

Decommissioning / Spent Fuel Policy Bills status in Congress

(found by searching “nuclear fuel” and “decommissioning” at Congress.gov on May 2, 2023)

Note: This is not an exhaustive list; list consists of bills introduced in current (118th) Congress of potential interest to VT NDCAP, along with several prior bills discussed at either VT NDCAP Full Panel or Federal Nuclear Waste Policy Committee meetings

Nuclear Fuel Security Act (H.R. 1086) introduced by Congressman Robert Latta (Ohio 5th District, Republican)

Would direct the Secretary of Energy to establish a Nuclear Fuel Security Program with the following Primary Objectives:

1. to expeditiously increase domestic production of low-enriched uranium (i.e., Uranium with $\leq 5\%$ U-235 enrichments) ;
2. to expeditiously increase domestic production of high-assay, low-enriched uranium (HALEU) to sufficiently meet the needs of advanced nuclear reactor developers and other domestic nuclear fuel users (HALEU defined as Uranium with U-235 enrichments between 5% and 20%)
3. ensure the availability of domestically produced, converted, and enriched uranium in sufficient quantities to address a reasonably anticipated supply disruption.

Currently referred to House Subcommittee on Energy, Climate & Grid Security (House Committee on Energy and Commerce; Science, Space and Technology)

Full bill text available at:

<https://www.congress.gov/bill/118th-congress/house-bill/1086/text?s=1&r=1&q=%7B%22search%22%3A%5B%22%5C%22nuclear+fuel%5C%22%22%5D%7D>

Nuclear Fuel Security Act of 2023 (S.452) introduced by Senator Joe Manchin (West Virginia, Democrat)

Would direct the Secretary of Energy to establish a Nuclear Fuel Security Program with Primary Objectives similar to H.R. 1086; A similar bill, S.3428 of the 117th Congress, passed the Senate on 12/23/2022, but did not pass the US House.

Currently referred to Senate Committee on Energy and Natural Resources

Full bill text available at:

<https://www.congress.gov/bill/118th-congress/senate-bill/452/text?s=1&r=2&q=%7B%22search%22%3A%5B%22%5C%22nuclear+fuel%5C%22%22%5D%7D>

ADVANCE Act of 2023 (S.1111) introduced by Senator Shelley Moore Capito (West Virginia, Republican)

“Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy” (ADVANCE) Act of 2023

Would direct the Nuclear Regulatory Commission, the Secretary of Energy and several additional Federal agencies in activities that would export current and advanced nuclear power technologies world-wide, preserve domestic nuclear power generation, provide training opportunities for US citizens entering the domestic nuclear power work force and provide remediation funding for abandoned Uranium mining sites on Tribal lands. The ADVANCE Act would also fund several advanced fuel and reactor design demonstration projects and several clarifications to fusion technology regulations.

Currently referred to Senate Committee on Environment and Public Works

Full bill text available at:

<https://www.congress.gov/bill/118th-congress/senate-bill/1111/text?s=1&r=3&q=%7B%22search%22%3A%5B%22%5C%22nuclear+fuel%5C%22%22%5D%7D>

North American Transatlantic Resource Security Partnership Act of 2023 (S.458) introduced by Senator Joe Manchin (West Virginia, Democrat)

Would establish several programs with allied and partner nations to reduce reliance on natural gas, petroleum, nuclear fuel, and minerals produced in Russia.

Currently referred to Senate Foreign Relations Committee

Full bill text available at:

<https://www.congress.gov/bill/118th-congress/senate-bill/458/text?s=1&r=4&q=%7B%22search%22%3A%5B%22%5C%22nuclear+fuel%5C%22%22%5D%7D>

International Nuclear Energy Act of 2023 (S.826) introduced by Senator Joe Manchin (West Virginia, Democrat)

Would establish an integrated program for international sharing of nuclear energy related technologies, including those for plant construction and decommissioning, plant operations, infrastructure, and regulations, nuclear fuel services, nuclear energy financing, nuclear security, community engagement near nuclear facilities, and nuclear medicine. Several nations are specifically excluded from the proposed program, including Russia, The People's Republic of China, North Korea, Belarus, Iran, Cuba, Venezuela, and Syria.

Currently referred to Senate Foreign Relations Committee

Full bill text available at:

<https://www.congress.gov/bill/118th-congress/senate-bill/826/text?s=1&r=6&q=%7B%22search%22%3A%5B%22%5C%22nuclear+fuel%5C%22%22%5D%7D>

Nuclear Waste Informed Consent Act (S.404) introduced by Senator Catherine Cortez-Masto (Nevada, Democrat)

Would require the Secretary of Energy to obtain the consent of affected State and local governments before making an expenditure from the Nuclear Waste Fund for a nuclear waste repository. Agreements between the Secretary of Energy and the following entities would be required:

- (1) the Governor of the State in which the repository is proposed to be located;
- (2) each affected unit of local government;
- (3) any unit of general local government contiguous to the affected unit of local government if spent nuclear fuel or high-level radioactive waste will be transported through that unit of general local government for disposal at the repository; and
- (4) each affected Indian tribe.

Such agreements under the Act:

- (1) shall be in writing and signed by all parties;
- (2) shall be binding on the parties; and
- (3) shall not be amended or revoked except by mutual agreement of the parties.

Currently referred to Senate Committee on Environment and Public Works

Full bill text available at:

<https://www.congress.gov/bill/118th-congress/senate-bill/404/text?s=1&r=7&q=%7B%22search%22%3A%5B%22%5C%22nuclear+fuel%5C%22%22%5D%7D>

Nuclear Waste Informed Consent Act (H.R. 1051) introduced by Congresswoman Dina Titus (Nevada 1st District, Democrat)

Would require the Secretary of Energy to obtain the consent of affected State and local governments before making an expenditure from the Nuclear Waste Fund for a nuclear waste repository; bill language similar to S.404.

Currently referred to House Subcommittee on Environment, Manufacturing and Critical Materials (House Committee on Energy and Commerce)

Full bill text available at:

<https://www.congress.gov/bill/118th-congress/house-bill/1051/text?s=1&r=8&q=%7B%22search%22%3A%5B%22%5C%22nuclear+fuel%5C%22%22%5D%7D>

Bills from Previous Congresses

INSPECT Act (H.R. 8646 of 117th Congress) introduced by Congressman Mike Levin (California 49th District, Democrat)

“Increasing Nuclear Safety Protocols for Extended Canister Transfers”
(INSPECT) Act

This bill requires the Nuclear Regulatory Commission to assign a resident inspector to each commercial nuclear power plant that has permanently ceased operation. The inspector must (1) conduct inspections of decommissioning activities and spent nuclear fuel transfer activities, and (2) remain at the plant until all fuel is transferred from its spent fuel pools.

Bill was referred to House Committee on Energy and Commerce in August 2022. No further action before 117th Congress adjourned.

Full bill text available at:

<https://www.congress.gov/bill/117th-congress/house-bill/8646/text?s=1&r=6&q=%7B%22search%22%3A%5B%22decommissioning%22%5D%7D>

Spent Fuel Prioritization Act of 2022 (H.R. 6685 of 117th Congress) introduced by Congressman Mike Levin (California 49th District, Democrat)

This bill requires the Department of Energy to prioritize the acceptance of high-level radioactive waste or spent nuclear fuel from decommissioned or decommissioning nuclear power reactors located in areas (1) with large populations, (2) with high earthquake hazards, and (3) where the continued storage of high-level radioactive waste or spent nuclear fuel poses a significant national security concern.

Bill was referred to House Subcommittee on Energy (Committee on Energy and Commerce) in February 2022. No further action before 117th Congress adjourned.

Full bill text available at:

<https://www.congress.gov/bill/117th-congress/house-bill/6685/text?s=1&r=8&q=%7B%22search%22%3A%5B%22decommissioning%22%5D%7D>

STRANDED Act of 2021 (H.R. 3731 of 117th Congress) introduced by Congressman Bradley Schneider (Illinois 10th District, Democrat)

“Sensible, Timely Relief for America's Nuclear Districts' Economic Development” (STRANDED) Act of 2021

This bill provides resources to communities affected by stranded nuclear waste (i.e., spent nuclear fuel stored in dry casks or spent fuel pools at eligible civilian nuclear power plants). Among other provisions, the bill provides grants to nuclear-affected communities to (1) offset the economic and social impacts of stranded nuclear waste on such communities, and (2) support such communities that are facing decreased tax revenues or assessed valuation resulting from decommissioning a civilian nuclear power plant.

Bill was cosponsored by Vermont Congressman Pete Welch.

Bill was referred to House Subcommittee on Economic Development, Public Buildings and Emergency Management (Committees on Transportation & Infrastructure; Financial Services; and Ways & Means) in June 2021. No further action before 117th Congress adjourned.

Full bill text available at:

<https://www.congress.gov/bill/117th-congress/house-bill/3731/text?s=1&r=9&q=%7B%22search%22%3A%5B%22decommissioning%22%5D%7D>

STRANDED Act of 2021 (S.1290 of 117th Congress) introduced by Senator Tammy Duckworth (Illinois, Democrat)

This bill is similar to H.R. 3731 of 117th Congress; also required Department of Energy to (1) establish the Stranded Nuclear Waste Task Force to study existing public and private resources and funding for affected communities, and (2) establish a grant program to assist localities near nuclear power plants to offset the impacts of stranded nuclear waste in affected communities.

Bill was cosponsored by Vermont Senator Bernie Sanders.

Bill was referred to Senate Environment and Public Works Committee in February 2022. No further action before 117th Congress adjourned.

Full bill text available at:

<https://www.congress.gov/bill/117th-congress/senate-bill/1290/cosponsors?s=1&r=17&q=%7B%22search%22%3A%5B%22decommissioning%22%5D%7D>

A Bill to Prohibit the Use of Federal Funds for the Private Interim Storage of Spent Nuclear Fuel (S.3741 of 117th Congress) introduced by Senator Martin Heinrich (New Mexico, Democrat)

This bill would prohibit the use of Federal funds for private interim spent nuclear fuel storage facilities until such time that a permanent repository is available to accept spent nuclear fuel.

Bill was referred to Senate Environment and Public Works Committee in march 2022. No further action before 117th Congress adjourned.

Full bill text available at:

<https://www.congress.gov/bill/117th-congress/senate-bill/3741/text?s=1&r=18&q=%7B%22search%22%3A%5B%22decommissioning%22%5D%7D>

A Bill to Prohibit the Use of Federal Funds for the Private Interim Storage of Spent Nuclear Fuel (H.R. 6901 of 117th Congress) introduced by Congresswoman Teresa Leger Fernandez (New Mexico 3rd District, Democrat)

This bill is similar to S.3741 of 117th Congress.

Bill was referred to House Subcommittee on Energy (Committee on Energy and Commerce) in March 2022. No further action before 117th Congress adjourned.

Full bill text available at:

<https://www.congress.gov/bill/117th-congress/house-bill/6901/text?s=1&r=19&q=%7B%22search%22%3A%5B%22decommissioning%22%5D%7D>

STORE Nuclear Fuel Act of 2021 (H.R. 2097 of 117th Congress)
introduced by Congresswoman Doris Matsui (California 6th District,
Democrat)

“Storage and Transportation Of Residual and Excess Nuclear Fuel”
(STORE) Nuclear Fuel Act of 2021

This bill directs the Department of Energy (DOE) to establish a program under which it may (1) site, construct, and operate one or more consolidated interim storage facilities for the storage of spent nuclear fuel and high-level radioactive waste; and (2) enter into contracts with the licensee of a private interim storage facility in order to take title to, transport, and store in it either high-level radioactive waste or spent nuclear fuel.

DOE must prioritize contracting with private facilities unless it can demonstrate that it is able to develop a site in a more cost-effective manner.

Bill was referred to House Subcommittee on Energy (Committee on Energy and Commerce) in March 2022. No further action before 117th Congress adjourned.

Full bill text available at:

<https://www.congress.gov/bill/117th-congress/house-bill/2097/text?s=1&r=12&q=%7B%22search%22%3A%5B%22%5C%22nuclear+fuel%5C%22%22%5D%7D>