

115TH CONGRESS
1ST SESSION

H. R. 433

To prohibit the Secretary of Energy from planning, developing, or constructing a defense waste repository until the Nuclear Regulatory Commission has made a final decision with respect to the construction authorization application for the Yucca Mountain Nuclear Waste Repository.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2017

Mr. WILSON of South Carolina (for himself, Mr. DUNCAN of South Carolina, and Mr. CRAMER) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the Secretary of Energy from planning, developing, or constructing a defense waste repository until the Nuclear Regulatory Commission has made a final decision with respect to the construction authorization application for the Yucca Mountain 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 “Sensible Nuclear
5 Waste Disposition Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The Nuclear Waste Policy Act (42 U.S.C.
4 10101 et seq.) designated the Yucca Mountain site
5 as the sole site to dispose of high-level radioactive
6 waste and spent nuclear fuel.

7 (2) Pursuant to such Act, in 1985 President
8 Ronald Reagan determined that atomic energy de-
9 fense waste is required to be disposed of in a com-
10 mon repository with commercial spent nuclear fuel.

11 (3) The Secretary of Energy submitted the li-
12 cense application for the Yucca Mountain Nuclear
13 Repository to the Nuclear Regulatory Commission
14 on June 3, 2008.

15 (4) The Commission issued the safety evalua-
16 tion report which found that the Yucca Mountain
17 site could meet all regulatory standards for
18 1,000,000 years.

19 (5) On December 16, 2016, the Department of
20 Energy released a draft plan titled “Draft Plan for
21 a Defense Waste Repository” stating that the De-
22 partment of Energy will seek to construct a reposi-
23 tory to store defense high level nuclear waste.

24 (6) The taxpayers of the United States have al-
25 ready paid more than \$3,700,000,000 to dispose of

1 high-level radioactive waste from atomic energy de-
2 fense activities at the Yucca Mountain site.

3 **SEC. 3. LIMITATION ON PLANNING, DEVELOPMENT, OR**
4 **CONSTRUCTION OF DEFENSE WASTE REPOSI-**
5 **TORY.**

6 (a) LIMITATION.—The Secretary of Energy may not
7 take any action relating to the planning, development, or
8 construction of a defense waste repository until the date
9 on which the Nuclear Regulatory Commission publishes
10 a final decision on an application for a construction au-
11 thorization for a repository under section 114(d) of the
12 Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)).

13 (b) DEFINITIONS.—In this section:

14 (1) The terms “atomic energy defense activity”,
15 “high-level radioactive waste”, “repository”, and
16 “spent nuclear fuel” have the meanings given those
17 terms in section 2 of the Nuclear Waste Policy Act
18 of 1982 (42 U.S.C. 10101).

19 (2) The term “defense waste repository” means
20 the repository for high-level radioactive waste and
21 spent nuclear fuel derived from the atomic energy
22 defense activities of the Department of Energy, as
23 described in the draft plan of the Department titled

1 “Draft Plan for a Defense Waste Repository” pub-
2 lished on December 16, 2016.

○