Substitute for Senate Concurrent Resolution No. 7

A concurrent resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

Whereas, Over the past four decades, nuclear power has been a significant source for the nation's production of electricity. According to the U.S. Nuclear Energy Institute, nuclear power provided 20.2 percent of the electricity produced in the United States and 21.5 percent of the electricity generated in Michigan in 2009; and

Whereas, Since the earliest days of nuclear power, the great dilemma associated with this technology is how to deal with used nuclear fuel. This high-level radioactive waste demands exceptional care in all facets of its storage and disposal, including its transportation; and

Whereas, In 1982, Congress passed the Nuclear Waste Policy Act of 1982. This legislation requires the federal government, through the Department of Energy, to build a repository for the permanent storage of high-level radioactive waste from nuclear power plants. This act, which was amended in 1987, includes a specific timetable to identify a suitable location and to establish the waste repository. The costs for this undertaking are paid from a fee that is assessed on all nuclear energy produced; and

Whereas, In accordance with the federal act, customers of Michigan electric utilities have paid $763 million through September 30, 2010, into the federal Nuclear Waste Fund for construction of the federal nuclear waste repository; and

Whereas, The Nuclear Waste Policy Act of 1982 provided that the DOE was to begin accepting and storing the nation's nuclear waste by January 31, 1998. In the more than 10 years that have passed since that date, the nation remains without the facility it has been planning to have. Overall, the nation's electric rate payers have paid billions into the nuclear waste fund, which the DOE is supposed to use to open the repository; and

Whereas, There are serious concerns that the federal government is not complying with the timetables set forth in federal law. The Department of Energy, along with the Nuclear Regulatory Commission, must work diligently to meet its obligation as provided by law. There is too much at stake; and

Whereas, The unresolved issue of spent nuclear fuel is severely impeding efforts to construct the new nuclear power plants that are needed to provide clean and reliable baseload power. It is incumbent upon the Nuclear Regulatory Commission to work diligently to move the Yucca Mountain approval process along. The DOE must begin constructing and operating Yucca Mountain and begin accepting nuclear waste, without further delay; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Energy, the Nuclear Regulatory Commission, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.