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Bobby Janecka, *Commissioner*  
Catarina R. Gonzales, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 12, 2024

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 (TCEQ) rules in Title 30 Texas Administrative Code (TAC) Chapter 336 (relating to Radioactive Substance Rules). Please note that TCEQ and the Texas Department of State Health Services submit separate crosswalks for meeting the requirements in the RATS. Rulemaking concerning fees are not included. The proposed revisions will be made available for public comment on June 28, 2024, with a request for comments by July 30, 2024. We request NRC's comments by July 30, 2024. The proposed regulations are identified by underlining new language and currently existing language that is to be removed is designated by [bracketing out]. A portion of the proposed regulations correspond to the following equivalent amendments to NRC's regulations.

<u>Rats ID</u>	<u>Title</u>	<u>State Sections</u>
• 2021-1	Miscellaneous Corrections	§336.357
• 2021-2	Miscellaneous Corrections	§336.357

A crosswalk is also enclosed for RATS ID 2023-1, Miscellaneous Corrections, for which no rulemaking is required by TCEQ. Another crosswalk is enclosed for rulemaking by TCEQ that is not related to any RATS ID but to correct errors and modify the TCEQ rules concerning training requirements for Radiation Safety Officers (RSO) and to provide the TCEQ flexibility in determining adequate training for the RSO at different licensed facilities.

Please note that if you need to reference 30 TAC in your review, these rules can be found at [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=4&ti=30&pt=1&ch=336](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=336).

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.

Ms. Theresa Clark  
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If you have any questions, please feel free to contact me at 512-239-0493 or Hans Weger of my staff at 512-239-6465 or [Hans.Weger@tceq.texas.gov](mailto:Hans.Weger@tceq.texas.gov).

Sincerely,

A handwritten signature in blue ink that reads "Ashley Forbes". The signature is written in a cursive style with a long, sweeping underline.

Ashley Forbes, Deputy Director  
Radioactive Materials Division  
Office of Waste  
Texas Commission on Environmental Quality

AF/hw

Enclosures: Cross walk, proposed rule