

## HB0220S04 compared with HB0220S03

~~{deleted text}~~ shows text that was in HB0220S03 but was deleted in HB0220S04.

Inserted text shows text that was not in HB0220S03 but was inserted into HB0220S04.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{Representative Carl R}~~Senator Scott D. ~~{Albrecht}~~Sandall proposes the following substitute bill:

### RADIOACTIVE WASTE AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carl R. Albrecht**

Senate Sponsor: Scott D. Sandall

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#### 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;
- ▶ directs the director to require certain actions related to concentrated depleted uranium;~~{and}~~

## HB0220S04 compared with HB0220S03

- ▶ imposes tax on certain waste; and
- ▶ makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

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

ENACTS:

59-24-103.7, Utah Code Annotated 1953

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

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

**19-3-103.7. Prohibition of certain radioactive wastes -- Alternative classification  
-- Concentrated depleted uranium.**

~~[(1)]~~ (1) Except as provided in Subsection (2), an entity may not accept in the state or apply for a license to accept in the state for commercial storage, decay in storage, treatment, incineration, or disposal waste, that at the time of acceptance is:

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

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

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

(i) when considering the characteristics of the waste and the site-specific applicable method of disposal, there is reasonable assurance of compliance with the performance objectives, dose limits, and other applicable requirements set forth in rules made by the board that govern the type of issues addressed in 10 C.F.R. Part 61, Licensing Requirements for Land

## HB0220S04 compared with HB0220S03

Disposal of Radioactive Waste, Subpart C, Performance Objectives; and

(ii) the dose limits of the waste are equal to or less than that of:

(A) class A low-level radioactive waste; and

(B) waste described under Subsection (1)(b).

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

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

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

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

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

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

(3) The director shall require as a condition to the disposal by a radioactive waste facility of ~~quantities~~ a total aggregate quantity of more than one metric ton of concentrated depleted uranium:

(a) ~~an~~ an approved performance assessment;

(b) designation of a federal cell by the director; and

(c) pursuant to an agreement acceptable to the director, that the United States Department of Energy accepts ~~long term~~ perpetual management of the federal cell, title to the land on which the federal cell is located, title to the waste in the federal cell, and financial stewardship for the federal cell and waste in the federal cell.

Section 2. Section 59-24-103.7 is enacted to read:

## HB0220S04 compared with HB0220S03

### 59-24-103.7. Radioactive waste facility disposal tax for concentrated depleted uranium and specific site approved waste.

(1) On and after July 1, 2019, there is imposed a tax on a radioactive waste facility as provided in this section.

(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:

(i) concentrated depleted uranium; and

(ii) containerized waste disposed under Subsection 19-3-103.7(2);

(b) 10% of the gross receipts of a radioactive waste facility derived from the disposal of processed waste disposed under Subsection 19-3-103.7(2); and

(c) 5% of the gross receipts of a radioactive waste facility derived from the disposal of uncontainerized, unprocessed waste disposed under Subsection 19-3-103.7(2).