Responses to Questions for the Record
Nuclear Energy Institute
Maria Korsnick, President and Chief Executive Officer
Subcommittee on Energy, Committee on Energy and Commerce
U.S. House of Representatives
September 15, 2026, Hearing, "Nuclear Spent Fuel Policy: Examining Nuclear Lifecycle Innovation Campuses"

The Honorable Bob Latta (R-OH)

1. What are states bringing to the table to ensure workable programs?

Response: States play a central role in developing workable nuclear innovation campuses. One of the challenges with past efforts to address used fuel management and disposal has been the reliance on federally driven approaches that did not adequately account for state and community interests. The campus initiative offers an opportunity for a more collaborative approach, with willing states helping to shape projects that reflect their own priorities, capabilities, and economic development goals.

Governors and state officials bring essential local knowledge and leadership to this process. They are well positioned to evaluate potential sites, existing infrastructure, workforce capabilities, economic opportunities, and community interests. They can help facilitate engagement with local communities and Tribal governments, identify private-sector partners, and consider providing resources or incentives to support development. Congress can support these efforts by authorizing DOE to negotiate hosting agreements with willing states and providing appropriated funding for preliminary studies and stakeholder engagement.

The Honorable Brett Guthrie (R-KY)

1. Six states have voluntarily stepped up with initial interest to host these campuses. Would you agree this should be encouraged? And what should we do to ensure it results in durable agreements?

Response: Absolutely. The willingness of states to explore hosting nuclear innovation campuses is a significant and encouraging development. State and community participation are essential to overcoming the challenges that have prevented progress on used fuel management and disposal for decades.

To build on that interest, Congress should authorize DOE to negotiate durable hosting agreements with willing states. These agreements should establish a framework for defining potential activities, responsibilities, benefits, commitments, and milestones as projects advance.

A phased approach would allow states, DOE, and private-sector partners to build confidence through preliminary studies, stakeholder engagement, and demonstrated progress before making more consequential long-term commitments.

a. What are the roles of Governors and state legislators to ensure success?

Response: Governors and state legislators have complementary roles in establishing the foundation for successful campus partnerships. Governors can help identify potential sites and project opportunities, coordinate state agencies, engage with local communities and Tribal governments, and work with DOE to negotiate hosting agreements that reflect state priorities.

State legislators can provide important oversight, support stakeholder engagement, and consider any state laws, funding, or incentives needed to facilitate development. Together, state leaders can help ensure that proposed projects have the infrastructure, resources, community engagement, and long-term commitments needed to succeed.

2. **Would you agree we must be careful about rushing any policies that could undermine our obligations to ratepayers, who have paid into a fund to ensure permanent disposal of fuel?**

Response: Yes. As Congress considers new approaches to used fuel management and recycling, it is essential that these efforts not undermine the federal government's existing obligations to ratepayers and nuclear plant owners. Electricity customers have already contributed billions of dollars to the Nuclear Waste Fund to support the federal government's commitment to dispose of commercial used nuclear fuel. New policies should build on that commitment, not diminish it.

The Nuclear Waste Fund should remain dedicated to its statutory disposal mission, and existing Standard Contract rights must be preserved. Consistent with DOE's vision for the campus initiative, commercial recycling and other nuclear industrial development activities should be financed primarily through private investment, supplemented where appropriate by separately funded federal and state programs.

NEI also opposes restarting the nuclear waste fee without demonstrated federal performance and a clear need for additional disposal funding. Any resumption should require congressional approval, occur only prospectively after DOE begins accepting and moving commercial used fuel, and remain contingent on continued progress toward disposal.

3. **As the United States works to deploy a new generation of advanced nuclear reactors, could continued uncertainty around nuclear waste disposal impede the progress we are seeing across the nuclear industry and the deployment of new reactors?**

Response: The nuclear industry is experiencing significant momentum, including investment in advanced reactors, reactor restarts, license renewals, and expanded domestic fuel-cycle capabilities. We are not seeing the lack of a permanent disposal facility impede this progress. Used nuclear fuel has been safely and securely managed at reactor sites for decades, and the industry has demonstrated its ability to continue operating and expanding while permanent disposal solutions are developed.

That said, establishing a durable federal used fuel management and disposal program remains an important national priority. The federal government has longstanding statutory and contractual responsibilities that must be fulfilled, and the growing interest among states in nuclear innovation campuses presents an opportunity to make meaningful progress. NEI supports building on that interest to advance a practical, milestone-based approach to used fuel management and disposal that complements continued nuclear deployment.

The Honorable Rick Allen (R-GA)

1. **I understand that under the Standard Contracts the date of discharge of spent nuclear fuel is the first thing that determines the order of acceptance rights of the different utilities holding contracts – is that correct?**

Response: Yes. Under the Standard Contract, DOE generally establishes acceptance priorities based on the date used fuel was discharged from a reactor, with the oldest fuel receiving the

highest priority. However, the contract expressly allows DOE to give priority to fuel from permanently shutdown reactors, regardless of its age. It also permits contract holders to exchange approved delivery commitments, subject to DOE approval.

These provisions provide flexibility to support an effective and workable federal used fuel management program. NEI believes that this flexibility should be preserved, along with existing contractual rights, as Congress considers changes to the program.

2. For the legitimate issues confronted by decommissioned sites, what is the process for enabling a way to expedite fuel off the site?

Response: The Standard Contract provides mechanisms for expediting the removal of used fuel from permanently shutdown reactor sites. In particular, DOE may give priority to fuel from these sites regardless of its age, and contract holders may exchange approved delivery commitments with DOE's approval.

NEI supports prioritizing fuel removal from shutdown sites. These facilities no longer generate electricity, yet continued fuel storage imposes costs on plant owners and can delay site redevelopment and reuse. Putting this priority into practice will require DOE to establish the necessary capabilities to accept, transport, and manage used fuel.

The Honorable Michael Rulli (R-OH)

1. The Midwest and Appalachia have been leaders in rebuilding America's nuclear industry.

Elementl is building an advanced reactor in Meigs County, Ohio, while Oklo is building modular reactors down the river in Piketon, where Centrus has been enriching fuel for nearly three years. Enrichment and recycling are central to Nuclear Lifecyle Innovation Campuses and just across the river from Ohio, West Virginia is one of six states listed as a candidate.

Recycling becomes more valuable if there are reactors capable of efficiently utilizing the recovered material.

How important is deployment of advanced reactors, particularly fast-spectrum reactors like those Oklo is developing, to creating a commercially sustainable market for recycled nuclear fuel? Could co-locating recycling, fuel fabrication, and advanced reactors reduce transportation, inventory, and project risks?

Response: Advanced reactors, particularly fast-spectrum reactors, could play an important role in developing markets for recycled nuclear fuel. While recycled materials can also be used in certain existing light-water reactors, fast-spectrum reactors offer the potential to utilize a broader range of recovered materials and extract additional energy from used fuel. Their deployment could therefore expand the market for recycled-fuel products.

However, realizing these benefits will require demonstrating recycling technologies at commercial scale, qualifying recycled fuels for use in reactors, and establishing sustainable markets for those products. The economic viability of recycling will depend in part on the availability and deployment of reactors capable of using the recovered materials.

Co-locating recycling, fuel fabrication, and advanced reactors could offer advantages by reducing transportation requirements, simplifying material handling, and improving coordination among fuel-cycle facilities. These potential benefits should be evaluated against the costs,

infrastructure needs, and commercial risks of individual projects.

NEI supports continued research, demonstration, and early commercial deployment to establish the technical and economic viability of these approaches. Recycling can complement the federal disposal program, but it does not eliminate the need for permanent geologic disposal.

a. As a follow-up, I understand recycling is only commercially useful if recovered material can ultimately be fabricated into fuel and qualified for use in reactors.

Response: That is correct. For recycling to be commercially viable as a source of nuclear fuel, recovered materials must be fabricated into suitable fuel products, qualified for use in reactors, and supported by sufficient market demand. The economics must also be competitive with alternative fuel supply options.

Fuel fabrication and qualification are therefore essential components of recycling development. NEI supports continued DOE research and demonstration activities, including through ARPA-E programs, commercial-scale demonstrations, and appropriately structured public-private partnerships, to help establish viable pathways for recycled fuels. NRC's regulatory framework must also support the safe and efficient licensing and qualification of these technologies.

b. What federal testing and qualification capabilities are currently missing for recycled fuels and advanced fast-spectrum reactors, and should DOE treat fuel qualification and fast-spectrum irradiation testing as part of the broader NLIC and closed-fuel-cycle strategy?

Response: DOE's national laboratories have substantial expertise and capabilities in nuclear fuel development, irradiation testing, and materials characterization. However, additional testing capacity, infrastructure, and qualification capabilities may be needed to support the commercial deployment of recycled fuels and advanced fast-spectrum reactors.

Potential needs include access to representative fast-spectrum irradiation environments, post-irradiation examination and testing, fuel fabrication and demonstration capabilities, and the performance data necessary to support NRC licensing and fuel qualification. The specific gaps will depend on the reactor designs, fuel compositions, and recycling technologies being developed.

DOE should consider fuel qualification and fast-spectrum irradiation testing as part of its broader strategy for supporting advanced reactors and recycling innovation, including through the campus initiative where appropriate. These efforts should build on existing national laboratory capabilities and be guided by demonstrated industry needs, technical milestones, and realistic prospects for commercial deployment. Funding should come from appropriate federal research programs, private investment, and public-private partnerships rather than the Nuclear Waste Fund.