

**SENATE  
STATE OF MINNESOTA  
NINETIETH SESSION**

**S.F. No. 2241**

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DATE  
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Introduction and first reading  
Referred to Energy and Utilities Finance and Policy

OFFICIAL STATUS

1.1 A resolution

1.2 memorializing Congress to revive the Yucca Mountain nuclear waste repository

1.3 licensing review process.

1.4 WHEREAS, nuclear powered electric generating facilities are located in Minnesota at

1.5 Monticello and Prairie Island; and

1.6 WHEREAS, spent nuclear fuel is currently being stored in dry casks only 600 yards from

1.7 the nearest residents on the Prairie Island Indian Reservation, which is the closest community to

1.8 nuclear waste storage in the country; and

1.9 WHEREAS, continued storage of spent nuclear fuel in dry casks at Prairie Island and

1.10 Monticello is not in the best interests of the citizens of Minnesota; and

1.11 WHEREAS, the United States Congress enacted the Nuclear Waste Policy Act of 1982 and

1.12 directed the Department of Energy to establish a program for the safe, permanent disposal of the

1.13 nation's commercial spent nuclear fuel and defense-related high-level radioactive waste in a geologic

1.14 repository; and

1.15 WHEREAS, the President of the United States approved the recommendation of the United

1.16 States Secretary of Energy that the Yucca Mountain site in Nevada is fully suitable for use as a

1.17 national used fuel repository, and Congress concurred by passing the Yucca Mountain Development

1.18 Act of 2002; and

1.19 WHEREAS, the Nuclear Waste Policy Act created the Nuclear Waste Fund to pay for the

1.20 development of a waste management program financed through fees collected from ratepayers of

1.21 utilities that own nuclear powered electric generating facilities; and

1.22 WHEREAS, the Nuclear Waste Fund balance exceeds \$35 billion, and more than \$11 billion

1.23 has been expended on the Yucca Mountain project to date; and

2.1 WHEREAS, the Department of Energy suspended review of the Yucca Mountain license  
2.2 application and halted funding for the project in 2010; and

2.3 WHEREAS, the United States Court of Appeals in 2012 ordered the fee assessed on ratepayers  
2.4 of utilities that own nuclear powered electric generating facilities be suspended due to cancellation  
2.5 of the Yucca Mountain project and the federal government's continued failure to meet its obligation  
2.6 to dispose of spent nuclear fuel; and

2.7 WHEREAS, compelled by the federal judiciary, the Nuclear Regulatory Commission  
2.8 completed the Yucca Mountain safety evaluation report, demonstrating that the facility meets all  
2.9 Nuclear Regulatory Commission requirements to protect long-term public health and safety,  
2.10 confirming a longstanding worldwide scientific consensus on the safety of the proposed deep  
2.11 geological repository; and

2.12 WHEREAS, the federal government's failure to begin transporting spent nuclear fuel to a  
2.13 national repository in 1998 has resulted in more than \$6 billion in court-awarded damage settlements  
2.14 being paid from the taxpayer-funded Judgment Fund to compensate energy companies for storing  
2.15 spent nuclear fuel on site, with an estimated balance of liabilities of \$24.7 billion; NOW,  
2.16 THEREFORE,

2.17 BE IT RESOLVED by the Legislature of the State of Minnesota that it urges Congress to  
2.18 work with the President to appropriate sufficient funding to enable the Department of Energy and  
2.19 the Nuclear Regulatory Commission to complete the review of the Yucca Mountain repository  
2.20 license application, and, if the application is approved, to construct and operate the repository.

2.21 BE IT FURTHER RESOLVED that Congress should enact legislation to annually appropriate  
2.22 interest earned on the balance of the Nuclear Waste Fund to fund continuation of the Yucca Mountain  
2.23 license application and review process, and to maintain the availability of the Nuclear Waste Fund  
2.24 for the exclusive purpose of establishing a national repository.

2.25 BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota opposes any  
2.26 proposal for the federal government to take title to spent nuclear fuel in this state if the effect of  
2.27 the action would be to assure that spent nuclear fuel would remain in Minnesota.

2.28 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed  
2.29 to prepare copies of this memorial and transmit them to the President of the United States, the  
2.30 Secretary of the Department of Energy, the President and the Secretary of the United States Senate,  
2.31 the Speaker and the Clerk of the United States House of Representatives, and Minnesota's Senators  
2.32 and Representatives in Congress.