

Chair Jeff Duncan
Opening Statement — Subcommittee on Energy, Climate, and Grid Security: “American Nuclear Energy Expansion: Spent Fuel Policy and Innovation.”

April 10, 2024

As prepared for delivery

Good morning and welcome to the Energy, Climate, and Grid Security Subcommittee hearing titled, “American Nuclear Energy Expansion: Spent Fuel Policy and Innovation”.

This Congress, the Energy and Commerce Committee has taken a bipartisan approach to advancing and expanding nuclear energy here in the United States.

I am pleased we are holding this hearing to examine a critical piece of our nuclear energy industry here in the United States—Spent Fuel.

It is important for the Subcommittee to examine the state of our spent fuel policy.... given its role over nuclear regulatory policy and energy policy more broadly.

Over 40 years ago, Congress formally established a comprehensive nuclear waste management strategy.

In 1982, Congress passed the Nuclear Waste Policy Act, which created the federal government responsibility to dispose of all high-level radioactive waste and started a process for selecting sites.

In 1987, after the Department of Energy conducted extensive studies of nine potential repository sites, Congress amended the Nuclear Policy Act to focus on Yucca Mountain in Nye County, Nevada as the site for a permanent geologic repository.

Unfortunately, the political objections of one state, NOT based in scientific reality, blocked the repository from being licensed and constructed, following its formal selection in 2002.

The Nuclear Regulatory Commission (NRC) staff found that the Yucca Mountain permanent repository could safely store waste for over one MILLION years.

The Energy and Commerce Committee has remained committed to upholding the law and in 2018, the House passed the Nuclear Waste Policy Amendments Act by an overwhelming bipartisan vote of 340-72.

If this bill had become law, it would have incentivized the completion of the licensing of Yucca Mountain, enhanced host state benefits, and accelerated consolidated interim storage—a benefit to ratepayers and taxpayers.

Unfortunately, politics obstructed this bill, and we remain in the current standstill.

Ratepayers across the country have paid nearly 50 billion dollars into the Nuclear Waste Fund to establish a permanent repository.

Now these are ratepayers – folks who benefited from nuclear energy paid fees, which were baked in their utility bill for the construction of a permanent repository.

With interest, ratepayers in my home state of South Carolina have contributed over 3 billion dollars to Nuclear Waste Fund– this is the third most of any state in the country.

Additionally, as a result of the government’s failure to follow the law, American taxpayers are on the hook for up to 800 million dollars annually out of the judgment fund. This breaks down to about two million dollars PER DAY.

In addition to commercial waste, many DOE sites across the country, like the Savannah River Site in my home state, store legacy (defense) waste intended for a permanent repository.

Now- I would like to emphasize that spent nuclear fuel is stored safely on sites, but the federal government must fulfill its legal responsibility and reduce the cost burden to taxpayers and rate payers.

Spent Nuclear Fuel in the United States also provides an opportunity to be an asset as we deploy advanced nuclear technologies.

The technological landscape has shifted since the 1980s, and companies like Oklo, Curio, (and SHINE) are aggressively pursuing reprocessing and recycling technologies for Spent Fuel.

Spent Fuel recycling, especially to support advanced fuels, provides exciting promise for the future of nuclear energy in the United States, especially for advanced reactors.

Our policies should reflect innovations and advancements, as part of an integrated fuel system that includes a permanent repository.

It may seem we are at a standstill, but we should look at this moment as an opportunity.

The United States has always led the world in nuclear energy advancements.

The Manhattan Project harnessed the energy of the nucleus atomand the Atomic Energy Act of 1954 ushered in the in the age of the peaceful use of the atom, demonstrating American leadership around the world, and the amazing benefits of nuclear power.

We are on the precipice of the next frontier of nuclear energy here in the United States. Recently, the House overwhelmingly passed the Atomic Energy Advancement Act to advance durable, bipartisan policy that will expand nuclear energy.

Responsible and effective Spent Nuclear Fuel management is a critical part of this equation. It can help foster nuclear expansion in the United States.

I look forward to hearing from our witnesses today on the opportunities and the challenges associated with spent nuclear fuel management in the context of nuclear energy expansion.

I now recognize Ranking Member DeGette for 5 minutes to give her opening statement.

###