87R7493 JAM-D

By:  Goodwin H.B. No. 4095

A BILL TO BE ENTITLED

AN ACT

relating to the transportation, storage, and disposal of certain radioactive waste.

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

SECTION 1.  Subchapter C, Chapter 401, Health and Safety Code, is amended by adding Section 401.072 to read as follows:

Sec. 401.072.  TRANSPORTATION, STORAGE, AND DISPOSAL OF GREATER THAN CLASS C WASTE AND HIGH-LEVEL RADIOACTIVE WASTE. (a) In this section:

(1)  "Consolidated interim storage facility" means a facility operated for the storage of radioactive waste from one or more sources before disposal, not including a facility located on the site where the waste is generated.

(2)  "Greater than Class C waste" has the meaning assigned by 10 C.F.R. Section 72.3. Section 401.005 does not apply to this definition.

(3)  "High-level radioactive waste" has the meaning assigned by 10 C.F.R. Section 72.3. Section 401.005 does not apply to this definition.

(b)  Subject to Subsections (d) and (e), the commission may not authorize:

(1)  the acceptance of greater than Class C waste or high-level radioactive waste for disposal or for storage at a consolidated interim storage facility; or

(2)  the transportation in this state of greater than Class C waste or high-level radioactive waste that did not originate in this state.

(c)  Subject to Subsections (d) and (e), a person may not:

(1)  accept greater than Class C waste or high-level radioactive waste for disposal or for storage at a consolidated interim storage facility; or

(2)  transport in this state greater than Class C waste or high-level radioactive waste that did not originate in this state.

(d)  If federal law requires the acceptance of greater than Class C waste or high-level radioactive waste for disposal or for storage at a consolidated interim storage facility in this state, the commission may deny a license or other authorization for disposal or for storage of the waste at the facility if the facility does not satisfy all commission requirements.

(e)  If federal law requires the transportation in this state of greater than Class C waste or high-level radioactive waste that did not originate in this state, the commission may deny authorization for the transportation of the waste in this state if all commission requirements regarding the transportation are not satisfied.

SECTION 2.  This Act takes effect September 1, 2021.