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## JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO FULLY APPROPRIATE THE MONEY FOR RADIOACTIVE WASTE MANAGEMENT

your Memorialists, the Members of the One Hundred and Twenty-third Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

**WHEREAS**, a nuclear-powered electric generation facility was located in Maine at Wiscasset's Bailey Point; and

**WHEREAS**, spent nuclear fuel and greater-than-class-C, high-level radioactive waste is currently being stored in Maine in dry casks 300 yards from the coastal tide of the Sheepscot River, at only 21 feet above sea level; and

**WHEREAS**, dry cask storage is now being required at the Maine Yankee interim storage site well after the expiration of its license to produce electricity; and

**WHEREAS**, continued storage of high-level radioactive spent nuclear fuel and greater-than-class-C, high-level waste in dry casks at the Wiscasset site is not in the best interests of the citizens of that community, nor of the State of Maine; and

**WHEREAS**, the federal Nuclear Waste Policy Act of 1982 established a national policy that the Federal Government is responsible for safe, permanent disposal in a geologic repository of all high-level radioactive waste, including spent nuclear fuel from commercial power reactors and greater-than-class-C waste, as well as military nuclear waste; and

**WHEREAS**, the 109th Congress failed to enact a budget for the nuclear waste disposal program for the current fiscal year and took no action on proposed legislation to reform the federal Nuclear Waste Fund to provide more reliable financing of the repository program; and

**WHEREAS**, the Federal Accountability for Nuclear Waste Storage Act of 2007 (S.784) has been introduced in this Congress, requiring the Federal Government to assume legal ownership of all spent nuclear fuel in the country; and

**WHEREAS**, the ratepayers of nuclear energy, including Maine, have paid an estimated \$19,000,000,000 into the federal Nuclear Waste Fund for the proper disposal of nuclear waste since 1983, and the ratepayers of nuclear energy pay into the Nuclear Waste Fund at least \$750,000,000 each year for the purpose of a national repository; and

**WHEREAS**, the United States Department of Energy now affirms it cannot initiate retrieval of repository waste for disposal any sooner than 2017 at the very earliest, 19 years past the federal Nuclear Waste Policy Act of 1982 statutory mandate date for initiating retrieval, and the Department of Energy's

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Office of Civilian Radioactive Waste Management will need full funding to submit a construction application to the United States Nuclear Regulatory Commission by June 2008; and

**WHEREAS,** the United States Nuclear Regulatory Commission requires a minimum of 3 years to review such an application; and

**WHEREAS,** in order to meet the 2008 license application milestone, the President's budget for fiscal year 2008 requests \$202,500,000 from the Nuclear Waste Fund and \$292,000,000 from the Defense Nuclear Waste Disposal appropriation to achieve these goals; now, therefore, be it

That We, your Memorialists, respectfully urge and request that the United States Congress fully appropriate the \$494,500,000 budget request for the civilian radioactive waste management program; and be it further

That Congress should enact legislation that will ensure repository appropriations to match annual Nuclear Waste Fund fee revenue collected from ratepayers for this specific purpose, and ensuring the future availability of any and all surplus for its intended purpose; and be it further

That the Legislature of the State of Maine opposes the proposed Federal Accountability for Nuclear Waste Storage Act of 2007 and any proposal for the Federal Government to take title to spent nuclear fuel in this State if the effect of such an action would be that spent nuclear fuel would be kept in Maine without any protection from its long-term effects on the State's population and from acts of intrusion that would endanger the State's environmental and economic well-being; and be it further

That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.