

By: Landgraf

H.B. No. 4112

Substitute the following for H.B. No. 4112:

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C.S.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, including a facility that stores high-level radioactive waste, and subject to 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) High-level radioactive waste stored at a facility

1 excepted from the application of Subsection (c) must originate from
2 the nuclear power reactors or nuclear research and test reactors
3 located at the site at which the waste is stored.

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

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

13 (b) High-level radioactive waste stored at a facility
14 excepted from the application of Subsection (a) must originate from
15 the nuclear power reactors or nuclear research and test reactors
16 located at the site at which the waste is stored.

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