

By: Darby

H.B. No. 931

A BILL TO BE ENTITLED

AN ACT

relating to the disposal of certain naturally occurring radioactive material waste resulting from the treatment of drinking water.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 401.011(b), Health and Safety Code, is amended to read as follows:

(b) The commission has jurisdiction to regulate and license:

(1) the disposal of radioactive substances, except as provided by Section 401.415(f);

(2) the processing or storage of low-level radioactive waste or naturally occurring radioactive material waste received from other persons, except oil and gas NORM;

(3) the recovery or processing of source material in accordance with Subchapter G;

(4) the processing of by-product material as defined by Section 401.003(3)(B); and

(5) sites for the disposal of:

(A) low-level radioactive waste;

(B) by-product material; or

(C) naturally occurring radioactive material waste, except as provided by Section 401.415(f).

SECTION 2. The heading to Section 401.415, Health and Safety Code, is amended to read as follows:

1 Sec. 401.415. OIL AND GAS NORM WASTE; CERTAIN DRINKING
2 WATER TREATMENT NORM WASTE.

3 SECTION 3. Section 401.415, Health and Safety Code, is
4 amended by adding Subsection (f) to read as follows:

5 (f) Notwithstanding any other provision of this chapter,
6 Chapter 27, Water Code, or any other law, the Railroad Commission of
7 Texas has sole authority to regulate and issue licenses, permits,
8 and orders for the disposal in a bedded salt formation of naturally
9 occurring radioactive material waste resulting from the treatment
10 of drinking water.

11 SECTION 4. The Railroad Commission of Texas shall adopt
12 rules for the implementation of Section 401.415(f), Health and
13 Safety Code, as added by this Act, not later than January 1, 2012.

14 SECTION 5. This Act takes effect September 1, 2011.