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Waste Disposal Project Gears Up

The TCEQ prepares for applications to license a low-level radioactive waste disposal facility.

Applications to be accepted for proposed low-level radioactive waste site

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Following a year of preparation, the licensing process is about to begin for a disposal facility in West Texas that will accept low-level radioactive waste. Private companies can submit applications, along with an initial fee of \$500,000, between July 8 and Aug. 6.

The TCEQ will conduct an exhaustive series of application reviews and analyses, then recommend a single application to undergo a thorough technical review. By late 2007, the TCEQ commissioners are expected to decide whether to issue the license.

"This will likely be the only low-level radioactive waste disposal license application under consideration in the country, so there is a high level of public interest in the project," said George FitzGerald, leader of the nine-member Radioactive Material Licensing Team in the TCEQ's Waste Permits Division. "Our job will be to determine whether a proposed facility achieves the complex and stringent environmental safety and public health standards established by law."

The goal of the license application review is to determine whether a proposed disposal facility can be sited, operated, and closed in a way that is safe to the public, facility workers, and the environment due to potential radiation exposure.

The project officially got under way last year with passage of House Bill 1567, which calls for the licensing of a qualified private company to dispose of low-level radioactive waste in Texas.

The state law says the facility can accept commercial low-level radioactive waste generated in Texas, Maine, and Vermont--all members of a waste disposal compact formed in 1998. The same licensee also may operate a separate, adjacent facility that accepts low-level radioactive waste from federal facilities.

Waste envisioned for the tristate "compact" facility generally includes discarded paper, plastic, glass, and metals that have been contaminated by or contain radionuclides. These materials are commonly generated by nuclear power plants, diagnostic and therapeutic nuclear medical facilities, industries, universities, and government.

Waste bound for the adjacent facility could include contaminated soil and debris from federal facilities engaged in nuclear weapons research and production.

Neither disposal facility would be licensed to accept high-level radioactive wastes, such as spent nuclear fuel rods or weapons-grade plutonium.

In December 2003, the TCEQ adopted administrative rules based on the new law and posted a draft of the license application on the agency Web site.

As part of the license review, staff will conduct a comparative merit evaluation of all administratively complete applications using criteria specified in legislation. Then the executive director will select the most meritorious of competing applications, triggering a 450-day technical review. Finally, if an environmentally protective license is judged to be feasible, a draft license will be proposed.

It is likely that a public hearing, which could last as long as a year, will be held by the State Office of Administrative Hearings to consider a proposed draft license. Then, the issue of whether to grant the license will go before the TCEQ commissioners.

Contributing to this article: Glenn Lewis

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Major Steps in the Licensing Process

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July 8--Aug. 6, 2004

Applications to operate facility are submitted; agency begins administrative review

Feb. 18--March 19, 2005

TCEQ issues notice of administrative completeness

April 4--May 3, 2005

TCEQ announces which application will be considered for licensure

July 28--Sept. 10, 2006

TCEQ issues notice of draft license and opportunity for hearing

Sept. 11, 2006--Sept. 9, 2007

State Office of Administrative Hearings holds contested-case hearing, if requested

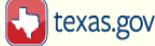
Sept. 11--Dec. 9, 2007

TCEQ considers whether to issue the operating license

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