eddie Selig

Texas Railroad Commission (RRC): Grant Chambless

Waste Control Specialist (WCS): Betsy Madru

State Energy Conservation Office: Roger Mulder

Jacobi Consulting: Rick Jacobi

**3. Consideration and, as needed, discussion and possible action concerning amendment  
and/or approval of the minutes of this Committee's June 12, 2015, meeting**

Mr. Hageman made a motion to approve the minutes. Mr. Lucas seconded the motion, Mr.  
Krieger abstained and the minutes were unanimously approved.

4. **Continuing Business:**

**A. Update and discussion on the Texas Low Level Radioactive Waste Disposal Facility including the potential for disposal of Greater-than-Class C (GTCC) waste at the facility**

Mr. Maguire advised TCEQ received a petition for rulemaking asking to change current rules that prohibit the disposal of Greater-than-Class C waste streams. The TCEQ Commission advised to move forward with stakeholders, including the Nuclear Regulatory Commission and Department of Energy, to determine who has jurisdiction to license the disposal of these waste streams. NRC proposed three options to their commission:

1. State of Texas cannot have jurisdiction and only be licensed by NRC
2. State of Texas to be given jurisdiction at the WSC sight only
3. No changes

NRC recommended option two to their commission and a decision should be made in the next couple of months or longer due to complex legal issues.

**B. Update on EPA's proposed rules in 40 CFR Part 192 regarding in-situ mining of uranium**

Mr. Maguire provided an update of the proposed rules of in-situ uranium mining. TCEQ recommended before rules are in effect to consult the state and scientific community; perform a study to determine the length of time required to assure stabilization and water quality protection and to provide grandfathering for existing sites.

Mr. Maguire announced that Bobby Janecka is the new TCEQ Section Manager of Radioactive Materials Licensing and Monica Sullivan is his special assistant.

**C. Update of NRC's July 25, 2014, Advance Notice of Proposed Rulemaking (ANPR), related to the current radiation protection regulations**

Mr. Flynn advised the comment period updating 10 CFR 20 to coincide with ICRP expired June 22, 2015. The comment period for the new proposed petition of 10 CFR 20 challenging the linear no threshold hypothesis has been extended to November 19, 2015.

5. **New Business**

**A. Assessment of the TCEQ proposed rules, Chapter 336, Radioactive Substance Rules, Physical Protection of Category 1 and 2 Quantity Radioactive Material**

Mr. Maguire advised the proposed rules are published in the Texas Register, and public meeting is September 22, 2015. Mr. Hageman motioned to endorse the TCEQ rules. Mr. Lucas seconded the motion and the motion was unanimously approved.

6. **Public Comments**

None

7. **Summarize Committee meeting and recommendations for Committee Report and proposed action items for TRAB**

- A. Recommend endorsing the TCEQ proposed rules for Category 1 and 2 Quantity Radioactive Material.

**8. Identification of Future Meeting Topics for this Committee**

None

**9. Adjourn**

Mr. Krieger adjourned the meeting at 9:51 a.m.