

Union Calendar No. 200

111TH CONGRESS
1ST SESSION

H. R. 515

[Report No. 111-348, Part I]

To prohibit the importation of certain low-level radioactive waste into the
United States.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 2009

Mr. GORDON of Tennessee (for himself, Mr. TERRY, Mr. MATHESON, Mrs. CAPPS, Mr. COHEN, Mr. CHAFFETZ, Mr. CONYERS, Mr. CARSON of Indiana, Mr. CHANDLER, Mr. DOYLE, Ms. ESHOO, Mr. FILNER, Mr. HILL, Mr. BARROW, Mr. CARNAHAN, Mr. MELANCON, Ms. LEE of California, Ms. GIFFORDS, Ms. WOOLSEY, Ms. HIRONO, Mr. MOORE of Kansas, Mr. HINCHEY, Mr. WHITFIELD, Mr. WEXLER, Mr. KUCINICH, Mr. INSLEE, Mr. PITTS, Mr. FORTENBERRY, Mrs. MYRICK, Mr. LIPINSKI, and Mr. BUTTERFIELD) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on 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

DECEMBER 2, 2009

Additional sponsors: Mr. MILLER of North Carolina, Mr. GRIFFITH, Mr. WEINER, Mr. GRIJALVA, Mr. GENE GREEN of Texas, Ms. SUTTON, Mr. BRALEY of Iowa, Mr. BERRY, Mr. NADLER of New York, Mr. PALLONE, Mr. HASTINGS of Florida, Ms. BEAN, Ms. SCHAKOWSKY, Mr. WU, Mr. KISSELL, Mr. MITCHELL, Ms. DEGETTE, Mr. ROSS, Mr. MURPHY of Connecticut, Ms. SLAUGHTER, Ms. MATSUI, Mr. RUSH, Mr. HOLDEN, Mr. MASSA, Mr. BLUMENAUER, Mr. DEFazio, Mr. RYAN of Ohio, Mr. GALLEGLY, Mr. COSTELLO, Mr. SIRES, Mr. TONKO, Mr. WILSON of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ROTHMAN of New Jersey, Ms. BALDWIN, Mr. SPACE, Ms. MCCOLLUM, Ms. FUDGE, Mr. CARNEY, Mr. GERLACH, Mr. PRICE of North Carolina, Mr. BAIRD, Mr. BOOZMAN, Mr. MCNERNEY, Mr. SARBANES, Mr. WELCH, Mr. GEORGE MILLER of California, Mr. MEEK of Florida, and Mrs. CHRISTENSEN

DECEMBER 2, 2009

Reported from the Committee on Energy and Commerce with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

DECEMBER 2, 2009

Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To prohibit the importation of certain low-level radioactive waste into the United States.

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 “Radioactive Import
5 Deterrence Act”.

6 **SEC. 2. PROHIBITION OF IMPORTATION.**

7 (a) AMENDMENT.—Chapter 8 of the Atomic Energy
8 Act of 1954 (42 U.S.C. 2111 et seq.) is amended by add-
9 ing at the end the following new section:

10 “SEC. 85. IMPORTATION OF LOW-LEVEL RADIO-
11 ACTIVE WASTE.

12 “a. Except as provided in subsection b. or e., the
13 Commission shall not issue a license authorizing the im-
14 portation into the United States of—

15 “(1) low-level radioactive waste (as defined in
16 section 2 of the Low-Level Radioactive Waste Policy
17 Act (42 U.S.C. 2021b)); or

18 “(2) specific radioactive waste streams exempt-
19 ed from regulation by the Commission under section
20 10 of the Low-Level Radioactive Waste Policy Act
21 (42 U.S.C. 2021j).

22 “b. Subsection a. shall not apply to—

23 “(1) low-level radioactive waste being returned
24 to a United States Government or military facility
25 which is authorized to possess the material; or

1 “(2) low-level radioactive waste resulting from
2 the use in a foreign country of nuclear material ob-
3 tained by the foreign user from an entity in the
4 United States that is being returned to the United
5 States for management and disposal.

6 “c. The President may waive the prohibition under
7 this section and authorize the grant of a specific license
8 to import materials prohibited under subsection a., under
9 the rules of the Commission, only after a finding that such
10 importation would meet an important national or inter-
11 national policy goal, such as the use of waste for research
12 purposes. Such a waiver must specify the policy goal to
13 be achieved, how it is to be achieved, and the amount of
14 material to be imported.

15 “d. A license not permitted under this section that
16 was issued before the date of enactment of this section
17 may continue in effect according to its terms, but may
18 not be extended or amended with respect to the amount
19 of material permitted to be imported.”.

20 (b) TABLE OF CONTENTS AMENDMENT.—The table
21 of contents for the Atomic Energy Act of 1954 is amended
22 by inserting at the end of the items relating to chapter
23 8 the following new item:

“Sec. 85. Importation of low-level radioactive waste.”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Radioactive Import De-*
3 *terrence Act”.*

4 **SEC. 2. PROHIBITION OF IMPORTATION.**

5 *(a) AMENDMENT.—Chapter 19 of the Atomic Energy*
6 *Act of 1954 (42 U.S.C. 2015 et seq.) is amended by insert-*
7 *ing after section 276 the following new section:*

8 *“SEC. 277. IMPORTATION OF LOW-LEVEL RADIO-*
9 *ACTIVE WASTE.—*

10 *“a. Except as provided in subsection b. or c., the Com-*
11 *mission shall not issue a license authorizing the importa-*
12 *tion into the United States of—*

13 *“(1) low-level radioactive waste (as defined in*
14 *section 2 of the Low-Level Radioactive Waste Policy*
15 *Act (42 U.S.C. 2021b)); or*

16 *“(2) specific radioactive waste streams exempted*
17 *from regulation by the Commission under section 10*
18 *of the Low-Level Radioactive Waste Policy Act (42*
19 *U.S.C. 2021j).*

20 *“b. Subsection a. shall not apply to—*

21 *“(1) low-level radioactive waste being returned to*
22 *a United States Government or military facility*
23 *which is authorized to possess the material; or*

24 *“(2) low-level radioactive waste resulting from*
25 *the use in a foreign country of nuclear material ob-*
26 *tained by the foreign user from an entity in the*

1 *United States that is being returned to the United*
2 *States for management and disposal.*

3 *“c. The President may waive the prohibition under*
4 *this section and authorize the grant of a specific license to*
5 *import materials prohibited under subsection a., under the*
6 *rules of the Commission, only after a finding that such im-*
7 *portation would meet an important national or inter-*
8 *national policy goal, such as the use of waste for research*
9 *purposes. Such a waiver must specify the policy goal to be*
10 *achieved, how it is to be achieved, and the amount of mate-*
11 *rial to be imported.*

12 *“d. A license not permitted under this section that was*
13 *issued before the date of enactment of this section may con-*
14 *tinue in effect according to its terms, but may not be ex-*
15 *tended or amended with respect to the amount of material*
16 *permitted to be imported.”.*

17 *(b) TABLE OF CONTENTS AMENDMENT.—The table of*
18 *contents for the Atomic Energy Act of 1954 is amended by*
19 *inserting after the item relating to section 276 the following*
20 *new item:*

“Sec. 277. Importation of low-level radioactive waste.”.

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