

108TH CONGRESS
2D SESSION

S. 2457

Entitled “Nuclear Waste Cleanup Act”.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2004

Ms. CANTWELL introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

Entitled “Nuclear Waste Cleanup Act”.

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. DEFENSE SITE ACCELERATION COMPLETION.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, with respect to material stored at a Depart-
6 ment of Energy site at which activities are regulated by
7 the State pursuant to approved closure plans or permits
8 issued by the State, high-level radioactive waste does not
9 include radioactive material resulting from the reprocess-
10 ing of spent nuclear fuel that the Secretary of Energy de-
11 termines—

1 (1) does not require permanent isolation in a
2 deep geologic repository for spent fuel or highly ra-
3 dioactive waste pursuant to criteria promulgated by
4 the Department of Energy by rule in consultation
5 with the Nuclear Regulatory Commission;

6 (2) has had highly radioactive radionuclides re-
7 moved to the maximum extent practical in accord-
8 ance with the Nuclear Regulatory Commission-re-
9 viewed criteria; and

10 (3) in the case of material derived from the
11 storage tanks, is disposed of in a facility (including
12 a tank) within the State pursuant to a State-ap-
13 proved closure plan or a State-issued permit, author-
14 ity for the approval or issuance of which is conferred
15 on the State outside of this Act.

16 (b) INAPPLICABILITY TO CERTAIN MATERIALS.—
17 Subsection (a) shall not apply to any material otherwise
18 covered by that subsection that is transported from the
19 State.

20 (c) SCOPE OF AUTHORITY TO CARRY OUT AC-
21 TIONS.—The Department of Energy may implement any
22 action authorized—

23 (1) by a State-approved closure plan or State-
24 issued permit in existence on the date of enactment
25 of this section; or

1 (2) by a closure plan approved by the State or
2 a permit issued by the State during the pendency of
3 the rulemaking provided for in subsection (a).

4 Any such action may be completed pursuant to the terms
5 of the closure plan or the State-issued permit notwith-
6 standing the final criteria adopted by the rulemaking pur-
7 suant to subsection (a).

8 (d) STATE DEFINED.—In this section, the term
9 “State” means the State of South Carolina.

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