

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1928

To require the availability of adequate waste emplacement capacity for the future licensing of construction and operation of nuclear utilization facilities, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 15 (legislative day, FEBRUARY 22), 1994

Mr. WELLSTONE (for himself, Mr. HATFIELD, Mr. JEFFORDS, and Mr. METZENBAUM) 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 require the availability of adequate waste emplacement capacity for the future licensing of construction and operation of nuclear utilization facilities, 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 “Second Generation Nu-  
5       clear Waste Act”.

1 **SEC. 2. PERMIT AND LICENSING REQUIREMENTS.**

2 Section 185 of the Atomic Energy Act of 1954 (42  
3 U.S.C. 2235) is amended by adding at the end the follow-  
4 ing new subsection:

5 “(c)(1) Notwithstanding any other law, no construc-  
6 tion permit or combined construction and operating li-  
7 cense shall be issued for a utilization facility used for the  
8 generation of electricity for commercial sale until such  
9 time as—

10 “(A) there is a facility licensed by the Federal  
11 Government for the permanent emplacement of  
12 spent nuclear fuel and high-level radioactive waste  
13 from the utilization facility; and

14 “(B) there is an adequate volume of capacity  
15 within the emplacement facility to accept all of the  
16 spent nuclear fuel and high-level radioactive waste  
17 that will be generated by the utilization facility dur-  
18 ing the reasonably foreseeable operational lifetime of  
19 the utilization facility.

20 “(2) At no time shall the total volume of spent fuel  
21 and high-level radioactive waste generated, or reasonably  
22 expected to be generated, by all utilization facilities used  
23 for the generation of electricity for commercial sale receiv-  
24 ing construction permits or combined licenses after the  
25 date of enactment of this subsection, exceed the total vol-  
26 ume of capacity available in facilities licensed by the Fed-

- 1 eral Government for the permanent emplacement of spent
- 2 nuclear fuel and high-level radioactive waste.”.

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