

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 29, 2014

Laura Dudes, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and Environmental Management Programs
Environmental Management Programs
U.S. Nuclear Regulatory Commission
Two White Flint North
11545 Rockville Pike
Rockville, Maryland 20852

Re: Management Review Board Final Integrated Materials Performance Evaluation Program
Report on the Texas Agreement State Program dated August 25, 2014

Dear Ms. Dudes:

The Texas Commission on Environmental Quality (Commission) is in receipt of the Nuclear Regulatory Commission's (NRC) Management Review Board (MRB) final report dated August 25, 2014. The MRB found the Texas program adequate to protect public health and safety and compatible with the NRC program. The MRB found the uranium recovery and low-level radioactive waste (LLRW) disposal indicators to be satisfactory.

However, the review team made three recommendations to the Commission related to the uranium recovery and LLRW disposal programs: (1) develop and implement a strategy to address staffing in the LLRW disposal and uranium recovery inspection programs; (2) in coordination with the Radioactive Materials Division, develop detailed inspection procedures for LLRW inspections to provide feedback to the LLRW program and enhance the inspection program; and (3) in coordination with the Underground Injection Control (UIC) Permits Section and the Uranium Section, develop detailed inspection procedures for uranium recovery inspections to provide feedback to the uranium recovery program and enhance the inspection program.

The Commission takes these recommendations to enhance the effectiveness and efficiency of the program seriously and appreciates the opportunity to respond.

For recommendation (1), the Commission implemented the use of innovative technologies to automate and streamline LLRW disposal inspections through the use of a software program called SharePoint and implemented the use of electronic tablets by the Resident Inspectors at the licensed LLRW disposal facility. The use of innovative technologies greatly increased the efficiencies of the inspection staff, and the Commission will evaluate expanding these same efficiencies to the uranium recovery and UIC programs.

Laura Dudes, Director

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The Commission also recently reallocated one management position within the Critical Infrastructure Division (CID) to focus on the radioactive materials inspection program, which includes the LLRW disposal and uranium recovery programs as well as the UIC program. This position will also act as a liaison between the Radioactive Materials and CID Divisions at the Commission.

In addition, based on a thorough evaluation of current and projected workloads, the Commission will also increase the number of employees working directly in the radioactive material inspection programs.

For recommendations (2) and (3), the Commission is in the process of revising the inspection procedures for both programs which will add detailed procedures to the existing inspection procedures.

The Commission is very appreciative of the Management Review Board's consideration and evaluation of the Commission's Low Level Radioactive Waste Disposal and Uranium Recovery Programs. We look forward to continued communication and cooperation with your agency.

Sincerely,



Kelly Cook, Director
Critical Infrastructure Division
Texas Commission on Environmental Quality



Charles Maguire, Director
Radioactive Materials Division
Texas Commission on Environmental Quality