

Bryan W. Shaw, Ph.D., *Chairman*
Toby Baker, *Commissioner*
Richard Hyde, P.E., *Executive Director*



Texas Commission on Environmental Quality
Protecting Texas by Reducing and Preventing Pollution

August 21, 2014

Pamela Henderson, Deputy Director
Division Material Safety, State, Tribal,
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission
T8-E18
Washington, D.C. 20555-0001

Dear Ms. Henderson:

Enclosed is a copy of the revisions to the proposed Texas Commission on Environmental Quality rules in Title 30 Texas Administrative Code (TAC) Chapter 336 (relating to Radioactive Substance Rules). The proposed revisions will be made available for public comment on September 4, 2015 with a request for comments by October 4, 2015. We request NRC's comments by October 4, 2015. The proposed regulations are identified by underlining and currently existing language that is to be removed is designated by [bracketing out]. The proposed regulations correspond to the following equivalent amendments to NRC's regulations.

Rats ID	Title	State Sections
• 2013-1	Physical Protection of Byproduct Material	§336.357
• 2015-2	Safeguards Information - Modified Handling Categorization, Change for Materials Facilities	§336.357

Please note that the error (missing " ≥ 1.0 ") in the equation for 336.357(z) was noticed too late to correct before the proposed rules were published but will be corrected during the public comment period.

We believe that adoption of these revisions satisfies the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200.

If you have any questions, please feel free to contact me at 512-239-5308 or Bobby Janecka of my staff at 512-239-6415 or Bobby.Janecka@tceq.texas.gov.

Ms. Henderson
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Sincerely,

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

Enclosures:
Proposed Rule
Cross walk.

bcc: Bobby Janecka, TCEQ
Don Redmond, TCEQ