

House Bill 4112
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

Sec. 401.072. DISPOSAL OR STORAGE OF HIGH-LEVEL RADIOACTIVE WASTE. (a) With the exception of storage at the site of ~~[currently or formerly operating]~~ nuclear

SENATE VERSION (IE)

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. [FA1(1)]

(d) A facility permitted under the exception provided by Subsection (c) may store high-level radioactive waste only at the nuclear power reactor or the nuclear research and test reactor operated by a university, at which the waste originated. [FA1(2)]

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

Sec. 401.072. DISPOSAL OR STORAGE OF HIGH-LEVEL RADIOACTIVE WASTE. With the exception of storage at the site of ~~[currently or formerly operating]~~ nuclear

CONFERENCE

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nuclear power reactors and ~~[currently or formerly operating]~~ nuclear research and test reactors operated by a university in accordance with Subsection (b), a person, including the compact waste disposal facility license holder, may not dispose of or store high-level radioactive waste in this state. (b) A facility permitted under the exception provided by Subsection (a) may store high-level radioactive waste only at the nuclear power reactor or nuclear research and test reactor operated by a university at which the waste originated.

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

SENATE VERSION (IE)

power reactors and ~~[currently or formerly operating]~~ nuclear research and test reactors operated by a university, at which the waste originated, a person, including the compact waste disposal facility license holder, may not dispose of or store high-level radioactive waste in this state. [FA1(3)]

SECTION 3. Same as House version.

CONFERENCE