

Resolution Supporting Needed Reform of the Nuclear Waste Fund

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**WHEREAS**, In 2002, the United States Congress approved the recommendation by the Secretary of Energy and the President to designate Yucca Mountain, Nevada as the site for the safe, permanent disposal of the Nation's spent nuclear fuel and other high-level radioactive waste in a geologic repository; and

**WHEREAS**, Since 1983 ratepayers in States using nuclear-generated electricity have paid over \$20 billion, including interest, and will continue to pay, via their electric utility bills, a one-mill per kilowatt-hour fee to the Nuclear Waste Fund (NWF) in the U.S. Treasury; and

**WHEREAS**, Congress historically has only appropriated a fraction of the amount of revenue going into the NWF to develop the repository-resulting in a balance in the Fund, now over \$14 billion, which must be available to meet program needs; and

**WHEREAS**, The Nuclear Waste Fund had revenue of \$2.57 billion in fees and interest in FY 2002, yet Congress only appropriated \$133 million (five percent) for the repository program for the same year; and

**WHEREAS**, For the repository to be successfully developed, the Department of Energy estimates annual appropriations will need to average \$1.3 billion from 2004-2010 to enable construction, waste package procurement and transportation to meet the goal of initial waste acceptance in 2010; and

**WHEREAS**, Previous attempts to address the divergence

between NWF revenue and annual appropriations have been either embroiled in nuclear waste politics or may not have seemed necessary before the repository site was approved; now therefore be it

**RESOLVED**, That the Board of Directors of the National Association of Regulatory Utility Commissioners (NARUC) convened in its February 2003 Winter Meetings in Washington, D.C urges that the 108th Congress recognize that approving the Yucca Mountain site is not the end of Congress's ongoing responsibility to enable the Federal Government to meet its obligation to safely dispose of high-level nuclear waste; and be it further

**RESOLVED**, That Congress must fund the nuclear waste program at the amount requested in the President's Fiscal Year 2004 Budget of \$591 million; and be it further

**RESOLVED**, That Congress enact substantive reform this year of how Nuclear Waste Fund monies are appropriated, whether along the lines of the "alternative funding proposal" referred to in the Budget for FY 2004 and 2005, or some more comprehensive approach that has the result of ensuring the availability of sufficient funds in a timely manner to enable initial waste acceptance in 2010; and be it further

**RESOLVED**, That the Congress, Department of Energy, the States and the utilities-which have been promised since 1983 that spent nuclear fuel would be removed from temporary reactor site storage in 34 States-should actively work together in support of the common goal of safe, permanent disposal of

nuclear waste.

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Sponsored by the Committee on Electricity

Adopted by the NARUC Board of Directors February 26, 2003