

SENATE BILL NO. 206—SENATORS AMODEI, JAMES, CARLTON,
TITUS, WIENER AND MATHEWS

FEBRUARY 17, 1999

JOINT SPONSORS: ASSEMBLYMEN DINI AND CEGAVSKE

Referred to Committee on Human Resources and Facilities

SUMMARY—States legislative intent and requires certain activities relating to placement of repository for nuclear waste in Nevada. (BDR S-1029)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to repositories for nuclear waste; stating the intention of the Nevada Legislature to submit a notice of disapproval to the Congress of the United States if the placement of such a repository at Yucca Mountain is recommended; requiring the Agency for Nuclear Projects and the Office of the Attorney General to take certain actions to oppose the placement of such a repository in this state; and providing other matters properly relating thereto.

1 WHEREAS, The Nuclear Waste Policy Act of 1982, as amended,
2 authorizes the Governor or Legislature of the State of Nevada to submit to
3 the Congress of the United States a notice of disapproval of a
4 recommendation by the President of the United States to place a repository
5 for the disposal of high-level radioactive waste and spent nuclear fuel at
6 Yucca Mountain, Nevada, and requires such a notice to be accompanied by
7 a statement of reasons explaining the disapproval; and
8 WHEREAS, Pursuant to the current schedule of the Federal Government,
9 such a recommendation, if made, would occur in 2001; and
10 WHEREAS, The Agency for Nuclear Projects, which was created in this
11 state in 1985, has obtained compelling evidence that Yucca Mountain is not
12 a suitable location for the placement of such a repository and, pursuant to
13 the guidelines developed pursuant to 42 U.S.C. § 10132 for the selection of
14 a suitable location, does not qualify for the placement of such a repository;
15 and

1 WHEREAS, The technical data obtained by the Agency for Nuclear
2 Projects indicates that the placement of such a repository at Yucca
3 Mountain would preclude the licensing of the repository by the Nuclear
4 Regulatory Commission, as required by federal law, and create substantial
5 and unacceptable risks to the public health and safety and to the
6 environment and economy of this state; now, therefore,
7

8 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
9 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
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11 **Section 1.** It is the intention of the Nevada Legislature to ensure that,
12 if the President of the United States recommends the placement of a
13 repository for the disposal of high-level radioactive waste and spent nuclear
14 fuel at Yucca Mountain, a notice of disapproval of that recommendation is
15 submitted to the Congress of the United States in accordance with the
16 Nuclear Waste Policy Act of 1982, as amended.

17 **Sec. 2.** The Agency for Nuclear Projects shall:

18 1. Carry out such activities and obtain such information as is necessary
19 to prepare a statement of reasons explaining the disapproval of Yucca
20 Mountain as a location for the placement of a repository for the disposal of
21 high-level radioactive waste and spent nuclear fuel.

22 2. Establish and carry out a program for the national dissemination of
23 information to inform residents of other states regarding:

24 (a) The unsuitability of Yucca Mountain as a location for the placement
25 of a repository for the disposal of high-level radioactive waste and spent
26 nuclear fuel; and

27 (b) The potential risks and consequences of the transportation of high-
28 level radioactive waste and spent nuclear fuel to Yucca Mountain.

29 **Sec. 3.** The Office of the Attorney General shall develop appropriate
30 legal strategies to:

31 1. Challenge any decision by the Federal Government to place a
32 repository for the disposal of high-level radioactive waste and spent nuclear
33 fuel in Nevada.

34 2. Oppose the federal licensing of a repository for the disposal of high-
35 level radioactive waste and spent nuclear fuel in Nevada.