

117TH CONGRESS
1ST SESSION

H. R. 3731

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2021

Mr. SCHNEIDER (for himself, Ms. KAPTUR, Mr. CARBAJAL, Mr. HUFFMAN, Mr. KIM of New Jersey, Mr. KIND, Ms. PINGREE, and Mr. WELCH) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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 2021” or the “STRANDED Act of 2021”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that—

1 (1) communities throughout the United States,
2 including communities in the States of California,
3 Connecticut, Florida, Illinois, Kansas, Maine, Mary-
4 land, Massachusetts, Michigan, New York, Ohio, Or-
5 egon, Vermont, and Wisconsin, are tasked with deal-
6 ing with stranded nuclear waste;

7 (2) communities affected by stranded nuclear
8 waste are de facto interim nuclear waste storage
9 sites;

10 (3) the Nuclear Waste Policy Act of 1982 (42
11 U.S.C. 10101 et seq.)—

12 (A) directed the Secretary of Energy to
13 make annual impact assistance payments to
14 States or appropriate units of local government
15 to mitigate the social and economic impacts of
16 the establishment and operation of interim nu-
17 clear waste storage capacity within the jurisdic-
18 tional boundaries of an affected community;
19 and

20 (B) established the rate for impact assist-
21 ance payments at \$15 per kilogram of spent
22 nuclear fuel;

23 (4) decommissioning a commercial nuclear
24 power plant is often catastrophic for the host com-

1 community because nuclear power plants are major em-
2 ployers and the primary source of local tax revenue;

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

7 (6) stranded nuclear waste prevents economic
8 development in communities in which the stranded
9 nuclear waste is located;

10 (7) stranded nuclear waste prevents commu-
11 nities from redeveloping sites where nuclear power
12 plants previously operated which further inhibits tax
13 revenues; and

14 (8) it is critical to provide resources to commu-
15 nities that—

16 (A) are challenged by stranded nuclear
17 waste; or

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

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

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

1 (2) NUCLEAR-AFFECTED COMMUNITY.—The
2 term “nuclear-affected community” means a unit of
3 local government, including a county, city, town, vil-
4 lage, school district, or special district, that the Ad-
5 ministrator determines to contain stranded nuclear
6 waste within the jurisdictional boundary or contain
7 an eligible civilian nuclear power plant within the ju-
8 risdictional boundary of such locality.

9 (3) ELIGIBLE CIVILIAN NUCLEAR POWER
10 PLANT.—The term “eligible civilian nuclear power
11 plant” means a civilian nuclear power plant (as de-
12 fined in section 2 of the Nuclear Waste Policy Act
13 of 1982 (42 U.S.C. 10101)) that—

14 (A) has been decommissioned; or

15 (B) is in the process of being decommis-
16 sioned.

17 (4) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Administrator of the U.S. Eco-
19 nomic Development Administration.

20 (5) STRANDED NUCLEAR WASTE.—The term
21 “stranded nuclear waste” means nuclear waste or
22 spent nuclear fuel stored in dry casks or spent fuel
23 pools (as defined in section 2 of the Nuclear Waste
24 Policy Act of 1982 (42 U.S.C. 10101)) at the site
25 of an eligible civilian nuclear power plant.

1 **SEC. 4. TAX INCENTIVES FOR AFFECTED COMMUNITIES.**

2 (a) **FIRST-TIME HOMEBUYER CREDIT.**—

3 (1) **IN GENERAL.**—Section 36 of the Internal
4 Revenue Code of 1986 is amended—

5 (A) by inserting “**for nuclear affected**
6 **communities**” after “**credit**” in the head-
7 ing;

8 (B) in subsection (a), by striking “in the
9 United States” and inserting “in a nuclear af-
10 fected community (as such term is defined in
11 section 3 of the STRANDED Act of 2021)”;

12 (C) in subsection (b), by striking para-
13 graphs (2) and (3) and redesignating paragraph
14 (4) as paragraph (2); and

15 (D) by striking subsections (f), (g), and
16 (h).

17 (2) **CLERICAL AMENDMENT.**—The table of sec-
18 tions for subpart C of part IV of subchapter A of
19 chapter 1 of such Code is amended by striking the
20 item relating to section 36 and inserting the fol-
21 lowing new item:

“Sec. 36. First-time homebuyer credit for nuclear affected communities.”.

22 (b) **EFFECTIVE DATES.**—The amendments made by
23 subsection (a) shall apply to the purchase of a principal
24 residence after the date of the enactment of this Act.

1 **SEC. 5. INNOVATIVE SOLUTIONS PRIZE COMPETITION.**

2 (a) ESTABLISHMENT.—Not later than 180 days after
3 the date of enactment of this Act, the Administrator shall
4 establish a competitive prize competition (referred to in
5 this section as the “prize competition”) to award prizes
6 to proposals for affected communities to carry out alter-
7 natives to nuclear facilities, generating sites, and waste
8 sites.

9 (b) PRIZE BOARD.—

10 (1) ESTABLISHMENT.—There is established an
11 advisory board (referred to in this section as the
12 “Board”) to advise the Administrator on—

13 (A) the design and implementation of the
14 prize competition; and

15 (B) the development of the pilot project
16 under subsection (d).

17 (2) COMPOSITION.—The Board shall be com-
18 posed of not fewer than 9 members appointed by the
19 Administrator—

20 (A) who shall provide expertise in—

21 (i) nuclear waste;

22 (ii) workforce issues;

23 (iii) technology development; and

24 (iv) economic development; and

25 (B) who may include representatives
26 from—

- 1 (i) The National Laboratories;
2 (ii) nonprofit organizations; and
3 (iii) institutions of higher education.

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

6 (d) PILOT PROGRAM.—

7 (1) IN GENERAL.—The Administrator, in con-
8 sultation with the Board, shall develop a pilot
9 project based on the proposal of the winner of the
10 prize competition.

11 (2) FUNDING.—Of the amounts made available
12 under section 7, the Administrator may use
13 \$500,000 to carry out the pilot project under para-
14 graph (1).

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

20 **SEC. 6. ECONOMIC IMPACT GRANTS FOR AFFECTED COM-**
21 **MUNITIES.**

22 (a) ESTABLISHMENT.—Not later than 120 days after
23 the date of enactment of this Act, the Administrator shall
24 establish and carry out a noncompetitive grant program

1 to provide grants under either section 6(b) or section 6(c)
2 to nuclear-affected communities for the purpose of—

3 (1) offsetting the economic and social impacts
4 of stranded nuclear waste on affected communities;
5 and

6 (2) supporting such communities that are in the
7 process of decommissioning an eligible civilian nu-
8 clear power plant and that are facing decreased tax
9 revenues or assessed valuation as a result of such
10 decommissioning.

11 (b) AWARDS BASED ON STRANDED NUCLEAR
12 WASTE.—

13 (1) ELIGIBILITY.—A nuclear affected commu-
14 nity shall be eligible to receive a grant under this
15 section for a fiscal year.

16 (2) AWARDS.—

17 (A) AMOUNT.—The amount of a grant
18 awarded under subsection (a) shall be equal to
19 \$15 for each kilogram of spent nuclear fuel
20 stored at the eligible civilian nuclear power
21 plant in the nuclear affected community, con-
22 sistent with the price paid per kilogram for im-
23 pact assistance outlined in the Nuclear Waste
24 Policy Act of 1982.

1 (B) NUMBER AND FREQUENCY.—With re-
2 spect to each eligible civilian nuclear power
3 plant, the Administrator shall request submis-
4 sions from affected nuclear communities and
5 may only award 1 grant under subsection (a) to
6 each eligible unit of local government for each
7 fiscal year.

8 (c) AWARDS BASED ON LOST TAX REVENUE.—

9 (1) ELIGIBILITY.—To be eligible to receive fi-
10 nancial assistance under this section, the affected
11 community shall submit to the Administrator an ap-
12 plication that includes documentation that the nu-
13 clear affected community has experienced, or is pre-
14 dicted to experience, during a calendar year begin-
15 ning after December 31, 2014, and ending before
16 January 1, 2026—

17 (A) a reduction of not less than 20 percent
18 in overall tax revenue received by such affected
19 community for such year compared with the av-
20 erage of such tax revenue for the previous 5
21 years; and

22 (B) a reduction in tax revenue attributable
23 to a nuclear power plant received by such af-
24 fected community for such year, compared with
25 the average of such tax revenue for the previous

1 5 years, that is not less than 20 percent of the
2 average for such previous 5 years of the overall
3 tax revenue received by such unit.

4 For purposes of this paragraph, the term “tax rev-
5 enue” includes any payment in lieu of taxes received
6 by an affected community.

7 (2) ASSISTANCE.—

8 (A) IN GENERAL.—Subject to amounts
9 made available in advance in appropriations
10 Acts, financial assistance provided under this
11 section to a nuclear affected community shall be
12 made with respect to each year of the 8-year
13 period beginning on the first day of the cal-
14 endar year described in paragraph (1).

15 (B) AMOUNT OF ASSISTANCE.—Subject to
16 amounts made available in advance in appro-
17 priations Acts, financial assistance provided
18 under this section to a nuclear affected commu-
19 nity for a year of an 8-year period shall be
20 equal to the lesser of \$10,000,000 and—

21 (i) in the case of the first year of the
22 8-year period, 80 percent of the loss de-
23 scribed in paragraph (1)(B) with respect to
24 such unit;

- 1 (ii) in the case of the second year of
2 the 8-year period, 70 percent of such loss;
- 3 (iii) in the case of the third year of
4 the 8-year period, 60 percent of such loss;
- 5 (iv) in the case of the fourth year of
6 the 8-year period, 50 percent of such loss;
- 7 (v) in the case of the fifth year of the
8 8-year period, 40 percent of such loss;
- 9 (vi) in the case of the sixth year of
10 the 8-year period, 30 percent of such loss;
- 11 (vii) in the case of the seventh year of
12 the 8-year period, 20 percent of such loss;
- 13 and
- 14 (viii) in the case of the eighth year of
15 the 8-year period, 10 percent of such loss.

16 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) IN GENERAL.—There is authorized to be appro-
18 priated to carry out this Act \$110,000,000 for each of
19 fiscal years 2021 through 2026 and \$120,000,000 for
20 each of fiscal years 2027 through 2031.

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

24 (c) LIMITATION.—No nuclear affected community
25 may receive more than one grant per calendar year, and

- 1 cannot receive grants under both sections 6(b) and (c) in
- 2 the same calendar year.

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