

111TH CONGRESS  
1ST SESSION

# S. 232

To prohibit the importation of certain low-level radioactive waste into the United States.

---

IN THE SENATE OF THE UNITED STATES

JANUARY 14, 2009

Mr. ALEXANDER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

---

## A BILL

To prohibit the importation of certain low-level radioactive waste into the United States.

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 “Radioactive Import  
5 Deterrence Act”.

6 **SEC. 2. PROHIBITION OF IMPORTATION.**

7 (a) AMENDMENT.—Chapter 8 of the Atomic Energy  
8 Act of 1954 (42 U.S.C. 2111 et seq.) is amended by add-  
9 ing at the end the following new section:

1       “SEC. 85. IMPORTATION OF LOW-LEVEL RADIO-  
2 ACTIVE WASTE.

3       “a. Except as provided in subsection b. or c., the  
4 Commission shall not issue a license authorizing the im-  
5 portation into the United States of—

6           “(1) low-level radioactive waste (as defined in  
7 section 2 of the Low-Level Radioactive Waste Policy  
8 Act (42 U.S.C. 2021b)); or

9           “(2) specific radioactive waste streams exempt-  
10 ed from regulation by the Commission under section  
11 10 of the Low-Level Radioactive Waste Policy Act  
12 (42 U.S.C. 2021j).

13       “b. Subsection a. shall not apply to—

14           “(1) low-level radioactive waste being returned  
15 to a United States Government or military facility  
16 which is authorized to possess the material; or

17           “(2) low-level radioactive waste resulting from  
18 the use in a foreign country of nuclear material ob-  
19 tained by the foreign user from an entity in the  
20 United States that is being returned to the United  
21 States for management and disposal.

22       “c. The President may waive the prohibition under  
23 this section and authorize the grant of a specific license  
24 to import materials prohibited under subsection a., under  
25 the rules of the Commission, only after a finding that such

1 importation would meet an important national or inter-  
2 national policy goal, such as the use of waste for research  
3 purposes. Such a waiver must specify the policy goal to  
4 be achieved, how it is to be achieved, and the amount of  
5 material to be imported.

6 “d. A license not permitted under this section that  
7 was issued before the date of enactment of this section  
8 may continue in effect according to its terms, but may  
9 not be extended or amended with respect to the amount  
10 of material permitted to be imported.”.

11 (b) TABLE OF CONTENTS AMENDMENT.—The table  
12 of contents for the Atomic Energy Act of 1954 is amended  
13 by inserting at the end of the items relating to chapter  
14 8 the following new item:

“Sec. 85. Importation of low-level radioactive waste.”.

○