



**Texas Commission on Environmental Quality
General Application for Radioactive Material License**

PART A APPLICATION

This form is Part A of the licensing process for radioactive materials. Additional application requirements must also be submitted with this form as required in Title 30 Texas Administrative Code Chapters 305 (Consolidated Permits) and 336 (Radioactive Substance Rules) to address the technical requirements of the authorization requested.

INSTRUCTIONS

Submit the completed application and supplemental information with one original and the number of copies required for the type of license to:

Radioactive Materials Division
Texas Commission on Environmental Quality
P.O. Box 13087, MC-233
Austin, Texas 78711-3087

I. APPLICANT INFORMATION

- A. **Applicant's Legal Name:** Licenses are issued to either the owner or operator of the facility, commonly referred to as the applicant or license holder. List the legal name of the company, corporation, or person who is applying for the license. The legal name may be verified with the Texas Secretary of State at (512) 463-5555. The applicant may be asked to correct the name provided on this form, if found to be different. In some cases, a copy of the legal document forming the entity may be requested to verify the legal name (i.e., general partnership, or trust filed with the county).

The Customer Number is a unique TCEQ assigned number given to each business, governmental body, association, individual, or other entity that owns, operates, is responsible for, or is affiliated with a regulated entity. This number is assigned by the TCEQ when a Core Data Form is submitted to the TCEQ Central Registry.

For renewals and amendments, please provide the license number.

Also provide the mailing address, telephone number, fax numbers, and e-mail address.

- B. **Radiation Safety Officer:** Please provide the name, address, telephone number, fax numbers, and e-mail address of the radiation safety officer (RSO) or who will be designated as the RSO.

The RSO is the person who is delegated the responsibility for the radiation safety program, who is responsible for maintaining the license and associated records, and who is the primary contact with the TCEQ in administering the license. The RSO must have the authority to maintain an ALARA program, enforce radiation safety policies and procedures, suspend activities deemed unsafe, implement remedial action when necessary, make a decision relative to any and all licensed activities, and be delegated the authority to act as a duly authorized person to act for and on behalf of the applicant.

For initial issuance and amendments changing the RSO, please provide a resume for the person indicated on the application form to be the RSO. The resume should provide the person's formal education (name of institution, dates of attendance, and degrees awarded), specialized training (name of training provider, course title, and dates of attendance), and work experience (name of employer, dates of employment, job title, and specific duties).

It is recommended, as a minimum, that the RSO have earned at least a bachelor's degree in a physical or biological science, industrial hygiene, health physics, radiation protection, or engineering from an accredited college or university, or an equivalent combination of training and relevant experience, with two years of relevant experience



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equivalent to a year of academic study, from a uranium or mineral extraction/recovery, radioactive waste processing, or a radioactive waste or by-product material disposal facility; have at least one year of relevant experience, in addition to that used to meet the educational requirement, working under the direct supervision of the RSO at a uranium or mineral extraction/recovery, radioactive waste processing, or radioactive waste or by-product material disposal facility; and have at least four weeks of specialized training in health physics or radiation safety applicable to uranium or mineral extraction/recovery, radioactive waste processing, or radioactive waste or by-product material disposal operations from a course provider that has been evaluated and approved by the agency.

- C. Official Contact Name and Title: Please provide the name, title, address, telephone number, fax numbers, and e-mail address of the company official contact person, if it differs from the RSO.

II. IMPORTANT GENERAL INFORMATION

- A. Confidential Information: The commission has responsibility to provide a copy of each application to other review agencies and to interested persons upon request and to safeguard confidential material from becoming public knowledge. Thus, the commission requests that an applicant submitting data or information (1) be prudent in the designation of material as confidential and (2) submit such material only when it might be essential to the staff in their development of a recommendation.

The commission suggests that the applicant **NOT** submit confidential information as part of the license application. However, if this cannot be avoided, the confidential information should be described in non-confidential terms throughout the application and cross-referenced to a separate document or binder entitled "CONFIDENTIAL MATERIAL." At the time of submission, the document or binder itself and each page individually must be conspicuously marked "CONFIDENTIAL."

Reasons for designating material confidential may include avoiding disclosure of trade secrets, proprietary processes, economics of operation or information that if made public would give an advantage to competitors or bidders. This includes authorizations under 5 U.S.C., §552(b)(4) and special rules cited in Title 40 of the Code of Federal Regulations, §§2.301-2.309. The composition of the waste subject to the jurisdiction of the commission may not be regarded as confidential information. Finally, the name and address of the applicant or bidder may not be regarded as confidential information.

Information designated as confidential and accepted as such by the commission, will not be made public. However, any open records request that is received by the commission regarding information that an applicant claims to be confidential will be forwarded by the executive director of the commission to the Texas Attorney General in accordance with the Texas Government Code, §552.301. Following submission, the Attorney General will make a determination whether the designated confidential information is within an exception to the requirements to provide the information to the public or not.

In June of 2003, the legislature enacted House Bill 9, which requires the agency to withhold as confidential a number of documents that may appear in our files due to Homeland Security. The specific documents are listed in Government Code Chapter 418, Sections 418.176 through 418.182. They include certain information relating to: emergency response providers, risk or vulnerability assessments, the construction or assembly of weapons, reports prepared for an agency of the United States., the technical details of particular vulnerabilities to critical infrastructure, and the operating procedures, locations, and specifications of certain security systems. Please note that this information should not be included in any public notices.

- B. TCEQ Core Data Form: The TCEQ **requires** that a Core Data Form (TCEQ No. 10400) be submitted on all incoming applications unless **all** of the following are met:
- A Regulated Entity and Customer Reference Number have been issued by the TCEQ;



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- The Regulated Entity and Customer Reference Numbers are known by the applicant and are indicated on this form;
- No core data information has changed.

Note: The company and facility site information provided on the Core Data Form must be the same as provided on this form.

The Central Registry is a centralized area to record common information about TCEQ customers and regulated activities, such as the company names, addresses, and telephone numbers. The Central Registry provides the regulated community with a central access point within the agency to check on their core data and to make changes when necessary. When core data about your facility is migrated to the Central Registry two new identification numbers are assigned: the Customer Reference Number and the Regulated Entity Reference number. The Core Data Form is required if your records are not yet part of the Central Registry or if the core data for your facility is changing. In other words, if this is the initial application, license or license for a facility site, then the Core Data Form must be completed. If you are amending, modifying, or otherwise updating an existing record for your site, the Core Data Form is not required unless the core data has changed. For more information on Central Registry, go to the TCEQ Web site at www.tceq.state.tx.us/permitting/central_registry/guidance.html.

III. FACILITY AND SOURCE INFORMATION

- A. Site Name and Location(s) Radioactive Material will be Possessed and/or Used: Enter the name of the site for which the application is being submitted and provide the street address where radioactive material activities are to be conducted. If a street address is not available, then a description of the location of the facility with respect to landmarks should be provided. For multiple locations, complete section III for each location.

The Regulated Entity Number is a unique TCEQ assigned number given to each person, organization, place or thing that is of environmental interest to the TCEQ and where regulated activities will occur. This number is assigned by the TCEQ when a Core Data Form is submitted to the TCEQ for the Central Registry. The Regulated Entity Number will be replacing existing air account numbers. For portable units, the Regulated Entity Number will be assigned to the unit. The same Regulated Entity Number should be used when applying for authorization at a different location.

- B. Principal Company Product or Business: Describe the main business activity at the site.
- C. Location Where Records Will Be Kept: Indicate the location, including the physical location, address, or description, where records are to be maintained. Preferably they should be maintained at the licensed site to be listed on the license. However, if the applicant does not have office facilities at the intended licensed site suitable for maintaining records, then an alternate site should be specified. The alternate site should easily accessible to TCEQ staff in the course of performing inspections at the licensed site.
- D. Radioactive Material Data: The applicant should identify the radionuclide(s), the chemical or physical form that they are in, the maximum activity requested, and the use to be made of the radionuclide(s) under the appropriate column on the application form.

Uranium extraction operations typically involve recovery of natural uranium, and the resultant waste from the recovery process as by-product material. Consequently natural uranium and byproduct material should be entered under column (1) on the application form as separate entries.

- For column (2) on the application form (i.e., Chemical or physical form) an entry of “Any” is appropriate.
- For column (3) (i.e., Maximum activity requested) and entry of “Unlimited” is appropriate.
- For column (4) (i.e., Use) an entry that describes the uses to be made of the uranium should be provided. As an example, the following uses are typically given for uranium: “Recovery by in-situ leach mining,



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processing, and drying into yellowcake. Possession incidental to operations, restoration, decommissioning, decontamination, and reclamation of the in-situ leach mining project. Temporary storage prior to transfer to authorized recipients.”

The following uses are typically given for by-product material for uranium mining: “possession incidental to operations, restoration, decommissioning, decontamination, and reclamation of the in-situ mining project; temporary storage prior to transfer to authorized recipients and/or authorized by-product material disposal facilities; or disposal via injection into a disposal well authorized by a permit from the Texas Commission on Environmental Quality (TCEQ).” The followings uses are typically given for radioactive waste storage and/or processing: “receipt from other persons, storage, processing, and transfer to licensed radioactive waste disposal sites or other licensed recipients.”

Please note that if you are requesting possession of radioactive material in “quantities of concern,” additional security measures will be required. The primary values used for determining quantities of concern are terrabequerel (TBq). The curie (Ci) values are rounded to two significant figures for informational purposes only. The activities of specific radionuclides that are collocated which are quantities of concern are 0.6 TBq (16 Ci) of Am-241, 0.6 TBq (16 Ci) of Am-241/Be, 0.5 TBq (14 Ci) Cm-244, 0.2 TBq (5.4 Ci) of Cf-252, 0.3 TBq (8.1 Ci) Co-60, 1 TBq (27 Ci) Cs-137, 10 TBq (270 Ci) Gd-153, 0.8 TBq (22 Ci) Ir-192, 400 TBq (11,000 Ci) Pm-147, 0.6 TBq (16 Ci) Pu-238, 0.6 TBq (16 Ci) Pu-239/Be, 0.4 TBq (11 Ci) Ra-226, 2 TBq (54 Ci) Se-75, 10 TBq (270 Ci) Sr-90 (Y-90), 200 TBq (5,400 Ci) Tm-170, and 3 TBq (81 Ci) Yb-169. If several radionuclides are being requested, these radioactive material are quantities of concern if the sum of the ratios of the activity of each source is one or higher. If you are requesting quantities of concern, please contact TCEQ concerning the additional security requirements. Additional information can also be found on the webpage of the Nuclear Regulatory Agency at www.nrc.gov/security/byproduct/orders.html.

Please refer to the table below for an example of how the entries should be made on the application form:

(1) Element and mass number	(2) Chemical or physical form	(3) Maximum activity requested	(4) Use of each form
A. Uranium (Natural)	A. U ₃ O ₈ in solubilized, slurried, and dried yellowcake form	A. 60 55-gallon drums of dried yellowcake.	A. Extraction by in-situ mining, recovery by processing, and drying into yellowcake. Temporary storage prior to transfer to authorized recipients.
B. By-product material, as defined in 30 TAC§336.2(16)	B. Discrete surface waste as contamination, produced sands or mining fluids.	B. 120 55-gallon drums of by-product material.	B. Possession incidental to operations. Temporary storage prior to transfer to authorized recipients and/or authorized byproduct material disposal facilities. Disposal via injection into a disposal well authorized by permit from the TCEQ.
C. Any radioactive material	C. Radioactive Waste as defined in 30 TAC Chapter 336	C. Activities of groups as specified under 30 TAC §336.1207(a), not to exceed the following: Category I: 1 Ci Category II: 10 Ci Category III: 100 Ci Category IV: 1,000 Ci	C. Receipt from other persons, processing, research and development, and transfer to licensed radioactive waste disposal sites or other licensed recipients.
D. Special Nuclear Material	D. Any received as radioactive waste	D. As specified in 30 TAC §336.2(128) “Special nuclear material in quantities not sufficient to form a critical mass”	D. Receipt from other persons, storage, processing and transfer to licensed radioactive waste disposal sites or other licensed recipients.



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IV. TYPE OF LICENSE ACTION REQUESTED

- A. Type of Action Requested: Please mark the appropriate box indicating what type of action is requested by the application. Please check all boxes that apply in this section of the application.
- B. Type of License Requested: Please mark the appropriate box indicating what type of license is requested by the application. Please check all boxes that apply in this section of the application.
- C. License Amendment: Amendments are required if changes are proposed to occur to a licensed facility and representations vary from the original application and cause. If an amendment is being requested, please mark the type of amendment the application is requesting. Amendment types are listed in 30 TAC §305.62(i).
- D. Amendment Request and Regulatory Justification: Please describe what is being amended in the license and the regulatory justification for the change.

V. LICENSE FEE INFORMATION

- A. License Fees: Indicate fee amount paid. Enter "N/A" for Administrative Amendments.
- B. Has the Radioactive Material License Payment Submittal Form (TCEQ - 20462) been submitted to the Cashier's Office?

To expedite the processing of the application, please provide a copy of the Radioactive Material License Payment Submittal Form (TCEQ-20462) with the application package. To verify receipt of payment or any other questions regarding payment of fees to the TCEQ, please call the Financial Administration Division, Cashiers Office at (512) 239-0300.

VI. PUBLIC NOTICE INFORMATION *(complete for initial issuance, renewal, major amendments, and minor amendments)*

If public notice is required, additional information is needed to process the application. If you are unsure whether public notice will be required, the TCEQ would encourage you to complete this section to expedite review of the application.

- A. Responsible Person: A designated representative for the applicant should be identified as the person responsible for ensuring public notice is properly published in any appropriate newspaper. This person will be contacted directly when the TCEQ is ready to authorize public notice for the application. To expedite contact, e-mail, and fax numbers are requested.
- B. Technical Contact: This person is responsible for answering any questions from the general public regarding the application; their name and phone number will be listed in the public notice. This person may or may not be the technical contact for the license application review. Only complete if different from the Responsible Person listed in VI.A.
- C. Application in Public Place: Applicants are asked where in the county they are going to make the application available for public review. The location must be a public place and described in the notice. A public place is a location which is owned and operated by public funds (such as libraries, county courthouses, city halls) and cannot be a commercial enterprise. **Applicants are required to pre-arrange this availability with the public place indicated on this form.**

The application must remain available from the first day of publication through the designated comment period. If the application is submitted to the TCEQ with information marked as confidential, applicants are required to indicate which specific portions of the application are not being made available to the public. These portions of the application must be accompanied with the following statement:



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“Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711 3087.”

- D. Adjacent Landowners List: Title 30 Texas Administrative Code (30 TAC) §39.705 requires that the Office of the Chief Clerk of the Texas Commission on Environmental Quality mail notice to each owner of property adjacent to the proposed facility. In order to facilitate this requirement, please submit a list identifying the adjacent property owners by name and complete mailing address that is cross-referenced to the map (the list of surface property owners must be obtained from the county tax roll records). Please note, the list should be verified prior to public notice to ensure landowners have not changed since initial submittal.
- E. Map of Adjacent Landowners: A map indicating the location of the surface owners of the licensed area and the surface owners adjacent to the facility is required to be submitted as part of the application.
- F. Mailing Labels: Mailing labels with the adjacent landowners names and mailing addresses must be included with the application. An electronic file containing the mailing list in the Avery 5160 label formatting and two (2) sets of printed self-adhesive mailing labels must be submitted. When multiple plots of land are owned by the same person(s), the address only needs to be included once. The document should be formatted in Microsoft Word processing software, or a 100% compatible format. Please label the disk with the licensee's name (e.g., John Doe Corporation), customer number (e.g., CNXXXXXXXXXX), and regulated entity number (e.g., RNXXXXXXXXXX).

In formatting the mailing labels, please enter the applicant's name, customer number, and regulated entity number in the first label box. Following the first label box, enter the adjacent landowners' names and addresses in subsequent boxes in the format indicated below. This format is required by the U.S. Postal Service for machine readability. Each letter in the name and address must be capitalized, contain no punctuation, and the appropriate two-character abbreviation must be used for the state. See example below.

JOHN DOE
PO BOX 123
WHEREVER TX 77777

VII. DELINQUENT FEES AND PENALTIES

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the “Delinquent Fee and Penalty Protocol.” For more information regarding Delinquent Fees and Penalties, go to the TCEQ Web site at: www.tceq.state.tx.us/agency/delin/index.html.

VIII. SIGNATURE

The applicant or person duly authorized to act for and on the applicant's behalf must sign the application. It is not appropriate for the applicant's consultant to sign the application. The application must be notarized pursuant to 30 TAC Chapter 281.

Note: Signatures must be original in ink, not reproduced by photocopy, fax or other means and must be received by the TCEQ prior to any license being issued.



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I. APPLICANT INFORMATION		
A. Applicant's Legal Name:		
Customer Number (if applicable):	License Number (if known):	
Mailing Address:		
City:	State:	Zip Code:
Telephone No.:	Fax No.:	Email Address:
B. Radiation Safety Officer:		
Mailing Address:		
City:	State:	Zip Code:
Telephone No.:	Fax No.:	Email Address:
C. Official Contact Name (if other than the RSO):		
Title:		
Mailing Address:		
City:	State:	Zip Code:
Telephone No.:	Fax No.:	Email Address:
A. Is confidential information submitted with this application?		<input type="checkbox"/> YES <input type="checkbox"/> NO
B. Is a TCEQ Core Data Form (TCEQ Form No. 10400) attached?		<input type="checkbox"/> YES <input type="checkbox"/> NO
<p>The TCEQ requires that a Core Data Form be submitted on all incoming applications unless a Regulated Entity and Customer Reference Number have been issued by the TCEQ <u>and</u> no core data information has changed. For more information regarding the Core Data Form, call (512) 239-5175 or go to the TCEQ Web site at www.tceq.state.tx.us/permitting/central_registry/guidance.html.</p>		



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III. FACILITY AND SOURCE INFORMATION			
A. Site Name and Location(s) at which radioactive material will be possessed and/or used:			
Regulated Entity Number (if applicable):			
Physical Location, Address, or Description:			
City:	County:	Zip Code:	
B. Principal Company Product or Business:			
C. Locations where records will be kept:			
Physical Location, Address, or Description:			
City:	County:	Zip Code:	
D. Radioactive Material Data:			
(1) Element and mass number	(2) Chemical or physical form	(3) Maximum activity requested	(4) Use of each form
A. Action Requested: <input type="checkbox"/> Initial Issuance <input type="checkbox"/> Renewal <input type="checkbox"/> Amendment <input type="checkbox"/> Termination			
B. For a new license, check the type of license requested:			
<input type="checkbox"/> Source Material Recovery	<input type="checkbox"/> Disposal of NORM Waste from Public Water Systems		
<input type="checkbox"/> Radioactive Waste Processing and Storage (describe in Part B of application)	<input type="checkbox"/> Commercial By-product Material Disposal		
<input type="checkbox"/> Low-Level Radioactive Waste Disposal	<input type="checkbox"/> Alternative Methods of Disposal		
C. For an amendment, indicate the type: <input type="checkbox"/> Major Amendment <input type="checkbox"/> Minor Amendment <input type="checkbox"/> Administrative Amendment			
D. Describe amendment request and regulatory justification for amendment:			



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V. LICENSE FEE INFORMATION			
A. Fee paid for this application:			\$
B. Has the Radioactive Material License Payment Submittal Form (TCEQ-20462) been submitted to the Cashier's Office?			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
A. Responsible Person:			
Name:		Title:	
Mailing Address:			
City:	State:	Zip Code:	
Telephone No.:	Fax No.:	E-mail Address:	
B. Technical Contact:			
Company Name:			
Name:		Title:	
Mailing Address:			
City:	State:	Zip Code:	
Telephone No.:	Fax No.:	E-mail Address:	
C. Name of Public Place application may be viewed:			
Physical Address:			
City:		County:	
The public place has granted authorization to place the application for public viewing and copying?			<input type="checkbox"/> YES <input type="checkbox"/> NO
D. Is the list of adjacent landowners included with the application?			<input type="checkbox"/> YES <input type="checkbox"/> NO
E. Is map of the adjacent landowners included with the application?			<input type="checkbox"/> YES <input type="checkbox"/> NO
F. Have the mailing labels with the adjacent landowners names and mailing addresses been included with the application, as per instructions?			<input type="checkbox"/> YES <input type="checkbox"/> NO
Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the "Delinquent Fee and Penalty Protocol." For more information regarding Delinquent Fees and Penalties, go to the TCEQ Web site at: www.tceq.state.tx.us/agency/delin/index.html .			



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VIII. SIGNATURE

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

NAME: _____ **TITLE:** _____

SIGNATURE: _____ **DATE:** _____

Original Signature Required

SUBSCRIBED AND SWORN to before me by the said _____

On this _____ day of _____, _____

My commission expires on the _____ day of _____, _____

Notary Public in and for

County, Texas

(Note: Application must bear signature and seal of notary public)

PART B APPLICATION

Additional technical information must be submitted as Part B of the application. In addition to the information provided in the Part A application, specific information is required as part of the application under Texas Health & Safety Code Chapter 401 and 30 TAC §§305.45, 305.54, 336.205, 336.207, 336.613, 336.615, 336.704, 336.705, 336.706, 336.707, 336.708, 336.709, 336.710, 336.711, 336.1007, 336.1109, 336.1111, 336.1211, and 336.1213, as applicable.

Application materials must be submitted according to applicable requirements of the Texas Engineering Practice Act, the Texas Geoscience Practice Act, and the Professional Land Surveying Practices Act.