



2009 ASSEMBLY JOINT RESOLUTION

1 **Relating to:** expressing the sense of the legislature that Congress should return
2 State of Wisconsin Nuclear Waste Fund contributions.

3 Whereas, the Nuclear Waste Policy Act of 1982 requires the federal government
4 to construct a national spent nuclear fuel repository funded by payments from
5 nuclear power utilities through fees imposed on their ratepayers; and

6 Whereas, the fees collected from ratepayers are deposited into the Nuclear
7 Waste Fund, which is intended to be used for the construction of a national repository
8 and the transport of spent nuclear fuel to the repository; and

9 Whereas, in 1987, based on comprehensive scientific examination, Congress
10 selected Nevada's Yucca Mountain as the sole spent nuclear fuel repository for all of
11 our nation's nuclear reactors; and

12 Whereas, the repository in Yucca Mountain was scheduled to open in 1998 and
13 with every year of delay more fees are collected from ratepayers for a nonfunctioning
14 repository; and

1 Whereas, the construction of the Yucca Mountain repository has been
2 indefinitely suspended and, due to this suspension, spent nuclear fuel must be stored
3 on site at our nation's nuclear facilities passing added storage costs onto ratepayers;
4 and

5 Whereas, the federal Department of Energy continues to collect fees from
6 Wisconsin consumers for the construction of a spent nuclear fuel repository in Yucca
7 Mountain, Nevada, with no recognizable intention of completing and operating the
8 repository; and

9 Whereas, the ratepayers of the state of Wisconsin, as of September 30, 2009,
10 have contributed \$731.2 million in fees and accrued interest into the Nuclear Waste
11 Fund; and

12 Whereas, moneys in the Nuclear Waste Fund have been misappropriated for
13 deficit reduction, and the construction of a national repository has been unjustifiably
14 delayed by the federal government; and

15 Whereas, due to federal mismanagement and delay, moneys in the Nuclear
16 Waste Fund should be returned to the ratepayers from which it came; now, therefore,
17 be it

18 ***Resolved by the assembly, the senate concurring, That*** it is the sense of the
19 legislature that Congress should reimburse all funds contributed to the Nuclear
20 Waste Fund back to the ratepayers of the state of Wisconsin and to nuclear utilities
21 in order to pay for the storage of spent nuclear fuel and in order to shield consumers
22 from this added cost due directly to federal inaction and delay and for the federal
23 Department of Energy to immediately suspend the collection of Nuclear Waste Fund
24 fees.

25

(END)