

Dear Susan Jablonski,

RW
4/6/05

3-15-05

OPA

MAR 23 2005

BY HL

The Ogallala Aquifer is no place for nuclear waste. We're promised by Dallas billionaire Harold Simmons, that his private company, Waste Control specialists, will be careful stewards of nuclear weapons waste. Why should the health of Texans depend on the promises of a man with dollar signs in his eyes?

My 2-year-old cousin, Stacey Mills, died a painful death of cancer. The cause of her cancer - unknown. I do not wish this pain on any Texas child, or their families. Let's not put Texas at risk of a known cancer cause.

Please deny the permit for radioactive disposal to Waste Control specialists.

Comment
on RW 4100

Chief Clerk
MC 105

Thank you

Heather

HEATHER ALDEN RW
1304 Garden St.
Austin, TX 78702

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2005 MAR 23 AM 10:00
CHIEF CLERKS OFFICE

OPA

SEP 08 2008

2005-1994-PAW
R04100

RW
46867

BY DL

From: [REDACTED]
To: radmat@tceq.state.tx.us ; greg.abbott@oag.state.tx.us ; rick.perry@governor.state.tx.us ; Roger Vaughan
Cc: Breeda Reilly ; Deborah Seymour ; Cynthia Taylor ; Timothy Johnson ; nmlady2000 ; khelms ; Swickow, Deborah
Sent: Tuesday, September 02, 2008 7:27 AM
Subject: Comment on Waste control dump site in Andrews county, Texas

Since the comment period is open on the Waste control dump in Andrews County, I sent this map below to the other members of the Compact; along with a note about the internal TCEQ dispute over the geology under the site.

And since the WC facility is approx 1/2 mile from the LES enrichment plant, I believe the NRC should be added to this email. Along with the DOE.

I don't believe anything radioactive should be stored over the only aquifer we have here.

Phillip Barr
2836 NORTH ACRES
HOBBBS, NEW MEXICO 93240-1708
Lea county, New Mexico
I Live App. 24 miles FROM W.C. site

Source and date at bottom

Page address was http://www.rra.dst.tx.us/gw/Ogallala_1.cfm

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The Ogallala Aquifer

TEXAS
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ON ENVIRONMENTAL
QUALITY
2008 SEP - 02 AM 10:43
CHIEF CLERKS OFFICE

MW

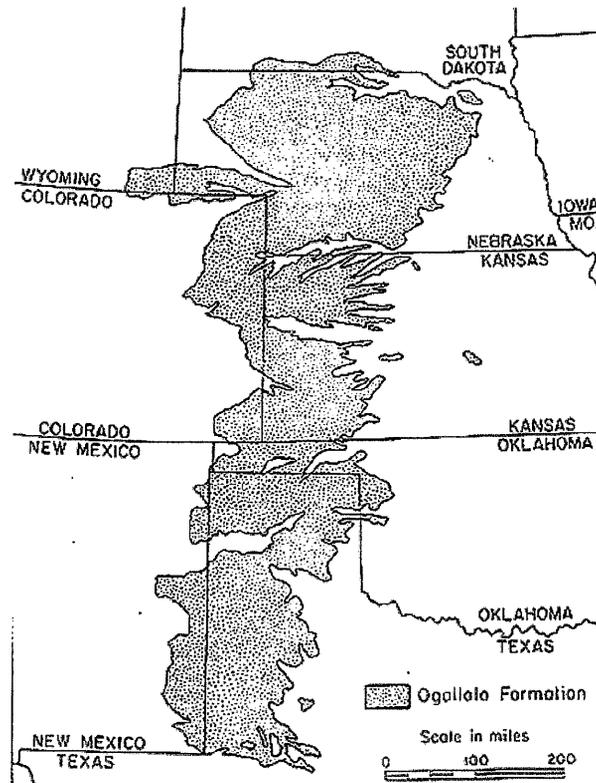


Image by Texas Tech University

The Ogallala aquifer is a huge underground reservoir created millions of years ago through geologic action. The underground water supply is west of the Mississippi River and east of the Rocky Mountains. It includes the following states: South Dakota, Nebraska, Colorado, Wyoming, Kansas, Oklahoma, Texas, and New Mexico. The reservoir covers a total area of 800 miles north to south and 400 miles east to west. This region is a part of the Great Plains that is referred to as the High Plains.

In order to assess the current problems facing the Ogallala aquifer it would be helpful to know a little about its history. The aquifer developed over millions of years through erosion of the Rocky Mountains depositing rock and sediment at the base of the mountain range. Stream beds at the base of the mountain range were filled and forced the rivers to take on new directions across the nearby countryside. The debris that was left behind by the streams formed the High Plains. This debris was porous and permeable to water. The new landscape formed a "trough" that holds water to depths of 500 feet.

The biggest reason for concern is the fact that the aquifer has been cut off from almost all of its natural recharging sources. The Rocky Mountains have not supplied the aquifer for over a thousand years. The climate of the High Plains today is classified as a semi-arid region receiving 15"-20" of rainfall a year. When it does rain the evaporation rate is very high due to the dry air and high winds. Many of the rivers including the Platte, Republican, Canadian, and Arkansas actually drain the aquifer because they have water tables below that of the aquifer. Even if a river does act as a source, it only does so when it is able to flow. Another reason that rain water is not effective is that caliche is found just under the soil surface in many areas. Caliche is a lime-like material with a very low porosity that prevents infiltration. Playa lakes are also found on the Ogallala aquifer. These lakes are simply depressions in the High Plains that collect water but do not contribute to infiltration greatly due to rapid evaporation rates. For these reasons the High Plains were a lifeless desert region until the early to mid 1900s.

The problem facing The Ogallala aquifer today is not knowing how long the water supply will last. The first recorded use of the aquifer for irrigation purposes was a hand dug well in

1911. Many of the first wells were dug primarily to meet the needs of towns that were forming on the High Plains. These wells were restricted to 50 feet or less. Windmills were the primary mechanism used in drawing water. Through technological advances and the invention of the "horizontal centrifugal" pump, wells were being dug to depths of 200 feet or more. The newer pumps allowed a flow rate of 1000 gallons per minute (gpm) compared to only a few gpm generated by the windmills. Wells were being installed at a rate of approximately 80 per year in the 1950s. During this time Colorado became concerned about the future of the aquifer. The Colorado legislature passed the Colorado Water Management Act in 1965. The act established Designated Groundwater Basins, Groundwater Management Districts, and bases for controlling well drilling. Realizing that this act would put restrictions on the number of wells permitted, those farmers who had put off drilling wells went ahead with the installations before they could be denied. This surge caused 471 wells to be installed in 1967. Situations such as these caused a great deal of strain on the aquifer, and researchers today are trying to find ways to help and conserve the aquifer's water supply.

A method referred to as "irrigation scheduling" was devised as a way to make better use of the water supply. By monitoring soil moisture and natural rainfall along with other important weather conditions, farmers can apply pre-calculated amounts of water to their crops. The key is to make sure the plants have adequate water during critical times and short on water at less critical times during the growth cycle. Crops with lower water requirements have also been introduced. Even if this method is applied perfectly it would not eliminate the depletion of water from the aquifer.

Another method is to quit irrigating certain stretches of land. This has a greater impact on reducing the water removal rate, but it is unpopular with the farmers who have money invested. Governmental agencies do not have the authority to remove land from irrigation, but due to lower water tables the cost of irrigation is rising and at the same time causing land to be retired.

The truth of the matter is that if the High Plains are to continue to be of any agricultural importance new water sources must be found. Potential water supplies could be the collection and storage of natural rainfall before it runs off or evaporates, increasing rainfall through seeding clouds (still being researched), and most importantly new sources of water will have to come from outside the High Plains region.

Credit : <http://www.eos.ncsu.edu/bae/courses/bae472/perspectives/1996/arblanke.html>

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This page dynamically generated: Tue, March 22, 2005 at 21:20:28 CST

OPA

SEP 08 2008

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITYRW
46867BY RL

From: <[REDACTED]>
 To: <radmat@tceq.state.tx.us>; <rick.perry@governor.state.tx.us>; 2008 SEP -5 PM 3: 03
 <greg.abbott@oag.state.tx.us>
 Cc: <lonestar.chapter@sierraclub.org>; "Cyrus Reed" <cyrus.reed@sierraclub.org>; CHIEF CLERKS OFFICE
 "nmlady2000" <nmlady2000@hotmail.com>; "bill" <aguavida@valornet.com>
 Sent: Thursday, August 28, 2008 7:30 AM
 Attach: 4-10-08.JPG
 Subject: comment on the waste control nuclear waste dump permit near eunice.

TCEQ sent a letter saying another comment period is open. R04100

I use this comment from TCEQ employee Roger Vaughan below, where he remarks on his own observations of blowing dust in the area. Since a TCEQ employee is on record as saying the conditions are so bad in that area at times that road signs cannot be seen, its my contention Waste Control and TCEQ cannot guarantee the integrity of the Waste Control site in regards to any loose radioactive dust particles or materials.

(Radiation monitors on a perimeter fence line would not work well in zero visibility caused by a bad sandstorm.)

We also have a lot of loose topsoil in this area and low speed winds move it around as well.

High or low speed winds will blow any radioactive dust particles or loose materials off the Waste Control site and over Eunice or Hobbs. This would pose a health risk to my family and friends.

The license should be contested.

Phillip Barr
 2836 northacres
 Hobbs, New Mexico
 APPROX. 24 miles FROM site

----- Original Message -----

From: Roger Vaughan
 To: pharb2@msn.com ; Robert Beleckis
 Cc: Beryl Thatcher ; Brad Broussard ; Conrad Kuharic ; Devane Clarke ; Dora Granja ; Gary Smith ; HansWeger ; Louis Gloystein ; Phil Shaver ; Sonia Simmons ; Susan Jablonski
 Sent: Friday, April 11, 2008 6:40 AM

8/28/2008

MW

Subject: Re: comment on the waste control nuclear waste permit near eunice.

Thanks. I've seen much worse out there; where the nearby road signs (in the picture) would be invisible.

Roger

>>> Robert Beleckis 4/11/2008 7:37 AM >>>

Phillip, Thank you for the picture. I'm distributing it to the Radioactive Material Division.

Bob Beleckis, CHP
Radioactive Materials Division
Texas Commission on Environmental Quality
P.O. Box 13087, Mail Code-233
Austin, Texas 78711
(512) 239-6463
rbelecki@tceq.state.tx.us

>>> <[REDACTED]> 4/11/2008 12:19 AM >>>

It may be too late to comment on the waste dump in Andrews county, but consider any radioactive dust at that facility that may get picked up in any sandstorms like the one we had all day today.

If you look into the dust cloud you can make out another vehicle, just barely.

This picture was taken just north of Hobbs.

Phillip Barr
2836 Northacres
Hobbs, New Mexico

I found the original email. See below.

----- Original Message -----

From: [REDACTED]
To: radmat@tceq.state.tx.us
Sent: Thursday, April 10, 2008 11:19 PM
Subject: comment on the waste control nuclear waste permit near eunice.

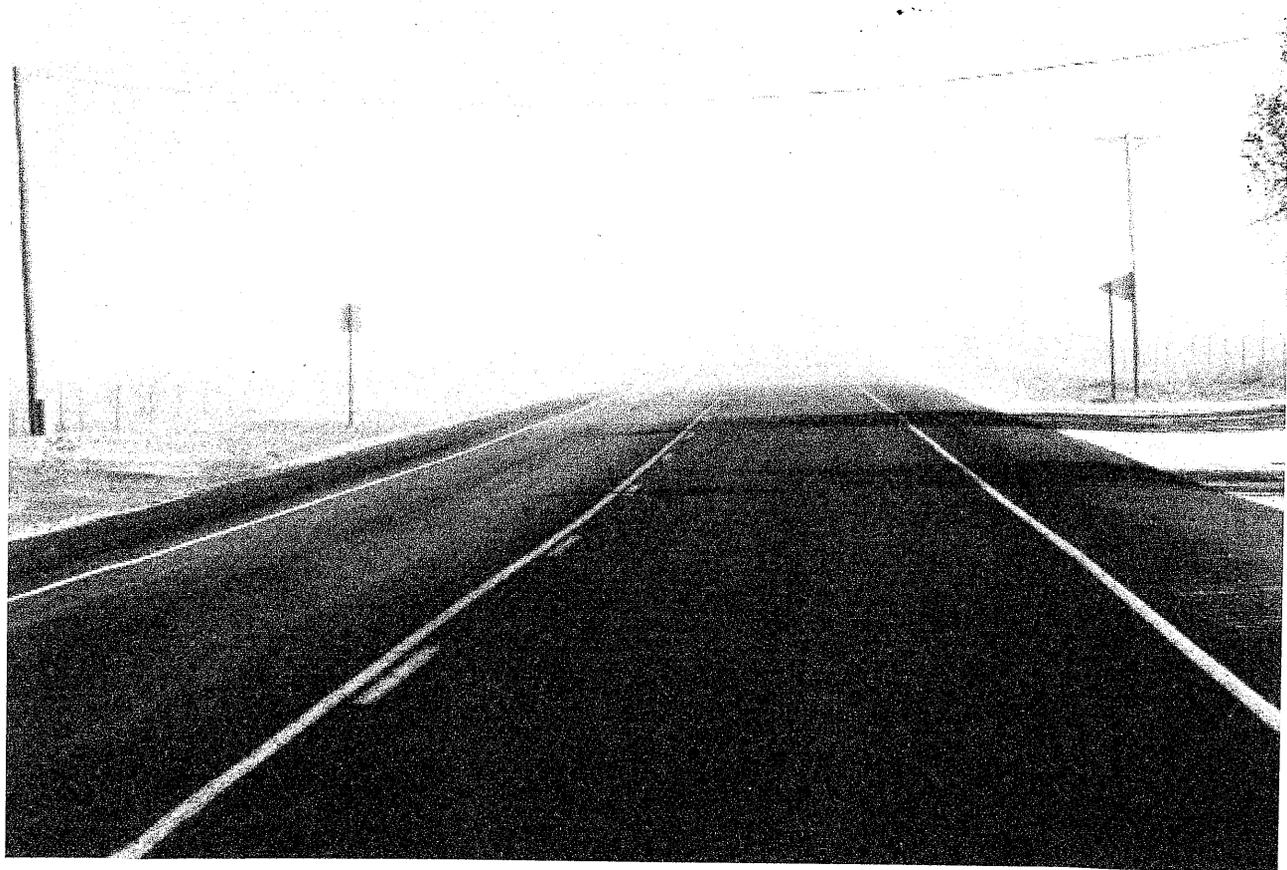
8/28/2008

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Phillip Barr
2836 Northacres
Hobbs, New Mexico



R04100

FAW
410867

To Texas Commission on Environmental Quality (TCEQ)

Comment on the Nuclear waste dump in Andrews county, Texas
TCEQ sent me a letter and a comment period on the Andrews county nuclear dump open. Im going to respond to the address that was in the letter , and also by email
The State of Texas should not give control of the dump site to waste control. Since TCEQ ignored what its own geologist said about the water under the site, the State of Texas should retain control, and have liability over the site.

Mrs. Bobeck, geologist for TCEQ was right. There is water under the dump site in Andrews County and when the waste hits the water, its going to move around.

This dumpsite poses a serious risk to the water supply of Eunice New Mexico and to anyone in the area who depends on the Ogallala aquifer.

The ogallala is our only source of water here.

See webpage saved below. Its even dated at the bottom. Red River Authority of Texas. Page address was http://www.rra.dst.tx.us/gw/Ogallala_1.cfm

Looks like the state of Texas has known the water was under the site some time back.

If this dump were to leak into the aquifer that the State of Texas was aware of, I would imagine the liability would be quite high.

I live approx 24 highway miles from the site, but the Ogallala is the source of the water for the Eunice and the Hobbs area. If the waste from the WC site in Andrews county were to pollute the only water supply we have here, it would pose serious health risks and water supply problems.

The license for the dump should be contested.

Phillip Barr

2836 northacres

Hobbs, New Mexico

88240-1708

2008 AUG 25 3:30
CHIEF CLERK'S OFFICE
TCEQ

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA

AUG 26 2008

BY BP

mw

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The Ogallala Aquifer

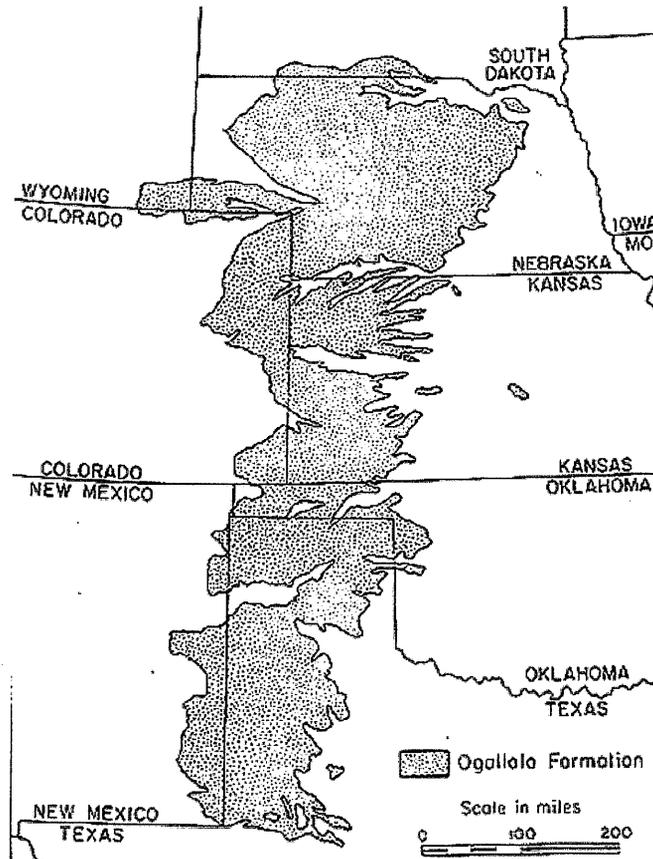


Image by [Texas Tech University](#)

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evaporates, increasing rainfall through seeding clouds (still being researched), and most importantly new sources of water will have to come from outside the High Plains region.

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----- Original Message -----

From: "[REDACTED]"

To: "mailto:ron.curry@state.nm.us"; "mailto:tannis.fox@state.nm.us";

"mailto:nmiqgovima@state.nm.us"; "mailto:greg.abbott@oag.state.tx.us" BY

Cc: "mailto:cmplaint@tceq.state.tx.us"; "mailto:upset07@tceq.state.tx.us";

"mailto:kevin.myers@state.nm.us"; "mailto:nmlady2000@hotmail.com";

"mailto:ac@tceq.state.tx.us"

Sent: Wednesday, October 11, 2006 1:53 PM

Subject: Les Water Permit and Aquifer safety

OPA

OCT 16 2006

BY

gf

~~IRW-4100~~ IRW-4100

Its my belief that LES should be denied a water permit in Lea County because the plant site sits in an earthquake zone. I point out the earthquake of 1992 in the LES site area and the attached earthquake study done by the State of Texas.

Since this area has a history of earthquakes ,what seismic monitors are incorporated into the states water permit for Les and would the safety features of this plant be able to survive an earthquake of 4.6 or higher?

If the New Mexico water permit for Les is flawed or we have another earthquake that allowed uranium byproduct into the Ogallala aquifer, by what method would the State of New Mexico notify Lea County citizens? Since the site is so close to the Texas state line, how would State of Texas officials be notified? Along with farmers and ranchers on both sides of the Texas State line? Along with the Cities of Andrews, Midland and Odessa, Eunice, Hobbs, and so on.

For TCEQ

I would ask the Texas Commission on Environmental Quality the same questions about a proposed nuclear waste dump that would sit in the same earthquake zone across the Texas line in Andrews county.

And if both states can figure out a way to inform their neighbors if the aquifer gets polluted, you could tell the citizens on both sides of that border.

With the protection of the aquifer and people in mind, I suggested to members of the farming , ranching, dairy communities, along with municipalities (and every insurance company I could find) to completely test their water now for radioactive trace elements.

This would give a benchmark now if the aquifer gets polluted later.

Thank you for your time.

Phillip Barr

2836 Northacres , Hobbs
Lea County, NM

figures 12a 12b 12w-a on file
click several times on each one

CHIEF CLERK'S OFFICE

OCT 16 2006

CHIEF CLERK'S OFFICE

BG



EARTHQUAKE SEISMOLOGY

EARTHQUAKES

Chapter 12 of, *State of Texas Hazards Analysis*, by the Governor's Division of Emergency Management, Department of Public Safety, Austin, Texas, 1998.

Introduction: Earthquakes in Texas

An earthquake is a motion or trembling that occurs when there is a sudden breaking or shifting of rock material beneath the earth's surface. This breaking or shifting produces elastic waves which travel at the speed of sound in rock. These waves may be felt or produce damage far away from the epicenter—the point on the earth's surface above where the breaking or shifting actually occurred.

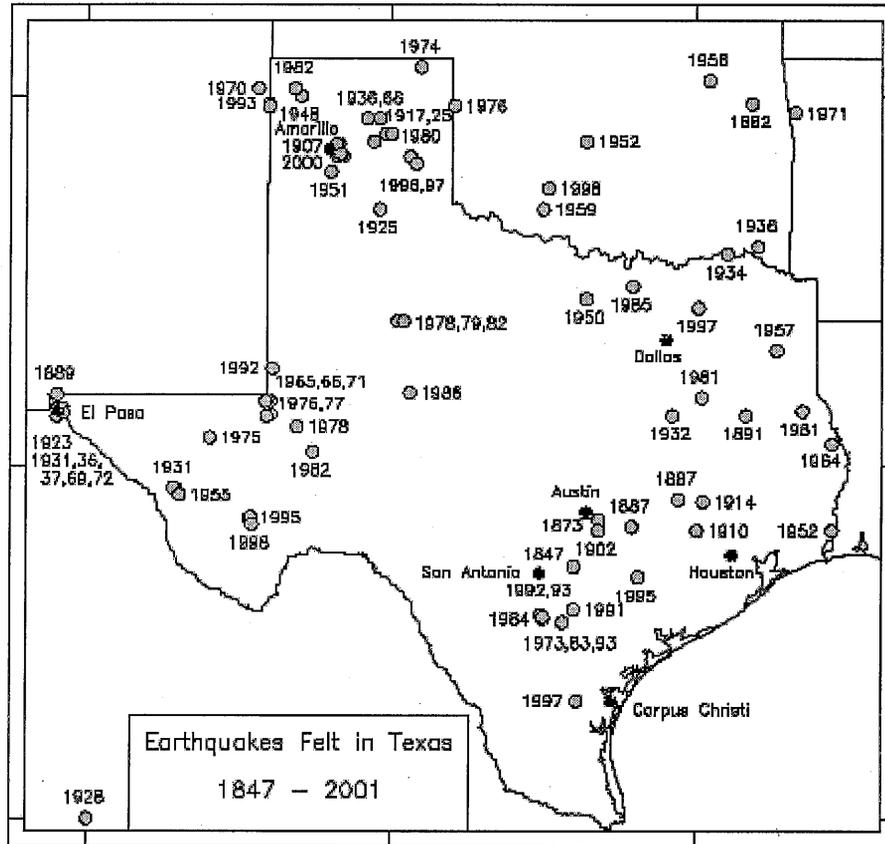
For Texans, three essential facts about earthquakes are important to remember. First, earthquakes do occur in Texas (see [Figure 12A](#)). Within the twentieth century there have been more than 100 earthquakes large enough to be felt; their epicenters occur in 40 of Texas's 257 counties. Four of these earthquakes have had magnitudes between 5 and 6, making them large enough to be felt over a wide area and produce significant damage near their epicenters.

Second, in four regions within Texas there have been historical earthquakes which indicate potential earthquake hazard ([Figure 12B](#)). Two regions, near El Paso and in the Panhandle, should expect earthquakes with magnitudes of about 5.5-6.0 to occur every 50-100 years, and even larger earthquakes are possible. In northeastern Texas the greatest hazard is from very large earthquakes (magnitude 7 or above) which might occur outside of Texas, particularly in Oklahoma or Missouri-Tennessee. In south-central Texas the hazard is generally low, but residents should be aware that small earthquakes can occur there, including some which are triggered by oil or gas production. Elsewhere in Texas, earthquakes are exceedingly rare. However, the hazard level is not zero anywhere in Texas; small earthquakes are possible almost anywhere, and all regions face possible ill effects from very large, distant earthquakes.

Third, while Texas does face some earthquake hazard, this hazard is very small in comparison to that in many other states, including California, Missouri, Montana, South Carolina, and Washington ([Figure 12C](#)). In most parts of Texas earthquake hazard is also small compared to the hazard attributable from other natural phenomena, such as hurricanes, tornadoes, and floods. Thus there is no need for Texas to enact sweeping changes in construction practices, or take other drastic measures to mitigate earthquake hazard.

However, Texans need to begin learning about earthquakes. Over the past 70 years Texas has changed from a sparsely populated state with an economy dominated by agriculture to an economically diverse state with various large, technical manufacturing industries centered in a few densely populated urban regions. For reasons of safety, economy, and (in some cases) law, Texans need to consider earthquake hazard when designing or siting various structures which are essential for providing medical or emergency management services, which house sensitive manufacturing processes, or which store hazardous wastes.

Figure 12A
 Locations of earthquakes and earthquake sequences that have occurred in Texas, or that were felt by Texas residents. Numbers are the year of occurrence. (See a [larger version](#) of this figure.)



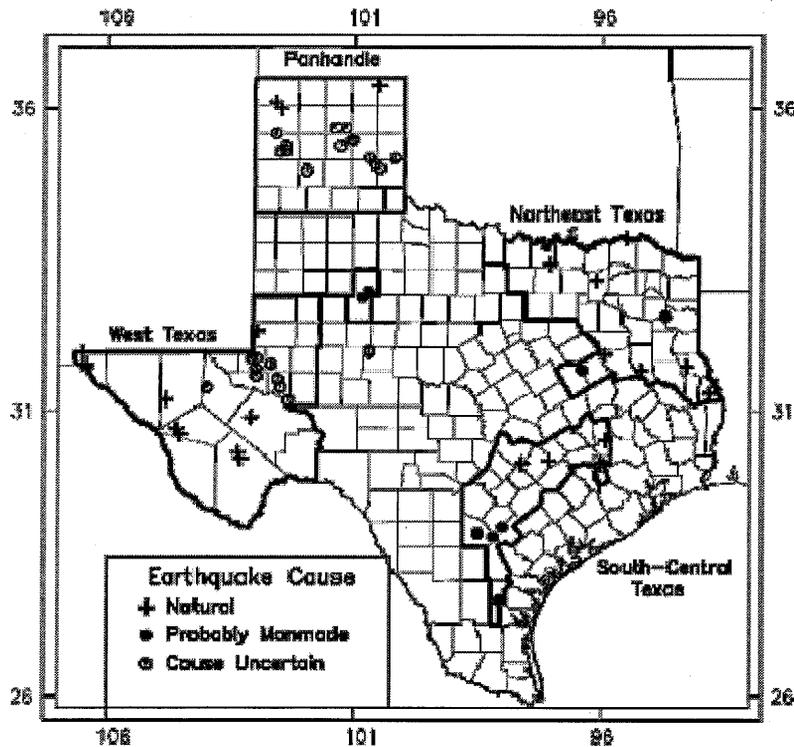
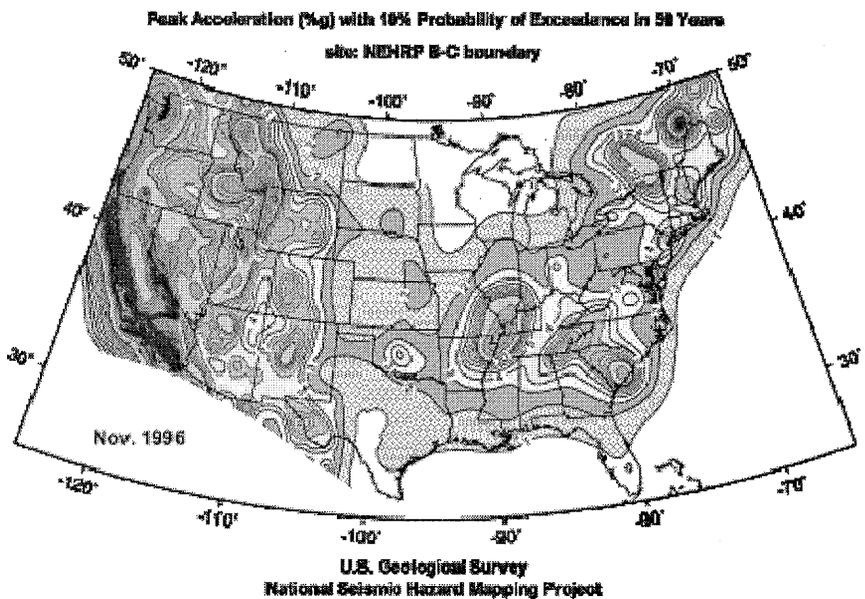


Figure 12B
 Map indicating probable causes of earthquakes occurring in Texas. Solid lines show the four regions of Texas where historical earthquake activity indicates there is earthquake hazard. Light lines are county boundaries.

Figure 12C
 Earthquake hazard map for the continental United States as prepared by the U. S. Geological Survey. In the central and eastern U. S., the regions expecting the highest accelerations all correspond to the sites of known historical earthquakes. These



include:
Montana,
1959; West
Texas, 1931;
Oklahoma,
1952;
Missouri-
Tennessee,
1811-1812;
and South
Carolina,
1886. In
many places
such as
Texas, the
absence of
detailed
historical
information
means that
earthquake
hazard may
be higher
than
indicated in
this figure.

Earthquake Magnitude, Intensity, and Damage



The nature and geographical extent of earthquake hazard depends strongly on the quake's size or magnitude. Because earthquakes are rare, people are often confused about how risk depends on magnitude. Imagine that you were about to return from a vacation, and someone told you that animals had infested your property. Naturally, you would ask whether these animals were mice, armadillos, or cattle, because each might cause a different kind and amount of damage. Similarly, if your neighborhood has an earthquake, the kind and amount of damage depends on the earthquake's size. A quake with magnitude 3 may do no more than startle people and rattle dishes within a one-square-mile region. However, a magnitude 7 would be felt by people over the entire state of Texas, and could do significant damage to buildings, bridges, and dams over a considerable region.

Scientists determine an earthquake's magnitude by measuring the amplitude of ground motion as recorded on a seismograph, and then correcting the measurement to account for the effects of distance from the epicenter. The magnitude scale is a 'power of ten' scale; thus if a magnitude 3.8 caused ground motion of 1/10 inch at a particular location, a 4.8 at the same epicenter would cause ground motion of 1 inch, and a 5.8 would cause ground motion of 10 inches. This means that magnitude 3 and magnitude 7 earthquakes are enormously different with respect to their ground motion and the size of and slip on the faults that produce them.

Scientists use the Modified Mercalli intensity (MMI) to describe how strong the motion is at a particular location. The MMI is a number between one and twelve, expressed as a Roman numeral such as MMI IV or MMI IX so that the number won't be confused with magnitude (see [Figures 12D](#) and [12E](#)). While each earthquake has only one magnitude, it has many different intensities, since earthquake damage becomes

less severe as one moves away from the epicenter. Usually, most of the damage done by an earthquake occurs in the regions nearest the epicenter which have the highest intensities. While intensity depends strongly on factors such as soil properties, in most cases earthquakes with larger magnitudes have higher maximum intensities (see [Figure 12F](#)).

Because damaging earthquakes are rare in Texas, it is tempting to ignore them. A more responsible approach is to be selective about mitigation efforts, focusing attention on structures or areas where potential hazard is greatest. The argument for earthquake mitigation is analogous to the argument for having seatbelts and airbags in automobiles-although any one driver is unlikely to have an accident in any given day or year, over a person's lifetime there is a significant chance of having a serious accident. Even in West Texas and the Panhandle, at any particular place damaging earthquakes probably occur only once per century, or less. However, with a little prior planning it is possible to ensure that their damage is minimal.

Earthquake felt intensity - the Modified Mercalli Intensity Scale

- MMI What people feel, or what damage occurs.
- I Not felt except by a very few people under special conditions. Detected mostly by instruments.
- II. Felt by a few people, especially those on the upper floors of buildings. Suspended objects may swing.
- III. Felt noticeably indoors. Standing automobiles may rock slightly.
- IV. Felt by many people indoors, by a few outdoors. At night, some people are awakened. Dishes, windows, and doors rattle.
- V. Felt by nearly everyone. Many people are awakened. Some dishes and windows are broken. Unstable objects are overturned.
- VI. Felt by everyone. Many

people become
frightened and run
outdoors. Some heavy
furniture is moved.
Some plaster falls.

Most people are alarmed
and run outside.

- VII. Damage is negligible in
buildings of good
construction,
considerable in buildings
of poor construction.

- VIII. Damage is slight in
specially designed
structures, considerable
in ordinary buildings,
great in poorly built
structures. Heavy
furniture is overturned.

- IX. Damage is considerable
in specially designed
buildings. Buildings shift
from their foundations
and partly collapse.
Underground pipes are
broken.

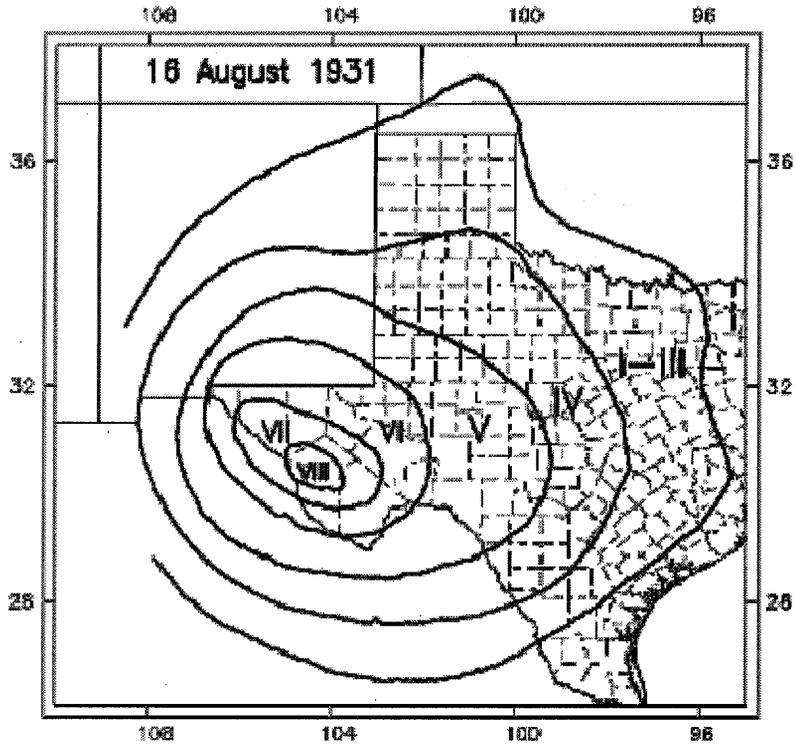
- X. Some well-built wooden
structures are
destroyed. Most
masonry structures are
destroyed. The ground is
badly cracked.
Considerable landslides
occur on steep slopes.

- XI. Few, if any, masonry
structures remain
standing. Rails are bent.
Broad fissures appear in
the ground.

- XII. Virtually total

destruction. Waves are seen on the ground surface. Objects are thrown into the air.

Figure 12D
Felt area and Modified Mercalli Intensities experienced by Texans from the magnitude 6.0 Valentine, Texas, earthquake of 16 August, 1931. Dashed lines are county boundaries; small square in south-central Texas indicates region mapped in next figure.



<>

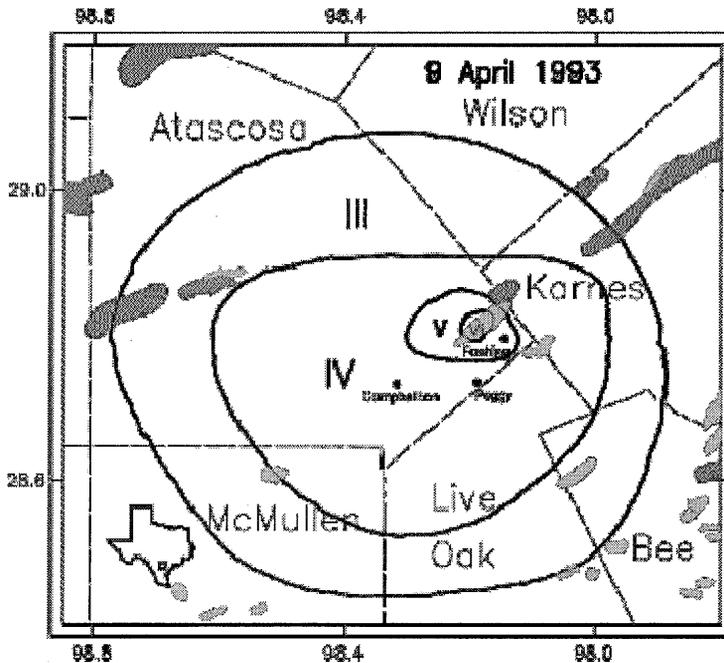


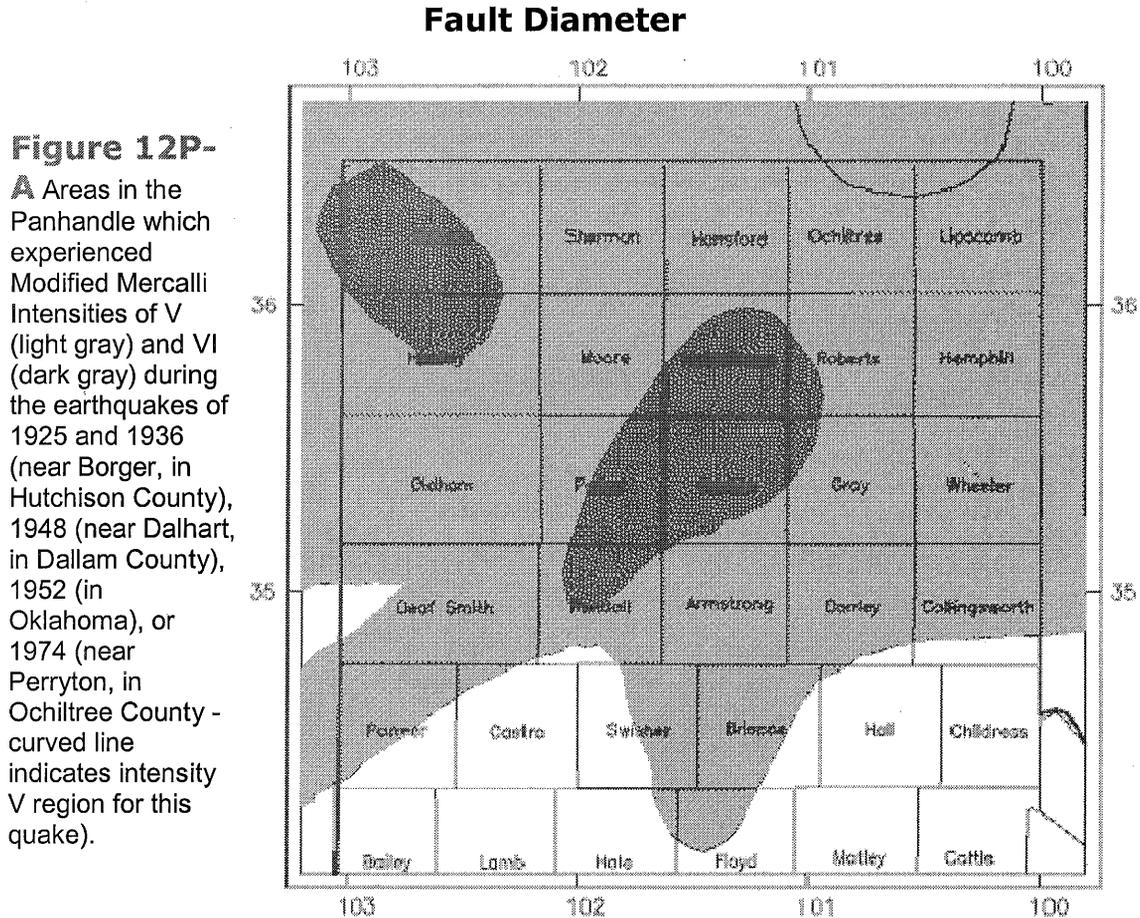
Figure 12E:
Felt area and Modified Mercalli Intensities experienced by Texans from the magnitude 4.3 Fashing, Texas, earthquake of 9 April 1993. Dashed lines are county boundaries; shaded regions indicate major oil (dark shading) and gas (light shading) fields. Note how this small earthquake is felt over a much smaller area than the 1931 magnitude 6.0 Valentine earthquake.

Figure 12F
Relationship Between Earthquake Magnitude and Maximum Observed Modified Mercalli Intensity (MMI).

<u>Magnitude Maximum MMI</u>	
3.0	III-IV
3.5	IV-V
4.0	V-VI
4.5	V-VI
5.0	VI
5.5	VI-VII
6.0	VIII

Note that the table values are only approximate, as there is great variation for individual Texas earthquakes.

Approximate Relationship Between Earthquake's Magnitude and the Diameter of and Slip Along the Fault that Produces It.



Mitigation Strategy

- Architects and planners should be informed that damaging earthquakes can affect structures in the Panhandle. Sensitive structures-including dams, towers, very tall buildings, bridges, and highway overpasses-should be constructed with the possibility of earthquakes in mind. Institutions such as hospitals, schools, public meeting places, emergency management organizations, etc. should not be housed in poorly constructed, unreinforced masonry structures.
- Public officials and educators should inform Panhandle residents that earthquakes can and do occur in this region. Citizens should be encouraged to plan for earthquakes; this includes taking steps at home and in the office to mitigate possible injury caused

- by falling objects such as bookcases or chimneys.
- Citizens should be aware that it is possible that some Panhandle earthquakes are induced by petroleum production.

Table of Texas Panhandle Earthquakes of Magnitude 3 or Greater

Regional Hazard Assessment



Northeast Texas (Largest Cities - Dallas-Fort Worth)

Counties Affected (41): Anderson, Bowie, Camp, Cass, Cherokee, Collin, Cooke, Dallas, Delta, Denton, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Limestone, Marion, Montague, Morris, Nacogdoches, Panola, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, Shelby, Smith, Tarrant, Titus, Upshur, Van Zandt, Wood, Wise

Hazard Level: This region is at risk from very large, distant earthquakes which might occur in Missouri-Tennessee or Oklahoma; the earthquakes that pose such a hazard are rare, probably occurring only once per 500 years or less. Such distant earthquakes would be most likely to damage large buildings or poorly reinforced masonry structures. Earthquakes with epicenters within this region are rare and small (see **Figure 12N-A**); several earthquakes with magnitudes 3 to 4.5 will probably occur each century. These pose little or no risk unless their epicenters are extremely close to poorly built or very sensitive structures.

Justification: Throughout this region the 1811-1812 Missouri-Tennessee earthquakes, although distant, probably produced Modified Mercalli Intensities of VI and higher.

Significant Historic Earthquakes Affecting Northeast Texas

Throughout most of this region, the most intense shaking experienced over the past two centuries originated from several earthquakes with magnitude about 8 which occurred in Missouri-Tennessee in 1811-1812, or an earthquake with magnitude 5.6 which occurred in eastern Oklahoma in 1882. Although such distant earthquakes are unlikely to produce severe damage they can cause failure in very large structures, or structures which are designed with absolutely no earthquake-resistant features.

Small earthquakes with epicenters in this region occasionally do occur-some of natural origin and some apparently induced by petroleum production. These include:

- A magnitude 4.0 earthquake with an epicenter near Mexia, probably induced by oil production, that occurred on 9 April 1932.
- A magnitude 4.2 earthquake centered in Lamar County north of Paris that occurred on 12 April 1934.
- A magnitude 3.0 earthquake that occurred in Gregg County near Gladewater on 19 March 1957. This quake may have been induced by petroleum production in the East Texas Field.

- Residents should understand that small earthquakes occasionally do occur in this region, including some induced by petroleum production. They should be informed that the principal hazard is from rare, distant, but very large earthquakes occurring outside of Texas.

Table of Northeast Texas Earthquakes of Magnitude 3 or Greater

Regional Hazard Assessment



South-Central Texas (Largest City - San Antonio)

Counties Included (19): Atascosa, Bastrop, Bexar, Brazos, Burleson, Caldwell, Comal, Gaudelupe, Grimes, Hayes, Jim Wells, Karnes, Lavaca, Lee, Live Oak, Travis, Waller, Washington, Wilson

Hazard Level: Earthquakes with epicenters within this region are rare and small; perhaps 10-20 earthquakes with magnitudes between 3 and 4.5 will occur each century. A significant fraction of these earthquakes are induced by human activities, notably petroleum production. These events pose little or no risk unless their foci are extremely close to poorly built or very sensitive structures.

Justification: Many small earthquakes, some of natural origin and others induced by man's activities, have occurred in these counties.

Significant Historic or Induced Earthquakes Affecting This Region

Small earthquakes with epicenters in this region occasionally do occur-some of natural origin and some apparently induced by petroleum production (see **Figure 12S-A**). These include:

- A magnitude 3.9 earthquake centered in Travis County south of Austin which occurred on 9 October 1902. This earthquake is clearly of natural origin.
- A magnitude 4.2 earthquake near Fashing in Atascosa County on 9 April 1993. This earthquake is one of several in this region which may have been induced by petroleum production.
- A magnitude 3.8 earthquake near Alice in Jim Wells County which occurred on 24 March 1997. This earthquake may have been induced by petroleum production.

Mitigation Strategy

- Residents of this region should understand that small natural earthquakes occasionally do occur in this region. However, the

most numerous earthquakes are small events associated with petroleum production in some, but not all fields. These small earthquakes pose a hazard only in the immediate vicinity of their epicenter; the occurrence of significantly larger earthquakes is unlikely.

Figure 12S-A: Felt areas of representative historical earthquakes in South-Central Texas. Shaded regions indicate areas of intensity IV and above for earthquakes of 1887 (Bastrop County), 1902 (Travis County), 1910 (Waller County), 1993 (Atascosa County), and 1997 (Jim Wells County).

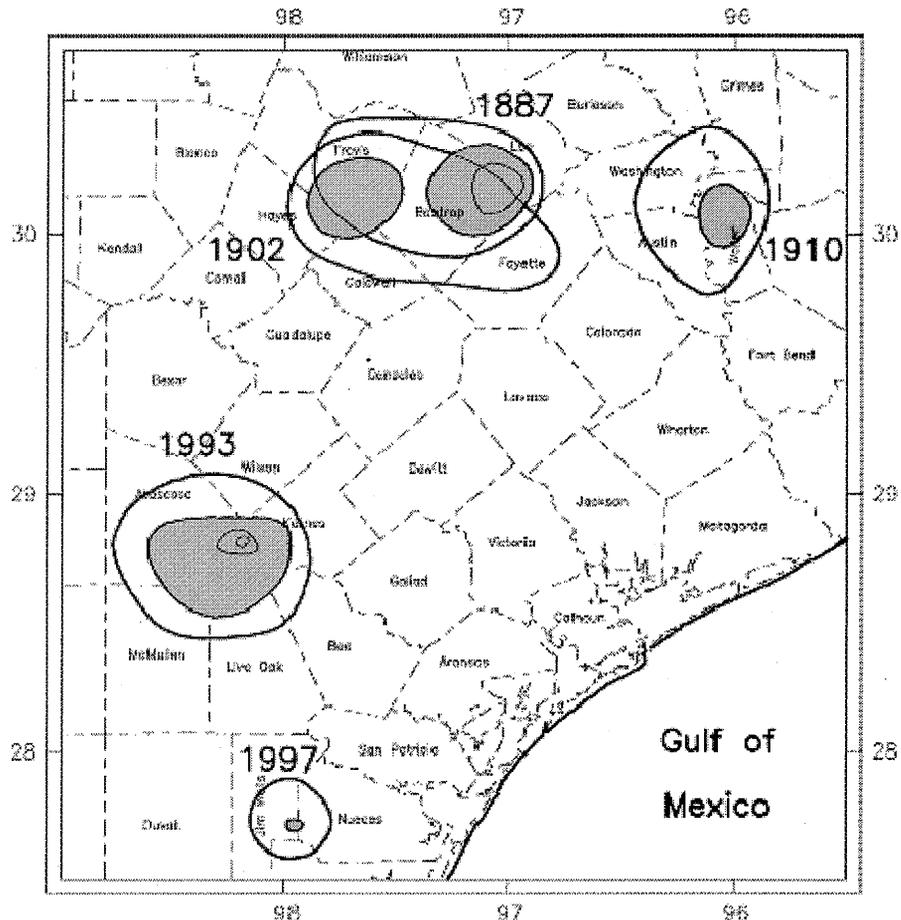


Table of South-Central Texas Earthquakes of Magnitude 3 or Greater

To [TOP](#)
 To [COMPENDIUM OF TEXAS EARTHQUAKES](#)
 To [EARTHQUAKE SEISMOLOGY](#)

University of Texas - Institute for Geophysics

4412 Spicewood Springs Rd. #600 Austin, TX 78759-8500 USA | Phone: 512-471-6156 Fax: 512-471-8844

webmaster@ig.utexas.edu | [Site Map](#) | [Directions to UTIG](#)

Last modified: 01 Feb 2002 15:53 -- Hits: 15688



Office of the Chief Clerk MC-105

TCEQ

PO Box 13087

Austin, Texas

78711

RECEIVED

OCT 16 2006

TCEQ MAIL CENTER
FEB

78711+3087-27 B012



FRAGILE

Do Not Bend

RW
46867



RECEIVED
APR 27 2005
FIELD OPERATIONS
REGION 7

RW 4100
Radioactive License #

1204 Webb
Henderson, Texas
April 25, 2005

Texas Natural Conservation Commission
Region 7, Attn: Michael Edmiston, P.E.
3300 N. A St. Bldg. 4, Ste 107
Medford, Texas 79705-5404

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
MAY 10 2005
CLERKS OFFICE
BY

Dear Mr. Edmiston, P.E.

In November 2003 I had contacted you about a "Water Rights" issue in Ward County which has never, really, been resolved.

This is another matter that pertains to an article in the Dallas Morning News, dttd March 12, 2005 that relates to a nuclear disposal deal seeking permits to store waste in W. Texas and Tex Co., N. Mexico. This would, if granted, could involve an area in and around Gal. N. Mexico close



-2-

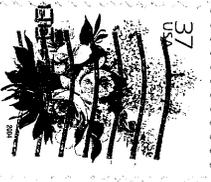
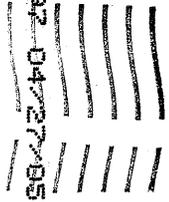
to the Texas, N. Mexico
border. Louisiana Energy
Service wants to build
a factory for nuclear power
plant fuel in N. Mexico. The
projects would mean that Andrews County,
Texas and Ler County, N. Mexico would
become a nuclear zone of national importance.
This concerns me as I have some
property interests a few miles from Gal,
N. Mexico. The article stated they
should have more concern within a
month from the article dated March 12, 2005.
I have not seen anything else in the
paper, but would appreciate more clarification
of the current status, etc.

Thanks for your help.

Sincerely,
Elaine Bennett



Eloise Bennett
1204 Webb St.
Blossington, Texas 79705



Texas Natural Convention
Commission, Region 7
Attn: Michael Schneider, P.E.
3300 N. A St. Bldg. 4, Ste 107
Midland, Texas 79705-5404



3515423

1st

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: ROBERT BERNSTEIN, MD
Address: 3805 GREYSTON DR
City/State: AUSTIN TX Zip: 78731-1505
Phone: (512) 345-5966

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? ARPT

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

dd

(1)

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERK'S OFFICE

2008 SEP - 9 PM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Gin Black - SENATOR KEL DELIGAN

Address: _____

City/State: Milona, Texas Zip: 79707

Phone: (432) 562-0021

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

MW

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 SEP -9 3:03
CHIEF CLERK OFFICE
OPA RECEIVED
SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: KITTY BRISTOW

Address: 1309 NW 14TH

City/State: ANDREWS TX Zip: 74714

Phone: (432) 533-7118

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? For The Project

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

mw

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC Proposed Radioactive Material License R04100

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP 8 11:09 AM
CHIEF CLERK'S OFFICE
OPA RECEIVED
SEP 08 2008
AT PUBLIC MEETING

PLEASE PRINT:

Name: RAYMOND BRISTOW
Address: 1309 NW 14
City/State: ANDREWS TX Zip: 79714
Phone: (432) 523-7118

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?

Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

FOR THE PERMIT

Please give this to the person at the information table. Thank you.

mw

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC Proposed Radioactive Material License

R04100

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: BRENDA BROOKS

Address: PO Box 1789

City/State: Eunice, NM Zip: 88231

Phone: (575) 394-4646

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

WCS has proven to be a good community partner. And we must be aware that our country needs these type facilities in order to meet the continued demands for nuclear products.

Please give this to the person at the information table. Thank you.

MW



September 9, 2008

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC-105
P.O. Box 13087
Austin, Texas 78711-3087

OPA
SEP 15 2008
BY BP

RW
4/26/07

TEXAS
COMMISSION ON
ENVIRONMENTAL
QUALITY
2008 SEP 12 PM 2:55
CHIEF CLERKS OFFICE

Dear Commissioners:

I write in support of the draft license issued to Waste Control Specialists LLC (WCS) for the near surface disposal of Class A, B and C Low-Level Radioactive Waste (LLRW) at WCS' site in Andrews County, Texas.

Since beginning operation in West Texas in 1996, WCS has become one of the premier waste processing and disposal companies in the nation. Its fully permitted 1,338 acre facility has brought a great deal of value to the region. WCS has provided steady jobs for our community and has been a steady contributor to the schools and community in the county.

Due to WCS' diligent operation, there exists an unprecedented level of acceptance of hazardous and low-level waste management at the WCS facility. Because the industrial base of Andrews County is oil and gas production, the citizens are comfortable with, and trust, the safeguards they know technology can provide.

The license would offer economic benefits as well:

- Currently WCS employs 125 individuals. With the addition of a finalized license, they would be able to employ approximately 225 people.
- WCS would continue expansion of our economy through capital investment and new job creation.
- Help to address a nationwide concern of accumulating waste in hospitals, universities, research centers and businesses and allow for safe disposal at the WCS facility.

Issuing license is a win-win situation for Andrews County. I hope you will support WCS and its ongoing efforts to continue to bring economic prosperity to Andrews County and West Texas.

Sincerely,

Wesley R. Burnett, Director of Economic Development

R04100

20

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC Proposed Radioactive Material License R04100

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP -9 PM 3:09
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: TERRY BURNS

Address: 4009 FOX HOLLOW

City/State: MIDLAND Zip: 79707

Phone: () 689-2702

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

mw

LINDA CAPERTON
2033 N. VEGA ✓
HOBBS, NM 88240

DAN PIKE
7410 CREEKBLUFF DR.
AUSTIN, TX 78750

LANA MARTINEZ
1211 W. KIOWA
HOBBS, NM 88240

25408
Original
to Chief
RW
46867
OPRR
waste permit

March 7, 2005

OPA
MAR 23 2005



BY DL

Mr. Glenn Shankle
Executive Director
Texas Commission on Environmental Quality
MC109
P. O. Box 13087
Austin, TX 78711-3087

RECEIVED

MAR 23 2005

RE: Mineral interests in Andrews County, Waste Control Specialists

RW4100

OFFICE OF PERMITTING, REMEDIATION & REGISTRATION

Dear Mr. Shankle:

We are siblings and own mineral interests under the facility owned by Waste Control Specialists (WCS) in Andrews County. We are aware that they have applied for an exemption from ownership of the mineral interests under this facility. The purpose of this letter is to discuss some concerns we have that they are not operating in good faith.

They state in their application that they have tried to deal with the mineral interest owners. We are including a timeline of events for your review. Also enclosed, please find copies of our correspondence with the landman representing WCS. In our attachments you will see that their efforts have been superficial at best.

Also of great concern to us is the fact that the Social Security Numbers of Ms. Caperton and Mr. Pike are posted in the application for exemption submitted by WCS. We would appreciate your assistance in getting these removed from the public internet listing.

We thank you for your review and consideration of our concerns. We grew up on the ranch that now holds the WCS facility and have emotional ties to the land. We trust that the TCEQ will oversee the application process with diligence and protect our rights as mineral interest owners.

Sincerely,

Linda Caperton
Linda Caperton ✓

D. Pike
Dan Pike

Lana Martinez
Lana Martinez

2005 MAR 24 AM 9:50
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
DEPT. CLERKS OFFICE

MW

TIMELINE

- 7-01-04 Deed from Exxon to WCS for \$10.
- 7-28-04 Letter from WCS to Apache Corp.
- 8-02-04 WCS files for exemption from mineral interest ownership. They state they are dealing with mineral interest owners.
- 8-10-04 Dates on the first letters to Ms. Caperton, Mr. Pike and Ms.
8-12-04 Martinez from Dwyer, the landman for WCS. We received the
8-13-04 letters a few days before the letter states they may be withdrawn on 8-26-04. We did not comply with the letter's request.
- 1-18-05 Date on second letter to Ms. Martinez. Includes offer to sell one section only. Letter states condemnation proceedings will be initiated if they are unable to purchase. No mention of a surface use agreement. A copy of the Texas Health & Safety Code Section 401.204 is enclosed.
- 2-02-05 Ms. Martinez sends letter requesting discussion of surface use agreement and changes to offer regarding purchase of single section. Ms. Martinez has had no response.

OFFICE
(432) 684-7933

T. VERNE DWYER
OIL & GAS INVESTMENTS
500 W. WALL, SUITE 310
MIDLAND, TEXAS 79701

FAX
(432) 684-4032

August 10, 2004

Certified, Return Receipt Requested

Ms. Linda Rae Caperon
2033 Vega
Hobbs, New Mexico 88240

**RE: Waste Control Specialists LLC
Disposal Facility
Andrews County, Texas**

Dear Ms. Caperon:

It appears from the records of Andrews County, Texas, that you are the owner of a mineral interest in the following described lands in Andrews County, Texas:

Block A-29, Public School Land Survey:

Section 16: S/2, containing 303.00 gross acres, more or less

Section 17: S/2, containing 320.00 gross acres, more or less

Section 24: All, containing 640.00 gross acres, more or less

Section 25: All, containing 606.00 gross acres, more or less

Block A-39, Public School Land Survey:

Section 4: N/2, containing 320.00 gross acres, more or less

Section 5: NE/4 and E/2NW/4, containing 227.625 gross acres, more or less

Your minerals are held by production under an Oil, Gas and Mineral Lease dated April 13, 1936, from C. A. Freund, et al., as Lessor, to Humble Oil & Refining Company, as Lessee, recorded in Volume 36, Page 264 of the Deed Records of Andrews County, Texas. This lease is now owned by my client, Waste Control Specialists LLC as to the lands listed above and other lands.

Waste Control Specialists also owns the surface covering the above described lands, as well as the following net mineral acres:

Ms. Linda Rae Caperon
 August 10, 2004
 Page Two

Section 16: S/2	127.828125 net mineral acres
Section 17: S/2	135.000000 net mineral acres
Section 24: All	270.000000 net mineral acres
Section 25: All	288.007813 net mineral acres
Section 4: N/2	160.000000 net mineral acres
Section 5: NE/4 and E/2NW/4	113.812500 net mineral acres

Waste Control Specialists purchased their minerals from Exxon Mobil Corporation for a purchase price of \$225.00 per net mineral acre.

Waste Control Specialists currently owns and operates a waste management facility on these lands, and is in the process of expanding its operations. Accordingly, Waste Control Specialists desire to acquire the entire mineral estate beneath these tracts of land, not to produce any minerals, but to ensure there is no disturbance of the waste management operations.

Waste Control Specialists hereby offers to purchase your mineral interest in the above described lands for the exact per net mineral acre price which was paid to Exxon Mobil, being \$225.00 per net mineral acre. The purchase price is computed as follows:

Description	Gross Acres	Your Mineral Interest	Your Net Acres	Purchase Price @ \$225.00 Per Net Mineral Acre
Section 16: S/2	303.000	1/576	.526042	\$118.36
Section 17: S/2	320.000	1/576	.555556	\$125.00
Section 24: All	640.000	1/576	1.111111	\$250.00
Section 25: All	606.000	1/576	1.052084	\$236.72
Section 4: N/2	320.000	1/576	.555556	\$125.00
Section 5: NE/4 and E/2NW/4	227.625	1/576	.395182	\$ 88.92
TOTALS	2,416.625		4.195531	\$944.00

There is no oil or gas production on the lands described above. If you receive income from production under the Freund Oil, Gas and Mineral Lease, a sale of the minerals described herein will not cause a loss of income.

This offer is made subject to approval of title and may be withdrawn without notice after August 24, 2004.

MINERAL DEED

STATE OF TEXAS §
 §
COUNTY OF ANDREWS §

GRANTOR: LINDA RAE CAPERON, DEALING IN HER
 SOLE AND SEPARATE PROPERTY
 2033 Vega
 Hobbs, New Mexico 88240

GRANTEE: WASTE CONTROL SPECIALISTS LLC
 Three Lincoln Centre
 5430 LBJ Freeway, Suite 1700
 Dallas, Texas 75240

EFFECTIVE DATE: July 1, 2004

For adequate consideration, Grantor named above hereby grants, bargains, sells, conveys and transfers unto Grantee named above, all of its right, title and interest in all of the oil, gas and other minerals in and under and that may be produced from the following described lands in **Andrews County, Texas** (the "Lands"):

Block A-29, PSL Survey:

- Section 16: S/2, containing 303.00 acres, more or less**
- Section 17: S/2, containing 320.00 acres, more or less**
- Section 24: All, containing 640.00 acres, more or less**
- Section 25: All, containing 606.00 acres, more or less**

Block A-39, PSL Survey:

- Section 4: N/2, containing 320.00 acres, more or less**
- Section 5: NE/4 and E/2NW/4, containing 227.625 acres, more or less**

By this Mineral Deed, Grantee is also conveyed the right of ingress and egress, at all times, for the purposes of mining, drilling, exploring, operating and developing the lands for oil, gas and other minerals, and storing, handling, transporting and marketing the same from the lands, with the right to remove from the lands covered

Ms. Linda Rae Caperon
August 10, 2004
Page Three

If you accept our offer, please execute the enclosed Mineral Deed in the presence of a notary public, and insert your social security or tax identification number on the tax affidavit and sign it. Please mail the original executed and notarized Mineral Deed and the completed tax affidavit to T. Verne Dwyer in the stamped envelope enclosed herewith. We will then issue a check to you for the total amount shown above. The copies may be retained for your files.

Should you have any questions, please call T. Verne Dwyer or Judy Shephard at (432) 684-7933.

Very truly yours,



T. Verne Dwyer

TVD:jws
Enclosures

10/21/04 talked to Judy Shephard - Dwyer is guy to talk to

TAX AFFIDAVIT

Section 1445 of the Internal Revenue Code provides that a transferee (buyer) of a U.S. real property interest must withhold tax if the transferor (seller) is a foreign person. To inform the transferee (buyer) that withholding of tax is not required upon my disposition of a U.S. real property interest, I, the undersigned, hereby certify the following:

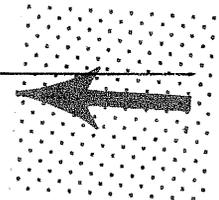
1. I am not a non-resident alien for the purposes of U.S. income taxation.
2. My U.S. taxpayer identification number or social security number is _____ 
3. My address is: **2033 Vega
Hobbs, New Mexico 88240**

I understand that this certification may be disclosed to the Internal Revenue Service by the transferee, and that any false statement I have made herein could be punished by fine, imprisonment or both.

Under penalties of perjury, I declare that I have examined this certification, and to the best of my knowledge and belief it is true, correct and complete.

Date Signed: _____

Linda Rae Caperon



**SIGN
HERE**

OFFICE
(432) 684-7933

T. VERNE DWYER
OIL & GAS INVESTMENTS
500 W. WALL, SUITE 310
MIDLAND, TEXAS 79701

FAX
(432) 684-4032

August 13, 2004

Certified, Return Receipt Requested

Mr. Daniel Joe Pike
7410 Creekbluff Drive
Austin, Texas 78750

**RE: Waste Control Specialists LLC
Disposal Facility
Andrews County, Texas**

Dear Mr. Pike:

It appears from the records of Andrews County, Texas, that you are the owner of a mineral interest in the following described lands in Andrews County, Texas:

Block A-29, Public School Land Survey:

Section 16: S/2, containing 303.00 gross acres, more or less

Section 17: S/2, containing 320.00 gross acres, more or less

Section 24: All, containing 640.00 gross acres, more or less

Section 25: All, containing 606.00 gross acres, more or less

Block A-39, Public School Land Survey:

Section 4: N/2, containing 320.00 gross acres, more or less

Section 5: NE/4 and E/2NW/4, containing 227.625 gross acres, more or less

Your minerals are held by production under an Oil, Gas and Mineral Lease dated April 13, 1936, from C. A. Freund, et al., as Lessor, to Humble Oil & Refining Company, as Lessee, recorded in Volume 36, Page 264 of the Deed Records of Andrews County, Texas. This lease is now owned by my client, Waste Control Specialists LLC as to the lands listed above and other lands.

Waste Control Specialists also owns the surface covering the above described lands, as well as the following net mineral acres:

Mr. Daniel Joe Pike
 August 13, 2004
 Page Two

Section 16: S/2	127.828125 net mineral acres
Section 17: S/2	135.000000 net mineral acres
Section 24: All	270.000000 net mineral acres
Section 25: All	288.007813 net mineral acres
Section 4: N/2	160.000000 net mineral acres
Section 5: NE/4 and E/2NW/4	113.812500 net mineral acres

Waste Control Specialists purchased their minerals from Exxon Mobil Corporation for a purchase price of \$225.00 per net mineral acre.

Waste Control Specialists currently owns and operates a waste management facility on these lands, and is in the process of expanding its operations. Accordingly, Waste Control Specialists desire to acquire the entire mineral estate beneath these tracts of land, not to produce any minerals, but to ensure there is no disturbance of the waste management operations.

Waste Control Specialists hereby offers to purchase your mineral interest in the above described lands for the exact per net mineral acre price which was paid to Exxon Mobil, being \$225.00 per net mineral acre. The purchase price is computed as follows:

Description	Gross Acres	Your Mineral Interest	Your Net Acres	Purchase Price @ \$225.00 Per Net Mineral Acre
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Section 5: NE/4 and E/2NW/4	227.625	1/576	.395182	\$ 88.92
TOTALS	2,416.625		4.195531	\$944.00

There is no oil or gas production on the lands described above. If you receive income from production under the Freund Oil, Gas and Mineral Lease, a sale of the minerals described herein will not cause a loss of income.

This offer is made subject to approval of title and may be withdrawn without notice after August 27, 2004.

Mr. Daniel Joe Pike
August 13, 2004
Page Three

If you accept our offer, please execute the enclosed Mineral Deed in the presence of a notary public, and insert your social security or tax identification number on the tax affidavit and sign it. Please mail the original executed and notarized Mineral Deed and the completed tax affidavit to T. Verne Dwyer in the stamped envelope enclosed herewith. We will then issue a check to you for the total amount shown above. The copies may be retained for your files.

Should you have any questions, please call T. Verne Dwyer or Judy Shephard at (432) 684-7933.

Very truly yours,



T. Verne Dwyer

TVD:jws
Enclosures

TAX AFFIDAVIT

Section 1445 of the Internal Revenue Code provides that a transferee (buyer) of a U.S. real property interest must withhold tax if the transferor (seller) is a foreign person. To inform the transferee (buyer) that withholding of tax is not required upon my disposition of a U.S. real property interest, I, the undersigned, hereby certify the following:

1. I am not a non-resident alien for the purposes of U.S. income taxation.
2. My U.S. taxpayer identification number or social security number is
_____ 
3. My address is: **7410 Creekbluff Drive
Austin, Texas 78750**

I understand that this certification may be disclosed to the Internal Revenue Service by the transferee, and that any false statement I have made herein could be punished by fine, imprisonment or both.

Under penalties of perjury, I declare that I have examined this certification, and to the best of my knowledge and belief it is true, correct and complete.

Date Signed: _____

_____ 
Daniel Joe Pike

MINERAL DEED

STATE OF TEXAS §
 §
COUNTY OF ANDREWS §

GRANTOR: **DANIEL JOE PIKE, DEALING IN HIS
SOLE AND SEPARATE PROPERTY
7410 Creekbluff Road
Austin, Texas 78750**

GRANTEE: **WASTE CONTROL SPECIALISTS LLC
Three Lincoln Centre
5430 LBJ Freeway, Suite 1700
Dallas, Texas 75240**

EFFECTIVE DATE: **July 1, 2004**

For adequate consideration, Grantor named above hereby grants, bargains, sells, conveys and transfers unto Grantee named above, all of its right, title and interest in all of the oil, gas and other minerals in and under and that may be produced from the following described lands in **Andrews County, Texas** (the "Lands"):

Block A-29, PSL Survey:

**Section 16: S/2, containing 303.00 acres, more or less
Section 17: S/2, containing 320.00 acres, more or less
Section 24: All, containing 640.00 acres, more or less
Section 25: All, containing 606.00 acres, more or less**

Block A-39, PSL Survey:

**Section 4: N/2, containing 320.00 acres, more or less
Section 5: NE/4 and E/2NW/4, containing 227.625 acres, more or less**

By this Mineral Deed, Grantee is also conveyed the right of ingress and egress, at all times, for the purposes of mining, drilling, exploring, operating and developing the lands for oil, gas and other minerals, and storing, handling, transporting and marketing the same from the lands, with the right to remove from the lands covered hereby all of Grantee's property and improvements.

This sale is made subject to any right now existing in favor of any Lessee or its assigns under any valid and subsisting oil and gas lease covering the Lands now appearing of record in the county where the Lands are located. It is understood that the Grantee shall have, receive and enjoy the stated undivided interest in all bonus, rentals and royalties and other benefits which may accrue from and after the Effective Date, as if Grantee had been, at the date of making any current valid and subsisting lease, the owner of a similar undivided interest in the Lands.

This Mineral Deed is delivered by Grantor to Grantee without warranty of title, express or implied.

Executed this _____ day of _____, 2004, but effective for all purposes as of July 1, 2004.

**DANIEL JOE PIKE, DEALING IN HIS SOLE AND
SEPARATE PROPERTY**

For adequate consideration, Grantor named above hereby grants, bargains, sells, conveys and transfers unto Grantee named above, all of its right, title and interest in all of the oil, gas and other minerals in and under and that may be produced from the following described lands in **Andrews County, Texas** (the "Lands"):

Block A-29, PSL Survey:

- Section 16: S/2, containing 303.00 acres, more or less**
- Section 17: S/2, containing 320.00 acres, more or less**
- Section 24: All, containing 640.00 acres, more or less**
- Section 25: All, containing 606.00 acres, more or less**

Block A-39, PSL Survey:

- Section 4: N/2, containing 320.00 acres, more or less**
- Section 5: NE/4 and E/2NW/4, containing 227.625 acres, more or less**

By this Mineral Deed, Grantee is also conveyed the right of ingress and egress, at all times, for the purposes of mining, drilling, exploring, operating and developing the lands for oil, gas and other minerals, and storing, handling, transporting and marketing the same from the lands, with the right to remove from the lands covered hereby all of Grantee's property and improvements.

This sale is made subject to any right now existing in favor of any Lessee or its assigns under any valid and subsisting oil and gas lease covering the Lands now appearing of record in the county where the Lands are located. It is understood that the Grantee shall have, receive and enjoy the stated undivided interest in all bonus, rentals and royalties and other benefits which may accrue from and after the Effective Date, as if Grantee had been, at the date of making any current valid and subsisting lease, the owner of a similar undivided interest in the Lands.

This Mineral Deed is delivered by Grantor to Grantee without warranty of title, express or implied.

Executed this _____ day of _____, 2004, but effective for all purposes as of July 1, 2004.

DANIEL JOE PIKE, DEALING IN HIS SOLE AND SEPARATE PROPERTY

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2004, by **Daniel Joe Pike**.

NOTA

My Commission Expires:

Notary Public, State of Texas

OFFICE
(432) 684-7933

T. VERNE DWYER
OIL & GAS INVESTMENTS
500 W. WALL, SUITE 310
MIDLAND, TEXAS 79701

FAX
(432) 684-4032

August 12, 2004

Certified, Return Receipt Requested

Ms. Lana Kay Martinez
1211 West Kiowa
Hobbs, New Mexico 88240

**RE: Waste Control Specialists LLC
Disposal Facility
Andrews County, Texas**

Dear Ms. Martinez:

It appears from the records of Andrews County, Texas, that you are the owner of a mineral interest in the following described lands in Andrews County, Texas:

Block A-29, Public School Land Survey:

Section 16: S/2, containing 303.00 gross acres, more or less
Section 17: S/2, containing 320.00 gross acres, more or less
Section 24: All, containing 640.00 gross acres, more or less
Section 25: All, containing 606.00 gross acres, more or less

Block A-39, Public School Land Survey:

Section 4: N/2, containing 320.00 gross acres, more or less
Section 5: NE/4 and E/2NW/4, containing 227.625 gross acres, more or less

Your minerals are held by production under an Oil, Gas and Mineral Lease dated April 13, 1936, from C. A. Freund, et al., as Lessor, to Humble Oil & Refining Company, as Lessee, recorded in Volume 36, Page 264 of the Deed Records of Andrews County, Texas. This lease is now owned by my client, Waste Control Specialists LLC as to the lands listed above and other lands.

Waste Control Specialists also owns the surface covering the above described lands, as well as the following net mineral acres:

Ms. Lana Kay Martinez
 August 12, 2004
 Page Two

Section 16: S/2	127.828125 net mineral acres
Section 17: S/2	135.000000 net mineral acres
Section 24: All	270.000000 net mineral acres
Section 25: All	288.007813 net mineral acres
Section 4: N/2	160.000000 net mineral acres
Section 5: NE/4 and E/2NW/4	113.812500 net mineral acres

Waste Control Specialists purchased their minerals from Exxon Mobil Corporation for a purchase price of \$225.00 per net mineral acre.

Waste Control Specialists currently owns and operates a waste management facility on these lands, and is in the process of expanding its operations. Accordingly, Waste Control Specialists desire to acquire the entire mineral estate beneath these tracts of land, not to produce any minerals, but to ensure there is no disturbance of the waste management operations.

Waste Control Specialists hereby offers to purchase your mineral interest in the above described lands for the exact per net mineral acre price which was paid to Exxon Mobil, being \$225.00 per net mineral acre. The purchase price is computed as follows:

Description	Gross Acres	Your Mineral Interest	Your Net Acres	Purchase Price @ \$225.00 Per Net Mineral Acre
Section 16: S/2	303.000	1/576	.526042	\$118.36
Section 17: S/2	320.000	1/576	.555556	\$125.00
Section 24: All	640.000	1/576	1.111111	\$250.00
Section 25: All	606.000	1/576	1.052084	\$236.72
Section 4: N/2	320.000	1/576	.555556	\$125.00
Section 5: NE/4 and E/2NW/4	227.625	1/576	.395182	\$ 88.92
TOTALS	2,416.625		4.195531	\$944.00

There is no oil or gas production on the lands described above. If you receive income from production under the Freund Oil, Gas and Mineral Lease, a sale of the minerals described herein will not cause a loss of income.

This offer is made subject to approval of title and may be withdrawn without notice after August 26, 2004.

Ms. Lana Kay Martinez
August 12, 2004
Page Three

If you accept our offer, please execute the enclosed Mineral Deed in the presence of a notary public, and insert your social security or tax identification number on the tax affidavit and sign it. Please mail the original executed and notarized Mineral Deed and the completed tax affidavit to T. Verne Dwyer in the stamped envelope enclosed herewith. We will then issue a check to you for the total amount shown above. The copies may be retained for your files.

Should you have any questions, please call T. Verne Dwyer or Judy Shephard at (432) 684-7933.

Very truly yours,

A handwritten signature in black ink, appearing to read "T. Verne Dwyer", written in a cursive style.

T. Verne Dwyer

TVD:jws
Enclosures

TAX AFFIDAVIT

Section 1445 of the Internal Revenue Code provides that a transferee (buyer) of a U.S. real property interest must withhold tax if the transferor (seller) is a foreign person. To inform the transferee (buyer) that withholding of tax is not required upon my disposition of a U.S. real property interest, I, the undersigned, hereby certify the following:

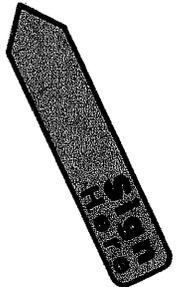
1. I am not a non-resident alien for the purposes of U.S. income taxation.
2. My U.S. taxpayer identification number or social security number is
_____ 
3. My address is: **1211 West Kiowa
Hobbs, New Mexico 88240**

I understand that this certification may be disclosed to the Internal Revenue Service by the transferee, and that any false statement I have made herein could be punished by fine, imprisonment or both.

Under penalties of perjury, I declare that I have examined this certification, and to the best of my knowledge and belief it is true, correct and complete.

Date Signed: _____

Lana Kay Martinez



MINERAL DEED

STATE OF TEXAS §
 §
COUNTY OF ANDREWS §

GRANTOR: LANA KAY MARTINEZ, DEALING IN HER
 SOLE AND SEPARATE PROPERTY
 1211 West Kiowa
 Hobbs, New Mexico 88240

GRANTEE: WASTE CONTROL SPECIALISTS LLC
 Three Lincoln Centre
 5430 LBJ Freeway, Suite 1700
 Dallas, Texas 75240

EFFECTIVE DATE: July 1, 2004

For adequate consideration, Grantor named above hereby grants, bargains, sells, conveys and transfers unto Grantee named above, all of its right, title and interest in all of the oil, gas and other minerals in and under and that may be produced from the following described lands in **Andrews County, Texas** (the "Lands"):

- Block A-29, PSL Survey:**
- Section 16: S/2, containing 303.00 acres, more or less**
- Section 17: S/2, containing 320.00 acres, more or less**
- Section 24: All, containing 640.00 acres, more or less**
- Section 25: All, containing 606.00 acres, more or less**

- Block A-39, PSL Survey:**
- Section 4: N/2, containing 320.00 acres, more or less**
- Section 5: NE/4 and E/2NW/4, containing 227.625 acres, more or less**

By this Mineral Deed, Grantee is also conveyed the right of ingress and egress, at all times, for the purposes of mining, drilling, exploring, operating and developing the lands for oil, gas and other minerals, and storing, handling, transporting and marketing the same from the lands, with the right to remove from the lands covered hereby all of Grantee's property and improvements.

OFFICE
(432) 684-7933

T. VERNE DWYER
OIL & GAS INVESTMENTS
500 W. WALL, SUITE 310
MIDLAND, TEXAS 79701

FAX
(432) 684-4032

January 18, 2005

Certified Mail, Return Receipt Requested

Ms. Lana Kay Martinez
1211 West Kiowa
Hobbs, NM 88240

**RE: Waste Control Specialists LLC
Disposal Facility
Andrews County, Texas**

Dear Ms. Martinez:

On behalf of Waste Control Specialists LLC ("WCS"), we have previously made an offer to purchase your mineral interest under certain lands as outlined in the attached copies. These lands do not have any oil or gas production on them; however, they are held by production from other lands that are included in the base lease.

As stated in our earlier letter, WCS is the owner of the surface and the oil and gas leasehold covering the tracts of land under which you own minerals. WCS has purchased from ExxonMobil their approximate one-half mineral interest in the lands, and in addition, has purchased minerals from other owners.

WCS is now preparing to commence waste disposal operations on these lands and desires to complete the offer made to you and all the other owners.

If WCS is unable to purchase all the minerals or is unable to locate mineral owners, they will have to revert to the Texas Health and Safety Section 401.204, Acquisition of Property (copy attached), and institute condemnation proceedings. It is WCS's sincere desire that they are able to purchase your minerals based on the offer previously made to you; however, if they are unable to do so, they intend to initiate the condemnation proceedings in order to continue with their business plans.

The waste disposal operations will commence on Section 25. If you only wish to sell your mineral interest under Section 25, please advise, and we will send you a corrected mineral deed.

Ms. Lana Kay Martinez
January 18, 2005
Page Two

I request that you review and consider our offer to purchase your mineral interests.
Please call me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "T. Verne Dwyer", with a horizontal line extending to the right.

T. Verne Dwyer

TVD/ml
Enclosures

TEXAS HEALTH AND SAFETY CODE
SECTION 401.204

§ 401.204[0]. ACQUISITION OF PROPERTY. (a) An application for a compact waste disposal facility license may not be considered unless the applicant has acquired the title to and any interest in land and buildings as required by commission rule.

(b) If an applicant for a compact waste disposal license is unsuccessful in acquiring a mineral right that the rules adopted under Subsection (a) require the applicant to acquire, the commission may allow the applicant, to the extent permissible under federal law, to enter into a surface use agreement that restricts mineral access, including slant drilling and subsurface mining, to the extent necessary to prevent intrusion into the disposal facility site.

(c) If an applicant cannot reach a surface use agreement described by Subsection (b) with a private landowner, the attorney general shall, on request of the commission, institute condemnation proceedings as provided under Chapter 21, Property Code, to acquire fee simple interest in the mineral right.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989. Amended by Acts 1995, 74th Leg., ch. 76, § 11.231, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 1367, § 19, eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 1067, § 7, eff. Sept. 1, 2003.

**LANA KAY MARTINEZ
1211 WEST KIOWA
HOBBS, NM 88240**

February 2, 2005

Mr. T. Verne Dwyer
Oil & Gas Investments
500 W. Wall, Suite 310
Midland, TX 79701

RE: Waste Control Specialists LLC
Disposal Facility
Andrews County, Texas

Dear Mr. Dwyer:

This is in response to your letter of January 18, 2005 concerning mineral interests in Andrews County.

Please discuss further the agreement option in Paragraph (b) of Section 401.204 of the Texas Health and Safety Code. Also, please discuss changes to the offer if I choose to discuss selling my mineral interest under Section 25 only.

Thank you for your time.

Sincerely,

Lana Kay Martinez

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. T. Verne Dwyer
 Oil & Gas Investments
 500 W. Wall, Suite 310
 Midland, TX 79701

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
Frederick Shepherd

B. Received by (Printed Name)

C. Date of Delivery

2-3-05

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label)

7004 0750 0003 4818 3444

PS Form 3811, February 2004

Domestic Return Receipt

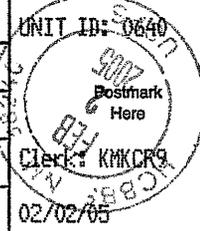
102595-02-M-1540

**U.S. Postal Service™
 CERTIFIED MAIL™ RECEIPT**
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

MIDLAND, TX 79701

Postage	\$ 0.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



7004 0750 0003 4818 3444

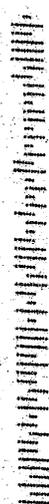
Sent To

Street, Apt. No.;
 or PO Box No.
 City, State, ZIP+4

PS Form 3800, June 2002

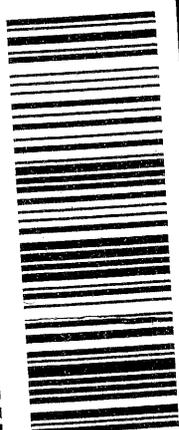
See Reverse for Instructions

Caperton, Pll
1211 W. Kiow
Hobbs, NM 81



GUARANTEED MAIL™

IF ENVELOPE TO THE RIGHT
IS FOLD AT DOTTED LINE



7004 0750 0003 4825 6759



UNITED STATES
POSTAL SERVICE

9264



U.S.
Postage
PAID
HOBBS
NM
MAR 21
AMC
\$1.00

RECEIVED
MAR 21 2005
TCEQ MAIL CENTER

Mr. Glenn Shankle
Executive Director
Texas Commission on Environmental Quality
MC 109
P. O. Box 13087
Austin, TX 78711-3087

1344

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Lee Cheney
Address: 420 W. Humble
City/State: Hobbs, NM Zip: 88240
Phone: (505) 397-2147

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? Citizens Nuclear Information Center (Hobbs)

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

LES said WCS "could... become... a disposal option" for LES waste.

LES V.P. of nuclear engineering, Rod Krich, said that LES WASTE IS MORE RADIOACTIVE THAN WIPP WASTE (Hobbs News-Sun 4-1-04)

The Institute for Energy & Environmental Research of Takoma Park, Maryland says that LES waste is 3.6 times more radioactive than WIPP waste.

THE SIMPLE TRUTH IS
LES WASTE IS 3 1/2 TIMES MORE RADIOACTIVE
THAN TRU WASTE AT WIPP

BUILDING A DECONVERSION PLANT
WILL NOT MAKE LES WASTE LESS RADIOACTIVE

When LES DUF6 waste is "deconverted" to U308 all that happens is that LES DUF6 waste undergoes a chemical change in which the radionuclides are bonded to oxygen instead of to hydrogen fluoride (hydrofluoric acid when exposed to air or water) but there is NO CHANGE IN THE AMOUNT OF RADIOACTIVITY RADIATION LEVELS which means that both DUF6 waste and U308 are both 3 1/2 times more radioactive than WIPP TRU waste.

WIPP waste is buried 2,000 feet below in SALT BEDS. It is the SALT BEDS that prevent TRU waste radiation from leaking into the surrounding environment.

Permanently burying LES radioactive waste that is 3 1/2 times more radioactive than WIPP TRU waste at WCS only 75 feet deep in SAND or red clay that will not prevent the radiation from leaking into the surrounding environment poses a severe threat to the health and well being of the people in Southeastern New Mexico and West Texas.

~~NO NUKE WASTE AT WCS~~

For more information go to the Citizens Nuclear Information Center web site at www.CNIC.ws or contact the CNIC.

CNIC (Citizens Nuclear Information Center)
P.O. Box 312 Hobbs, NM 88240-0312
email: cnic@leaco.net
web site: www.CNIC.ws

DEMAND THE TRUTH. THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH.
Don't be deceived by a lot of fancy talk by WCS & LES. New Mexico does not want LES waste. Other states do not want nuclear waste in their back yard either. That's why WCS is trying to get permits to permanently bury nuclear waste from all over America at Eunice. WCS and LES are planning (hoping) to build a deconversion plant and bury LES waste at WCS. If they do the people of Eunice, Lea County & West Texas will have a WCS-LES Nuclear Complex nightmare on their hands for generations and generations to come.

IS NOT JUST FOR MEDICAL WASTE...
WHAT IS THIS WASTE...
A lot of confusion AS TO WHAT low-level waste is.

The WCS-LES Nuclear Complex has just won a MAJOR VICTORY

The classification of LES byproduct as "waste" by LES at the Rocky Mountain Low-Level Radioactive Waste Board hearing last Friday (3-25-05) was a giant step forward for WCS to be able to permanently dispose of LES waste at WCS near Eunice.

WCS could never get a license to dispose of "uranium byproduct". But changing the name from "uranium byproduct" to "waste" may just do the trick. In order for WCS to dispose of LES waste, LES waste must be classified as "waste" but equally important for WCS, LES waste must be classified as "low-level" waste, which the NRC has conveniently done for LES waste even though LES waste is 3 1/2 times more radioactive than WIPP waste.

OVER
Me-thinks there is more government/corporate collusion going on than meets the eye.

Lee Cheney
CNIC
Hobbs, NM
web site: www.CNIC.ws

OPA RECEIVED
MAR 31 2005
AT PUBLIC MEETING

DEMAND THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH
Don't be deceived by a lot of lies told by WCS & LES. New Mexico does not want
LES waste. Other states do not want LES waste in their back yards. THAT is why
WCS is trying to get permits to get LES waste from all over America to
Eunice. WCS and LES are planning (hoping) to build a deconvolution plant and
LES waste at WCS. If they do the people of Eunice, Lea County & West Texas will
have a WCS-LES Nuclear Complex in their backyards for generations and
generations to come.

TCEQ Public Meeting Form
Monday, September 8, 2008

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: BRIAN COSGROVE
Address: 29 Q WINDSOR COURT
City/State: KEENE NH Zip: 03431
Phone: (800) 735-5162

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP -9 PM 3:09
CHIEF CLERK'S OFFICE

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? ENTERGY NUCLEAR VERMONT YANKEE

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

I SUPPORT THE WCS SITE

Please give this to the person at the information table. Thank you.

MW

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC Proposed Radioactive Material License R04100

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: Keith Courtney

Address: 401 Congress Ave Suite 2100

City/State: Austin, TX Zip: 78701

Phone: (512) 370-2813

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? Entergy / Vermont Yankee

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

I support issuance of the license.

Please give this to the person at the information table. Thank you.

MW

TCEQ Public Meeting Form
Monday, September 8, 2008

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3: 09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: Stephen Cowne
Address: 1519 Pecan Place
City/State: Andrews, TX Zip: 79714
Phone: (432) 523-9944

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?

Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

I support the TCEQ issuance of the license.

Please give this to the person at the information table. Thank you.

mw

7+4

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Guy Crawford
Address: 1209 NW 15th St
City/State: Andrews TX Zip: 79715
Phone: (817) 523-2004

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

OPA RECEIVED

TEXAS
COMMISSION
ON ENVIRONMENT
QUALITY

SEP 08 2008

To the T, C, E, Q

2008 SEP -9 PM 3 AT PUBLIC MEETING

I'm writing in regards to

CHIEF CLERKS OFFICE

The PROPOSAL of burying the
TOXIC and RADIOACTIVE waste
MATERIAL IN OR AROUND ENUNICE,
N.M. OR ANYWHERE!

To my understanding the
water level in the Enunice AREA
IS NOT THAT DEEP, and buried
MATERIAL will LEAK OR AFFECT
THE WATER.

I have NO OFFICE OR TITLE,
BUT AM A CONCERNED CITIZEN
OF JAL, N.M., JUST 20 MILES
SOUTH OF ENUNICE.

I'm a 63 yr old man, a viet
nam veteran marine and have
seen and heard of MASSIVE
destruction of places on this
beautiful, healthy, only planet
of ours.

I completely object to this
problem. A good friend, very

MW

PRUDENT and COMPETENT HAS
TOLD ME THAT THE BEST SOLUTION
FOR NOW IS TO LEAVE THE WASTE
ON TOP OF THE EARTH, ENLOSING
IT IN A STRONG, SAFE ENLOSURE,
UNTIL A COMPLETELY SAFE SOLUTION
CAN BE ACHIEVED.

YOU'RE SUPPOSED TO BE PEOPLE
OF INTELLIGENCE! EVERYONE
WOULD APPRECIATE IT IF YOU
WOULD USE IT WISELY.

REMEMBER, THOSE WHO DO WRONG
WILL PAY THE PRICE BEFORE THE
ALMIGHTY. WHY DOES MONEY
MEAN MORE TO YOU THAN EARTH
AND PEOPLE AND LIFE ON EARTH??

THANK YOU FOR YOUR TIME AND
CONSIDERATION.

DAN CREMENS
PO. # 753
JAL, N.M., - 88252

22nd

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: George Dials
Address: 2 Pine Linn Ct, Suite 1700
City/State: Dallas TX Zip: TX
Phone: 972 445-1415

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

TCEQ Public Meeting Form
Monday, September 8, 2008

2

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT: County Judge
Name: Richard H. Dolgener Richard H. Dolgener
Address: RM 104 Courthouse 201 N. Main, RM 104
City/State: Andrews TX Zip: 79714
Phone: (435) 524-1401

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? Andrews County Judge

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

mw

27-15
[Signature]

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT: Judge
Name: Richard A Dolgenek
Address: RM 104 Courthouse Texas
City/State: Andrews Zip: 79714
Phone: (432) 524-1401

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? RM 104 Courthouse, Andrews Texas 79714

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Signature]

TCEQ Public Meeting Form
Monday, September 8, 2008

16

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP -9 PM 3:09
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: Lloyd Eisenrich
Address: P.O. Box 1258
City/State: Andrews TX Zip: 79714
Phone: (432) 528-6090

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? Andrews Industrial Foundation

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

MW

1174

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Lloyd Eisenrich

Address: P.O. Box 1228

City/State: Andrews, TX Zip: 79714

Phone: (409) 523-4675

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? Andrews Industrial Foundation

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

11

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC Proposed Radioactive Material License R04100

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: Mary Eppler
Address: 1 Abigail
City/State: Andrews, Tx Zip: 79714
Phone: (432) 523-4632

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

for WCS

Please give this to the person at the information table. Thank you.

MW

RAW
4/68/07

P.O. Box 1291
Andrews, TX 79714
September 15, 2008

LaDonna Castanuela
TCEQ
Office of the Chief Clerk
MC 105
P.O. Box 13087
Austin, TX 78711-3087

OPA
SEP 17 2008
BY SP

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP 17 AM 10:43
CHIEF CLERKS OFFICE

Dear Ms. Castanuela:

The proposed license #R04100 for Waste Control Specialists must *not* be granted.

As happened with the preceding "byproduct" license, it is clear that political pressure is now overriding technical judgment of this "low-level waste" license application by WCS. The following facts make this conclusion obvious:

- TCEQ technical staff members strongly opposed granting either of these licenses.
- Several staff members resigned rather than go along with granting either license. Resignation is a remarkable step.
- Harold Simmons, the effective owner of WCS, has paid Governor Perry nearly \$500,000.

There is more, of course.

Much of the public support in West Texas for granting the license must be due to years of one-sided presentations by civic leaders and one-sided coverage in the media. Local newspapers have, in fact, withheld significant information from their readers. But in the age of the Internet, radio talk shows, and dozens of television channels, this secrecy cannot be maintained.

The whole story will eventually be widely known.

Sincerely,

Randolph P. Flowe

Randolph P. Flowe

mm

RAW
410867

P.O. Box 1291
Andrews, TX 79714
September 15, 2008

LaDonna Castanuela
TCEQ
Office of the Chief Clerk
MC 105
P.O. Box 13087
Austin, TX 78711-3087

OPA
SEP 15 2008
BY BP

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP 15 PM 2:09
CHIEF CLERKS OFFICE

Dear Ms. Castanuela:

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The whole story will eventually be widely known.

Sincerely,

Randolph P. Flowe

Randolph P. Flowe

MW

To: Texas Commission on Environmental Quality

**From: Randolph P. Flowe
Andrews, Texas**

**Subject: Comment on proposed license #R04100 for Waste Control
Specialists.**

CHIEF CLERKS OFFICE

2008 SEP 15 PM 2:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

RAW
4/28/07

R04100

Comments by Michael S. Ford, C.H.P., Chair, Texas Radiation Advisory Board
on
Low-level Radioactive Waste Disposal License Application from Waste Control Specialists, LLC

9 September 2009

SEP 20 2009
BY Ry

2008 SEP 22 PM 3:58
CHIEF CLERK

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

General Requirements

- A. §12.F(3) – The requirement for a four (4) week course in "... health physics specifically applicable to low-level radioactive waste management and disposal operations," will be very difficult to meet unless the licensee creates and provides the course. Courses geared to low level radioactive waste management are generally less than 40 hours each. It is difficult to envision specific aspects of low level radioactive waste management that are not also germane to other aspects of the nuclear industry.
- B. §12.F(4) – see previous comment.
- C. §12.G – this is difficult to understand. Is the intent of the requirement to state that all radiation control program personnel are required to have the same training? If so, this would not be appropriate, and is why training qualifications are generally tiered to account for the varying level of radiological hazards an individual may encounter based on the type of work they would be engaged in or supervise. For example: General Employee Radiological Training, Radiation Worker I, Radiation Worker II, ALARA for Engineers, ALARA for Managers.
- D. §47 – What is the basis for excluding the disposal of *depleted* uranium? This is more innocuous than the natural form.

Preconstruction Requirements

- E. §61 – Why is the respiratory protection program listed as a "preconstruction" requirement? Shouldn't this be preoperational?

Radiation Safety Requirements

- F. §111 & §114 – the requirement for the licensee to have every jot and tittle of their technical procedures subsumed into the operating license represents a near-confiscation of the licensee's day-to-day operations by the state. Such a requirement causes two problems:
 - i. The process of continuous improvement is unnecessarily encumbered, and changes identified that would otherwise result in operational improvements may not be implemented because of the high level of effort required to change a given procedure. This requirement would result in outcomes that may be adverse to safety and quality.
 - ii. By requiring any and all changes in technical procedures to be approved through license amendment, the state becomes the defacto operator of the waste site. In so doing, any requirement violations that might result from following procedures that are not optimal, but are approved through license condition, would leave the state in the difficult position of having sanctioned those very operational outcomes, thereby leaving the state with the responsibility for any environmental and/or regulatory consequences and little to no basis for enforcement against the licensee.

The remedy for the state's concern is to enact a license-screening process to ensure that any technical procedure changes do not impinge on a license condition. If a screen is "negative", the procedure change passes through the licensee's site review and approval process. If the screen is

mw

"positive" – meaning that the change might alter a given license condition, it flows through the state's license amendment process. All "negative" screens are tabulated and reported to the state on an annual basis. All procedure changes are tracked through rigorous document change and revision control.

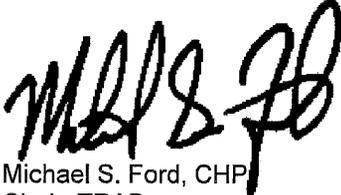
- G. §113 – The last sentence of this requirement conflicts with §138. This is a far more reasonable requirement than those contained in §138.
- H. §120 – The state requirement for the issuance of dosimeters without regard to the possible dose received far exceeds the TCEQ requirement for external dosimetry found in §336.305 which has a threshold of 500 mrem potential external dose. What is the basis for this requirement and why does it depart so markedly from the existing TCEQ requirement?
- I. §121 – The *in vivo* and *in vitro* bioassay requirements stated here are largely unnecessary and are highly intrusive with no quantifiable technical real basis. Routine fecal sampling is only practiced where workers are routinely exposed to *high* concentrations of airborne actinides. Such an environment may exist in one, possibly two, locations on the waste site – certainly not across the entire site. As a remedy, the license condition should require the air monitoring program to work in tandem with the bioassay program, so that air samples exceeding a pre-determined action level (e.g., single sample DAC-hr limit or cumulative DAC-hr total) would initiate an occurrence-based bioassay sampling regimen for the employee(s) which would include a series of urine and/or fecal samples based on the isotope(s) and associated solubility characteristics of the material(s). This approach would be backed up by urine bioassay sampling set to a periodicity that would not miss internal uptakes resulting in exposures greater than XXX mrem (i.e., could be 100, 200, 500, etc).

Occurrence-based air sampling uses lapel air samplers running between 5 and 15 lpm to evaluate employee exposures and requires the collection of urine and/or fecal samples at a predetermined "trigger" level. This enables the close association of any exposure "event" with the bioassay sampling regimen and reduces much of the uncertainty (and enormous cost) associated with a "routine" sampling program.

Ultimately, the bioassay requirements currently imposed by the state penalize the licensee's employees in their intrusiveness (and unnecessarily so) as well as the state's disposal customers who will have the inordinate bioassay costs folded into their rate structures.

- J. §122 – Bioassay results are not expressed in terms of results internal dose; hence, the action directed by this requirement cannot be completed. The internal dosimetry estimates arising from bioassay results should be compared against 10% of the occupational dose limit.
- K. §127 – The reuse stipulation for respirators should be included in the licensee's respiratory protection program, §61. In no case should contaminated respirators be used. The respirator cleaning process should successfully remove all detectable contamination. Respirators that cannot be decontaminated should be discarded. Depending on the isotope, contamination at the limits alpha limits specified in this requirement could easily result in an internal uptake and internal dose in excess of 100 mrem.
- L. §129 – Airborne radioactivity areas are should be based on the most restrictive isotope present in the work environment. The stipulation of $5 \text{ E}^{-13} \mu\text{Ci}$ per ml "total" radioactivity does not account for radon progeny and may unnecessarily result in personnel being placed in respiratory protection. This license condition is unnecessary and may in fact be harmful to personnel given the degree of "over-posting" that may result, thus requiring respiratory protection. The existing regulation is sufficiently (if not overly) protective at one DAC or 12-DAC-hr in a week.
- M. §130 – The periodicity of contamination surveys in office areas and lunch areas is excessive. These should be no more frequent than monthly *unless* a release event requires more frequent followup (which could be daily).

- N. §131 – The requirement to survey step off pads every four hours when there is an existing requirement to survey personnel and equipment exiting the disposal facilities appear excessive. This would require surveys even when there might be no activity at the disposal facility. The proper care and surveillance of step-off pads should be left to the licensee.
- O. §132 – This provision to conduct quarterly surveys at “all work stations” should be changed to annually or every six months.
- P. §136 & §138 – These requirements appear to be contradictory.
- Q. §138 – This requirement will consume nearly 100% of the RSO's time leaving little to no time for the RSO to perform other duties. **If done properly, these reviews are extensive. If done every quarter, these reviews provide little to no value to the state or the licensee.** The RSO is required to manage the Radiation Safety program within the confines of the license and the existing Texas Administrative Code. Some provision for discretion must be provided in the day-to-day management of the disposal facility. Ordinarily, the topics of these reviews would be covered in an in-depth review, each topic coming under scrutiny in a given calendar quarter with the cycle repeating once every three years. A program undergoing continuous review will have no time for correction and little time to conduct the work for which the facility is licensed.
- R. §139 – See comment on §138 above. This requirement is appropriate when combined with §136; however, it is wholly redundant if viewed as a separate requirement.



Michael S. Ford, CHP
Chair, TRAB

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Kendall ~~Fowler~~ Fowler
Address: 4001 SE 2901
City/State: Andrews Tx Zip: 79714
Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

TCEQ Public Meeting Form
Monday, September 8, 2008

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: PETE FRANCIS

Address: 1307 NW 16TH ST

City/State: ANDREWS, TX Zip: 79714

Phone: (432) 523-7246

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

FOR The Project all the way.

Please give this to the person at the information table. Thank you.

mw

12th

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Bryan Fritz

Address: 400 Fraternity Row

City/State: College Station TX Zip: 77845

Phone: (713) 303 1546

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? ARDT Student Chapter

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)



Please give this to the person at the information table. Thank you.



46867

OPA RECEIVED

Texas Commission on Environmental Quality

MAR 31 2005

Public Hearing

AT PUBLIC MEETING

March 31, 2005

My name is Bryan Fritz. I am a Senior at Texas A&M University, majoring in Radiological Health Engineering, and the President of the Student Chapter of Advocates for Responsible Disposal in Texas (ARDT). The courses I take in Radiological Health Engineering include many math, physics, chemistry, basic engineering, plus plenty of nuclear engineering classes and a few from other departments, all designed to prepare me for a lifetime of learning and a variety of positions in the Health Physics field. Health Physicists protect workers and other personnel who work around radiation by designing shielding and doing dose calculations, ^{heavy other fields} ensuring that they do not receive too high of a dose. Before I came to A&M, I went to high school in Tomball, TX, and went to elementary and middle school right here in Andrews.

This site in Andrews, County represents a personal and professional subject for me, and I am very aware of the importance of its opening. I am the future of the Nuclear/Radiation industry and will need a place to safely store radioactive waste. If there is no central place to store LLRW, plants, hospitals and other generators will be forced to do either interim storage, which is a very temporary solution that leads to getting clogged up for space and ^{expensive} closing, stop the radiation or nuclear medicine program, or move to an area that offers storage. Also, as someone from this community, who was privileged enough to grow up in the excellent school district, I know all the benefits it will bring to Andrews, bringing in jobs and money that seemed to have left with the oil companies.

Safety is a major concern and a big issue when talking about nuclear anything and radioactive waste. Having an education in radiological health engineering and the experience gained in the internship with The University of Texas Health Science Center radiation safety program grants me the privilege of knowing the safety procedures taken around radioactive material, and I would be perfectly fine with living right next to a LLW facility. I've heard several talks given by professionals in the regulatory and waste control business that describe all the design factors taken to ensure the ultimate safety to the public and environment.

Another issue that brings about concern is the transportation of this LLRW; how is it going to get to Andrews? Trucks and trains will be transporting waste from facilities in the Texas compact. ~~A lot of people raise the concern of spilling radioactive waste all over the highway.~~ Professionals in the nuclear industry understand the risk of the material they work with, and therefore take all sorts of precautions to ensure that their waste is transported and received safely. As a matter of fact, the Department of State Health Services trains first responders along transportation routes to deal with any potential accident. My research found that between the years of 1971 and 1991 there were about 40 million shipments of radioactive materials, with a fraction containing LLRW. There were only 53 accidents involved LLRW, with only four resulting in a release of radioactive materials. None resulted in any type of injury or death.

The face of the nuclear industry is changing, and along with it the way radioactive waste needs to be stored. I want to work in this industry. Having the problem solved is the key to my future employment and is important to all citizens of Texas. Please keep the process on schedule and provide a facility for the nuclear industry in Texas.

TCEQ Public Meeting Form
Monday, September 8, 2008

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

4

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: GREGG FULFER

Address: POB 1229

City/State: JAL NM Zip: 88252

Phone: (505) 631-0522

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? LEA COUNTY COMMISSION

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

MW

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Vanessa Garcia

Address: 1320 Alpine

City/State: Andrews Tx Zip: 79714

Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Handwritten mark

TCEQ Public Meeting Form
Monday, September 8, 2008

10

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3: 09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: GLENN HACKLER
Address: 111 Logsdon Ave
City/State: Andrews, TX Zip: 79714
Phone: (432) 523.4820

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? City of Andrews - City Manager

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Bud Jones
is also here.
He's chief
of Police.

Please give this to the person at the information table. Thank you.

MW

87/3

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: GLEW HACKLER

Address: 111 Logsdon

City/State: Andrews, TX Zip: 79714

Phone: (432) 523.4820

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? CITY OF ANDREWS, City Mgr

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

10

TCEQ Public Meeting Form
Monday, September 8, 2008

9

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3: 09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Kent Hance
Address: 111 Congress #500
City/State: Austin TX Zip: 78701
Phone: (512) 479-8888

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? WCS - V-Ch. of Board

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

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MW

TCEQ Public Meeting Form
Monday, September 8, 2008

17

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3: 09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: DR E W HARPER
Address: 1001 GOLF COURSE
City/State: ANDREWS Zip: 79714
Phone: (432) 523-5750

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? PERMIAN REGIONAL HOSPITAL BOARD

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

mw

21

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC Proposed Radioactive Material License R04100

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP -9 PM 3:10
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: LEWIS HEARON
Address: 1502 Live OAK LN
City/State: ANDRETT TX Zip: 79714
Phone: (432) 523-2730

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

MW

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT: The Honorable
Name: HIRAM HUBERT
Address: 1103 Terrace Dr
City/State: Andrews Tx Zip: 79714
Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? County Commissioner Pct 3

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

1743

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Tanya Johnson

Address: 1213 NW 11th

City/State: Andrews Zip: 79714

Phone: (432) 524-3802

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Lacee King

Address: 1201 NW 9th

City/State: Andrews TX Zip: 79714

Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

~~Waste Control Specialist has been~~ many

OPA RECEIVED

MAR 31 2005

~~files~~

AT PUBLIC MEETING

I also went to Waste Control Specialist
at the beginning of ~~the~~ ^{this} school year. ~~at~~

~~I decided to~~ After the tour around
the site ~~and~~ ~~the~~ ~~various~~ ~~projects~~ ~~at~~ ~~the~~
I decided ~~to~~ ~~visit~~ ~~to~~ ~~do~~
my science fair project on the landfill

itself - ~~was~~ ~~not~~ ~~an~~ ~~issue~~ My partner

and I worked with waste control
many hours and for many months.

I worked with many people around the
site and learned ~~many things about~~
~~the~~ ~~landfill~~ ~~and~~ ~~the~~ ~~various~~ ~~projects~~

~~the~~ ~~importance~~ ~~of~~ ~~the~~ ~~various~~ ~~projects~~

~~safety~~ ~~and~~ ~~efficiency~~ ~~in~~ ~~the~~ ~~various~~ ~~projects~~

things that both helped me advance

in the science fair and ~~also~~ ~~impacted~~
~~my~~ ~~decision~~ ~~on~~ ~~what~~ ~~I~~ ~~would~~ ~~like~~ ~~to~~ ~~pursue~~

~~in~~ ~~my~~ ~~future~~ ~~career~~

~~at~~ ~~the~~ ~~landfill~~ ~~and~~ ~~the~~ ~~various~~ ~~projects~~

~~the~~ ~~facility~~ ~~and~~ ~~the~~ ~~various~~ ~~projects~~ I have been

inside the landfill itself collecting samples

of red bed clay and testing the permeability

of the clay. In our test we proved that the confining layer of red bed clay ~~was~~ would stop any waste water from affecting the geological environment. ~~The~~

~~Our science fair project~~ was picked ~~for~~ for the Junior Stockholm Award. ~~My~~ My partner and I ~~could~~ could call on WES anytime we needed help in our project and they would help us in any need. ~~We~~ We will be continuing our project in the upcoming school year and will be working ^{with WES} ~~once~~ ^{once again}

My partner and I have learned so much from the site and its people ~~and~~ we fully support ~~the site~~ and trust what ^{WES is} ~~they are~~ working to achieve.

Lacey King

31

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Eddie Simpson Kocurek

Address: 4021 Crescent

City/State: Bay city Tx Zip: 77414

Phone: (979) 245 3963

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? South Tx Project Nuclear Operating Co

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

AK

46867
RW

Good evening. My name is Eddie Simpson-Kocurek. I work for the South Texas Project Nuclear Operating Company. I have been in electric power production for 29 years, and a nuclear professional for 13 years.

I am here tonight to speak because, for me, the issue of safe disposal of low-level radioactive waste is a personal issue. I support the role of nuclear power as part of a diversified supply of power generation. I understand that nuclear power is a safe, clean technology. I believe that the people that design, build and operate nuclear power plants, and those that manage radioactive waste, are environmentally and safety conscious. Like me, they want to go home to their families at the end of their workday. They want their children to be healthy and happy and enjoy a better standard of living. And they would not expose their children to unnecessary danger or risk.

I live within 20 miles of the South Texas Nuclear Project. So do many of the conscientious, safety-minded professionals I work with. We know that we provide a valuable service to our communities and our state by producing electricity. We also know that we provide a more valuable service by doing our jobs safely to protect the environment as well as the public.

Let me tell you how I know a low-level radioactive waste facility would also be safe. I know that the people who work there would have the same reasons as me for doing the very best job I can - my family and my children. The facility would be designed and carefully engineered to provide the highest degrees of protection. And first and foremost, I am a mother - and a grandmother of three. I want to protect my children's and grandchildren's health, their well-being, their future. People like me, all across the country, are the future of nuclear technology.

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AT PUBLIC MEETING

dd

The technology exists to dispose of the waste safely. ~~the Barnwell site in South Carolina has been operating for over 35 years with no evidence of health or environmental effects.~~ Access to safe disposal is essential if we are to continue to receive the benefits of the use of radioactive materials. Nuclear power is perhaps the least vulnerable; we have room to store our low level waste at the plant. But hospitals, universities and businesses located in population centers may not be able to afford to sacrifice the space for storage, and be faced with difficult decisions regarding continuing activities that involve radioactive materials.

I am keenly aware of the many beneficial uses of radioactive materials. Nuclear medicine saves lives. Dentists use X-rays for diagnosis; their patients also benefit from research into gum disease, bone disease and other conditions - research conducted with the radioactive isotopes. Pharmacists' shelves would be nearly empty without the use of radioactive isotopes - more than 80% of all new drugs are developed and tested with radioactive isotopes before going to market.

I want to continue to benefit from the uses of radioactive isotopes, and I want my children and their children to also benefit. We have the means to assure that those benefits continue, by building a safe disposal facility today.

1574

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Jennifer Koop
Address: 301 George Bush Dr. W
City/State: College Station, TX Zip: 77840
Phone: (214) 859-8721

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

TCEQ Public Meeting Form
Monday, September 8, 2008

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3: 11

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COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: STEVE LAFLIN
Address: 4137 Commerce Circle
City/State: Idaho Falls ID Zip: 83401
Phone: (208) ~~529~~ 524-5300

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

I support the proposed WCS license
for LLW disposal. *[Signature]*

Please give this to the person at the information table. Thank you.

[Handwritten mark]

TCEQ Public Meeting Form

Monday, September 8, 2008

14

Waste Control Specialists LLC Proposed Radioactive Material License R04100

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: TRON Lewis
Address: St 500 3800 E 42^d St
City/State: Odessa TX Zip: ~~79762~~ 79762
Phone: (432) 363 1300

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

mw

TCEQ Public Meeting Form

Monday, September 8, 2008

23

Waste Control Specialists LLC Proposed Radioactive Material License R04100

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP -9 PM 3:09
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: John Loughhead
Address: 923 E Santa Fe Rd
City/State: Hobbs NM Zip: 88242
Phone: (505) 738-0814

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?

Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

MW

5th

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: JOSE A. LOPEZ, PHD

Address: 519 LEMON dr

City/State: ARLINGTON TX zip: 76018

Phone: (214) 648-3952

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER @ DALLAS

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

46867

Testimony Delivered at the Licensing Hearing for the
Texas Low-Level Radioactive Waste Disposal site
March 31, 2005

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by

MAR 31 2005

Jose A. Lopez, PhD, PE

Director of Environmental Health and Safety, and
Former Radiation Safety Officer

AT PUBLIC MEETING

University of Texas Southwestern Medical Center at Dallas

My name is Dr. Jose Lopez and I currently function as Director of Environmental Health and Safety for the University of Texas Southwestern Medical Center at Dallas, which includes the Zale-Lipshy University Hospital and St. Paul University Hospital. I also come to you as the former Radiation Safety Officer for the UT Southwestern and its associated Dallas Hospitals: Parkland Memorial Hospital, Children's Medical Center, and Zale-Lipshy and St Paul University Hospitals.

I speak to you on behalf of the University of Texas System Environmental Health & Safety Advisory Group, the Radiation Safety Officers Advisory Group (UTRSOAG), and as former President of the North Texas Chapter of the Health Physics Society (NTC-HPS).

Sources of radiation are among the most awesome, diverse, powerful tools and techniques used in modern medicine. As Radiation Safety Officer for Parkland Memorial Hospital, Children's Medical Center, and the University hospitals I had the opportunity to witness on daily basis life-saving medical diagnostic and therapeutic procedures involving radioactive materials. In Nuclear Medicine, radioactive materials are used to evaluate blood flow within the brain and within the heart, to detect metastasis of cancer throughout the human body, to evaluate kidney and liver function, to detect internal infections in children, to monitor thyroid function, and many other life saving procedures. In Nuclear Cardiology, radioactive materials are used for cardiac imaging to study the functioning heart under rest and stress conditions. In Radiation Oncology, radioactive materials are used in Brachy-therapy and Tele-therapy procedures and in Thyroid Ablations to destroy cancerous growths. In Pathology, hundreds of Radio-Immuno Assays (RIAs) are performed daily on body fluids and tissue specimens for *in-vitro* Clinical or Laboratory Testing; pints of blood destined for transfusion are irradiated in Cobalt 60 Irradiators to make them more suitable, and to reduce the likelihood of rejection by immuno-suppressed patients such as AIDS

dl

patients, transplant patients, and infants. In the Epilepsy ward, radioactive materials are used to diagnose the areas of the brain that do not have proper blood flow during a seizure. The list goes on.

The number of procedures performed routinely are astounding, in Nuclear Medicine alone at Parkland Memorial Hospital, about 4600 procedures using radiopharmaceuticals were performed in 1995; the numbers are continuing to grow to date. It is estimated that as many as 10 million Nuclear Medicine procedures, and as many as 100 million *in-vitro* laboratory test on body's fluids and tissue specimens are performed in the US each year. Needless to say, the manufacture and utilization of these radiopharmaceuticals produce radioactive byproducts that require proper disposal in a low-level radioactive waste repository. The unavailability of such a site and subsequent potential unavailability of radioactive materials could significantly affect my health, your health, our children's health and the health of all people in Texas.

Along with the present use of Radioactive Materials in Medicine, the current and potential beneficial uses of radioactive materials in medical research are even more overwhelming and exciting. At the University of Texas Southwestern Medical Center @ Dallas alone there are at this time over 250 Principal Investigators (PIs) with over 2000 fellow researchers and technicians authorized to use radioactive materials in over 800 laboratories. Four of the authorized PIs are Nobel Prize winners who could not have achieved their discoveries without the use of radioactive materials. Current medical research which requires the use of radioactive materials is extensive and includes the search for understanding of mechanisms of the HIV Virus and treatment of AIDS; the search for The Magic Bullet for Cancerous growths; the causes of Alzheimer's disease; Cholesterol metabolism and Arterial disease; the mechanism of Calcium absorption and the pathology of kidney stones and of osteoporosis; determination of how Insulin works and new ways to treat or prevent Diabetes; detection of antibodies; understanding Hypertension; mechanisms for Inflammatory diseases; and probably one of the most significant current medical research involves Genetic mapping and DNA sequencing for the detection of such inherited diseases as Multiple Sclerosis, Down's Syndrome, Hutchinson's disease, Diabetes, Arthritis, Alzheimer's disease, and Oncogenes that carry predisposition for Breast, Prostate, and other cancers.

Maybe I can be construed as being selfish, but I would hate for any research involving findings cures for Diabetes and arthritis to be hindered by the lack of such an important tool as radioactive materials. As an Hispanic, I have a preponderance for contracting Diabetes and Arthritis. I have been diagnosed as a diabetic, and even if a cure or

prevention is too late for me, I hope that a cure is found for the sake of my children and my children's children and anyone who carries my genetic disposition.

My educational career has awarded me with a B.S. degree in Chemical Engineering from Texas A&M University and a Master and PhD degrees in Environmental Health Engineering from the University of Texas at Austin. The goal of every Environmental Health Engineer has always been to aim to protect the environment and the health of the people by finding the best engineering solutions to properly treat, control or dispose of the byproducts of such processes that enhance our standard of living. Thus, we design and construct tertiary treatment plants for residual wastewater and sewers; we design and construct incinerators to reduce hazardous waste; and we design and construct landfills to safely dispose of our solid waste, minimizing the impact to the environment and to public health. The design and construction of a repository for low-level waste shares similar challenges, similar motives and similar solutions. For us Texans, the availability of the many beneficial uses of sources of radiation that enhance and ensure our standard of living is directly dependent on the accessibility of a Low-Level Radioactive Waste Disposal facility as a repository for the waste byproduct of these beneficial uses of radioactive materials and of the manufacturing processes that make them available. The management and disposal of Low-Level Radioactive Waste are technological processes that are scientifically straightforward and plausible.

Health Physics professionals deal with the safe uses of sources of radiation. Members of the North Texas Chapter of the Health Physics Society (NTC-HPS) deal on a daily basis with procedures that attempt to reduce and protect people from unnecessary exposure to radiation. The NTC-HPS members work in Academic Institutions, Regulatory Agencies, Medical Institutions, Manufacturing and Industrial operations, Nuclear Power plants, etc. professing the ability and understanding to evaluate and control the risks from the use of sources of radiation, relative to the multiple benefits derived from them. I could not support a project that would endanger the land and environment of the proposed site or those who live around it unless I was completely sure about its feasibility from a technical design and operational capacity, and about the tremendous need for it and the subsequent benefits for the citizens of Texas. I fully support the licensing of a Low-Level Radioactive Waste Repository.

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Margie Manthei

Address: 1208 La Paz Drive

City/State: Andrews Tx Zip: 79714

Phone: 432 631-1955
524-7000

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

✓

Please give this to the person at the information table. Thank you.

td

Margie Manthei

I became aware of

When the possibility of disposal of low-level radioactive waste in this area came up, I called and spoke with a Senior Research Microbiologist for the Environmental Protection Agency and I asked him to honestly assess the risk this would pose for my family in a way that I could understand.

particular
with
radio
active
trace

While the law says buckle up every time we get in our vehicle, we have the choice of whether we buckle or take a risk. But when it comes to low-level radioactive waste your communities do not have that choice, the government determines the level of risk that they deem is acceptable for a community to take.

The EPA's default definition of risk in laymens terms is one chance in a million of probability that something is going to kill you over a lifetime of exposure.

Then he ask me,

Do you ever eat a meal at place that allows smoking? There is a lot more risk from being around that cigarette smoke. No one ever calls to ask me about that. Then he assured me this was a good thing.

Most of us have done of individual research, and WCS you guys deserve a huge hand for educating community. Thank you for being totally upfront with me and my oodles of questions.

But I hope the Commission realizes that there is something about Andrews TX that is as important as understanding the facts.

And that is that the community of and the communities around Andrews, Texas are willing to embrace things that other communities may not. Every single person that I have talked to in this region (and I was born in Hobbs America and raised in Lea County) supports this license, and have a few things to say about those who don't the main comment being "letting the BEEPS freeze in the dark." Except that would affect all of us!!!

I would like the

But we don't have to freeze in the dark, and as a community we appreciate WCS for jumping through the unparalleled hoops necessary to file for this permit.

RAW
416867

LANA MARTINEZ
1211 W. Kiowa Hobbs, NM 88240
505-392-3253

RECEIVED

March 14, 2005

MAR 23 2005

WASTE PERMITS DIVISION
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY
LLH

Devane Clarke
Texas Commission on Environmental Quality
MC 109
P. O. Box 13087
Austin, TX 78711-3087

OPA

SEP 30 2008

RO4100

BY KY

Devane:

Thank you for speaking with me concerning mineral interests in Andrews County connected with Waste Control Specialists. I am sending you a copy of the package that we sent to the Executive Director, Mr. Shankle. FYI

I appreciate your helpfulness.

Sincerely,

Lana Martinez

Lana Martinez

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP 30 AM 11:09
CHIEF CLERKS OFFICE

mm

21st

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Martín Martínez

Address: 203 S. Main

City/State: Andrews TX Zip: 79711

Phone: () 472-534-7229

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? Centaurus Financial Inc.

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

TCEQ Public Meeting Form
Monday, September 8, 2008

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: Parker McCollough
Address: 919 Congress Suite 740
City/State: Austin TX Zip: 78701
Phone: (512) 487-3913

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?

Yes No

If yes, which one? ENERGY - Vermont Yankee

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

In Support of the license

Please give this to the person at the information table. Thank you.

MW

5

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC Proposed Radioactive Material License R04100

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3: 09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT.

Name: RANDALL McCORMICK

Address: PO BOX 844

City/State: LOVINGIAH NEW MEX Zip: 88260

Phone: (575) 370-1180

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? LEA COUNTY COMMISSION
LEA

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

MW

1476

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Eddie McNETT
Address: 1001 N.W. Ave I PO Box 864
City/State: ANDREWS Zip: 79714
Phone: (432) 524-5809

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

6:00

[Handwritten signature]



THE CITY OF
HOBBS, NEW MEXICO

(505) 391-7890 • 300 NORTH TURNER • HOBBS, NEW MEXICO 88240
FAX (505) 391-7876

OFFICE OF THE MAYOR
MONTY D. NEWMAN

March 31, 2005

46267
OPA RECEIVED

MAK 31 2005

AT PUBLIC MEETING

To Whom It May Concern:

Waste Control Specialist has been a good corporate citizen in Eastern New Mexico and West Texas over the past several years. I have been pleased with the level of safety they have operated at over the past years.

Hobbs has been comfortable with the WCS operation and are pleased they have brought good paying jobs to both Eastern New Mexico and West Texas. I am sure they will continue to do so. They have been good corporate citizens supporting many of the civic and cultural activities of the area.

I am pleased to write this letter, on behalf of the Mayor's office, in strong support for Waste Control Specialist.

Sincerely,

THE CITY OF HOBBS, NEW MEXICO

A handwritten signature in black ink, appearing to be "MDN", written over the printed name of the Mayor.

Monty D. Newman
Mayor

MDN:kp

A small handwritten mark or signature in the bottom right corner of the page.

TCEQ Public Meeting Form
Monday, September 8, 2008

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP -9 PM 3:00
CHIEF CLERKS OFFICE
OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: DANNY L. OSTERHOUT

Address: 1122 GOLF COURSE ROAD

City/State: ANDREWS, TEXAS Zip: 79714

Phone: (432) 524-3087

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

I AM IN SUPPORT OF WCS.

Please give this to the person at the information table. Thank you.

MW

33
32

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: DANNY L. OSTERHOUT

Address: 1122 GOLF COURSE ROAD

City/State: ANDREWS, TEXAS Zip: 79714

Phone: (432) 523-2630

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

TCEQ Public Meeting Form
Monday, September 8, 2008

8

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: John Porter
Address: #13 ASIGAIL DR
City/State: ANDREWS TX. Zip: 79714
Phone: (432) 523-4244

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? CITY OF ANDREWS - City Council

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

MW

444

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: DAVID POST

Address: P.O. Box ~~A~~ 681

City/State: ANDREWS TX Zip: 79714

Phone: (432) 523-3984

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

DP

46867

David Post
P.O. Box 681
Andrews, TX 79714
March 31, 2005

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, TX 78711

OPA RECEIVED

MAR 31 2005

AT PUBLIC MEETING

Dear Sir or Madam,

I ranch in western Andrews County, about 11 miles from the proposed site, on land my family homesteaded in 1909.

I served 5 years in the United States Navy as an engineer-qualified, nuclear-trained submarine officer. I have supervised the operation of a critical reactor as well as the shut-down maintenance of that reactor. I have also supervised the handling, storage, and monitoring of radioactive material. My Navy training placed great emphasis on the need to properly handle, store and dispose of radioactive material to protect the public and the environment.

I am opposed to the selection of the proposed site in Andrews County for the disposal of low-level radioactive waste. My primary concern lies with the hydrology of the proposed site. According to Appendix 11.1.1 of the WCS application for license, there are five different water-bearing formations at the proposed site, at:

- 80 feet
- 180 feet
- 225 feet
- 600 feet
- 1140+ feet

WCS's application states that the proposed waste facilities will be seated 50 to 80 feet within the red beds (page 11.1.1-21). This is to the depth of the first water-bearing formation at 80 feet.

The presence of these water-bearing formations concerns me for the following reasons:

- (1) Water can percolate through faults, fissures, and holes in the red bed that could be present undetected at the proposed site. According to the application, a small reverse fault with 10 to 20 feet of offset has been observed in the existing landfill cell (Page 11.1.1-25). Countless shot holes from oil exploration are also present in this county which

AD

could serve as a downward flow path for water through the red bed.

- (2) The presence or absence of water in these formations today does not mean that there wasn't water there 30 years ago, or that there won't be water there 30 years from now. There have been occurrences in Andrews and Lea counties where shallow wells that had windmills on them in the 1910's and 1920's have been dry for decades.
- (3) The license application mentions a local topographic feature called Baker Springs located about 1 mile northwest of the proposed site and another dry spring about 3 miles to the east (Page 11.1.1-24). The presence of these features and the fact that one of them is named would suggest that 1 or both may have flowed water at some time since this county was settled. In the application, WCS dismisses both of these features without further investigation.

WCS went to great lengths in their application to promote the red bed clay as a suitable containment medium for radioactive waste despite the presence of these water-bearing formations.

Several studies were performed to evaluate such things as the permeability of the water-bearing formations, the conductivity of the red bed clay, the potential for communication of water between the formations, etc. These studies were scaled up to predict the performance of the entire site as a low-level radioactive waste landfill.

We must be 100% sure that radioactivity will not leave the site, not just reasonably certain. It would seem to me that the wisest course of action would be to select a site with no shallow groundwater or porous formations to begin with. Surely many such sites exist in the state of Texas.

Low-level radioactive waste must be disposed of somewhere, and safely-that is a fact. This should be done by taking the criteria for a suitable landfill and searching for the site that best meets these criteria. WCS has done just the opposite. They have taken the site they have and tried to shoehorn it in to fit the criteria. The safety of the public and the environment require that the best possible site be found, not a marginal site that we hope will properly contain the waste.

Andrews County is under consideration for radioactive waste disposal because the community leaders and "powers that be" here are welcoming it and Andrews County represents the "path of least resistance" as far as getting a disposal site located somewhere.

I urge the Texas Commission on Environmental Quality to consider the technical aspects of this application carefully. The burden of proof rests with WCS to prove that this site

is suitable, not with the TCEQ to prove that it is unsuitable. The commission's primary responsibility is to protect the people of Texas and to safeguard the environment, not to ensure that WCS is granted this license.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized initial 'C' followed by a surname that appears to be 'Raf'.

344

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: John E. Post

Address: P.O. Box 681

City/State: Andrews, TX Zip: 79714

Phone: (432) 523-3984

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Handwritten initials and a checkmark in a circle.

Please give this to the person at the information table. Thank you.

Handwritten initials.

John E. Post
P.O. Box 681
Andrews, Texas
79714
March 31, 2005

OPA RECEIVED

MAR 31 2005

AT PUBLIC MEETING

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-501
P.O. Box 13087
Austin, Texas 78711

Dear Members of the Commission:

My name is John Post. Our family ranch is located about 11 miles south of the proposed site of the W.C.S. landfill, for which they have made application to permanently dispose of low level radioactive waste.

I understand
My grandparents homesteaded here in 1909 and four generations of our family have managed to assemble an 18,000 acre ranch. We have only two sources of water on most of it. One is a sandstone formation that I believe is the same as the 225 ft. water formation at the W.C.S. site, only here it is about 400 ft. deep. The other is the Santa Rosa formation, about the same depth as it is at the W.C.S. site. W.C.S. uses a considerable amount of water from it's Santa Rosa well, and we have noticed the static level of the water in our well has dropped several feet since W.C.S began using water from this formation. We have only one well that is in a formation just above the top of the redbed, which I believe is the same formation found on top of the redbed at the W.C.S. site, where it is dry. I am extremely concerned that all of these zones are connected, and that fractures in the redbed could allow communication of radioactive liquids between the formations, thus *our rendering* ranch unusable for the production of livestock. There area many ranchers in the area who would be put in the same position.

I strongly urge the Texas Commission on Environmental Quality to consider the possible impact on a large area surrounding the W.C.S. site and deny this application by W.C.S. in view of the fact that this radioactive material is said to have a half life of four and a half million years.

Very truly yours,

John E. Post

[Handwritten mark]

36

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Peggy Pryor

Address: 1420 NW 12th

City/State: Andrews Tx Zip: 79714

Phone: 1523 4550

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

I wish to mail in comments about this matter

Please give this to the person at the information table. Thank you.

Thank you Peggy

dp

Peggy Pugh
1420 NW 12th
Andrews TX, 79714

OPA RECEIVED

MAR 31 2005

46867
RW

March 31 2005

AT PUBLIC MEETING

Concerns

water

transportation - because of rising costs of gasoline
each & CURC site states 300, case
had still major flaws and proven to
leak in 50 years water out in 40 years
web site show that ~~no~~ ^{not any} solutions have been
made in the existing sites Hanford,
Fernal, Oak Ridge only band aids
that have only cause other areas to
bleed. the transportation costs alone
could solve many problems other sites
have and could spend money on research
to eliminate problems before they are
created. ~~The problem is still~~ These
problems are not going to be corrected
~~or~~ by spending good money after
bad. I admit Andrews is not
a pristine area we have our major
problems with oil field leaks and
decaying infrastructure but it is all.

Texas has to its ~~an~~ advantage is
our air, water, wind as an example
of today. I feel and from the Nuclear
Regulatory Commission website have come
to the conclusion that this is not a good
~~choice~~ ~~choice~~ ~~choice~~ choice for Andrews.

In 1990 we promised 1500 jobs
and ~~none~~ 30 only have man

choice because they prove over and over
that nothing has been resolved in the
past to make me feel secure in all the safe
grounds used in the past have failed. and continue to fail (over)

as each era passes.

~~at least~~

One main issue with transportation is that they say that no one has a wreck in a transport truck. Well he one has occurred in Andrews the truck had just unloaded but it did have a wreck. never say never.

Thank You

Peggy

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Byron Randolph

Address: 1316 NW 12th St

City/State: Andrews Tx Zip: 79714

Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

BR

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Byron Randolph

Address: 1316 NW 12th St.

City/State: Andrews, TX Zip: 79714

Phone: (432) 524-3344

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? Principles of Technology

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

March 29, 2005

To Whom It May Concern:

Andrews High School Students who are enrolled in the upper level science course entitled "Principles of Technology" are required as part of the curriculum to conduct an extensive research project. Through our gathering of data and development of our research projects, we have developed a relationship with Waste Control Specialists that has been highly beneficial to our students.

Several of our students choose to do research projects directly relating to the technology and science being implemented at WCS. WCS has been a valuable mentor in developing our students understanding of new technologies, environmental issues, and the conducting of scientifically accurate research, testing, and data interpretation. I have been highly impressed and greatly appreciative of Waste Control Specialists willingness to give of their time and resources in helping our students to understand the technology used on-site, the scientific testing and research behind the technology, and the background information which relates to the technology. The scientists at WCS have met with our students numerous times to answer questions and mentor the students through the research process. As a veteran educator, I know this type of mentoring is rarely available to high school level students, and has greatly enhanced the experience and knowledge our local students received in our Principles of Technology course. We look forward to continuing our educational partnership with Waste Control Specialists, and thank them for being committed to the enhancement of the educational experience at our school.

Sincerely,

Vickie Gardner
Instructor, Principles of Technology
Andrews High School

OPA RECEIVED

MAR 31 2005

AT PUBLIC MEETING

Submitted by Byron Randolph

TCEQ Public Meeting Form

Monday, September 8, 2008

12

Waste Control Specialists LLC Proposed Radioactive Material License R04100

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Cyrus Reed
Address: 4205 Ave F
City/State: Austin Zip: 78751
Phone: (512) 740-51086

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? Lone Star Chapter, Sierra Club

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

mw

2004

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: GERALD Reid
Address: 505 NW 10th
City/State: Andrews TX Zip: 79714
Phone: 432 524-5055

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

al

38

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Mike Rhodes

Address: 1505 Heritage

City/State: Andrews TX Zip: 79714

Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? Andrews

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

TCEQ Public Meeting Form
Monday, September 8, 2008

(11)

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP -9 PM 3:10
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: CURTIS SCHRADER
Address: P.O. Box 147
City/State: EUNICE, NM Zip: 88231
Phone: (575) 394-2576

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? CITY OF EUNICE, CITY MANAGER

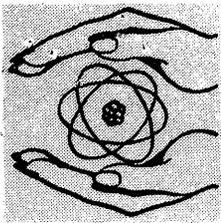
IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

mw



Advocates for Responsible Disposal in Texas

ZAW
416867

Post Office Box 26586 • Austin, Texas 78755-0586 • 512-391-0400

September 16, 2008

OPA

SEP 17 2008

BY BP

2008 SEP 16 PM 3:07
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. LaDonna Castañuela
Office of the Chief Clerk
MC105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Draft TCEQ License No. R04100 and the related draft Environmental and Safety Analysis for the proposed Waste Control Specialists low-level radioactive waste ("LLRW") disposal facility

Dear Ms. Castañuela,

Advocates for Responsible Disposal in Texas ("ARDT") appreciates the opportunity to submit these comments to the draft TCEQ License No. R04100 and the related draft Environmental and Safety Analysis for the proposed Waste Control Specialists low-level radioactive waste ("LLRW") disposal facility. ARDT is an association that includes the Texas LLRW Compact ("Compact") generators located in Texas and Vermont, which include STP Nuclear Operating Company, Comanche Peak Steam Electric Station, and Entergy Nuclear Vermont Yankee Nuclear. ARDT is submitting these comments on behalf of such generators.

Comments to draft License No. R04100

Condition No. 25

Why is there no Condition No. 25 in the draft license? What does "Section 25" in Condition Nos. 62 and 63 refer to?

Condition No. 89

The word "compact" in the last sentence of Condition No. 89 should be changed to "federal facility".

MW

Condition No. 92

The first sentence of Condition No. 92 would prohibit the Waste Control Specialists facility from accepting a shipment of LLRW unless the shipment "has been inspected by the Executive Director's resident inspector". ARDT requests that the Compact LLRW generators only be charged for the time the resident inspector uses to inspect shipments of LLRW from such generators, i.e., that such generators not be charged for the time the resident inspector uses to inspect shipments of LLRW from federal facilities. ARDT also requests that inspections of federal facility LLRW shipments not receive priority over inspections of Compact LLRW shipments in a manner that would cause unacceptable delays in the facility's acceptance of Compact LLRW shipments.

Condition No. 99

Condition No. 99 would prohibit Waste Control Specialists from revising the Facility Operating Procedures, Radiation Safety Procedures, ALARA Program, Quality Assurance Plan, and Waste Acceptance Procedures and Plans, unless it first applies for and obtains an amendment to its license to authorize such revisions. ARDT's Compact generator members are concerned that this condition might prevent them from being able to ship to the facility LLRW that the license authorizes the facility to accept, in the event Waste Control Specialists' acceptance of such LLRW would require a revision to one of the programs, plans, and procedures specified in Condition No. 99. ARDT believes that such a prohibition would be unwarranted since the license authorizes the facility to receive such LLRW.

To address its Compact generator members' concerns, ARDT requests that Condition No. 99 be revised to clarify that during the pendency of an application to amend one of the programs, plans, and procedures specified in Condition No. 99 as it relates to particular LLRW from a Compact LLRW generator, Waste Control Specialists may accept that LLRW, provided that the current license authorizes the facility to accept such LLRW. Specifically, ARDT requests that the following sentence be added to the end of Condition 99: "This condition shall not prohibit the facility from accepting a waste that the license authorizes the facility to accept."

Condition No. 101.B.

Since the term "emergency storage" as used in Condition No. 101.B. is not defined, its meaning would be unclear. ARDT understands that Condition No. 101.B. was included in the draft license in response to the Executive Director's recommendation (as stated in the last sentence in the third paragraph of Section 3.5 of the draft Environmental and Safety Analysis) that the license contain a condition to address interim storage by requiring that Waste Control Specialists provide "notification to the TCEQ if waste cannot be disposed within 24 hours of receipt". Accordingly, it appears that the term "emergency storage" as used in Condition No. 101.B. is intended to mean

“interim storage”. In light of that, ARDT requests that the term “emergency storage” in that condition be replaced with the term “interim storage”.

Condition No. 142

Condition No. 142 would require that LLRW be packaged so that the LLRW containers that the Waste Control Specialists facility receives “are not deformed” and meet the other conditions in Condition No. 142. For the following reasons, ARDT has concerns about the requirement that LLRW containers not be “deformed”.

B-25 box compactors have been used in the past, and may be used in the future, to reduce the volume of the ARDT Compact generator members’ LLRW, which is beneficial because it reduces the number of LLRW shipments that must be transported on public highways and it increases the amount of LLRW that can be disposed in the Waste Control Specialists facility. While the proper use of such box compactors can slightly deform the boxes, it does not impair the integrity of the boxes. As a result, ARDT Compact generator members are concerned that Condition No. 142 might prevent the use of a box compactor to reduce the volume of LLRW that would be sent to the facility. ARDT believes that the facility should not be prohibited from receiving a LLRW container that is deformed due to the proper use of a box compactor in a manner that does not affect the integrity of the box, provided that the other conditions in Condition No. 142 are met (i.e., there is no loss or dispersal of the container’s contents, there is no increase in the external radiation level as recorded on the manifest (within instrument tolerances), and there is no degradation of the container due to rust or other chemical, physical, or radiological reaction that results in loss of container integrity).

For the foregoing reasons, ARDT requests that Condition No. 142 be revised to read as follows:

142. Low-level radioactive wastes must be packaged in such a manner that waste containers received at the land disposal facility are not deformed to the degree that impacts their integrity, there is no loss or dispersal of contents, there is no increase in the external radiation level as recorded on the manifest (within instrument tolerances), and there is no degradation due to rust or other chemical, physical or radiological reaction which results in a loss of container integrity.

Condition No. 151

ARDT requests that the following revisions be made to Table 2 in Condition No. 151:

1. Delete the first column entitled "Waste Source".

The basis for the requested deletion is that the license allows the facility to accept any LLRW that meets the description in the second column (entitled "Waste Stream Description"), regardless of the source of the LLRW (e.g., "Utility" or "Non-utility. Therefore, there is no reason for Table 2 to limit the source of a type of LLRW to the source that is identified in the first column of Table 2. Thus, there is no need for the first column.

2. Delete the last column entitled "Classification".

Such deletion is necessary and appropriate because (i) Compact LLRW generators sometimes generate a LLRW that is described by one of the "Waste Stream Descriptions" in Table 2, but may have a different A, B, or C classification than is listed in the last column of the table for that LLRW, and (ii) since the license authorizes the facility to accept any LLRW that is Class A, B, and C, there is no reason for Table 2 to limit the classification(s) of the LLRW the facility may accept to the classification(s) that are identified in the last column of the table, and, thus, there is no need for the last column.

Comments to draft Environmental and Safety Analysis

Section 3.3.1, first paragraph, first sentence

ARDT requests that the first sentence of the first paragraph of Section 3.3.1 be revised to read as follows (with the proposed new language underlined and the proposed deleted language indicated by strikethrough):

"The application states that the Compact Waste Facility (CWF) will accept for disposal only ~~stabilized~~ low-level radioactive waste of Classes A, and stabilized low-level radioactive waste of Classes B, and C, from commercial waste generators located within Texas and Vermont."

The revisions are needed and appropriate because stabilization of Class A LLRW by placement of it in a concrete canister is allowed by the license to occur, and often does occur, after the LLRW is accepted by the facility.

Section 3.3.4, second paragraph, second to last sentence

The second to last sentence in the second paragraph of Section 3.3.4 is inconsistent with Condition No. 156 of the draft license because that sentence states that large component LLRW that will not fit into concrete canisters “will be stabilized by the generator prior to transport”. Condition No. 156, on the other hand, would not require that the generator stabilize a large component LLRW before transporting it; instead, that condition merely requires that a large component LLRW be stabilized (by filling with sand or grout to ensure the voids are filled) before disposal.

For that reason, ARDT requests that the second to last sentence of the second paragraph of Section 3.3.4 be revised to read as follows (with the proposed new language underlined and the proposed deleted language indicated by strikethrough):

Large components that will not fit into concrete canisters will be stabilized prior to disposal ~~by the generator prior to transport.~~

Section 3.4.1, last paragraph, first sentence

The first sentence of the last paragraph in Section 3.4.1 provides that “containers with visible physical damage will not be accepted and will be returned to the generator...”. Such language is inconsistent with the language in Condition No. 145 of the draft license, since that condition does not provide that Waste Control Specialists must refuse to accept a shipping container that has visible physical damage. Instead, Condition No. 145 would provide that if a shipping container is dented, damaged, or defective when the Waste Control Specialists facility receives it, the facility must, if necessary, repair or re-package the shipping container and contact the generator.

To make the last paragraph of Section 3.4.1 consistent with Condition No. 145, ARDT requests that the first and second sentences of that paragraph be deleted, or that the paragraph otherwise be revised so that it is consistent with Condition No. 145.

Section 3.4.3, second paragraph, fifth sentence

The fifth sentence of the second paragraph of Section 3.4.3 provides that “Liquid waste requires solidification before shipping”. That is inconsistent with Condition No. 141.B. To make such sentence consistent with Condition No. 141.B., ARDT requests that it be revised as follows (with the proposed new language underlined and the proposed deleted language indicated by strikethrough):

Before being shipped, liquid waste must be solidified or packaged in sufficient absorbent material to absorb twice the volume of the liquid before shipping. ~~requires solidification~~

Section 3.4.3, third paragraph, second sentence

ARDT requests that the second sentence of the third paragraph of Section 3.4.3 be deleted because (i) there is no similar requirement in the Barnwell, South Carolina facility license, and (ii) as a result, there is no need for such a requirement in the Waste Control Specialists facility license.

ARDT appreciates the opportunity to submit these comments. If you should have any questions, please contact me at 512.391.0600

Sincerely,

A handwritten signature in cursive script that reads "Edward Selig".

Edward Selig
General Manager
Advocates for Responsible Disposal in Texas

TCEQ Public Meeting Form

Monday, September 8, 2008

15

Waste Control Specialists LLC Proposed Radioactive Material License R04100

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 SEP -9 PM 3:11
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: EDWARD SELIG
Address: P.O. BOX 26586
City/State: AUSTIN TX 78755 Zip: _____
Phone: (512) 391.0400

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? ADVOCATES FOR RESPONSIBLE DISPOSAL IN TEXAS
(ARDT)

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

OPA RECEIVED

SEP 08 2008

TCEQ Public Hearing
Andrews, Texas
September 8, 2008

AT PUBLIC MEETING

My name is Edward Selig, General Manager of Advocates for Responsible Disposal in Texas (ARDT), an association of medical, educational, professional, and industrial organizations that supports the State of Texas' efforts to evaluate and, after thorough public input, establish a system that will manage and ultimately provide permanent disposal of low-level radioactive waste.

The State of Texas must have a safe, secure and easily-accessible system in place to properly manage and dispose of the low-level radioactive waste. Today in Texas, over 600 institutions use radioactive materials and produce such waste. They all require a safe disposal system.

Look at the record. In Texas, about one out of every three hospital patients undergoes procedures involving radioactive materials. At least 80-percent of prescription drugs are tested with these materials. Moreover, radioactive materials are used to sterilize hospital instruments and bandages to prevent the spread of infection. In the medical field, we are talking about x-rays, syringes, gloves. Power plants and industrial facilities generate this material associated with pieces of equipment, uniforms, tools and certain devices.

Ten of the last 15 Nobel prizes in medicine and physiology involved research using radioactive material.

Commercial, medical and research activities that use radioactive isotopes account for more than 200,000 jobs in Texas, according to a 1994 study conducted by Management Information Service, Inc. That study also found that the use of radioactive materials generated more than \$2.7 billion in tax revenues in the state in 1991.

Currently, this material is stored temporarily in warehouses, basements of hospitals, on plant sites and inner city storage facilities. This is not an answer.

Out-of-state options are rapidly closing. There are three operating commercial LLRW disposal facilities in the United States. The Richland, Washington, facility only accepts LLRW from the 11 states in the Northwest and Rocky Mountain Compacts. It does not accept LLRW from Texas. A facility in Clive, Utah, accepts a limited amount of LLRW from Texas, but not some material generated from nuclear power plants or from the medical and research facilities in our state. A third facility in Barnwell, South Carolina, this year has stopped accepting LLRW from Texas.

It is time to move forward and secure a Texas site for the safe management and disposal of LLRW.

2008 SEP -9 PM 3:11
OFFICE CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

mw

116th

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: EDWARD SELIG
Address: P.O. BOX 26767
City/State: AUSTIN TX. Zip: 78755
Phone: (512) 391-0400

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

P.05

46867

Texas Commission on Environmental Quality

OPA RECEIVED

Public Hearing

MAR 31 2005

March 31, 2005

AT PUBLIC MEETING

My name is Edward Selig. I am speaking today on behalf of the Advocates for Responsible Disposal in Texas (ARDT), which is an association of waste generators in Texas and Vermont. Today I have a few verbal comments, and I will submit detailed written comments on behalf of the members.

As we have stated many times in the past, we support the State of Texas in its efforts to develop a LLW disposal facility in Texas. We are here today to reaffirm our position and our support of the TCEQ and of the regulations which provide for responsible, safe disposal in Texas.

Our position has been consistent over the years and remains clear:

We support TCEQ's continuing efforts toward licensing a disposal facility for LLW from compact generators. However, the license must issue only if the license application is consistent with the intent and specifications of the Texas regulations. We view as inappropriate any action which jeopardizes Texas' Agreement State status.

Our written comments include nine pages and are extensively annotated with regulatory references and specific passages from the license application. I would like to emphasize three comments which the compact waste generators collectively agree are critical to the licensing process.

1. Operating Term

Waste generators, such as hospitals, universities, and industrial generators, will continue to have LLW disposal needs well into the second half of the century. Some nuclear reactors in the Texas Compact have already received license extensions to continue operation for an additional 20 years, and it is highly probable that the remaining reactors will obtain a similar approval. It was a clear intent of HB1567 that the licensing of a LLRW disposal facility in Texas be for the purpose of safe disposal of LLRW arising from compact generators and disposed in the CWF. To meet the needs of the existing waste generators, any disposal site licensed must remain open through at least 2063, which represents a 55-year term for the disposal license.

2. Disposal Equity

All Compact generators should have access to a Compact Waste Facility which is equal to the Federal Waste Facility or certainly no more stringent in design and waste management approach. To ensure this equity, the WCS license application should be modified.

3. Regulatory Compliance

Our concern is this. If it is later determined that an area of potential noncompliance exists within the technical considerations or supporting documentation of the application, any subsequent delays in rectifying the discrepancies could derail the entire process.

Due to the serious nature of the potential for regulatory noncompliance and loss of Agreement State status, it is recommended that the executive director specify the priority for the technical review be a determination as to:

- (a) whether all aspects of the license application—including operating term, equity of FWF disposal cell design and waste disposal approach—are in full compliance with all applicable regulations, and
- (b) whether WCS will be able to provide in a timely manner “evidence that arrangements have been made for assumption of ownership in fee by the State or Federal government before the commission issues a license.”

The reason for making this the highest review priority becomes obvious: correcting any identified deficiencies will take a significant amount of time. Therefore, the applicant should be notified of such critical deficiencies at the earliest possible moment in order to have the maximum opportunity to correct the deficiencies and continue the licensing process in a timely manner.

Administrative Comments on WCS Application for LLRW Disposal Site

The following comments arise from a review of the Application for License to Authorize Near-Surface Land Disposal of Low-Level Radioactive Waste, through Revision 5, submitted by Waste Control Specialists, Inc., and posted on the WCS web site (www.westexas.com) on Feb 18, 2005.

1. 30TAC336.734 specifies that "Disposal of waste received from other persons may be permitted only on land owned in fee by the State or the federal government." Section 336.710(2) requires that the licensee provide "evidence that arrangements have been made for assumption of ownership in fee by the State or federal government before the commission issues a license where the proposed disposal site is on land not owned by the State or federal government." (This critical passage in the TAC echoes the requirements of 10CFR61.14(b); noncompliance with that federal regulation would almost certainly result in Texas losing its Agreement State status, thereby suspending the entire licensing process.)

The proposed WCS disposal site is on land that is not owned by the State or federal government, and 100% of the land is not owned by WCS. Moreover, WCS does not own the mineral rights to the land where the proposed disposal facility is to be located, as is stated in Volume 1, Section 1, Page 1-4, paragraph 1.4, and in Volume 2A, Appendix 1.19.2, Attachment B, "Request for Exemption from the Mineral Ownership Requirements."

A possible alternative authorized by TX statutes is to convey the land to the government upon final decommissioning of the facility. However, this alternative would require the government to be the eventual owner of 100% of the mineral rights. Since private individuals own at least 50% of the mineral rights, and since the Application for Exemption indicates that the private owners have refused to sell those mineral rights, this appears to be a potential roadblock. It must again be pointed out that 336.710(2) requires WCS to provide "evidence that arrangements have been made for assumption of ownership in fee by the State or federal government before the commission issues a license."

Volume 2A, Appendix 1.19.2, includes two requests for exemption: one for exemption from the federal facility land ownership requirements, and one for exemption from the mineral ownership requirements. Both requests make a strong case for exemption, as authorized under the regulatory TAC flexibility rules. However, neither request for exemption addresses the common requirements of 30TAC336.710(2) and 10CFR61.14(b) with regard to WCS providing "evidence that arrangements have been made for assumption of ownership in fee by the State or federal government before the commission issues a license." Instead, the license application suggests that WCS intends to address the issues related to 710(2) at the time of decommissioning, as demonstrated in the following passage on the bottom of page 4 of the request for exemption from the federal facility land ownership requirements:

"Finally, in compliance with 30 T.A.C. §336.710(2), the Surface Use Agreement will be assigned to and enforceable by the federal government upon conveyance of the Federal Facility at decommissioning." This statement is not in compliance with 336.710(2).

Absent clear evidence that arrangements have been made for assumption of ownership in fee by the State or federal government, then approval of either exemption request would seem to be in violation of Texas and federal laws. Of equal importance, if the required evidence cannot be obtained in a timely manner consistent with the regulated licensing schedule, then any further licensing efforts on behalf of the TCEQ would seem futile.

RECOMMENDATION: The likelihood of this exemption request being approved in a timely manner should be carefully considered prior to initiating significant expenditures in anticipation of application approval.

2. Consistent with the preceding question on regulatory compliance, it is noted that there appear to be serious conflicts between the Texas regulations and the disposal cell design and waste disposal approach for the FWF. These are documented in detail in the written comments submitted concurrently with these comments and entitled Disposal Equity Comments on WCS Application.

These comments and concerns are not new, having been raised during rulemaking and in comments submitted directly to WCS in August 2004; yet they have always been given a low priority for response. A reasonable question is, "When will these topics of regulatory compliance be made a priority?"

It should be noted that Texas law makes the licensing review process the highest priority for the TCEQ, resulting in delays to other important work. If the licensing review process is a futile effort, either because (1) the exemptions discussed in the first comment above cannot be approved in a timely manner due to incomplete submittals by WCS, or (2) the disposal cell design, waste acceptance approach, or other potential conflict with regulations are determined to be valid, then any further work on licensing review by the TCEQ would be a waste of time, energy and money. In that situation, it would see appropriate for the TCEQ to turn its attentions to other pressing work.

From a larger perspective, the licensing review process seems to be moving forward with an assumption that a disposal license will be issued. We fully support and prefer to believe that, in reality, it is moving ahead with the presumption of neutrality on the part of the TCEQ, placing a burden upon the applicant to demonstrate full compliance with the intent and specification of the regulations. Regulatory compliance is the safety net which envelopes the process and ensures responsible, safe disposal. Therefore, consistent with the preceding comment, an administrative recommendation is appropriate here:

RECOMMENDATION: The TCEQ has determined that the WCS license application is "administratively complete." That determination does not mean that all technical aspects of the license application have been determined to be in full compliance with and satisfy the intent of Texas and federal laws, as described herein and as necessary to issue a license. Due to the serious nature of the potential for regulatory noncompliance, it is recommended that the executive director specify the number one priority for the technical review be a determination as to:

- (1) whether all aspects of the license application—including FWF disposal cell design and waste disposal approach—are in full compliance with all applicable regulations, and
- (2) whether WCS will be able to provide in a timely manner “evidence that arrangements have been made for assumption of ownership in fee by the State or federal government before the commission issues a license.”

In the event that the application is found to be lacking in either of these critical conditions, then the review process should be suspended until such time as the applicant is able to rectify the discrepancies. Thus, the reason for making this the highest review priority becomes obvious: correcting such deficiencies will take a significant amount of time. Therefore, the applicant should be notified of such critical deficiencies at the earliest possible moment in order to have the maximum opportunity to correct the deficiencies, without distraction from other review processes, in order to salvage the licensing process in a timely manner.

3. Volume 1, Section 1, Page 1-4, paragraph 1.4 “Comments” – This paragraph states that “WCS is the sole owner of the surface estate and currently owns one-half % of the mineral estate...” In contrast, Volume 2A, Appendix 1.19.2, Request for Exemption from the federal facility land ownership requirements (multiple passages), states that “WCS owns approximately 50% interest in the corresponding mineral estate.”

RECOMMENDATION: Resolve or clarify this apparent discrepancy.

4. Minor technical typo with potential cost impacts: Appendix 6.1.5-2 of the WCS License Application, subsection 1.2, addresses the FWF. However, the first paragraph suggests that it relates to the CWF: “The following closure activities are included in the CWF Closure Cost Analysis:”

RECOMMENDATION: Correct the error with the following: “The following closure activities are included in the FWF Closure Cost Analysis:”

5. Volume 9, Appendix 6.1.5-1, page 2 includes a schedule of closure costs. The FWF has a duplicate cost for “16 oz geotextile,” resulting in a duplicative cost of \$120,000 + 10%.

RECOMMENDATION: Delete the duplicate cost entry.

6. Volume 9, Appendix 5.2-1, paragraph 4.3, states: “For any waste stream reported to be within 50% of a Class limit (reference Tables I and II of 30TAC336.362(a)(3)(D) and 30TAC336.362(a)(4)(E)), WCS will sample and analyze the waste stream to verify proper classification at a 90% confidence level, or the waste stream will be reassigned to the next higher class.” It should be noted that national laboratories will not guarantee their analytical results to within a factor of two, and it is unlikely that a WCS laboratory can guarantee better results than the national labs. The NRC accepts results within an accuracy of a factor of ten. Nuclear plant waste generators trend analytical results for each waste stream over many years to establish a normal range of deviation, which will absolutely be far more accurate than any analysis performed at the local WCS laboratory as a single sample snapshot in time.

RECOMMENDATION: Modify this paragraph in the WCS License Application so as to

(a) apply to waste within 10% of a higher class limit; or

(b) provide for an exclusion for any waste generator whose waste analyses are performed by a third party analytical laboratory and who trends its results over at least the previous three consecutive years to demonstrate acceptable statistical variations.

7. Appendix 6.1.5-2 of the WCS License Application includes a table for the WCS “Worst Case” Closure Estimate. The only difference between the “Worst Case” closure cost estimate and the normal closure cost estimate in Appendix 6.1.5-1 is the addition of one million cubic yards of “red bed replacement” at a cost of \$3.3 million (including contractor markup). The use of “red bed clay” is well-described in Section 6 of Volume 1A. However, the purpose of the “red bed replacement” during the closure process is not readily apparent from the WCS application, including the rationale and justification for its use (i.e., what is the worst case scenario that is different from normal closure and which the red bed replacement material will mitigate).

RECOMMENDATION: In the absence of a strong, clear justification, the two referenced Appendices should be merged, and the “Worst Case” scenario table should be deleted. This will leave the closure cost estimate at \$6,771,000, which should be the amount collected for closure funds.

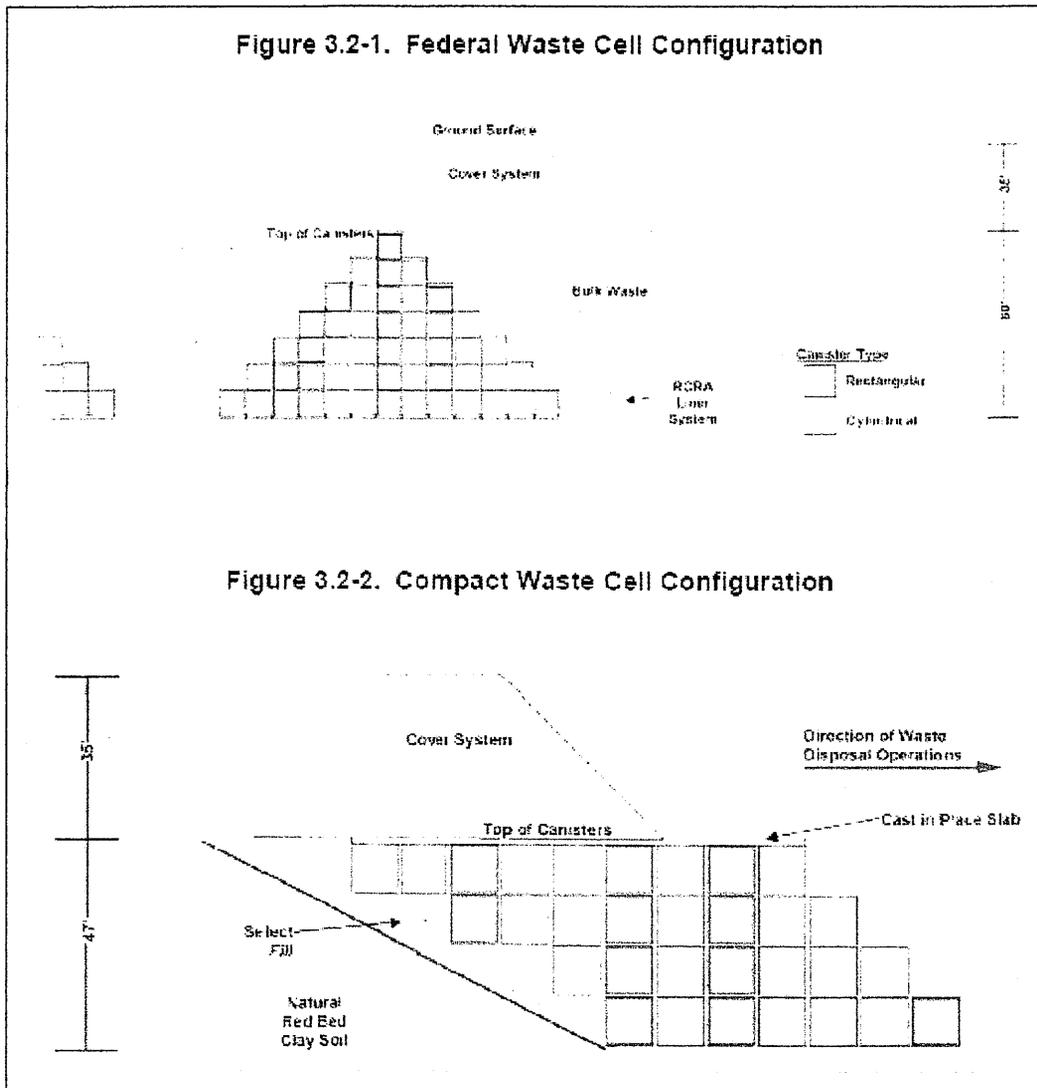
8. A conflict exists between the waste acceptance criteria specified on page 5-5, Volume 1A, Section 5, paragraph 5.2.1, and Volume 9, Appendix 5.2-1, paragraph 2.1.1. The first reference requires liquid waste to be solidified; the second requires liquids to be absorbed. Additional discussion in Appendix 5.2-1 also requires absorption. The correct regulatory requirement from 30 TAC 336.362(b)(1)(C) is “Liquid waste shall be solidified or packaged in sufficient absorbent material to absorb twice the volume of the liquid.”.

RECOMMENDATION: Correct both references to match the Texas regulations.

Disposal Equity Comments on WCS Application for LLRW Disposal Site

The following comments arise from a review of the Application for License to Authorize Near-Surface Land Disposal of Low-Level Radioactive Waste, through Revision 5, submitted by Waste Control Specialists, Inc., and posted on the WCS web site (www.wcstexas.com) on Feb 18, 2005.

1. The facility array (design layout) for the CWF and FWF is addressed in several sections and appendices of the License Application, most notably in Volume 1A, Section 3, and in Volume 2, Appendix 2.5.1. Several significant concerns arise over the differences among the two designs, the different approaches toward waste acceptance and disposal, and the inconsistent use of the term "bulk waste." These are probably easiest to visualize by examining Figures 3.2-1 and 3.2-2 on page 18 of Appendix 2.5.1 (duplicated below).



The preceding illustrations and numerous passages of the WCS license application make it obvious that the design of the FWF is very different from the CWF design. It is also obvious that the approach to waste stabilization and disposal are very different for the CWF and FWF. The proposed designs and approaches limit the options available to the CWF as compared to the FWF, thereby:

- increasing disposal costs to CWF generators;
- increasing CWF generator radiation exposures necessary to prepare packages for disposal; and
- impacting the ability of CWF generators to dispose of bulk wastes, such as soil, rubble/concrete, and major decommissioning end items (reactor, steam generators, pressurizers, etc.).

RECOMMENDATIONS: All Compact generators should have access to a CWF which is equal to the FWF in design and waste management approach. To ensure this equity, the WCS license application should be modified so as to:

- (a) Require the WCS license application to provide equal access and disposal criteria to both CWF and FWF generators. This includes identical disposal cell designs, identical stabilization requirements, and identical access for all bulk wastes.
- (b) Require the WCS license application to define "bulk waste" and distinguish between large bulk component waste, bulk Class A waste, and bulk soil-like waste. Require that the license application be revised to use these terms in a consistent manner throughout the application and any subsequent waste acceptance criteria.
- (c) Require WCS to provide a technical basis for creating a bulk waste distinction between the CWF and FWF disposal options. In the absence of a sound technical basis, acceptance of any type of bulk waste at the FWF should provide equity in terms of acceptance of waste with similar characteristics at the CWF.
- (d) Require that waste form stability requirements be equal and equally applied to both the CWF and FWF. This includes (1) waste that has been processed to stabilization prior to receipt at WCS, and (2) waste that is placed into an approved disposal container or package that provides structural stability.
- (e) Require WCS to provide a section in the license application which specifically addresses and clarifies disposal of major end items (large components) from nuclear facility decommissioning, as well as bulk concrete, bulk soil, and similar materials in the CWF. (Disposal of this waste is critical to decommissioning. Unfortunately, information related to disposal of this waste ranges from obscure to nonexistent in the current application.)
- (f) Require WCS to provide a technical basis explaining why the regulatory requirements for separation of Class A waste from Class B/C waste does not apply to the FWF, as a single pit combines bulk (unstabilized) Class A waste adjacent to Class B/C and containerized Class A wastes. Any such technical basis should be included in the WCS license application and applied equally to the CWF.

- (i) Require WCS to provide a technical basis explaining why the regulatory requirements in 30 TAC 336.733(b) can be bypassed in the FWF. Specifically, this applies to placing Class A waste containing radionuclides with half-lives >35 years in concrete canisters or equivalent stabilization methods. (Note that the WCS application states that 99% of FWF waste has half-lives >35 years.) Any such technical basis should be included in the WCS license application and applied equally to the CWF.

Operating Term Comments on WCS Application for LLRW Disposal Site

The following comments arise from a review of the Application for License to Authorize Near-Surface Land Disposal of Low-Level Radioactive Waste, through Revision 5, submitted by Waste Control Specialists, Inc., and posted on the WCS web site (www.wcstexas.com) on Feb 18, 2005.

1. The existing regulations in Texas Health and Safety Code (TxHSC) 401.222 specify an initial licensing period of 15 years. One or more renewals of 10 years each may be authorized. The WCS License Application bases all cost considerations on a 35-year license period; however the actual license may be limited to 15 years or extended well beyond 35 years.

Nearly 70% of the planned WCS disposal capacity is for decommissioning waste arising from nuclear plants. All nuclear plants within the Texas Compact states are actively pursuing or have already received life extensions of 20 years. Accordingly, none will shut down before 2025, and four of the five reactors are not likely complete decommissioning any earlier than 2063.

It was a clear intent of HB1567 (which was incorporated into TxHSC 401) that the licensing of a LLRW disposal facility in Texas be for the purpose of safe disposal of LLRW arising from compact generators and disposed in the CWF. If the WCS facility is only intended to operate for 35 years, then it will meet only 30% of its intended purpose and need. To meet the needs of the existing waste generators in the Initial Party States, any disposal site licensed must remain open through at least 2063.

RECOMMENDATION₁: The WCS license should be revised to recognize at least a 55-year operating life for the CWF, with WCS maintaining responsibility for continued operation for at least that 55-year period.

RECOMMENDATION₂: Tables 8.0-1-1 through 8.0-1-6 of Volume 9, Appendix 8.0.1, should be revised to reflect at least a 55-year CWF operating life.

RECOMMENDATION₃: Table 8.0-1-6 of Volume 9, Appendix 8.0.1, should be revised to capture the subtotal of projected CWF waste at the end of the initial 15 year operating license period and each subsequent 10-year period (i.e., put a subtotal line at the 15, 25, 35, 45, and 55 year points to sum the volume of waste projected to be disposed only during that disposal period).

RECOMMENDATION₄: Table 8.2-4 of Volume 1A, Section 8, also should be revised to capture the subtotal of projected CWF waste at the end of the initial 15 year operating license period and each subsequent 10-year period.

2. As discussed in the previous comment, if a license is issued to WCS for LLRW disposal, it may be limited to 15 years or extended well beyond 35 years. It is important that this uncertainty be addressed and that all pre-operating and post-operating costs be recovered and sufficiently funded during the licensing period with the highest degree of certainty.

All references to CWF:FWF prorated cost recovery and accumulation funds in the WCS license application are currently based on 35-year waste disposal projections. Similarly, present value/discount analyses for various costs and accumulation funds are based on factors other than the initial 15-year license period.

RECOMMENDATION₁: The WCS application should be revised to stipulate that each of the following costs be recovered or collected over the initial 15-year operating license and amortized only over the waste projected to be disposed during that 15-year period.

- (a) All pre-operation and initial licensing costs, plus any associated interest, authorized by TxHSC 401.246(a)(4).
- (b) The closure (decommissioning and stabilization) fund, set forth in Volume 9, Appendix 6.1.5-1 and 6.1.5-2.
- (c) The post-closure Institutional Control Fund set forth in Volume 1A, Section 7, Table 7.2.3-1.
- (d) The Corrective Action Cost Estimate is set forth in Volume 1A, subsection 7.3.3.
- (e) The Financial Security Fund is specified in TxHSC 401.241(b).
- (f) Recovery of the amount to fund local public projects as specified in TxHSC 401.246.(a)(3).

RECOMMENDATION₂: All of the above costs should be prorated among the CWF and FWF based solely the waste projected to be disposed at each facility over the initial 15 year license period. The 15-year projection for waste disposed at the FWF is set forth in Volume 1A, Section 8, Table 8.2-4. However, the 15-year projection for waste disposed at the CWF must be based on the revised projections to Volume 9, Appendix 8.0.1, Table 8.0-1-6, which will be determined in accordance with the above Comment 1, Recommendation 3.

TCEQ Public Meeting Form
Monday, September 8, 2008

18

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name:

Russell Shannon

Russell Shannon

Address:

6 Heritage

City/State:

Andrews TX

Zip:

79714

Phone:

(432) 523-6521

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?

Yes

No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

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mu

2474

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name:

Russell Shannon Shannon

Address:

1302 N. W. 5th St

City/State:

Andrews TX Zip: 79719

Phone:

(432) - 523-6521

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
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(Written comments may be submitted any time during the meeting.)

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[Handwritten mark]

22

TCEQ Public Meeting Form

Monday, September 8, 2008

Waste Control Specialists LLC Proposed Radioactive Material License R04100

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3: 09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Skip Tabor

Address: 1330 E Polk

City/State: Lawington NM Zip: 88260

Phone: (575) 396-0080

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

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Please give this to the person at the information table. Thank you.

MW

RAW
4/28/07

SEP 22 2008

BY EB

September 17, 2008

R-4100

LaDonna Castanuela, MC-105, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

2008 SEP 19 PM 2:32

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Ms. Castanuela,

For the past five days since Hurricane Ike hit Galveston, we have not had access to electric power, telephone, radio, television, U.S. mail, email or fax. Cell phone service is either intermittent or absent. I am mailing this letter from a post office located in Wharton County to ask for a continuance of the period to request a contested hearing in the WCS application for a low-level radioactive disposal facility in Andrews County, Texas (license #R04100). Surely many others in this part of Texas who are similarly handicapped in communicating with you because of the storm would like to write you as well.

The Draft Environmental Analysis of the license application does not adequately outline how the facility can protect the land and water in and around the area. In addition, the close proximity of the vast Ogallalla aquifer, stretching across eight states and supplying irrigation for so much of the nation's food crops, is an immediate drawback to the location of a landfill that will contain long lasting and biologically active radionuclides such as plutonium 239 and iodine 129. If people discovered that their food crops were being watered by this aquifer, which might be contaminated by these substances leaching from the dump, the country would experience a severe food crisis.

I understand that the Lone Star Chapter of the Sierra Club has asked for a contested state hearing, and, as a lifetime member of the Sierra Club, I support their request. The TCEQ should extend its deadline for requesting this hearing to allow many others in South and East Texas to comment and to make their requests.

Respectfully,

Olive Hershey Spitzmiller
P.O. Box 131691
Houston, TX 77219-1691

fax to: #512-239-3311
1501

~~EB~~
mw

RAW
4/28/07

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 SEP 17 PM 3:22

September 17, 2008 CHIEF CLERKS OFFICE

LaDonna Castanuela, MC-105, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

RO4100

OPA

SEP 18 2008

BY BP

Dear Ms. Castanuela,

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Respectfully,

Olive Hershey Spitzmiller
P.O. Box 131691
Houston, TX 77219-1691

fax to: #512-239-3311
1501

 ~~SEP 18 2008~~
mw

1946

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: CHAD TOMPKINS

Address: 1106 NW 11th St

City/State: ANDREWS, TX 79714

Phone: 434 523-9049

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

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[Handwritten mark]

944

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Dee Dee Wallace

Address: 1311 N.W. 15th

City/State: Andrews TX Zip: 79714

Phone: (327) 523-4820

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? Andrews Industrial Foundation

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

18th

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Julia Wallace

Address: 1105 NW 12th St

City/State: Andrews Zip: TX

Phone: ⁴³² () 523-6228

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

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21

1045

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Nancy Wallace

Address: 1311 New 15th

City/State: Andrews TX Zip: 79714

Phone: 432 523-9320

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

TCEQ Public Meeting Form
Monday, September 8, 2008

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3: 10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

PLEASE PRINT:

Name: ANDREA M. WARNKE

Address: PO Box 1128

City/State: ANDREWS TX Zip: 79714

Phone: (432) 924-0297

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

I can think of no modern human activity that occurs on the planet - or beyond! - that does not carry risk to the environment. Even hunter gatherer cultures would damage their environment if they did not prudently practice their very specialized use of available resources. The key, I believe, is to prudently manage our technologies and industrial practices. In this particular case, we are dealing with a technology related to ~~one of~~ the modern US nuclear industry - surely one of the most closely scrutinized, highly regulated and carefully monitored industries on the planet. The fact that we are all here tonight is testament to that. I've lived near Rancho Seco in California and Hanford in Washington state and now the WCS site in Andrews County. I have no qualms about the security of that site and the safety of my friends and family ~~to~~ residing in Andrews. I have every confidence in WCS and its operations.

Andrew McFarland

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

MW

Others have spoken eloquently about science, technology and economics. Their points are all well taken. I am here tonight because I live here. I represent no one, and I have no agenda to promote. I would only point out that we live in a world where radioactive waste is a fact. No amount of wishing or hoping or denunciations or apprehension will make it go away. I would much rather it be stored and disposed of in a controlled environment with the remarkable safety record of WCS than in bags, boxes and barrels in the closets and basements of our technological and medical institutions.

Andrea Warnke

OPA RECEIVED

MAR 31 2005

AT PUBLIC MEETING

2nd

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: John C. White CNMT

Address: 2621 Raintree Dr.

City/State: Plano TX Zip: 75074-4873

Phone: (214) 648 2194

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? UTS WMC + NTC-HPS

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

46867

**Testimony to the Texas Low-Level Radioactive Waste Disposal Site
Hearing
March 31, 2005**

OPA RECEIVED

**by
John C. White, CNMT
Radiation Safety Officer**

MAR 31 2005

The University of Texas Southwestern Medical Center at Dallas PUBLIC MEETING

I am John C. White and I am the Radiation Safety Officer for The University of Texas Southwestern Medical Center at Dallas, Parkland Memorial Hospital, Childrens Medical Center, Saint Paul University Hospital, Zale-Lipshy University Hospital, and the Moncrief Cancer Centers in the Dallas-Fort Worth area. I am the former Radiation Safety Officer for The University of Texas at Austin, a past President of the South Texas Chapter-Health Physics Society and now the President-Elect of the North Texas Chapter-Health Physics Society. The Health Physics Society is a national organization dedicated to Radiation Safety.

The vital lifesaving diagnostic and therapeutic activities undertaken at the institutions I serve depend utterly on the ability to acquire, utilize, and transport radioactive materials, including the waste products generated by those institutions and the waste products generated by the manufacture of those isotopes. At the present time, waste is building up in storage at locations throughout Texas, including the institutions I serve. Currently, waste products are being stored pending the establishment of a site in Texas. Costs to dispose of the waste products have increased dramatically and are continuing to increase, and the closure of the site at Barnwell, South Carolina makes the need for a disposal location critical.

Transport of radioactive materials has been a daily occurrence in most cities in the State and Nation for more than 30 years, including not only routine medical isotope deliveries to hospitals for diagnostic and therapeutic procedures, but also dedicated waste shipments. How could one accept that a procedure would not be available in a hospital or clinic to diagnose a brain tumor, prostate cancer, breast cancer, or perform a thyroid ablation in themselves or a loved one simply because their hospital or clinic is unable to receive the shipment or dispose of the resulting radwaste from the treatment? In order to generate short half-life medical isotopes, producers must -because of the laws of physics- generate long half-life isotopes as a byproduct which are not usable for medical procedures. At some point, the lack of a radwaste disposal resource for these longer half-life isotopes will hamper or prevent the development and generation of medical isotopes. Low Level waste is just that, low level. Since the materials result in limited exposure to the public and the public good is served by use of the materials, the transport is judged by Federal and State regulatory authorities as low risk and acceptable.

The daily shipments of medical isotopes in our cities and towns involve relatively large quantities of radioactive material, which is also far more concentrated than the lab trash generated as Low-Level waste. To handle shipments in a post-9/11 environment, the Law

Enforcement and Fire/Hazmat response personnel have received extensive training, drills, and significant amounts of equipment and resources. Knowledge of radiation physics has increased dramatically in the response community due to the science-based training and education presented by professionals who understand radiation. The State of Texas has received grants from Federal agencies to provide drills, training, and equipment purchases, and equipment has been given free of charge to police and Fire/Hazmat personnel from Federal and State surplus stocks.

The Health Physics Society is composed of radiation safety professionals who work in all aspects of society: Medicine, Testing, Construction, Education, Private Industry, Public Service, Military Service, and Environmental Compliance. Our focus is to understand the effects of radiation on humans. The North Texas Chapter has over a hundred members from these areas, and is a valuable resource for routine users of radiation and emergency responders to any radiation incident. We urge the State of Texas to provide a service to the citizens of the State and establish a Low-Level Waste depository.

TCEQ Public Meeting Form
Monday, September 8, 2008

6

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: MATT WHITE
Address: BOX 494
City/State: EUNICE, NM Zip: 88231
Phone: (575) 394-2576

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? CITY OF EUNICE, MAYOR

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

MW

EX-3

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Paige Whiteside
Address: 7036 Coaston
City/State: Dallas TX Zip: 75214
Phone: (214) 324-4612

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
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Please give this to the person at the information table. Thank you.

Handwritten initials/signature

TCEQ Public Meeting Form
Monday, September 8, 2008

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

CHIEF CLERKS OFFICE

2008 SEP - 9 PM 3:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: Len Wilson
Address: 1507 Heritage Blvd
City/State: Andrews, TX Zip: 79714-2309
Phone: (432) 524-3863

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

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I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

In Favor of license
Len Wilson

Please give this to the person at the information table. Thank you.

MW

TCEQ Public Meeting Form

Monday, September 8, 2008

19

Waste Control Specialists LLC Proposed Radioactive Material License R04100

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Lynne H. Wilson

Address: 1507 Heritage

City/State: Andrews, TX Zip: 79714

Phone: (432) 524-3863

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?

Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

mw

25th

TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Lynne Wilson

Address: 1108 N.W. 11th St.

City/State: Andrews Zip: 79714

Phone: (432) 524-3863

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

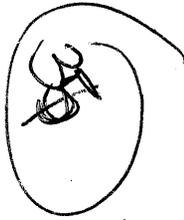
I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

W



TCEQ Public Participation Form
Waste Control Specialists, LLC
Public Meeting
Proposed Radioactive Material License RW4100
Thursday, March 31, 2005

PLEASE PRINT:

Name: Ricky Wright
 Address: #6 VESTA DR. STE 2000
 City/State: Midland, TX Zip: 79705
 Phone: (32) 687-2390

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? CONGRESSMAN MIKE CONAWAY

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

TCEQ Public Meeting Form

Monday, September 8, 2008

7

Waste Control Specialists LLC Proposed Radioactive Material License R04100

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT: County Commissioner

Name: BRAD YOUNG

Address: 1313 NW 14th ST

City/State: ANDREWS TX Zip: 79714

Phone: (432) 523-5492

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? ANDREWS COUNTY - Commissioner

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

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I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

mw

TCEQ Public Meeting Form
Monday, September 8, 2008

CHIEF CLERKS OFFICE

2008 SEP -9 PM 3:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Waste Control Specialists LLC
Proposed Radioactive Material License
R04100

OPA RECEIVED

SEP 08 2008

AT PUBLIC MEETING

PLEASE PRINT:

Name: Joyce Zap
Address: 311 S.W. 13th
City/State: Andrews, TX Zip: 79714
Phone: (432) 524-7837

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?

Yes No

If yes, which one?

For the project !!!

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

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I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

MW