

115TH CONGRESS  
2D SESSION

# S. 2396

To amend the Atomic Energy Act of 1954 to prohibit certain waivers and exemptions from emergency preparedness and response and security regulations.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2018

Ms. HARRIS (for herself, Mr. SANDERS, Mr. MARKEY, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Atomic Energy Act of 1954 to prohibit certain waivers and exemptions from emergency preparedness and response and security regulations.

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 “Safe and Secure De-  
5 commissioning Act of 2018”.

1 **SEC. 2. PROHIBITION OF CERTAIN WAIVERS AND EXEMP-**  
 2 **TIONS.**

3 Chapter 19 of title I of the Atomic Energy Act of  
 4 1954 (42 U.S.C. 2015 et seq.) is amended by inserting  
 5 after section 276 the following:

6 **“SEC. 277. PROHIBITION OF CERTAIN WAIVERS AND EX-**  
 7 **EMPTIONS.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) COVERED REGULATION.—The term ‘cov-  
 10 ered regulation’ means—

11 “(A) an emergency preparedness or re-  
 12 sponse regulation or requirement; or

13 “(B) a security regulation or requirement  
 14 applicable to spent nuclear fuel.

15 “(2) LICENSEE.—The term ‘licensee’ has the  
 16 meaning given the term in section 50.2 of title 10,  
 17 Code of Federal Regulations (or any successor regu-  
 18 lation).

19 “(b) PROHIBITION OF CERTAIN WAIVERS AND EX-  
 20 EMPTIONS.—Subject to subsection (c), the Commission  
 21 shall not approve the request of a licensee for a waiver  
 22 of, or exemption from, a covered regulation applicable to  
 23 a civilian nuclear power reactor that has permanently  
 24 ceased to operate.

25 “(c) LIMITATION.—Subsection (b) shall not apply to  
 26 a civilian nuclear power reactor described in that sub-

- 1 section at which all spent nuclear fuel has been transferred
- 2 to spent nuclear fuel dry casks.”.

