

From: [Sunset Advisory Commission](#)
To: [Elizabeth Jones](#)
Subject: FW: Public Input Form for Agencies Under Review (Private/Before Publication)
Date: Tuesday, June 21, 2022 2:51:22 PM

From: Texas Sunset Advisory Commission <sunset@sunset.texas.gov>
Sent: Tuesday, June 21, 2022 1:02 PM
To: Sunset Advisory Commission <Sunset.AdvisoryCommission@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Private/Before Publication)

Submitted on Tue, 06/21/2022 - 11:41

Submitted by: Visitor

Submitted values are:

Choose the agency that you would like to provide input about
[Texas Commission on Environmental Quality](#)

Public Comments

1

First Name

Thomas

Last Name

Smith

Title

Director

Organization you are affiliated with

Texas Electric Transportation Resources Alliance TxETRA

Email

citizen.smitty@gmail.com

City

Austin

State

Texas

Your Comments or Concerns

We think that the TERP program could be far more effective with a few modifications to allow greater use of electric vehicles.

Please see attached

Your Proposed Solution

- Allow electric charging infrastructure upgrades to be included in grants for electric drayage and freight hauling equipment

- increase the purchase rebate for electric vehicles to \$4,000 for higher emitting vans and passenger trucks

Note: Texas-based manufacturers GM, and Toyota are developing new EV vans and trucks and will be deciding where to add EV truck manufacturing to their factories

- change the 2,000 unit cap on EV rebates to a percentage of funds

- change the EV “rebate” to an “incentive” so the funds can be used at time of purchase. This will increase efficiency and reduce administrative costs.

Attachment

[TxETRA Testimony on TCEQ -TERP Sunset Commission 6-22-22\[35\].pdf](#) (676.06 KB)

My Comments Will Be Made Public

Yes

From: [Sunset Advisory Commission](#)
To: [Elizabeth Jones](#)
Subject: FW: Public Input Form for Agencies Under Review (Private/Before Publication)
Date: Tuesday, June 21, 2022 2:51:32 PM

From: Texas Sunset Advisory Commission <sunset@sunset.texas.gov>
Sent: Tuesday, June 21, 2022 1:18 PM
To: Sunset Advisory Commission <Sunset.AdvisoryCommission@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Private/Before Publication)

Submitted on Tue, 06/21/2022 - 12:04

Submitted by: Visitor

Submitted values are:

Choose the agency that you would like to provide input about
[Texas Low-Level Radioactive Waste Disposal Compact Commission](#)

Public Comments

1

First Name

Thomas

Last Name

Smith

Organization you are affiliated with

private individual

Email

City

Austin

State

Texas

Your Comments or Concerns

As the events of the last several years clearly show, the legislature needs to expand the authority of the commission to give it the authority it needs to oversee, regulate, audit and enforce all of the laws pertaining to disposal of all types of radioactive wastes in Texas. It's name should be changed to the Radioactive Waste Regulatory Commission.

The legislature voted overwhelmingly to oppose the permitting of interim storage of high-level wastes in the second special session, but there are a number of other types of very radioactive materials that keep coming in through a variety of loopholes, such as greater than class C wastes, transuranic wastes, and wastes from the Hanford, Savannah River, Fernald Ohio, and WIPP waste facilities that are stored at the WCS sites.

While of these types of wastes are nominal federally regulated, a legacy of leaking wastes from poorly packaged and maintained wastes belie the promises made by Congress and regulators to protect the communities in which they are located. A lot of these leaking sites have poorly maintained because they are routinely and chronically underfunded by Congress. Now many of these “orphaned” wastes are coming to Texas.

Your Proposed Solution

To order protect Texans and our state tax base, the legislature needs to rethink and expand the breadth of the authority given to this commission by the legislature.

Given the repeated Congressional failures to fund protections for citizens from radioactive wastes in other states, I’d suggest the legislature give the Commission the responsibility to review the long term costs of cleaning up all waste streams going to the WCS and assure that the fees assessed are adequate to protect Texas’ budget.

The legislature should expand the Commission’s authority aggressively audit and tracking the sources of wastes so that we can assure we are getting the full revenue from the wastes we are accepting, and track the waste by the radiological characteristics or “fingerprints” so if a source is leaking due to poor packaging other similar packages can be recovered.

I support the note from by the Commission in their self-assessment report, and recommend the Texas Legislature should give enforcement authority to the TLLRWDC. Without the ability to impose penalties or fines, interested parties in violation of Commission rules face no negative consequences for bypassing the Commission. If generators of waste fail to comply with Commission rules, potential negative consequences to the state include improper disposal of waste, disposal of waste from a foreign country, and a failure to collect appropriate fees resulting in a loss of revenue to the state of Texas.

The legislature should also authorize the commission to adopt emergency procedures for taking over the operations of other sites in the cases of an uncontrolled leak, emergency or site abandonment. The legislature should allow for emergency funding to the Commission for a temporary operator or to take other protective measures.

If water contacts waste at this site, it could contaminate the underlying and nearby aquifers. Worse, when water comes in contact with radioactive waste it can cause a massive explosion, like the one

known as the Kyshtym disaster in Ural Mountains, which contaminated 9,000 square miles of the Soviet Union in 1957. While the waste different, the risk of water remains affecting the waste a problem. The original application for this site was unanimously rejected by the TCEQ employees who reviewed WCS application because of their concerns that this wasn't a dry site. The TCEQ executive director at the time decided to approve the site and reassured the legislature that they would install and watch the monitoring wells on site. Now one of those monitoring wells is showing high levels of water. Instead of taking it as a warning that indicates potential water inclusion into the site, TCEQ is planning to shut down well 17B. We think the legislature should authorize the commission to suspend shipments when monitoring wells are showing high levels of water at the site,

We've learned a lot over the last 40 years since Texas began to discuss how to manage this waste. We have learned just how irresponsible the federal government has been with their wastes and how willing they are to dump their waste in Texas. Now is the time for the legislature to take bold action and strengthen and expand this commission to meet the growing threats from radioactive waste disposal. If we don't we will not only put our citizens at risk but the state's budget.

Attachment

[Comments on LLRWCC for Sunset.docx](#) (18.56 KB)

My Comments Will Be Made Public

Yes

Comments of
Tom “Smitty” Smith
Private Citizen

Austin, Texas

February 1, 2022

Via email – sunset@sunset.texas.gov

RE: Texas Low-Level Radioactive Waste Disposal Compact Commission

Dear Chairman Charles Schwertner, Sunset Advisory Commissioners and Staff:

I have been working for the responsible disposal of radioactive waste in Texas for nearly 40 years, as a legislative staffer, the director of Public Citizen’s Texas office for 32 years and as a private citizen for the last 5 years.

I am glad to have the opportunity to comment on the Sunset of the Low Level Radioactive Waste Compact Commission.

As the events of the last several years clearly show, the legislature needs to expand the authority of the commission to give it the authority it needs to oversee, regulate, audit and enforce all of the laws pertaining to disposal of all types of radioactive wastes in Texas. It’s name should be changed to the Radioactive Waste Regulatory Commission.

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