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S. 1985

To assist communities affected by stranded nuclear waste, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2019

Ms. DUCKWORTH (for herself, Ms. COLLINS, Mr. KING, Mr. MARKEY, Mr. SANDERS, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To assist communities affected by stranded nuclear waste,
and for other purposes.

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 “Sensible, Timely Relief
5 for America’s Nuclear Districts’ Economic Development
6 Act of 2019” or the “STRANDED Act of 2019”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that—

1 (1) in 1982, Congress authorized the Secretary
2 of Energy and the Chairman of the Nuclear Regu-
3 latory Commission to safely manage and dispose of
4 the most highly radioactive nuclear waste of the
5 United States, a responsibility that includes—

6 (A) removing spent nuclear fuel from com-
7 mercial nuclear power plants for a fee; and

8 (B) transporting the spent fuel to—

9 (i) a permanent geological repository;

10 or

11 (ii) an interim storage facility before
12 permanent disposal;

13 (2) for more than 30 years, nuclear power
14 plants have operated in good faith that the Federal
15 Government would establish a permanent geological
16 repository;

17 (3) communities affected by stranded nuclear
18 waste are in fact interim nuclear waste storage sites;

19 (4) the Nuclear Waste Policy Act of 1982 (42
20 U.S.C. 10101 et seq.)—

21 (A) directed the Secretary to make annual
22 impact assistance payments to States or appro-
23 priate units of local government to mitigate the
24 social and economic impacts of the establish-
25 ment and operation of interim nuclear waste

1 storage capacity within the jurisdictional bound-
2 aries of an affected community; and

3 (B) established the rate for impact assist-
4 ance payments at \$15 per kilogram of spent
5 nuclear fuel;

6 (5) decommissioning a commercial nuclear
7 power plant is often catastrophic for the host com-
8 munity because nuclear power plants are major em-
9 ployers and the primary source of local tax revenue;

10 (6) stranded nuclear waste is a profound obsta-
11 cle to future economic growth, deterring potential
12 employers and residents from considering the host
13 community;

14 (7) stranded nuclear waste prevents economic
15 development in communities in which the stranded
16 nuclear waste is located; and

17 (8) it is critical to provide resources to commu-
18 nities that—

19 (A) are challenged by stranded nuclear
20 waste; or

21 (B) will be challenged by stranded nuclear
22 waste during the 10-year period beginning on
23 the date of enactment of this Act.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) ACADEMY.—The term “Academy” means
2 the National Academy of Sciences.

3 (2) AFFECTED COMMUNITY.—The term “af-
4 fected community” means a unit of local govern-
5 ment, including a county, city, town, village, school
6 district, or special district, that contains stranded
7 nuclear waste within the boundaries of the unit of
8 local government, as determined by the Secretary.

9 (3) ELIGIBLE CIVILIAN NUCLEAR POWER
10 PLANT.—The term “eligible civilian nuclear power
11 plant” means a nuclear power plant that—

12 (A) has been decommissioned; or

13 (B) is in the process of being decommis-
14 sioned.

15 (4) SECRETARY.—The term “Secretary” means
16 the Secretary of Energy.

17 (5) STRANDED NUCLEAR WASTE.—The term
18 “stranded nuclear waste” means nuclear waste or
19 spent nuclear fuel stored in dry casks or spent fuel
20 pools at a decommissioned or decommissioning nu-
21 clear facility.

22 **SEC. 4. INNOVATIVE SOLUTIONS PRIZE COMPETITION.**

23 (a) ESTABLISHMENT.—Not later than 180 days after
24 the date of enactment of this Act, the Secretary shall es-
25 tablish under section 24 of the Stevenson-Wydler Tech-

1 nology Innovation Act of 1980 (15 U.S.C. 3719) a com-
 2 petitive prize competition (referred to in this section as
 3 the “prize competition”) to award prizes to proposals for
 4 affected communities to carry out alternatives to nuclear
 5 facilities, generating sites, and waste sites.

6 (b) PRIZE BOARD.—

7 (1) ESTABLISHMENT.—There is established an
 8 advisory board (referred to in this section as the
 9 “Board”) to advise the Secretary on—

10 (A) the design and implementation of the
 11 prize competition; and

12 (B) the development of the pilot project
 13 under subsection (d).

14 (2) COMPOSITION.—The Board shall be com-
 15 posed of not fewer than 9 members appointed by the
 16 Secretary—

17 (A) who shall provide expertise in—

18 (i) nuclear waste;

19 (ii) workforce issues;

20 (iii) technology development; and

21 (iv) economic development; and

22 (B) who may include representatives
 23 from—

24 (i) the National Laboratories;

25 (ii) nonprofit organizations; and

1 (iii) institutions of higher education.

2 (c) AWARD AMOUNT.—An award under the prize
3 competition shall be in the amount of \$500,000.

4 (d) PILOT PROJECT.—

5 (1) IN GENERAL.—The Secretary, in consulta-
6 tion with the Board, shall develop a pilot project
7 based on the proposal of the winner of the prize
8 competition.

9 (2) FUNDING.—Of the amounts made available
10 under section 7, the Secretary may use \$500,000 to
11 carry out the pilot project under paragraph (1).

12 (e) REPORT.—Not later than 60 days after the date
13 on which a prize is awarded under the prize competition,
14 the Secretary shall submit to the relevant committees of
15 Congress a report that describes the winning proposal of
16 the prize competition.

17 **SEC. 5. STRANDED NUCLEAR WASTE TASK FORCE.**

18 (a) ESTABLISHMENT.—The Secretary shall establish
19 a task force, to be known as the “Stranded Nuclear Waste
20 Task Force”—

21 (1) to conduct a study on existing public and
22 private resources and funding for which affected
23 communities may be eligible; and

1 (2) to develop immediate and long-term eco-
2 nomic adjustment plans tailored to the needs of each
3 affected community.

4 (b) STUDY.—Not later than 180 days after the date
5 of enactment of this Act, the Stranded Nuclear Waste
6 Task Force shall complete and submit to Congress the
7 study described in subsection (a).

8 **SEC. 6. ECONOMIC IMPACT GRANTS.**

9 (a) ESTABLISHMENT.—Not later than 60 days after
10 the date of enactment of this Act, the Secretary shall es-
11 tablish and carry out a noncompetitive grant program to
12 provide financial assistance to units of local government
13 within the jurisdictional boundary of which an eligible ci-
14 vilian nuclear power plant is located to offset the economic
15 and social impacts of stranded nuclear waste in affected
16 communities.

17 (b) ELIGIBILITY.—A unit of local government that is
18 an affected community shall be eligible to receive a grant
19 under this section for a fiscal year.

20 (c) AWARDS.—

21 (1) AMOUNT.—The amount of a grant awarded
22 under subsection (a) shall be equal to \$15 for each
23 kilogram of spent nuclear fuel stored at the eligible
24 civilian nuclear power plant in the affected commu-
25 nity.

1 (2) NUMBER AND FREQUENCY.—With respect
2 to each eligible civilian nuclear power plant, the Sec-
3 retary may only award 1 grant under subsection (a)
4 to each eligible unit of local government for each fis-
5 cal year.

6 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—There are authorized to be appro-
8 priated to the Secretary such sums as are necessary to
9 carry out this Act for each of fiscal years 2020 through
10 2026.

11 (b) NO OFFSET.—None of the funds made available
12 under this section may be used to offset the funding for
13 any other Federal program.

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