

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 16, 2017

TO: Honorable Craig Estes, Chair, Senate Committee on Natural Resources & Economic Development

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **SB1137** by Seliger (Relating to the Texas Low-Level Radioactive Waste Disposal Compact waste disposal facility.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Texas Health and Safety Code, Chapter 401 to require that low-level radioactive waste be classified using the classification system established by the Nuclear Regulatory Commission. The bill would alter the limit, in volume and curies, on the amount of nonparty compact radioactive waste that the compact waste disposal facility license holder could accept by before September 1, 2027. 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 90 percent of its as-built disposal capacity as measured by volume or curie 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 provisions of the bill are unknown.

Local Government Impact

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

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

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