

DATED: SEPT 30, 1992; SIGNED BY CARLTON KAMMERER

David R. Smith, M.D.  
Commissioner  
Texas Department of Health  
1100 West 49th Street  
Austin, TX 78756

Jesus Garza, Executive Director  
Texas Water Commission  
1700 North Congress Avenue  
Austin, TX 78711

Dear Dr. Smith and Mr. Garza:

Thank you for your letters of August 4, 1992, and September 18, 1992, responding to the comments and recommendations from our 1992 review of the Texas radiation control program.

Your responses constitute acceptable refinements of the program. We are particularly pleased by the State's actions to amend its radiation control regulations to meet NRC's compatibility requirements. Please inform us when your revised regulation on decommissioning becomes effective in the Texas Regulations for Control of Radiation (TRCR), and when the applicable parts of the TRCR are permanently adopted by the Texas Water Commission (TWC).

On August 19, 1992, Robert J. Doda, NRC Regional State Agreements Officer, met with Susan S. Ferguson, Director, Industrial and Hazardous Waste Division, TWC, for an update of progress made by the TWC on its assumption of regulatory authority for radioactive waste in Texas. We will look forward to receiving a copy of the final interagency contract between the Texas Department of Health and the TWC. We believe the program that resulted from the transfer of authorities to the TWC, should be evaluated by the NRC in the near future, since the TWC has now initiated its regulatory program for radioactive waste material in Texas. As Mr. Garza suggested, the NRC will plan to conduct a follow up review of the TWC's radiation control program for agreement materials sometime after January 1, 1993.

Thank you both for the support and cooperation you have extended to our representatives.

Sincerely,

Carlton Kammerer, Director  
Office of State Programs

cc: J. L. Milhoan, Regional Administrator  
Region IV, NRC  
D. K. Lacker, Chief  
Texas Bureau of Radiation Control, TDH  
Susan S. Ferguson, Director  
Industrial and Hazardous Waste  
Division, TWC  
Chairman, Texas Radiation Advisory Board  
Texas Bureau of Radiation Control, TDH

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