Via U.S. Mail and Email (Seth.Rickets@mail.house.gov)

November 20, 2026

Seth Ricketts
Legislative Clerk
Committee on Energy and Commerce
2125 Rayburn House Building
Washington, DC 20515

Re: Subcommittee on Energy Hearing entitled "Nuclear Spent Fuel Policy: Examining Nuclear Lifecycle Innovation Campuses" (September 15, 2026)

Dear Mr. Ricketts:

On behalf of the Decommissioning Plant Coalition* (DPC), please find attached my responses to the questions for the record sent to me by letter dated November 5, 2026.

If the Subcommittee on Energy or you have any further questions or need anything else related to this matter, please do not hesitate to contact me.

* The DPC was established in 2001 out of the recognition that the overwhelming attention of the regulator, the industry, and policy makers would be focused on the operating fleet and provides a forum for the identification of federal policy and regulatory issues of unique or special concern to decommissioning civilian nuclear facilities. Since its inception, plants that have been represented in the work of the DPC include charter members Dairyland (WI), Connecticut Yankee (CT), Rancho Seco (CA), Maine Yankee (ME), Yankee Rowe, (MA), Humboldt Bay (CA), and joined by Big Rock (MI), Crystal River (FL), San Onofre (CA), Vermont Yankee (VT), Zion (IL), Kewaunee (WI), Trojan (OR), and Ft. Calhoun (NE). Other Entergy, Exelon, and PG&E plants have participated via their specific sites' memberships. Our primary goal remains to hasten the day when the spent fuel stored on-site will be successfully removed and no longer our companies' liability. The importance of that goal cannot be overstated. Several of our companies are simply awaiting the fulfillment of that goal to go out of business. Others find that spent fuel and GTCC storage consume up to 20% and more of corporate attention and resources, a disparate amount considering that these facilities no longer produce revenue. While the fuel remains on-site, we are also committed to engaging in activities that directly affect these sites.

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Sincerely,



Jared S. des Rosiers

Attachment

cc: Wayne Norton
Tim Smith

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"Nuclear Spent Fuel Policy: Examining Nuclear Lifecycle Innovation Campuses"
(September 15, 2026)

Response of Jared des Rosiers to Questions for the Record

The Honorable Bob Latta (R-OH)

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

Response:

Perhaps this question is best left for the Department of Energy officials actively involved in discussions with the states. At a high level, the presumption is that those states who move from the status of a memorandum of understanding to a hosting agreement will be able to demonstrate both high-level and broad bipartisan and local support for the development of facilities supporting the totality of the civilian nuclear fuel cycle and make binding and enforceable commitments to complete that development.

The early involvement of both the state executive and legislative branches of government and outreach to participating communities are important in defining both the role of state and local governments in the development of specific elements of a designated campus and the needs of local communities that serve as hosts.

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:

As noted in my testimony, the DPC believes the dialogue between the federal government and the states that could lead to the designation and development of Nuclear Lifecycle Innovation Campuses (NLIC) that encompass the totality of the nuclear fuel cycle, including the management and eventual disposal of used nuclear fuel, is a promising path worthy of thoughtful consideration and support. As demand for clean and affordable electricity grows across the United States, nuclear generation may become an increasingly important part of our nation's energy mix. Engaging states is an important and constructive step to achieve this outcome. It can help align energy innovation, economic development, national security, and environmental stewardship with the urgent need to resolve the disposition of used nuclear fuel.

While we believe it premature to undertake a comprehensive set of amendments to the Nuclear Waste Policy Act in the absence of hosting agreements that make clear the

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expectations of the parties and provide milestones for action, tailored legislation in the interim that authorizes the Secretary to conduct initial site investigations, engage in demonstration projects and take title to used fuel allowing the movement of that material for either interim storage or staging for recycling would be beneficial first steps.

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

Response:

Governors and state legislators are uniquely positioned to evaluate the opportunities, responsibilities and safeguards associated with hosting facilities that may be part of an integrated nuclear lifecycle strategy. Their early involvement and engagement with participating communities within their state can help move the debate toward concrete, negotiated outcomes that reflect state priorities, community interest, workforce needs, infrastructure realities and environmental obligations.

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, I do agree. As noted in my testimony, while the NLIC initiative holds promise, it will only succeed if paired with a clear federal commitment to meet existing obligations in a safe and financially prudent manner, ensure transportation and storage capabilities, define a workable disposal pathway and ensure stranded shutdown site fuel is given appropriate priority.

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:

The standard contract developed pursuant to the Nuclear Waste Policy Act is incorporated in the Code of Federal Regulations (CFR) at 10 CFR Part 961. It "establishes the contractual terms and conditions under which the Department of Energy (DOE) will make available nuclear waste disposal services."

The text of the contract is found in Subpart B, at 10 CFR 961.11. Article IV.B. requires DOE to annually issue an "acceptance priority ranking" based on the age of the fuel calculated from the date of the fuel's discharge from the reactor. That same provision states that "[T]he oldest fuel or waste will have the highest priority for acceptance" but notes several cross-referenced exceptions.

The contract calls for the development of a "delivery commitment schedule" detailing annual commitments for disposal. Article VI notes that these schedules can result in more material being transferred to DOE on an annual basis than the disposal facility can accommodate. Subparagraph VI.B.1(b) states that "Notwithstanding the age of the SNF and/or HLW, priority may be accorded any SNF and/or HLW removed from a civilian nuclear power reactor that has reached the end of its useful life or has been shut down permanently for any reason."

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

Response:

We believe that the best path forward is for the DOE to exercise its authority to prioritize the removal of SNF and HLW from the shutdown sites with the support and direction of Congress and to develop a delivery commitment schedule that reflects this priority. This delivery commitment schedule can be developed as part of a settlement with the parties to the Standard Contract and should strive to remove the SNF and HLW in a safe, efficient and fiscally prudent manner.

As noted above, Subparagraph VI.B.1(b) of the Standard Contract provides the DOE authority to prioritize the removal of SNF and HLW from permanently shut down sites. Such priority makes sense because the shutdown sites have decommissioned their nuclear generating facilities, including their spent fuel pools, and instead store their SNF and HLW in Independent Spent Fuel Storage Facilities ("ISFSIs") consisting of concrete storage casks containing stainless-steel dual-purpose storage and transportation canisters holding the waste. Due to its on-going partial breach of the Standard Contract, DOE is liable for the costs of operating and maintaining these ISFSIs. Once the DOE removes the SNF and HLW from the shutdown sites, the sites may be repurposed for the benefit of their host communities, and the DOE can terminate its liability for such sites. In addition to terminating the DOE's liability, movement and consolidation of the shutdown site SNF/HLW would also demonstrate the DOE's ability to execute its obligations under the Standard Contract while supporting the development of NLIC campuses.

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