

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 19, 2017

TO: Honorable Joseph Pickett, Chair, House Committee on Environmental Regulation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2662** by Landgraf (relating to the Texas Low-Level Radioactive Waste Disposal Compact waste disposal facility.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Texas Health and Safety Code, Chapter 401 to remove language authorizing the compact waste disposal facility license holder to collect a fee, and removing language specifying the limit, in volume and curies, on the amount of nonparty waste that the facility license holder may dispose of in total and per fiscal year. A study conducted by the Texas Commission on Environmental Quality (TCEQ) would be required at least once every four years on the available volume and curie capacity of the compact waste disposal facility; current law required the same one-time study to be completed before December 1, 2016. The bill would require TCEQ to submit the first report required by the bill not later than December 1, 2020. The bill would remove the ability of TCEQ to license the compact waste disposal facility license holder in order to dispose of federal facility waste, as the federal waste disposal facility is already licensed.

The bill would amend Texas Health and Safety Code, Chapter 403 by adding a section defining how much space, in volume and curies, is allocated as reserved for party compact radioactive waste, and how much of this allocation is reserved for compact waste generated in Vermont. This reservation would be maintained until the completion of decommissioning of all the nuclear electric generation facilities in the party state. The bill would instruct the operator of the compact facility to stop accepting waste from nonparty states when the compact facility reaches 80 percent of its as-built disposal capacity as measured by volume or curie, or until one of the party state nuclear electric generation facilities executes a contract for decommissioning, until certain construction or financial assurance actions are taken.

TCEQ and the Low-level Radioactive Waste Disposal Compact Commission indicate that the provisions of the bill could be implemented using existing resources. The Comptroller estimates that any increase in the fee revenues generated by an increase in the amount of nonparty compact waste accepted to the facility as a result of the change in limitations, or any decrease in the fee revenues from nonparty compact waste as a result of a party nuclear electric generation facility executing a contract for decommissioning, are unknown.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 535 Low-level Radioactive Waste Disposal Compact Commission, 582 Commission on Environmental Quality

LBB Staff: UP, SZ, MW, MSO