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AJR-18 Spent nuclear fuel: storage. (2023-2024)

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Assembly Joint Resolution No. 18

CHAPTER 179

Relative to nuclear fuel.

[Filed with Secretary of State August 23, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 18, Davies. Spent nuclear fuel: storage.

This measure would urge the Congress of the United States to prioritize fulfilling the federal government's legal and contractual obligation to provide a home for spent nuclear fuel within California and 33 other states across the nation, and would urge Congress and the United States Department of Energy to take action to permit the relocation of the spent nuclear fuel in California and elsewhere to consolidated interim storage and ultimately a permanent repository.

Fiscal Committee: no

WHEREAS, California is home to four de facto interim spent nuclear fuel storage sites: the Diablo Canyon Power Plant in the County of San Luis Obispo, the Humboldt Bay Power Plant in the County of Humboldt, the Rancho Seco Nuclear Generating Station in the County of Sacramento, and the San Onofre Nuclear Generating Station in the County of San Diego; and

WHEREAS, Spent nuclear fuel can be safely stored at reactor sites for decades, but communities in the vicinity of these and other commercial nuclear plants never consented to the long-term storage of spent nuclear fuel; and

WHEREAS, Twelve United States commercial nuclear power reactors have been permanently closed over the last decade and United States Nuclear Regulatory Commission licenses for 85 of the nation's 92 commercial nuclear reactors are scheduled to expire by 2050, stranding spent nuclear fuel and hampering efforts to restore sites for other productive uses; and

WHEREAS, The United States inventory of spent nuclear fuel from commercial reactors now exceeds 90,000 metric tons of uranium (MTU) located at 76 sites in 34 states; and

WHEREAS, The amount of spent nuclear fuel is projected to increase nationwide at an average rate of approximately 1,800 MTU per year, accumulating an estimated 137,000 MTU by 2050, nearly twice the statutory limit for storing spent fuel at the only permanent disposal facility, known as a deep geologic repository, authorized to accept spent nuclear fuel in the United States; and

WHEREAS, The federal government has failed to meet its obligation to assume title, liability, and transportation of spent nuclear fuel now stranded in California and 33 other states as it was required to beginning in 1998, under the federal Nuclear Waste Policy Act of 1982 (Public Law 97-425) and by contract; and

WHEREAS, More than a decade has passed since the bipartisan Blue Ribbon Commission on America's Nuclear Future issued its final report providing recommendations regarding siting future nuclear waste management facilities and options for waste disposal, and little progress has been made toward implementing its recommendations; and

WHEREAS, As of September 2020, the General Accounting Office reports that since the year 2000, all taxpayers in the United States have been forced to pay \$9,000,000,000 in damages for costs incurred to store spent nuclear fuel at reactor sites, and that these costs will grow to as much as \$30,600,000,000, until the federal government provides a consolidated interim storage facility or a deep geologic repository and takes custody of the spent nuclear fuel; and

WHEREAS, Nuclear utility customers have prepaid \$46,000,000,000, including interest income, into the federal Nuclear Waste Fund for the development of storage and disposal facilities, including \$2,000,000,000 from California customers; and

WHEREAS, Assembly Joint Resolution 29 of the 2015–16 Regular Session, Relative to the Interim Consolidated Storage Act of 2015, adopted unanimously by the Assembly and the Senate, urged the passage of federal legislation to authorize interim consolidated storage and give priority for storage to high-level nuclear waste and spent nuclear fuel located on a site without an operating nuclear reactor, and called upon the United States Department of Energy to implement the prompt and safe relocation of spent nuclear fuel from the San Onofre Nuclear Generating Station to a licensed and regulated interim consolidated storage facility; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully urges the Congress of the United States to prioritize fulfilling the federal government's legal and contractual obligation to provide a home for the spent fuel within California and 33 other states across the nation; and, be it further

Resolved, That the Legislature of the State of California respectfully urges the 118th Congress and the United States Department of Energy to take action on the recommendations contained in the final report of the Blue Ribbon Commission on America's Nuclear Future by developing the necessary statutory and regulatory framework, including revisions to the federal Nuclear Waste Policy Act of 1982, to permit the relocation of the spent nuclear fuel in California and elsewhere to consolidated interim storage and ultimately a permanent repository; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, to the Chairs and Ranking Members of the United States Senate Energy and Natural Resources Committee and the House Energy and Commerce Committee, and to the Secretary of Energy.