

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Advanced nuclear reactor manufacturers-fuel storage.

Sponsored by: Joint Minerals, Business & Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to environmental quality; providing advance
2 legislative authorization for the siting of installations
3 for the storage of spent nuclear fuel and high-level
4 radioactive waste associated with an advanced nuclear
5 reactor manufacturer subject to specified conditions;
6 requiring advanced nuclear reactor manufacturing facilities
7 to comply with industrial siting requirements as specified;
8 providing definitions; making conforming amendments;
9 requiring rulemaking; and providing for effective dates.

10

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

12

1 **Section 1.** W.S. 35-11-1501(a) by creating new
2 paragraphs (v) and (vi), 35-11-1506(e)(intro), (vi), (vii),
3 by creating a new paragraph (viii) and by creating a new
4 subsection (f), 35-12-102(a)(vii) by creating a new
5 subparagraph (J) and 35-12-107(a) are amended to read:

6
7 **35-11-1501. Definitions.**

8
9 (a) As used in this article:

10
11 (v) "Advanced nuclear reactor manufacturer" means
12 a person that is physically located in Wyoming and that
13 manufactures and deploys advanced nuclear reactors at and
14 from the manufacturer's location in Wyoming and that
15 refurbishes or refuels those advanced nuclear reactors at
16 the Wyoming manufacturing location;

17
18 (vi) "Installation" means a facility for the
19 storage of spent nuclear fuel and high-level radioactive
20 waste that is owned or operated by an advanced nuclear
21 reactor manufacturer and that is located at the advanced
22 nuclear reactor manufacturer's location in Wyoming.

1 35-11-1506. Legislative approval of the siting of
2 high-level radioactive waste and spent nuclear fuel storage
3 facilities; conditions.

4
5 (e) The legislature hereby authorizes the siting of
6 temporary high-level radioactive waste storage facilities
7 and installations within this state, subject to the
8 following:

9
10 (vi) Not later than thirty (30) days before
11 construction of a nuclear electric generation facility or
12 an installation commences, the operator of the facility or
13 installation shall submit a report to the department that
14 includes:

15
16 (A) The number of jobs that will be created
17 in the planning, permitting, licensing, site analysis and
18 preparation, purchasing, construction, transportation,
19 operation, ~~and~~ decommissioning and reclamation of the
20 facility or installation and what number of those jobs
21 would be filled by Wyoming residents;

22

1 (B) Local and state taxes that are
2 estimated to be generated by all aspects of the
3 construction, operation, ~~and~~ decommissioning and
4 reclamation of the facility or installation;
5

6 (C) All benefits and impacts that will
7 accrue to the state and the local community where the
8 facility or installation will be located, including
9 benefits from job training, education, communication
10 systems, monitoring and security systems.
11

12 (vii) The operator of each facility and
13 installation shall send to the department copies of all
14 publicly available reports, notifications and violations
15 sent to or from the United States nuclear regulatory
16 commission or the operator of the facility or installation
17 as soon as practicable but not later than five (5) days
18 after the operator sends or receives the report. The
19 operator shall also transmit all information required under
20 this subsection to emergency management departments of the
21 local governments where the facility or installation is
22 located and shall make the information available on a
23 public website.

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(viii) An installation is authorized, subject to all of the following:

(A) The installation is operated on the site of an advanced nuclear reactor manufacturer that is located in Wyoming;

(B) The installation has received a license to construct and operate from the United States nuclear regulatory commission;

(C) The report required under paragraph (vi) of this subsection has been submitted;

(D) The operator of the installation is in compliance with paragraph (vii) of this subsection.

(f) The following shall apply to installations authorized under paragraph (e)(viii) of this section:

(i) The provisions of the Industrial Development Information and Siting Act shall apply only to the extent

1 that those provisions do not interfere with, contradict or
2 duplicate any requirements of the United States nuclear
3 regulatory commission;

4
5 (ii) The director of the department of
6 environmental quality shall review the financial assurance
7 for the decommissioning and reclamation of an installation
8 to ensure that there is adequate financial assurance to
9 cover the estimated costs for the decommissioning and
10 reclamation of the installation and shall prepare a written
11 report of this review. This review shall include, at a
12 minimum:

13
14 (A) The United States nuclear regulatory
15 commission's estimated costs for decommissioning and
16 reclaiming the installation;

17
18 (B) A copy of the decommissioning and
19 reclamation plan for the installation;

20
21 (C) The method of demonstrating or providing
22 financial assurance;

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1 (D) Any area of the installation not covered
2 by the decommissioning and reclamation plan.

3
4 (iii) As part of the review specified under
5 paragraph (ii) of this subsection, the director of the
6 department of environmental quality may employ experts,
7 contract with state or federal agencies or obtain any other
8 services to prepare the report required under paragraph
9 (ii) of this subsection. The director may require the
10 advanced nuclear reactor manufacturer to reimburse the
11 state for costs incurred under this paragraph after receipt
12 of documentation verifying the costs incurred;

13
14 (iv) The director of the department of
15 environmental quality shall provide the United States
16 nuclear regulatory commission and the joint minerals,
17 business and economic development interim committee with a
18 copy of the report prepared under this subsection upon
19 completion of the report;

20
21 (v) Any spent nuclear fuel in storage at an
22 installation shall remain the property of the advanced
23 nuclear reactor manufacturer until the spent nuclear fuel

1 is transferred to permanent storage or the United States or
2 a federal agency takes title to the spent nuclear fuel
3 under the federal Nuclear Waste Policy Act or other
4 applicable federal law.

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6 **35-12-102. Definitions.**

7
8 (a) As used in this chapter:

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10 (vii) "Industrial facility" or "facility" means
11 any industrial facility with an estimated construction cost
12 of at least ninety-six million nine hundred thousand
13 dollars (\$96,900,000.00) as of May 30, 1987. Exempt
14 activities shall not be included in the estimated
15 construction cost of an industrial facility. The council
16 shall adjust this amount, up or down, each year using
17 recognized construction cost indices as the council
18 determines to be relevant to the actual change in
19 construction cost applicable to the general type of
20 construction covered under this chapter. "Facility" also
21 includes, regardless of construction cost:

22

1 (J) Any facility that is or that is
2 constructed by an advanced nuclear reactor manufacturer as
3 defined by W.S. 35-11-1501(a)(v), including installations
4 as defined by W.S. 35-11-1501(a)(vi).

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6 **35-12-107. Request for waiver of permit application;**
7 **form.**

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9 (a) Any person proposing to construct an industrial
10 facility, except for a facility meeting the definition of
11 W.S. 35-12-102(a)(vii)(J), may submit a written request for
12 a waiver of the application provisions of this chapter.

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14 **Section 2.**

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16 (a) The environmental quality council, upon
17 recommendation from the department of environmental
18 quality, shall promulgate all rules necessary to implement
19 this act.

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21 (b) The industrial siting council shall promulgate all
22 rules necessary to implement this act.

1 Section 3.

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(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2026.

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(b) Sections 2 and 3 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

10

11 (END)