



**OPPOSE: SB 1046 – by Sen. Birdwell and Seliger and HB 2692 by Rep. Landgraf**

Waste Control Specialists (WCS) has applied to the U.S. Nuclear Regulatory Commission (NRC) for a license to store high-level radioactive waste above ground at its existing low-level radioactive waste site in Andrews County. 40,000 tons of deadly high-level waste could be stored in Texas for decades. The application is now under the name Interim Storage Partners (ISP), which includes WCS and their partner, Orano. This license is illegal under federal law but is being processed by the Nuclear Regulatory Commission anyway. This bill fails to halt the storage or disposal of this dangerous waste, while creating additional economic and safety risks.

**Oppose SB 1046 and HB 2692– Don’t Be Fooled by this Bill**

Due to loopholes and federal preemption the bill fails to prohibit the Consolidated Interim Storage of high-level radioactive waste. And WCS has said that they will NOT withdraw their license application. We can expect the company to continue pursuing their dangerous plans to import deadly nuclear reactor waste.

**Key failures of the bill:**

- The ban language fails to include Greater Than Class C waste – very hot high-level radioactive waste that is a major part WCS/ISP’s Consolidated Interim Storage license application.
- Can be overridden by federal pre-emption.
- Does not require Interim Storage Partners to withdraw its NRC license application.
- Must clarify definition of “person” to include a corporation, company, partnership, firm, association, society or other legal entity. The federal government is excluded in the bill’s definition of person.

**Surcharge Reductions... Corporate Giveaway Would Cost Texas many millions of dollars:**

- This bill is a bonanza for WCS. It reduces a 20% surcharge WCS collects from imports of low-level radioactive waste to 5% and eliminates a 5% General Revenue state fee.
- Texas could lose hundreds of millions of dollars... or more.
- The state could lose out on over \$21 million in fees from a single nuclear reactor, and many could soon be sending waste to Texas. The NRC says that there are 23 US reactors in various stages of decommissioning. 20 reactors with similar amounts of waste would mean losses of \$420 million.
- TCEQ’s Surcharge Study says 86 reactors could send their low-level radioactive waste to Texas. They recommended leaving the surcharge and fee in place.
- WCS has no competitors for disposal of Class B and C, the hotter waste, so the fees should be no problem.
- Texas will need the revenues later. Costs to clean up contaminated radioactive sites have ranged from millions to billions of dollars.

**It relaxes safety and ethics requirements:**

- Removes the requirement to containerize Class A waste – a necessary safety measure.
- Removes annual limits on the amount of waste imported, speeding up disposal and increasing the amounts allowed.
- Repeals the requirement for contracts to be negotiated in good faith; conform to applicable antitrust statutes and regulations and to be nondiscriminatory.

**For more information please contact:**

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