

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 17, 2021

Ms. Theresa Clark, Deputy Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material Safety  
and Safeguards  
U.S. Nuclear Regulatory Commission  
T8-E18  
Washington, District of Columbia 20555-0001

Dear Ms. Clark:

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 December 3, 2021 with a request for comments by January 10, 2022. We request NRC's comments by January 10, 2022. The proposed regulations are identified by underlining new language 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.

<u>Rats ID</u>	<u>Title</u>	<u>State Sections</u>
• 2018-3	Miscellaneous Corrections	§336.357
• 2019-1	Miscellaneous Corrections	§336.357

Please note that if you need to reference 30 TAC in your review, these rules can be found at [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=2&ti=30](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=2&ti=30).

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 512-239-0493 or Brad Broussard of my staff at 512-239-6380 or [Brad.Broussard@tceq.texas.gov](mailto:Brad.Broussard@tceq.texas.gov).

Sincerely,

A handwritten signature in blue ink that reads "Ashley Forbes".

Ashley Forbes, Deputy Director  
Radioactive Materials Division  
Office of Waste

AF/hw

Enclosure: Cross walk, proposed rule