

SENATE FILE NO. SF0186

Advanced nuclear reactor manufacturers-fuel storage.

Sponsored by: Senator(s) Cooper, Anderson, Crum and  
Driskill and Representative(s) Larsen, L and  
Wylie

A BILL

for

1 AN ACT relating to environmental quality; establishing  
 2 requirements and standards for the storage of nuclear fuel  
 3 by advanced nuclear reactor manufacturers; providing  
 4 definitions; making conforming amendments; requiring  
 5 rulemaking; and providing for effective dates.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 35-11-2201 and 35-11-2202 are created  
 10 to read:

11

12

## ARTICLE 22

13

## ADVANCED NUCLEAR REACTOR MANUFACTURER FUEL STORAGE

14

15 **35-11-2201. Definitions.**

1

2 (a) As used in this article:

3

4 (i) "Advanced nuclear reactor manufacturer"  
5 means a person that is physically located in Wyoming and  
6 that manufactures and deploys advanced nuclear reactors at  
7 and from the manufacturer's location in Wyoming and that  
8 refurbishes and refuels those reactors at the Wyoming  
9 manufacturing location;

10

11 (ii) "Installation" means a facility for the  
12 storage of spent nuclear fuel owned or operated by an  
13 advanced nuclear reactor manufacturer;

14

15 (iii) "Spent nuclear fuel" means as defined in  
16 the federal Nuclear Waste Policy Act of 1982, as amended  
17 and includes other high-level radioactive waste associated  
18 with the manufacturing and refurbishing process.

19

20 **35-11-2202. Advanced nuclear reactor manufacturers;**  
21 **storage of spent nuclear fuel.**

22

1           (a) Any person undertaking the siting of an  
2 installation shall do so in accordance with this article.

3

4           (b) Any person undertaking the siting of any  
5 installation governed by this article shall submit the  
6 following to the department before commencing construction  
7 of the installation:

8

9                   (i) A copy of any application and other  
10 materials submitted to the United States nuclear regulatory  
11 commission;

12

13                   (ii) A copy of any license granted to the person  
14 for the installation from the United States nuclear  
15 regulatory commission;

16

17                   (iii) An acknowledgment in writing that the  
18 installation will be temporary and will use dry cask  
19 storage for the storage of only spent nuclear fuel that was  
20 used in a reactor manufactured by an advanced nuclear  
21 reactor manufacturer;

22

1           (iv) To the extent that the following  
2 information is not submitted to the department under  
3 paragraph (i) or (ii) of this subsection, the following  
4 information:

5

6           (A) The criteria upon which the proposed  
7 installation site was chosen, and information showing how  
8 the site meets the criteria of the nuclear regulatory  
9 commission and the department;

10

11           (B) The technical feasibility of the  
12 proposed storage equipment and technology;

13

14           (C) The environmental, social and economic  
15 impact of the installation in the area of study;

16

17           (D) Conformance with the federal guidelines  
18 for an installation.

19

20           (c) Upon receiving the information required under  
21 subsection (b) of this section, the department, through the  
22 director, shall verify the following:

23

1           (i) That the person has obtained a license for  
2 an installation from the United States nuclear regulatory  
3 commission and is otherwise in compliance with this  
4 article;

5  
6           (ii) That the installation only stores spent  
7 nuclear fuel from the advanced nuclear reactors or other  
8 high-level radioactive waste associated with the  
9 manufacturing and refurbishing process on the site of the  
10 advanced nuclear reactor manufacturing facility after first  
11 meeting all requirements of the United States nuclear  
12 regulatory commission.

13  
14           (d) The provisions of the Industrial Development  
15 Information and Siting Act, W.S. 35-12-101 through  
16 35-12-119, shall apply only to the extent that those  
17 provisions do not interfere with, contradict or duplicate  
18 any requirements of the United States nuclear regulatory  
19 commission.

20  
21           (e) The operator of each installation shall send to  
22 the department copies of all publicly available reports,  
23 notifications and violations sent to or from the United

1 States nuclear regulatory commission or the operator of the  
2 installation as soon as practicable but not later than five  
3 (5) days after the operator sends or receives the report.  
4 The operator shall also transmit all information required  
5 under this subsection to emergency management departments  
6 of the local governments where the installation is located  
7 and shall make the information available on a public  
8 website.

9

10 (f) Any spent nuclear fuel in storage at an  
11 installation shall remain the property of the advanced  
12 nuclear reactor manufacturer until the spent nuclear fuel  
13 is transferred to permanent storage or until the United  
14 States or a federal agency takes title to the spent nuclear  
15 fuel under the federal Nuclear Waste Policy Act or other  
16 applicable federal law.

17

18 (g) This article shall be construed to avoid  
19 duplication and to avoid interference with any of the  
20 requirements of the United States nuclear regulatory  
21 commission. Nothing in this article shall be deemed to  
22 affect the authority of the United States nuclear  
23 regulatory commission.

1

2           **Section**                   **2.** W.S.                   35-11-103(a)(xiii),  
3 35-11-1501(a)(iii) and 35-11-1506(e)(i)(A) are amended to  
4 read:

5

6           **35-11-103. Definitions.**

7

8           (a) For the purpose of this act, unless the context  
9 otherwise requires:

10

11                   (xiii) "This act" means W.S. 35-11-101 through  
12 35-11-403,    35-11-405,    35-11-406,    35-11-408 through  
13 35-11-1106,   35-11-1414 through 35-11-1432, 35-11-1601  
14 through 35-11-1613, 35-11-1701, 35-11-1801 through  
15 35-11-1803, 35-11-2001 through 35-11-2004, ~~and~~ 35-11-2101,  
16 35-11-2201 and 35-11-2202.

17

18           **35-11-1501. Definitions.**

19

20           (a) As used in this article:

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22                   (iii) "High-level radioactive waste storage  
23 facility" includes any facility for high-level radioactive

1 waste storage, other than a permanent repository operated  
2 by a federal agency pursuant to the Nuclear Waste Policy  
3 Act of 1982, as amended. "High-level radioactive waste  
4 storage facility" includes an independent spent fuel  
5 storage installation as defined in title 10 of the Code of  
6 Federal Regulations part 72 section 3. "High-level  
7 radioactive waste storage facility" shall not include a  
8 facility owned or operated by an advanced nuclear reactor  
9 manufacturer for the storage of spent nuclear fuel or other  
10 high-level radioactive waste associated with the  
11 manufacturing and refurbishing process that is regulated  
12 under W.S. 35-11-2201 and 35-11-2202;

13

14 **35-11-1506. Legislative approval of the siting of**  
15 **high-level radioactive waste storage facilities;**  
16 **conditions.**

17

18 (e) The legislature hereby authorizes the siting of  
19 temporary high-level radioactive waste storage facilities  
20 within this state subject to the following:

21

22 (i) A facility is authorized if:

23



1                   (A) It is operated on the site of and to  
2 store the high-level radioactive waste or spent nuclear  
3 fuel produced by a nuclear power generation facility  
4 operating within the state or retrieved or accepted by an  
5 advanced nuclear reactor manufacturer as defined by W.S.  
6 35-11-2201(a)(i) for storage on the site of the  
7 manufacturer;  
8

9           **Section 3.** The environmental quality council, upon  
10 recommendation from the department of environmental  
11 quality, shall promulgate all rules necessary to implement  
12 this act.

13

1           **Section 4.**

2

3           (a) Except as provided in subsection (b) of this  
4 section, this act is effective July 1, 2025.

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6           (b) Sections 3 and 4 of this act are effective  
7 immediately upon completion of all acts necessary for a  
8 bill to become law as provided by Article 4, Section 8 of  
9 the Wyoming Constitution.

10

11

(END)