

By: Landgraf

H.B. No. 4112

A BILL TO BE ENTITLED

AN ACT

relating to the disposal or storage of high-level radioactive waste.

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

SECTION 1. Section 401.0525, Health and Safety Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) With the exception of a permit for a facility located at the site of ~~[currently or formerly operating]~~ nuclear power reactors and ~~[currently or formerly operating]~~ nuclear research and test reactors operated by a university in accordance with Subsection (d), the commission may not under the authority given to the agency under Section 301, 304, or 401 of the Clean Water Act (33 U.S.C. Sections 1311, 1314, and 1341) issue a general construction permit or approve a Stormwater Pollution Prevention Plan under Section 26.040, Water Code, or issue a permit under the Texas Pollutant Discharge Elimination System Program under Section 26.027, 26.028, or 26.121, Water Code, for the construction or operation of a facility that is licensed for the disposal or storage of high-level radioactive waste by the United States Nuclear Regulatory Commission under 10 C.F.R. Part 72. Section 401.005 does not apply to this subsection.

(d) A facility permitted under the exception provided by Subsection (c) may store high-level radioactive waste only at the

1 nuclear power reactor or nuclear research and test reactor operated
2 by a university at which the waste originated.

3 SECTION 2. Section 401.072, Health and Safety Code, is
4 amended to read as follows:

5 Sec. 401.072. DISPOSAL OR STORAGE OF HIGH-LEVEL RADIOACTIVE
6 WASTE. (a) With the exception of storage at the site of [~~currently~~
7 ~~or formerly operating~~] nuclear power reactors and [~~currently or~~
8 ~~formerly operating~~] nuclear research and test reactors operated by
9 a university in accordance with Subsection (b), a person, including
10 the compact waste disposal facility license holder, may not dispose
11 of or store high-level radioactive waste in this state.

12 (b) A facility permitted under the exception provided by
13 Subsection (a) may store high-level radioactive waste only at the
14 nuclear power reactor or nuclear research and test reactor operated
15 by a university at which the waste originated.

16 SECTION 3. This Act takes effect September 1, 2025.