

114TH CONGRESS  
1ST SESSION

# H. R. 1364

To require the Nuclear Regulatory Commission to obtain the consent of affected State and local governments before authorizing the construction of a nuclear waste repository.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2015

Ms. TITUS (for herself and Mr. HECK of Nevada) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To require the Nuclear Regulatory Commission to obtain the consent of affected State and local governments before authorizing the construction of a nuclear waste repository.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nuclear Waste In-  
5 formed Consent Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act, the terms “affected Indian tribe”, “Com-  
8 mission”, “high-level radioactive waste”, “repository”, and

1 “spent nuclear fuel” have the meanings given the terms  
2 in section 2 of the Nuclear Waste Policy Act of 1982 (42  
3 U.S.C. 10101).

4 **SEC. 3. CONSENT BASED APPROVAL.**

5 (a) IN GENERAL.—The Commission may not author-  
6 ize construction of a repository unless the Secretary has  
7 entered into an agreement to host the repository with—

8 (1) the Governor of the State in which the re-  
9 pository is proposed to be located;

10 (2) each affected unit of local government;

11 (3) any unit of general local government contig-  
12 uous to the affected unit of local government if  
13 spent nuclear fuel or high-level radioactive waste will  
14 be transported through that unit of general local  
15 government for disposal at the repository; and

16 (4) each affected Indian tribe.

17 (b) CONDITIONS ON AGREEMENT.—Any agreement  
18 to host a repository under this Act—

19 (1) shall be in writing and signed by all parties;

20 (2) shall be binding on the parties; and

21 (3) shall not be amended or revoked except by  
22 mutual agreement of the parties.

1 **SEC. 4. APPLICATION.**

2 This Act applies to any application submitted to the  
3 Commission for construction authorization for a repository  
4 that—

5 (1) exists as of the date of enactment of this  
6 Act; or

7 (2) is submitted on or after the date of enact-  
8 ment of this Act.

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