

Resolution Urging the 105th Congress to Adopt Legislation to Establish an Integrated Nuclear Waste Disposal Program

WHEREAS, The United States Congress passed the Nuclear Waste Policy Act of 1982 in order to provide for the management and permanent disposal of commercially generated spent nuclear fuel; *and*

WHEREAS, The Act, including amendments, unconditionally directs the U.S. Department of Energy to develop the nuclear waste management and disposal program to begin accepting spent nuclear fuel no later than January 31, 1998; *and*

WHEREAS, The U.S. Court of Appeals confirmed the obligation of the Department of Energy to conform to the provisions of the Act as quid pro quo for the contractual payments received into the federal Nuclear Waste Fund from the nation's electric utilities with nuclear generation; *and*

WHEREAS, The nation's electric utility ratepayers are paying for the federal nuclear waste management and disposal program through a fixed charge on their electricity rates in excess of \$600 million annually and have contributed, including interest, more than \$12 billion into the federal Nuclear Waste Fund; *and*

WHEREAS, The U.S. Department of Energy has indicated that it will not fulfill its obligations under the Act, despite the U.S. Court of Appeals affirmation; *and*

WHEREAS, It has been recognized by the member Commissioners of the National Association of Regulatory Utility Commissioners and other stakeholders that, in light of the continuing failure of the federal program, legislation by the U.S. Congress will provide the greatest likelihood of achieving a successful resolution to this matter; *and*

WHEREAS, State Commissioners have concluded that Congress must not miss the opportunity to pass such legislation in the 105th Congress and therefore urge that Congress enact legislation that is compatible with the NARUC principles adopted on November 16, 1994; *now, therefore, be it*

RESOLVED, That the Executive Committee of the National Association of Regulatory Utility Commissioners, convened at its 1997 Winter Meetings in Washington, D.C., urges the U.S. Congress to adopt legislation compatible with NARUC principles:

- The federal government should fulfill its obligations under the Nuclear Waste Policy Act in a timely and efficient manner.
- Congress should reform the funding mechanism to ensure that nuclear waste funds are used for only program purposes.

- Congress should enable the Department of Energy to proceed with an Interim Storage Spent Fuel Storage Installation in conjunction with active pursuit of a permanent repository.
- Congress should eliminate the redundant licensing requirements of the high-level nuclear waste repository, without compromising health, safety, and environmental factors; *and be it further*

RESOLVED, That the NARUC commends the U.S. Senate for introducing S. 104, The Nuclear Waste Policy Act of 1997, and scheduling the bill for swift action; *and be it further*

RESOLVED, That the NARUC strongly urges the U.S. House to also take swift action this year on a companion bill; *and be it further*

RESOLVED, That the NARUC strongly urges both the House and the Senate to provide funding sufficient for the Department of Energy to continue with site characterization work at Yucca Mountain, Nevada for a permanent repository, as well as developing a centralized interim storage facility.

Sponsored by the Committee on Electricity
Adopted February 26, 1997