

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



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

March 1, 2016

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:

We are sending this letter to inform the NRC that RATS numbers 2006-1, 2012-2, 2012-4 and 2015-3 are completely the responsibility of the Texas Department of State Health Services (DSHS) and consequently no rulemaking is required for the TCEQ for these RATS numbers. We have discussed this with our counterpart at DSHS and they agree. Therefore, we are asking that the State Regulation Status for TCEQ for RATS 2006-1, 2012-2, 2012-4 and 2015-3 be changed to show that TCEQ is compatible with these RATS numbers with the note "TX DSHS Responsibility."

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](mailto:Bobby.Janecka@tceq.texas.gov).

Sincerely,



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

CWM/HW