

Senators Patterson, Jelinek, Olshove, Van Woerkom and Cropsey offered the following resolution:

**Senate Resolution No. 28.**

A resolution to urge the Michigan Public Service Commission to establish a nuclear waste escrow account to receive funds collected from Michigan's electric utility customers.

Whereas, High-level radioactive waste is the spent, or used, uranium fuel from nuclear power plants. A typical nuclear power plant in a year generates 20 metric tons of used nuclear fuel. The nuclear industry generates a total of about 2,000 metric tons of used fuel per year. Over the past four decades, the entire industry has produced about 58,000 metric tons of used nuclear fuel. This high-level and dangerous spent nuclear fuel is currently scattered at relatively unprotected sites all over the United States; and

Whereas, In 1982, Congress passed the Nuclear Waste Policy Act (NWPA) to establish a national repository to handle the ever-increasing amount of spent nuclear fuel from power plants. The NWPA authorized the U.S. Department of Energy (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 of the spent fuel. Under the contracts, the DOE is to build a national nuclear waste repository and begin accepting nuclear waste beginning not later than January 31, 1998; and

Whereas, In accordance with the NWPA, customers of Michigan's electric utilities have paid over \$656 million through March 31, 2008, into the Nuclear Waste Fund for construction of the federal nuclear waste repository. All total, across the country electric ratepayers have contributed nearly \$30 billion to the Nuclear Waste Fund; and

Whereas, The DOE has not acted in accordance with the NWPA, continues to miss important milestones, and is not managing the money in the Nuclear Waste Fund appropriately. More than ten years past the deadline established in the NWPA, the DOE has still not accepted any nuclear waste, and the status of Yucca Mountain, the site chosen for the national repository, is in question. Recently, the DOE cut funding to the program managing the national repository, making it even more difficult for Yucca Mountain ever to begin operation; and

Whereas, Michigan's rate-payers have faithfully paid hundreds of millions into the Nuclear Waste Fund, while the DOE has not upheld its end of the bargain. Until the DOE begins accepting nuclear waste and managing the money in the Nuclear Waste Fund appropriately, the money collected from Michigan's electric ratepayers should be withheld from the DOE and placed in a separate account; now, therefore, be it

Resolved by the Senate, That we urge the Michigan Public Service Commission to establish a nuclear waste escrow account to receive the funds collected from Michigan's electric utility customers, which are intended to fund a national nuclear waste repository under the Nuclear Waste Policy Act of 1982; and be it further

Resolved, That copies of this resolution be transmitted to chairman of the Michigan Public Service Commission.