To require the Nuclear Regulatory Commission to obtain the consent of affected State and local governments before authorizing the construction of a nuclear waste repository.

IN THE SENATE OF THE UNITED STATES

MARCH 10, 2015

Mr. REID (for himself and Mr. HEller) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Nuclear Regulatory Commission to obtain the consent of affected State and local governments before authorizing the construction of a nuclear waste repository.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Nuclear Waste Informed Consent Act”.

SEC. 2. DEFINITIONS.

In this Act, the terms “affected Indian tribe”, “Commission”, “high-level radioactive waste”, “repository”, and
“spent nuclear fuel” have the meanings given the terms
in section 2 of the Nuclear Waste Policy Act of 1982 (42

SEC. 3. CONSENT BASED APPROVAL.

(a) IN GENERAL.—The Commission may not author-
ize construction of a repository unless the Secretary has
entered into an agreement to host the repository with—

(1) the Governor of the State in which the re-
pository is proposed to be located;

(2) each affected unit of local government;

(3) any unit of general local government contig-
uous to the affected unit of local government if
spent nuclear fuel or high-level radioactive waste will
be transported through that unit of general local
government for disposal at the repository; and

(4) each affected Indian tribe.

(b) CONDITIONS ON AGREEMENT.—Any agreement
to host a repository under this Act—

(1) shall be in writing and signed by all parties;

(2) shall be binding on the parties; and

(3) shall not be amended or revoked except by
mutual agreement of the parties.
SEC. 4. APPLICATION.

This Act applies to any application submitted to the Commission for construction authorization for a repository that—

(1) exists as of the date of enactment of this Act; or

(2) is submitted on or after the date of enactment of this Act.