

Hall of the House of Representatives
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of House Bill No. 1142

TO CREATE THE ARKANSAS NUCLEAR RECYCLING PROGRAM.

Amendment No. 2 to House Bill 1142

Amend House Bill No. 1142 as engrossed H1/26/23 (version: 1/26/2023 9:21:25 AM):

Add Representatives Beaty Jr., M. Berry, L. Fite, Gramlich, D. Hodges, Hollowell, Long, Maddox, McAlindon, McGrew, Pilkington, R. Scott Richardson, Richmond, Rye as cosponsors of the bill

AND

Page 1, delete lines 10 through 17, and substitute the following:
"PROGRAM; TO DEVELOP A FISCAL MODEL FOR COMMERCIAL APPLICATION; TO DEVELOP AN INTERIM AND LONG-TERM STORAGE PLAN FOR RESIDUAL MATERIALS; TO DEVELOP A FISCAL MODEL FOR CURRENT AND FUTURE MARKET DEMAND; TO DEVELOP ENGINEERING DOCUMENTS FOR THE RECYCLING PROCESS; TO PERFORM SITE ANALYSIS FOR PROSPECTIVE RECYCLING FACILITY LOCATIONS AND DEVELOP A CONSTRUCTION COST AND SCHEDULE REPORT; TO ESTABLISH ARKANSAS AS THE ONLY STATE TO DECLARE ITSELF INTERESTED IN PURSUING A FINAL SOLUTION FOR SPENT NUCLEAR FUEL THROUGH RECYCLING; AND FOR OTHER PURPOSES."

AND

Page 2, line 5, delete "recommendation the" and substitute "recommendation to the"

AND

Page 2, line 22, delete "for funding the" and substitute "for federal funding for the"

AND

Page 2, line 23, delete "program; and" and substitute "program;"

AND



Page 2, delete line 27, and substitute the following:

"of existing technology to reclaim and repurpose spent nuclear fuel rods; and
(6) It is appropriate to build upon the study conducted under Acts 2021, No. 1092, and to study the technical and economic feasibility and commercial viability of the interim storage and recycling of spent nuclear fuel at locations in Arkansas."

AND

Page 2, line 30, delete "Division of" and substitute "Department of Energy and Environment"

AND

Page 2, line 31, delete "Environmental Quality"

AND

Page 2, line 33, delete "setting and implementing" and substitute "identifying the applicable federal"

AND

Page 3, line 1, delete "into Generation IV fuel"

AND

Page 3, delete line 2 and substitute "(C) Interim storage of spent nuclear fuel before the spent nuclear fuel is to be recycled;"

AND

Page 3, line 3, delete "Warehousing" and substitute "Interim storage of"

AND

Page 3, line 4, delete "Storing" and substitute "Interim storage of"

AND

Page 3, delete lines 5 through 36, and substitute the following:

"recycling process;

(2) Secure federal funding to contract with one (1) or more scientific and engineering organizations to study the technical and economic feasibility and commercial viability of the interim storage and recycling of spent nuclear fuel at locations in Arkansas; and

(3) Based on the results of the study under subdivision (2) of this section, determine the appropriate time frames and conditions that must be met before it is technically and economically feasible, commercially viable, and appropriate to declare the state open to interim storage of spent

nuclear fuel for the purpose of securing federal funding for the interim storage and recycling of spent nuclear fuel at locations in Arkansas.

8-9-804. Creation of program – Authorization to enter into charter.

The Division of Environmental Quality shall establish the Arkansas Nuclear Recycling Program to:

(1) Secure a federal charter from the United States Government and receive federal funding for the program as outlined in the Acts 2021, No. 1092, report submitted to the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor; and

(2) Perform research to establish and identify the following for technical and economic feasibility and commercial viability:

(A) Recycling spent nuclear fuel;

(B) The market value of recycled spent nuclear fuel;

(C) Through design documentation, the cost and schedule to build a nuclear recycling facility;

(D) Potential sites within the state that meet specific seismic and accessibility criteria meeting federal requirements to establish a port or rail yard and transfer area; and

(E) An analysis on acceptable methods of:

(i) Shipping the spent nuclear fuel to the selected sites under study;

(ii) Returning the shipping containers back to the sender for reuse and reloading;

(iii) Interim storage of the spent nuclear fuel;

(iv) Interim storage of recycled spent nuclear fuel;

(v) Storage of short-term waste by-products; and

(vi) Disposal of long-term waste by-products.

8-9-805. Reporting – Hearings.

(a) Upon completion of the analysis of the technical and economic feasibility and commercial viability requirements in § 8-9-804, the Division of Environmental Quality shall present a report on the results of the analysis to the Legislative Council.

(b) The Legislative Council shall hold hearings on the technical and economic feasibility and commercial viability of the interim storage and recycling of spent nuclear fuel and include the following committees, the:

(1) House Committee on Insurance and Commerce;

(2) Senate Committee on Insurance and Commerce;

(3) House Committee on Public Health, Welfare, and Labor;

(4) Senate Committee on Public Health, Welfare, and Labor; and

(5) Joint Energy Committee.

(c) The Legislative Council shall develop a recommendation based upon the hearings and present the recommendation to the Governor regarding the technical and economic feasibility and commercial viability of the interim storage and recycling of spent nuclear fuel at locations in Arkansas.

(d) Upon a finding by the Legislative Council and approval by the Governor that it is technically and economically feasible, commercially viable, and appropriate to declare the state open to the interim storage and recycling of spent nuclear fuel for the purpose of securing federal funds for

the interim storage and recycling of spent nuclear fuel, public outreach and education under § 8-9-806 may begin.

8-9-806. Public outreach and education.

The University of Arkansas, with direction and assistance from the federal charter under § 8-9-804, shall:

(1) Develop and implement a public outreach and education program to the sites selected within Arkansas to gather public opinion on the construction and operation of a spent nuclear fuel interim storage and recycling facility;

(2) Hold public meetings to interact with citizens to determine their opposition to and support of a spent nuclear fuel interim storage and recycling facility in their location;

(3) Measure the level of opposition and support of those citizens through surveys, polls, and other recognized means;

(4) Provide a report to the Legislative Council on the outcome of the public meetings for final approval and assistance in site selection; and

(5) Contingent upon a demonstration of public support as a result of the public outreach and education effort, endow a chair within the university to develop a nuclear science and engineering program to provide future generations of nuclear engineers to capitalize on future opportunities available at the spent nuclear interim storage and recycling facility initially funded by federal funds.

8-9-807. Construction and operation.

The entities under the federal charter under § 8-9-804 shall be responsible for the construction and operation of the spent nuclear fuel interim storage and recycling facility and through the use of federal funds shall:

(1) Receive the design documentation completed under § 8-9-804;

(2) Develop construction documents, update cost data, and establish a schedule for construction to be completed with a national laboratory;

(3) Contract with a design firm to provide design and construction documents for the spent nuclear fuel interim storage and recycling facility containment building;

(4) Contract with a contractor to build the spent nuclear fuel interim storage and recycling facility as designed and provide start-up assistance with the spent nuclear fuel interim storage and recycling facilities; and

(5) Contract with a national laboratory to provide installation management of the pyrotechnic lines inside the spent nuclear fuel interim storage and recycling facility containment building and to provide start-up management and training for permanent operators and maintenance."

AND

Page 4, delete lines 1 through 12, and substitute the following:

"8-9-808. Applicability."

AND

Page 4, line 13, delete "recycling" and substitute "interim storage and recycling"

AND

Page 4, delete line 15 and substitute "research or government-operated nuclear reactors under this subchapter."

The Amendment was read _____

By: Representative Ladyman

CRH/CRH - 02-23-2023 09:20:52

CRH121

Chief Clerk