

107TH CONGRESS
2^D SESSION

H. R. 5623

To provide for prioritization of transportation of nuclear waste from utilities to a permanent repository on the basis of renewable energy use.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2002

Mr. LUTHER introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To provide for prioritization of transportation of nuclear waste from utilities to a permanent repository on the basis of renewable energy use.

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. AMENDMENT.**

4 Section 180 of the Nuclear Waste Policy Act of 1982
5 (42 U.S.C. 10175) is amended by adding at the end the
6 following new subsection:

7 “(d)(1) The Secretary shall establish a priority listing
8 among utilities, for the transportation of high-level radio-
9 active waste and spent nuclear fuel from such utilities to
10 a permanent repository established under subtitle A.

1 “(2) The highest priority under paragraph (1) shall
2 be assigned to utilities that derive the highest percentage
3 of energy produced or sold from renewable energy re-
4 sources.

5 “(3) The Secretary shall establish the listing under
6 this subsection not later than 1 year before the projected
7 date of the first transportation of high-level radioactive
8 waste and spent nuclear fuel to the permanent repository.

9 “(4) The Secretary shall, to the greatest extent prac-
10 ticable, coordinate the transportation of high-level radio-
11 active waste and spent nuclear fuel from sources other
12 than utilities for which priorities are established under
13 paragraph (1) with transportation from such utilities, with
14 the goal of minimizing the number of shipments by com-
15 bining shipments whenever possible.

16 “(5) For purposes of this subsection:

17 “(A) BIOMASS.—The term ‘biomass’ means any
18 solid, nonhazardous, cellulosic waste material which
19 is segregated from other waste materials and which
20 is derived from—

21 “(i) any of the following forest-related re-
22 sources: mill residues, precommercial thinnings,
23 slash, and brush, but not including old-growth
24 timber (other than old-growth timber which has
25 been permitted or contracted for removal by

1 any appropriate Federal authority through the
2 National Environmental Policy Act of 1969 or
3 by any appropriate State authority);

4 “(ii) solid wood waste materials, including
5 waste pallets, crates, dunnage, manufacturing
6 and construction wood wastes (other than pres-
7 sure-treated, chemically-treated, or painted
8 wood wastes), and landscape or right-of-way
9 tree trimmings, but not including municipal
10 solid waste (garbage), gas derived from the bio-
11 degradation of solid waste, or paper that is
12 commonly recycled; or

13 “(iii) agriculture sources, including orchard
14 tree crops, vineyard, grain, legumes, sugar, and
15 other crop by-products or residues.

16 “(B) GENERATION OFFSET.—The term ‘gen-
17 eration offset’ means reduced electricity usage me-
18 tered at a site where a customer consumes energy
19 from a renewable energy technology.

20 “(C) INCREMENTAL HYDROPOWER.—The term
21 ‘incremental hydropower’ means additional genera-
22 tion that is achieved from increased efficiency or ad-
23 ditions of capacity after the date of enactment of
24 this subsection at a hydroelectric dam that was
25 placed in service before that date.

1 “(D) RENEWABLE ENERGY RESOURCE.—The
2 term ‘renewable energy resource’ means solar, wind,
3 ocean, or geothermal energy, biomass, landfill gas, a
4 generation offset, or incremental hydropower.”.

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