

**PROPOSED POLICY POSITION ON
SPENT NUCLEAR FUEL AND HIGH-LEVEL NUCLEAR
WASTE MANAGEMENT**

BACKGROUND

The U. S. Congress, in the Nuclear Waste Policy Act (NWPA) of 1982, directed the Department of Energy (DOE) to build a disposal facility for spent fuel from commercial nuclear reactors and high-level waste from the U. S. defense programs. In exchange for payments from consumers of nuclear generated electricity to the Nuclear Waste Fund created by the NWPA in 1982, DOE assumed a legal obligation to begin accepting spent fuel from utilities beginning January 31, 1998. Three federal court rulings have upheld this obligation. Since 1983, consumers have committed more than \$15 billion to this fund and nearly \$6 billion of this fund has been contributed by utility customers in the Southern states.

The Department of Energy (DOE) has been studying a site at Yucca Mountain, Nevada, for more than 15 years to determine whether it is a suitable place to build a geologic repository for commercial and defense spent nuclear fuel and high level nuclear waste. Last year, DOE submitted a viability assessment of a repository at Yucca Mountain to Congress which concluded that it remains a promising site for a geologic repository and that work should proceed. However, even if all goes well, the earliest date for spent fuel acceptance is 2010— 12 years behind schedule. There are no plans to build a federal, centralized interim storage facility. Reactors in several Southern states — Arkansas, Georgia, Maryland, North Carolina, South Carolina and Virginia — have been forced to build additional fuel storage capacity at the cost of millions to electric consumers. By the end of 1999, 16 reactors will have exhausted the space in their spent fuel pools. By 2010, when a federal repository is scheduled to commence operations, 30 reactors in 13 Southern states will have had to expand their storage capacity.

Comprehensive legislation to reform the federal spent fuel management program has been introduced in the last two sessions of Congress. Currently, legislation is pending in the 106th Congress to authorize development of an integrated waste management system, including a centralized storage facility.

RECOMMENDATION

The Southern Legislative Conference (SLC) of The Council of State Governments (CSG) urges Congress to pass comprehensive legislation ensuring the continued characterization of Yucca Mountain to determine if it is suitable as a permanent repository; the establishment of an interim storage facility as soon as possible near Yucca Mountain; and the creation of an integrated transportation system that safely links nuclear power plants, the interim facility, and the permanent repository.

The Southern Legislative Conference of The Council of State Governments strongly urges the Department of Energy to expedite the efforts to characterize Yucca Mountain, as well as take appropriate steps to begin the design of an interim storage facility. Congress should continue to use the Nuclear Waste Fund to provide adequate funding levels for the continuation of critical scientific studies.

Adopted by the SLC Energy and Environment Committee, July 19, 1999. Sponsored by Representative Charles Sharpe, South Carolina.

Re-assigned to the SLC Energy and Environment Committee, July 20, 1999.