



House of Representatives *State of Utah*

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February 13, 2004

Mr. Speaker:

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 145**, APPROVAL REQUIRED FOR DISPOSAL OF RADIOACTIVE WASTE, by Representative S. Urquhart, with the following amendments:

1. Page 1, Line 27: After line 27 insert:
"**59-24-103.5**, as enacted by Chapter 295, Laws of Utah 2003"

2. Page 2, Line 35: After line 35 insert:
"(b)(i) "Class A low-level radioactive waste" means low-level radioactive waste, as defined in Subsection 19-3-102(8), which is not class B and class C low-level radioactive waste, as defined in Subsection 19-3-102(4). (ii)"Class A low-level radioactive waste"does not include uranium mill tailings."

Renumber remaining subsections accordingly.

3. Page 4, Line 92: After line 92 insert:
"(5) Notwithstanding Subsection (4)(c)(ii), a radioactive waste facility which, prior to January 1, 2004, has received a radioactive waste license to receive, transfer, store, decay in storage, treat, or dispose of class A low-level radioactive waste, is not subject to the requirements of Subsections (3)(c) and (d) for any application to amend the existing license if the application requests approval to receive, transfer, store,

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decay in storage, treat, or dispose of class A low-level radioactive waste."

Renumber remaining subsections accordingly.

4. Page 4, Line 96:

After line 96 insert:

"Section 2. Section **59-24-103.5** is amended to read:

59-24-103.5. Radioactive waste disposal, processing, and recycling facility tax.

(1) On and after July 1, 2003, there is imposed a tax on a radioactive waste facility, or a processing or recycling facility, as provided in this chapter.

(2) The tax is equal to the sum of the following amounts:

(a) 12% of the gross receipts of a radioactive waste facility derived from the disposal of containerized class A waste;

(b) 10% of the gross receipts of a radioactive waste facility derived from the disposal of processed class A waste;

(c) 5% of the gross receipts of a radioactive waste facility derived from the disposal of uncontainerized, unprocessed class A waste from a governmental entity or an agent of a governmental entity:

(i) pursuant to a contract entered into on or after April 30, 2001;

(ii) pursuant to a contract substantially modified on or after April 30, 2001;

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- (iii) pursuant to a contract renewed or extended on or after April 30, 2001; or
 - (iv) not pursuant to a contract;
 - (d) 5% of the gross receipts of a radioactive waste facility derived from the disposal of uncontainerized, unprocessed class A waste received by the facility from an entity other than a governmental entity or an agent of a governmental entity;
 - (e) (i) 5% of the gross receipts of a radioactive waste facility derived from the disposal of mixed waste, other than the mixed waste described in Subsection (2)(e)(ii), received from an entity other than a governmental entity or an agent of a governmental entity; and
(ii) 10% of the gross receipts of a radioactive facility derived from the disposal of mixed waste:
(A) received from an entity other than a governmental entity or an agent of a governmental entity; and
(B) that contains a higher radionuclide concentration level than the mixed waste received by the radioactive waste facility prior to April 1, 2004;
 - (f) 10 cents per cubic foot of alternate feed material received at a radioactive waste facility for disposal or reprocessing; and
 - (g) 10 cents per cubic foot of byproduct material received at a radioactive waste facility for disposal.
- (3) For purposes of the tax imposed by this section, a fraction of a cubic foot is considered to be a full cubic

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foot.

(4) Except as provided in Subsection (2)(e), the tax imposed by this section does not apply to radioactive waste containing material classified as hazardous waste under 40 C.F.R. Part 261."

Renumber remaining sections accordingly.

Respectfully,

Stephen H. Urquhart
Committee Chair

Voting: 11-0-1

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