

2007 JOINT RESOLUTION

1 **Relating to:** calling upon the United States congress and president of the United States to
2 speed implementation of the Nuclear Waste Policy Act of 1982.

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft joint
 resolution was prepared for the joint legislative council’s special
 committee on nuclear power at the request of public member Brian
 Rude.

3 Whereas electricity from nuclear power developed in the United States through a
4 partnership of the federal government and the electric power industry; and

5 Whereas an integral part of that partnership, without which nuclear power could not
6 have developed, is the commitment made by the federal government under section 302 of the
7 Nuclear Waste Policy Act of 1982, as amended, to take title to spent nuclear fuel and,
8 beginning not later than January 31, 1998, dispose of the spent nuclear fuel; and

9 Whereas the Nuclear Waste Policy Act of 1982, as amended, requires the operators of
10 commercial nuclear power plants to make payments of ratepayer moneys to the federal
11 Nuclear Waste Fund to cover the cost of disposal of spent nuclear fuel by the federal
12 government; and

13 Whereas Wisconsin electric utility ratepayers and electric cooperative members have
14 paid \$377 million into the Nuclear Waste Fund as of March 2006; and

15 Whereas the U.S. government has failed thus far in its efforts to open a repository for
16 the permanent disposal of spent nuclear fuel and so has failed to meet its commitment to begin
17 accepting spent nuclear fuel for disposal in 1998; and

18 Whereas, testimony from a representative of the United States department of energy to
19 the Wisconsin special committee on nuclear power in December 2006 indicated that under the

1 best achievable schedule the federal Yucca Mountain Repository in Nevada would not begin
2 to accept waste until March 2017; and

3 Whereas as a result of this failure by the federal government, the operators of
4 commercial nuclear reactors have been forced to incur additional expenses for the storage of
5 spent nuclear fuel in cooling pools and dry casks on the sites of their nuclear plants, which
6 expenses are ultimately borne by ratepayers or members; and

7 Whereas Wisconsin Electric Power Company has incurred expenses of over \$20 million
8 on the storage of its spent nuclear fuel in dry casks; and

9 Whereas Dairyland Power Cooperative has incurred over \$115 million in expenses
10 related to on-site storage of spent nuclear fuel at its La Crosse Boiling Water Reactor since
11 it closed in 1987 and continues to spend approximately \$6 million annually in such expenses;
12 and

13 Whereas, pending the licensing and opening of the Yucca Mountain Repository, interim
14 storage of spent nuclear at a centralized federal facility provides a secure means for the federal
15 government to promptly begin accepting spent nuclear fuel that minimizes risks to the public
16 and fulfills its commitment to manage spent nuclear fuel in a safe, cost effective, and timely
17 manner; now therefore be it

18 ***Resolved by the assembly, the senate concurring, That*** the Wisconsin legislature calls
19 upon the United States congress and the president of the United States to speed the
20 implementation of the federal policy on high-level radioactive waste and spent nuclear fuel
21 set forth in the Nuclear Waste Policy Act of 1982, as amended; and, be it further

22 ***Resolved, That*** the Wisconsin legislature encourages the United States congress and the
23 president of the United States to take all necessary steps to expedite the licensing,
24 construction, and opening of the federal Yucca Mountain Repository; and, be it further

