

Texas Regulatory Perspective on Low-Level Radioactive Waste Management

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State Policy Privatizing Disposal

- Private competitive proposals
- Limiting criteria for site selection
- Ability to condemn private mineral rights
- A separate, adjacent federal disposal facility for mixed waste would be allowed under one license for the Texas Compact waste facility

Pending Action – Steps to Issue

- *Licensing order* denying hearing requests - license may not be issued, signed or granted until fee simple ownership has been demonstrated
- Condemnation proceeding to be filed by State of Texas to pursue remaining mineral rights

Once Issued - Before Construction

- Transfer of land and State lease-type agreement with operator
- *Pre-Construction License*
Conditions requiring additional site information to verify the characterization provided in the application to address data gaps and areas of uncertainty prior to approving construction

Before Disposing Waste

- New performance assessment using models/codes capable of addressing site's complexities with updated characterization
- Secretary of Energy agreement to accept all right, title and interest in the federal waste facility
- Financial assurance and operating procedures review