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CREATE NUCLEAR WASTE ESCROW FUND

House Bill 6165

Sponsor: Rep. William Callahan

Committee: Energy and Technology

Complete to 7-26-02

A SUMMARY OF HOUSE BILL 6165 AS INTRODUCED 6-4-02

House Bill 6165 would create a new act to establish a nuclear waste escrow fund in the state treasury. The Michigan Public Service Commission (PSC) could direct persons in the state that both generate or hold title to high-level radioactive waste or spent nuclear fuel and are subject to the fee specified under the federal Nuclear Waste Policy Act of 1982 to remit the fee to the state treasurer. The treasurer would deposit the fees received into the fund and would release the money to the secretary of the (federal) Department of Energy (DOE) when the secretary shows that a federal repository for the long-term storage and permanent disposal of spent nuclear fuel and high-level radioactive waste is operating and accepting such materials.

The bill would also state that the proposed act is intended to enable Michigan to adopt or implement any appropriate relief granted by a court of competent jurisdiction for the DOE's breach of its obligations to dispose of commercial spent nuclear fuel not later than January 31, 1998.

(The Nuclear Waste Policy Act of 1982 authorized the DOE to enter into contracts with persons who generate or hold title to high-level radioactive waste or spent nuclear fuel for the DOE's acceptance of title, transportation, and disposal of the waste or fuel. Persons generating or holding title to the waste or fuel who enter into such contracts are required to pay certain fees in exchange for the transfer of title and responsibility. The act specifically states that "[c]ontracts entered into under this section shall provide that . . . in return for the payment of fees established by this section, the Secretary, beginning not later than January 31, 1998, will dispose of the high-level radioactive waste or spent nuclear fuel involved as provided under this subchapter.)

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