

By: Goodwin

H.B. No. 4095

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

7 Sec. 401.072. TRANSPORTATION, STORAGE, AND DISPOSAL OF  
8 GREATER THAN CLASS C WASTE AND HIGH-LEVEL RADIOACTIVE WASTE. (a)

9 In this section:

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

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

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

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

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

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

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

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

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

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

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

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