



1995 ASSEMBLY BILL 258

March 23, 1995 - Introduced by Representatives BLACK, NOTESTEIN, ROBSON, HAHN, BOCK, RYBA, WILDER, BOYLE, CULLEN, BALDWIN, CARPENTER, HUBER, MORRIS-TATUM, R. POTTER and R. YOUNG, cosponsored by Senator RISSER. Referred to Committee on Environment and Utilities.

1 **AN ACT to create** 196.494 of the statutes; **relating to:** spent nuclear fuel disposal
2 facilities.

Analysis by the Legislative Reference Bureau

This bill prohibits the state from approving the construction of a spent nuclear fuel disposal facility until the federal nuclear regulatory commission issues a construction authorization for a high-level nuclear waste disposal repository or a construction license for a monitored retrievable storage facility. Current law does not specify any conditions under which the state may approve the construction of a spent fuel disposal facility.

The bill also directs that a spent nuclear fuel disposal facility located in this state may only accept nuclear waste from a nuclear power plant located at the site of the disposal facility.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 196.494 of the statutes is created to read:
4 **196.494 Construction of nuclear waste disposal facilities limited. (1)**
5 **FEDERAL AUTHORIZATION.** This state may not approve the construction of a spent fuel
6 disposal facility in this state unless the federal nuclear regulatory commission has
7 done any of the following:

1 (a) Issued the federal department of energy a construction authorization for a
2 high-level nuclear waste disposal repository, as defined in 42 USC 10101 (18).

3 (b) Issued a license for the construction of a monitored retrievable storage
4 facility, as defined in 42 USC 10101 (34).

5 **(2)** ON-SITE WASTE GENERATION. A spent fuel disposal facility in this state may
6 only accept nuclear waste that is generated by a nuclear power plant, as defined in
7 s. 196.493 (1), that is located at the site of the spent fuel disposal facility.

8 **(END)**