

***Resolution Regarding the NARUC Dialogue on Spent Fuel Management Concluded
February 25, 1994***

WHEREAS, Approximately 20% of the United States electricity is generated using nuclear energy; *and*

WHEREAS, The major by-product of nuclear generation is spent nuclear fuel, which has been produced and stored in storage pools at over 70 commercial reactor sites; *and*

WHEREAS, Most reactors do not have sufficient pool storage capacity to accommodate all of the spent nuclear fuel; *and*

WHEREAS, Congress, in the Nuclear Waste Policy Act of 1982, directed the Department of Energy to develop a system to manage commercially-generated spent fuel by 1998, in exchange for electric utility ratepayers payments into the Federal Nuclear Waste Fund; ratepayers will have paid \$10 billion by 1998; *and*

WHEREAS, While the Department of Energy is making progress toward the establishment of a repository, such repository is not expected to become available until 2010 or later, therefore, the Subcommittee on Nuclear Issues--Nuclear Waste initiated a dialogue of stakeholders including utility commissioners, utility chief executive officers, an environmentalist, a representative of the State of Nevada, and a representative of the scientific community in Nevada; *and*

WHEREAS, The dialogue was initiated to develop a consensus on how best to deal with the interim storage of spent nuclear fuel, given the existing political structure; *and*

WHEREAS, The dialogue produced a report dated February 25, 1994 which included minority reports from the State of Nevada and the environmental representative; *and*

WHEREAS, It is the intent of the NARUC to continue discussions with interested parties regarding implementation of specific recommendation and legislative changes required; *now, therefore, be it*

RESOLVED, That the Executive Committee of the National Association of Regulatory Utility Commissioners (NARUC), convened at its 1994 Winter Meetings in Washington, D.C., accepts the report of the NARUC Dialogue On Spent Fuel Management presented to this body by the Standing Committee on Electricity; *and be it further*

RESOLVED, That the NARUC Executive Committee adopts the following principles:

1. High-level radioactive waste management is the responsibility of this generation;
2. Health, safety and minimization of environmental impact are the overriding priorities in managing civilian nuclear waste with other important considerations including: geographical equity, public acceptance, and cost effectiveness;
3. The Department of Energy has a responsibility to take title to and remove spent fuel from reactors beginning in 1998;

4. Consistent with global scientific consensus and Congressional mandate, deep geologic disposal of spent fuel should continue as the ultimate objective of the federal government's civilian nuclear waste management program;
5. Compensation alone would not satisfy the Department of Energy's obligation to remove spent fuel from reactor sites;
6. Even though central Department of Energy interim spent fuel storage facilities may be available, subject to the above principles, each utility should have the option to pursue storage on-site or elsewhere should it be more desirable to do so; *and be it further*

RESOLVED, That the NARUC Executive Committee adopts the following recommendations:

1. The Federal government needs to establish interim off-site spent fuel storage capability to allow the Department to take title to and remove spent fuel from reactor sites starting in 1998;
2. The voluntary process, including both the public and private efforts for locating interim storage facilities, should continue;
3. The Federal government should initiate a serious effort to locate an interim storage facility on Federal or private property;
4. The Department of Energy should increase the planned rate of acceptance of spent fuel from reactors and Congress should increase the capacity limit of interim spent fuel storage facilities in order to efficiently and effectively accommodate actual interim storage needs;
5. The Department of Energy should take immediate action to ensure that the necessary infrastructure (such as transportation capability) exists and will be available to support the acceptance of spent fuel for interim storage in 1998;
6. The Nuclear Regulatory Commission should be asked to review its regulations, and implementation of those regulations, for safety, added value, and to ensure the cost effectiveness of interim storage facilities; *and be it further*

RESOLVED, That this resolution be communicated to the United States Congress and to the Secretary of Energy along with a copy of the dialogue report.

Sponsored by the Committee on Electricity

Adopted March 2, 1994

* The State of Idaho endorses the minority report of the State of Nevada as set forth in the NARUC Dialogue Report.