

**Representative Carl R. Albrecht** proposes the following substitute bill:

**RADIOACTIVE WASTE AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carl R. Albrecht**

Senate Sponsor: Scott D. Sandall

---

---

**LONG TITLE**

**General Description:**

This bill modifies provisions relating to the disposal of radioactive waste.

**Highlighted Provisions:**

This bill:

- ▶ provides that certain waste classifications are determined at the time of acceptance;
- ▶ allows the director of the Division of Waste Management and Radiation Control to authorize alternate requirements for waste classification and characteristics that would allow an entity to accept certain waste at a specific site;
- ▶ requires notice to a legislative committee;
- ▶ authorizes the director to require a performance assessment under certain circumstances; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



26 **19-3-103.7**, as last amended by Laws of Utah 2005, Chapter 10



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **19-3-103.7** is amended to read:

30 **19-3-103.7. Prohibition of certain radioactive wastes.**

31 ~~[(No)]~~ (1) Except as provided in Subsection (2), an entity may not accept in the state or  
32 apply for a license to accept in the state for commercial storage, decay in storage, treatment,  
33 incineration, or disposal waste, that at the time of acceptance is:

34 ~~[(+)]~~ (a) class B or class C low-level radioactive waste; or

35 ~~[(2)]~~ (b) radioactive waste having a higher radionuclide concentration than the highest  
36 radionuclide concentration allowed under licenses existing on February 25, 2005, that have met  
37 all the requirements of Section **19-3-105**.

38 (2) (a) Subject to the other provisions of this Subsection (2), at the request of a licensee  
39 or applicant, the director may authorize provisions for the classification and characteristics of  
40 waste on a specific basis, if after evaluation of the specific characteristics of the waste, disposal  
41 site, and method of disposal, the director finds that:

42 (i) when considering the characteristics of the waste and the site-specific applicable  
43 method of disposal, there is reasonable assurance of compliance with the performance  
44 objectives, dose limits, and other applicable requirements set forth in rules made by the board  
45 that govern the type of issues addressed in 10 C.F.R. 61, Licensing Requirements for Land  
46 Disposal of Radioactive Waste, Subpart C, Performance Objectives; and

47 (ii) the dose limits of the waste are equal to or less than that of waste described under  
48 Subsection (1)(b).

49 (b) The prohibition of accepting waste or applying for accepting waste described in  
50 Subsection (1) does not apply to waste that is classified in compliance with the requirements of  
51 this Subsection (2).

52 (c) Within five business days of the day on which the director makes findings to  
53 authorize the classification and characteristics of waste on a specific basis under Subsection  
54 (2)(a), the director shall notify:

55 (i) the chairs of the Natural Resources, Agriculture, and Environment Interim  
56 Committee; or

57           (ii) if the findings are issued during a general legislative session, the chair of the House  
58 Natural Resources, Agriculture, and Environment Standing Committee and the chair of the  
59 Senate Natural Resources, Agriculture, and Environment Standing Committee.

60           (d) The director's authorization for the classification and characteristics of waste on a  
61 specific basis under this Subsection (2) does not take effect until 90 days from the day on  
62 which the director makes the findings under Subsection (2)(a) to authorize the classification  
63 and characteristics of the waste.

64           (e) The board may make rules, in accordance with Title 63G, Chapter 3, Utah  
65 Administrative Rulemaking Act, to implement this Subsection (2).

66           (3) The director may require a performance assessment as a condition to the disposal of  
67 significant quantities of depleted uranium.