

**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), 35-11-1502(a), 35-11-  
3 1506(e)(intro), (vi), (vii), by creating a new paragraph  
4 (viii) and by creating a new subsection (f), 35-12-  
5 102(a)(vii) by creating a new subparagraph (J) and 35-12-  
6 107(a) are amended to read:

7  
8       **35-11-1501. Definitions.**

9  
10       (a) As used in this article:

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

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

1

2       **35-11-1502. Application to site a high-level**  
3 **radioactive waste storage facility; requirements; payment**  
4 **of costs.**

5

6           (a) Any person undertaking the siting of any  
7 high-level radioactive waste storage facility shall do so  
8 in accordance with this article. Facilities subject to  
9 this article are exempt from the jurisdiction of the  
10 Industrial Development Information and Siting Act, W.S. 35-  
11 12-101 et seq. Installations subject to this article shall  
12 be subject to the Industrial Development Information and  
13 Siting Act as provided by W.S. 35-11-1506(f)(i).

14

15       **35-11-1506. Legislative approval of the siting of**  
16 **high-level radioactive waste and spent nuclear fuel storage**  
17 **facilities; conditions.**

18

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

23

1           (vi) Not later than thirty (30) days before  
2 construction of a nuclear electric generation facility or  
3 an installation commences, the operator of the facility or  
4 installation shall submit a report to the department that  
5 includes:

6  
7           (A) The number of jobs that will be created  
8 in the planning, permitting, licensing, site analysis and  
9 preparation, purchasing, construction, transportation,  
10 operation, ~~and~~ decommissioning and reclamation of the  
11 facility or installation and what number of those jobs  
12 would be filled by Wyoming residents;

13  
14           (B) Local and state taxes that are  
15 estimated to be generated by all aspects of the  
16 construction, operation, ~~and~~ decommissioning and  
17 reclamation of the facility or installation;

18  
19           (C) All benefits and impacts that will  
20 accrue to the state and the local community where the  
21 facility or installation will be located, including  
22 benefits from job training, education, communication  
23 systems, monitoring and security systems.

1

2 (vii) The operator of each facility and  
3 installation shall send to the department copies of all  
4 publicly available reports, notifications and violations  
5 sent to or from the United States nuclear regulatory  
6 commission or the operator of the facility or installation  
7 as soon as practicable but not later than five (5) days  
8 after the operator sends or receives the report. The  
9 operator shall also transmit all information required under  
10 this subsection to emergency management departments of the  
11 local governments where the facility or installation is  
12 located and shall make the information available on a  
13 public website.

14

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

17

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

21

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

4  
5                   (C) The report required under paragraph (vi)  
6 of this subsection has been submitted;

7  
8                   (D) The operator of the installation is in  
9 compliance with paragraph (vii) of this subsection.

10  
11                  (f) The following shall apply to installations  
12 authorized under paragraph (e)(viii) of this section:

13  
14                  (i) The provisions of the Industrial Development  
15 Information and Siting Act shall apply only to the extent  
16 that those provisions do not interfere with, contradict or  
17 duplicate any requirements of the United States nuclear  
18 regulatory commission;

19  
20                  (ii) The director of the department of  
21 environmental quality shall review the financial assurance  
22 for the decommissioning and reclamation of an installation  
23 to ensure that there is adequate financial assurance to

1 cover the estimated costs for the decommissioning and  
2 reclamation of the installation and shall prepare a written  
3 report of this review. This review shall include, at a  
4 minimum:

5  
6 (A) The United States nuclear regulatory  
7 commission's estimated costs for decommissioning and  
8 reclaiming the installation;

9  
10 (B) A copy of the decommissioning and  
11 reclamation plan for the installation;

12  
13 (C) The method of demonstrating or providing  
14 financial assurance;

15  
16 (D) Any area of the installation not covered  
17 by the decommissioning and reclamation plan.

18  
19 (iii) As part of the review specified under  
20 paragraph (ii) of this subsection, the director of the  
21 department of environmental quality may employ experts,  
22 contract with state or federal agencies or obtain any other  
23 services to prepare the report required under paragraph

1 (ii) of this subsection. The director may require the  
2 advanced nuclear reactor manufacturer to reimburse the  
3 state for costs incurred under this paragraph after receipt  
4 of documentation verifying the costs incurred;

5  
6 (iv) The director of the department of  
7 environmental quality shall provide the United States  
8 nuclear regulatory commission and the joint minerals,  
9 business and economic development interim committee with a  
10 copy of the report prepared under this subsection upon  
11 completion of the report;

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

20  
21 **35-12-102. Definitions.**

22  
23 (a) As used in this chapter:



1  
2 (vii) "Industrial facility" or "facility" means  
3 any industrial facility with an estimated construction cost  
4 of at least ninety-six million nine hundred thousand  
5 dollars (\$96,900,000.00) as of May 30, 1987. Exempt  
6 activities shall not be included in the estimated  
7 construction cost of an industrial facility. The council  
8 shall adjust this amount, up or down, each year using  
9 recognized construction cost indices as the council  
10 determines to be relevant to the actual change in  
11 construction cost applicable to the general type of  
12 construction covered under this chapter. "Facility" also  
13 includes, regardless of construction cost:

14  
15 (J) Any facility that is or that is  
16 constructed by an advanced nuclear reactor manufacturer as  
17 defined by W.S. 35-11-1501(a)(v), including installations  
18 as defined by W.S. 35-11-1501(a)(vi).

19  
20 **35-12-107. Request for waiver of permit application;**  
21 **form.**

22

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

5  
6 **Section 2.**

7  
8 (a) The environmental quality council, upon  
9 recommendation from the department of environmental  
10 quality, shall promulgate all rules necessary to implement  
11 this act.

12  
13 (b) The industrial siting council shall promulgate all  
14 rules necessary to implement this act.

15  
16 **Section 3.**

17  
18 (a) Except as provided in subsection (b) of this  
19 section, this act is effective July 1, 2026.

20  
21 (b) Sections 2 and 3 of this act are effective  
22 immediately upon completion of all acts necessary for a

1 bill to become law as provided by Article 4, Section 8 of  
2 the Wyoming Constitution.

3

4 (END)