

119TH CONGRESS
1ST SESSION

S. 3441

To amend the Atomic Energy Act of 1954 to provide for consultation with State, Tribal, and local governments, the consideration of State, Tribal, and local concerns, and the approval of post-shutdown decommissioning activities reports by the Nuclear Regulatory Commission.

IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 2025

Mr. WELCH (for himself, Mr. SANDERS, Mrs. GILLIBRAND, and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Atomic Energy Act of 1954 to provide for consultation with State, Tribal, and local governments, the consideration of State, Tribal, and local concerns, and the approval of post-shutdown decommissioning activities reports by the Nuclear Regulatory Commission.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nuclear Plant Decom-
5 missioning Act of 2025”.

1 **SEC. 2. POST-SHUTDOWN DECOMMISSIONING ACTIVITIES**
 2 **REPORTS.**

3 (a) IN GENERAL.—Chapter 10 of title I of the Atomic
 4 Energy Act of 1954 (42 U.S.C. 2131 et seq.) is amended
 5 by adding at the end the following:

6 **“SEC. 113. POST-SHUTDOWN DECOMMISSIONING ACTIVI-**
 7 **TIES REPORTS.**

8 “a. DEFINITIONS.—In this section:

9 “(1) AFFECTED STATE.—The term ‘affected
 10 State’ means—

11 “(A) the host State of a covered facility;
 12 and

13 “(B) each State located within 50 miles of
 14 a covered facility.

15 “(2) COMMISSION.—The term ‘Commission’
 16 means the Nuclear Regulatory Commission.

17 “(3) COVERED FACILITY.—The term ‘covered
 18 facility’ means a facility of a licensee for which a
 19 PSDAR is required.

20 “(4) COVERED MATERIAL.—The term ‘covered
 21 material’ means—

22 “(A) high-level radioactive waste;

23 “(B) spent nuclear fuel;

24 “(C) transuranic waste;

25 “(D) byproduct material that meets the re-
 26 quirements of section 11 e. (2); and

1 “(E) any other nuclear or radioactive
 2 waste or material for which the Commission de-
 3 termines that a material change by the licensee
 4 in the manner of handling, storing, or disposing
 5 of that waste or material should be preceded by
 6 consultation under subsection b.

7 “(5) COVERED PSDAR.—The term ‘covered
 8 PSDAR’ means—

9 “(A) the initial PSDAR for a covered facil-
 10 ity; and

11 “(B) any subsequent PSDAR for a covered
 12 facility in which the licensee proposes, as deter-
 13 mined by the Commission—

14 “(i) a significant update to the decom-
 15 missioning strategy; or

16 “(ii) a material change in the manner
 17 in which covered material is handled,
 18 stored, or disposed of.

19 “(6) HOST STATE.—The term ‘host State’
 20 means the State in which a covered facility is lo-
 21 cated.

22 “(7) LICENSE; LICENSEE.—The terms ‘license’
 23 and ‘licensee’ have the meanings given those terms
 24 in section 50.2 of title 10, Code of Federal Regula-
 25 tions (or successor regulations).

1 “(8) PSDAR.—The term ‘PSDAR’ means a
 2 post-shutdown decommissioning activities report
 3 submitted to the Commission and affected States
 4 under section 50.82(a)(4)(i) of title 10, Code of Fed-
 5 eral Regulations (or successor regulations).

6 “(9) TRANSFEREE.—The term ‘transferee’
 7 means an entity to which a licensee proposes to
 8 transfer a license for a covered facility.

9 “(10) TRIBAL GOVERNMENT.—The term ‘Tribal
 10 government’ means the governing body of an Indian
 11 Tribe (as defined in section 4 of the Indian Self-De-
 12 termination and Education Assistance Act (25
 13 U.S.C. 5304)).

14 “b. CONSULTATION REQUIRED.—Notwithstanding
 15 any other provision of law (including regulations), a li-
 16 censee may not submit to the Commission a proposed cov-
 17 ered PSDAR, or transfer to another entity the license, for
 18 a covered facility until the licensee and the transferee, if
 19 applicable, conduct consultation regarding the develop-
 20 ment of the proposed covered PSDAR or the proposed li-
 21 cense transfer, as applicable, with—

22 “(1) each affected State; and

23 “(2) each unit of State government or Tribal
 24 government that—

25 “(A) is located in an affected State; and

1 “(B) has jurisdiction over land located
2 within 50 miles of the covered facility.

3 “c. SUBMISSION TO COMMISSION; PUBLIC AVAIL-
4 ABILITY.—

5 “(1) IN GENERAL.—After carrying out the con-
6 sultation required under subsection b. with respect
7 to a proposed covered PSDAR or transfer of a li-
8 cense for a covered facility, the licensee shall—

9 “(A) submit to the Commission, as appli-
10 cable—

11 “(i) the proposed covered PSDAR; or

12 “(ii) an application for transfer of a
13 license; and

14 “(B) subject to paragraph (3), make the
15 proposed covered PSDAR or application for
16 transfer of a license, as applicable, available to
17 the public.

18 “(2) PUBLIC AVAILABILITY.—On receipt of a
19 proposed covered PSDAR or application for transfer
20 of a license under paragraph (1)(A), the Commission
21 shall, subject to paragraph (3), make the proposed
22 covered PSDAR or application for transfer of a li-
23 cense, as applicable, available to the public.

24 “(3) EXCLUSION OF CERTAIN INFORMATION.—

25 In making a proposed covered PSDAR or applica-

1 tion for transfer of a license, as applicable, available
 2 to the public under paragraph (1)(B) or (2), the
 3 Commission or the licensee, as applicable, may re-
 4 dact such information as the Commission or the li-
 5 censee, as applicable, determines to be necessary to
 6 protect—

7 “(A) trade secrets and commercial or fi-
 8 nancial information under section 552(b)(4) of
 9 title 5, United States Code; or

10 “(B) national security.

11 “d. PUBLIC PARTICIPATION.—For a period of not
 12 less than 90 days beginning on the date on which a li-
 13 censee submits a proposed covered PSDAR to the Com-
 14 mission under subsection c. (1)(A) or the date on which
 15 the Commission docketed an application for transfer of a
 16 license under section 2.101 of title 10, Code of Federal
 17 Regulations (or successor regulations), as applicable, the
 18 Commission shall solicit in the host State public comments
 19 regarding the proposed covered PSDAR or notice of pro-
 20 posed license transfer, including through—

21 “(1) the solicitation of written comments; and

22 “(2) the conduct of not fewer than 2 public
 23 meetings.

24 “e. SUPPORT, CONDITIONAL SUPPORT, OR NON-
 25 SUPPORT BY HOST STATE.—

1 “(1) IN GENERAL.—Not later than 60 days
 2 after the date of receipt of a proposed covered
 3 PSDAR or the date on which the Commission dock-
 4 ets an application for transfer of a license under sec-
 5 tion 2.101 of title 10, Code of Federal Regulations
 6 (or successor regulations), as applicable, for a cov-
 7 ered facility, the Commission shall notify the host
 8 State of the opportunity to file with the Commission,
 9 by the date that is 60 days after the date on which
 10 the host State receives the notification—

11 “(A) a statement of support for the pro-
 12 posed covered PSDAR or license transfer;

13 “(B) a statement of conditional support
 14 for the proposed covered PSDAR or license
 15 transfer, together with specific recommenda-
 16 tions for changes that could lead the host State
 17 to support the proposed covered PSDAR or li-
 18 cense transfer; or

19 “(C) a statement of nonsupport for the
 20 proposed covered PSDAR or license transfer.

21 “(2) STATEMENT OF SUPPORT OR NON-
 22 SUPPORT; FAILURE TO SUBMIT.—

23 “(A) IN GENERAL.—If the host State files
 24 with the Commission a statement of support
 25 under paragraph (1)(A) or a statement of non-

support under paragraph (1)(C), or fails to file a statement with the Commission by the deadline specified in paragraph (1), the Commission shall issue a determination regarding whether the proposed covered PSDAR is adequate or inadequate or a determination regarding whether to provide consent for the proposed license transfer, as applicable—

“(i) based on the considerations described in subparagraph (B); and

“(ii) after taking into consideration—

“(I) any written comments submitted by the host State, other affected States, and local communities with respect to the proposed covered PSDAR or license transfer; and

“(II) any input from the public under subsection d.

“(B) CONSIDERATIONS.—The Commission shall consider a proposed covered PSDAR or license transfer to be adequate under subparagraph (A) if the Commission determines that—

“(i) the proposed covered PSDAR or license transfer provides for—

1 “(I) the overall protection of
2 human health and the environment;
3 and

4 “(II) adequate protection to the
5 health and safety of the public and
6 the common defense and security;

7 “(ii) the licensee (and, if applicable,
8 the transferee) has a substantial likelihood
9 of implementing the proposed covered
10 PSDAR or license transfer within the
11 timeframe described in the proposed cov-
12 ered PSDAR or license transfer applica-
13 tion;

14 “(iii) the proposed covered PSDAR or
15 license transfer is in accordance with appli-
16 cable law (including regulations); and

17 “(iv) the licensee (and, if applicable,
18 the transferee) has demonstrated that the
19 licensee has, or will have, the funds re-
20 quired to fully implement the proposed cov-
21 ered PSDAR or license transfer within the
22 timeframe described in the proposed cov-
23 ered PSDAR or license transfer applica-
24 tion, based on—

1 “(I) a comprehensive radiological
2 site assessment and characterization;
3 and

4 “(II) a nonradiological site as-
5 sessment and characterization con-
6 ducted by the host State.

7 “(C) DETERMINATION OF ADEQUACY.—
8 Subject to paragraph (4), if the Commission de-
9 termines that a proposed covered PSDAR or li-
10 cense transfer is adequate under subparagraphs
11 (A) and (B), the Commission shall issue a deci-
12 sion document approving the covered PSDAR
13 or license transfer.

14 “(D) DETERMINATION OF INADEQUACY.—

15 “(i) IN GENERAL.—If the Commission
16 determines that a proposed covered
17 PSDAR or license transfer is inadequate
18 under subparagraphs (A) and (B)—

19 “(I) the Commission shall issue a
20 decision document rejecting the pro-
21 posed covered PSDAR or license
22 transfer, including a description of the
23 reasons for the decision, by the appli-
24 cable deadline under paragraph (4);
25 and

1 “(II) the licensee may develop
2 and submit to the Commission a new
3 proposed covered PSDAR or license
4 transfer application in accordance
5 with this section.

6 “(ii) CERTAIN COVERED PSDARS.—If
7 the Commission rejects a proposed covered
8 PSDAR that is the initial PSDAR for a
9 covered facility, the licensee shall develop
10 and submit to the Commission a new pro-
11 posed covered PSDAR in accordance with
12 this section not later than 2 years after the
13 date of cessation of operations at the cov-
14 ered facility.

15 “(3) CONDITIONAL SUPPORT BY HOST
16 STATE.—

17 “(A) IN GENERAL.—In any case in which
18 the host State files with the Commission a
19 statement of conditional support of a proposed
20 covered PSDAR or license transfer under para-
21 graph (1)(B), the Commission shall determine
22 whether the proposed covered PSDAR or li-
23 cense transfer is permissible under applicable
24 law (including regulations).

1 “(B) CHANGES.—Notwithstanding the
2 adequate protection of public health and safety
3 or the common defense and security, for each
4 change recommended by the host State under
5 paragraph (1)(B), the Commission shall—

6 “(i) provide for the inclusion of the
7 change into the final covered PSDAR or li-
8 cense transfer, unless the Commission de-
9 termines the change to be inappropriate
10 for inclusion, based on clear and con-
11 vincing evidence that—

12 “(I) the change violates applica-
13 ble law; or

14 “(II) the total costs of the
15 change substantially outweigh the
16 safety, economic, or environmental
17 benefits of the change to the host
18 State; and

19 “(ii) if applicable, provide the ration-
20 ale for each determination of inappropri-
21 ateness under clause (i).

22 “(C) DECISION DOCUMENT.—

23 “(i) IN GENERAL.—Subject to para-
24 graph (4), based on the determinations
25 made under subparagraphs (A) and (B),

the Commission shall issue a decision document relating to a proposed covered PSDAR or license transfer that, as applicable—

“(I) approves the proposed covered PSDAR or license transfer with any changes recommended by the host State that are not determined to be inappropriate under subparagraph (B); or

“(II) rejects the proposed covered PSDAR or license transfer.

“(ii) APPLICABLE LAW.—A decision document issued under clause (i) or subparagraph (C) or (D)(i) of paragraph (2) shall be considered to be a final order entered in a proceeding under section 189 a.

“(D) TREATMENT ON APPROVAL.—On approval by the Commission of a proposed covered PSDAR or license transfer under subparagraph (C)(i)(I) or paragraph (2)(C)—

“(i) the covered PSDAR or approval of the license transfer by the Commission shall be final; and

1 “(ii) the licensee may begin implemen-
2 tation of the covered PSDAR.

3 “(E) REJECTION.—

4 “(i) IN GENERAL.—If the Commission
5 rejects a proposed covered PSDAR or li-
6 cense transfer under subparagraph
7 (C)(i)(II), the licensee may develop and
8 submit to the Commission a new proposed
9 covered PSDAR or license transfer appli-
10 cation in accordance with this section.

11 “(ii) CERTAIN COVERED PSDARS.—If
12 the Commission rejects a proposed covered
13 PSDAR that is the initial PSDAR for a
14 covered facility, the licensee shall develop
15 and submit to the Commission a new pro-
16 posed covered PSDAR in accordance with
17 this section not later than 2 years after the
18 date of cessation of operations at the cov-
19 ered facility.

20 “(4) DEADLINE FOR DECISION DOCUMENT.—

21 “(A) IN GENERAL.—Subject to subpara-
22 graphs (B) and (C), the Commission shall issue
23 a decision document relating to a proposed cov-
24 ered PSDAR or license transfer under subpara-
25 graph (C) or (D)(i)(I) of paragraph (2) or

1 paragraph (3)(C)(i) by not later than 1 year
 2 after the date on which the proposed covered
 3 PSDAR or an application for transfer of a li-
 4 cense, as applicable, is submitted to the Com-
 5 mission under subsection c. (1)(A).

6 “(B) PROPOSED INTERMEDIATE LICENSE
 7 TRANSFERS.—

8 “(i) DEFINITION OF PROPOSED IN-
 9 TERMEDIATE LICENSE TRANSFER.—In this
 10 subparagraph, the term ‘proposed inter-
 11 mediate license transfer’ means a proposed
 12 transfer of license—

13 “(I) for a covered facility on be-
 14 half of which a proposed covered
 15 PSDAR has been submitted by the li-
 16 censee to the Commission under sub-
 17 section c. (1)(A)(i); and

18 “(II) the notice of which is sub-
 19 mitted to the Commission under sub-
 20 section c. (1)(A)(ii) before the applica-
 21 ble deadline under subparagraph (A)
 22 for the issuance by the Commission of
 23 a decision document relating to the
 24 proposed covered PSDAR described in
 25 subclause (I).

1 “(ii) DEADLINE.—Subject to subpara-
2 graph (C), in any case in which a licensee
3 submits to the Commission a notice of a
4 proposed intermediate license transfer of a
5 covered facility, the Commission shall issue
6 a decision document relating to the pro-
7 posed covered PSDAR of the covered facil-
8 ity by not later than 1 year after the date
9 of receipt of the application for transfer of
10 a license.

11 “(C) EXTENSION.—If there are unforeseen
12 circumstances, including unexpected technical
13 issues, site-specific characteristics, or other ex-
14 ternal factors that could affect the ability of the
15 Commission to issue a decision document by a
16 deadline specified in subparagraph (A) or
17 (B)(ii), the Commission may extend the applica-
18 ble deadline for a reasonable period of time, as
19 determined by the Commission.

20 “f. ADDITIONAL REQUIREMENTS.—

21 “(1) ACTION BY TRANSFEREES.—On transfer
22 of a license for a covered facility by a licensee to a
23 transferee in accordance with this section, the trans-
24 feree shall conduct consultation in accordance with
25 subsection b. with respect to each proposed covered

1 PSDAR developed by the transferee for the covered
2 facility.

3 “(2) STATE ENVIRONMENTAL LAW COMPLI-
4 ANCE.—Notwithstanding any other provision of this
5 section, the Commission shall not approve a pro-
6 posed covered PSDAR or license transfer under this
7 section unless the proposed covered PSDAR or li-
8 cense transfer for a covered facility includes a re-
9 quirement that the licensee and the transferee, if ap-
10 plicable, shall comply with applicable State law relat-
11 ing to air, water, or soil quality or radiological
12 standards with respect to the implementation of the
13 proposed covered PSDAR or license transfer in any
14 case in which the applicable State law is more re-
15 strictive than an applicable Federal law.

16 “g. APPLICATION TO EXISTING DECOMMISSIONING
17 ACTIVITIES.—

18 “(1) IN GENERAL.—The Commission shall no-
19 tify—

20 “(A) each licensee or transferee, if applica-
21 ble, of the opportunity to develop and submit to
22 the Commission for approval a revised covered
23 PSDAR for any covered facility of the licensee
24 for which, as of the date of enactment of this
25 section—

1 “(i) decontamination and dismantle-
 2 ment activities described in an existing
 3 covered PSDAR have not commenced at
 4 the covered facility; or

5 “(ii) decontamination and dismantle-
 6 ment activities described in an existing
 7 covered PSDAR have been commenced at
 8 the covered facility for a period of less
 9 than 5 years; and

10 “(B) each affected State with respect to a
 11 covered facility described in subparagraph (A)
 12 of the opportunity to consult with a licensee or
 13 transferee described in that subparagraph in
 14 accordance with subsection b.

15 “(2) PROCESS.—

16 “(A) IN GENERAL.—Except as provided in
 17 paragraphs (3) and (4), if a licensee or trans-
 18 feree described in paragraph (1)(A) elects to
 19 submit to the Commission a revised covered
 20 PSDAR under that paragraph, the process for
 21 consideration and approval of the revised cov-
 22 ered PSDAR shall be carried out in accordance
 23 with—

24 “(i) the process for consideration and
 25 approval of a proposed covered PSDAR for

1 a covered facility under subsections b., c.,
 2 d., and f.; and

3 “(ii) the process for support, condi-
 4 tional support, or nonsupport by the host
 5 State under subsection e.

6 “(B) NONSELECTION.—If a licensee or
 7 transferee described in paragraph (1)(A) elects
 8 not to revise an existing covered PSDAR under
 9 that paragraph, the host State may file a state-
 10 ment of support, conditional support, or non-
 11 support for the existing covered PSDAR in ac-
 12 cordance with the process for support, condi-
 13 tional support, or nonsupport by a host State
 14 under subsection e.

15 “(3) DECISION DOCUMENT.—A decision docu-
 16 ment for a revised covered PSDAR submitted under
 17 paragraph (1)(A), or for an existing covered PSDAR
 18 in any case in which the licensee or transferee elects
 19 not to revise the existing covered PSDAR, shall be
 20 issued in accordance with subparagraph (C) or
 21 (D)(i)(I) of subsection e. (2) or subsection e. (3)(C),
 22 as applicable, except that the Commission shall issue
 23 the decision document by the date that is 1 year
 24 after the date on which the applicable decontamina-

tion and dismantlement activities commence at the applicable covered facility.

“(4) REVISION AFTER DETERMINATION OF INADEQUACY.—If the Commission rejects a revised covered PSDAR submitted by a licensee or transferee under paragraph (1)(A) in accordance with subsection e. (2)(D)(i)(I) or subsection e. (3)(C)(i)(II), the licensee or transferee shall develop and submit to the Commission a new revised covered PSDAR in accordance with this subsection by not later than 2 years after the date of the rejection.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—The Atomic Energy Act of 1954 is amended—

(A) in section 103 (42 U.S.C. 2133), by redesignating subsection f. as subsection e.; and

(B) in section 111 (42 U.S.C. 2141), by striking the section designation and all that follows through “The Nuclear” in subsection a. and inserting the following:

“SEC. 111. LICENSING BY NUCLEAR REGULATORY COMMISSION OF DISTRIBUTION OF CERTAIN MATERIALS BY DEPARTMENT OF ENERGY.

“a. The Nuclear”.

1 (2) TABLE OF CONTENTS.—The table of con-
 2 tents of the Atomic Energy Act of 1954 (68 Stat.
 3 919; 126 Stat. 2216) is amended by striking the
 4 items relating to chapter 10 of title I and inserting
 5 the following:

“CHAPTER 10. ATOMIC ENERGY LICENSES

“Sec. 101. License required.

“Sec. 102. Utilization and production facilities for industrial or commercial
 purposes.

“Sec. 103. Commercial licenses.

“Sec. 104. Medical therapy and research and development.

“Sec. 105. Antitrust provisions.

“Sec. 106. Classes of facilities.

“Sec. 107. Operators’ licenses.

“Sec. 108. War or national emergency.

“Sec. 109. Component and other parts of facilities.

“Sec. 110. Exclusions.

“Sec. 111. Licensing by Nuclear Regulatory Commission of distribution of cer-
 tain materials by Department of Energy.

“Sec. 112. Domestic medical isotope production.

“Sec. 113. Post-shutdown decommissioning activities reports.”.

6 **SEC. 3. GRANT PROGRAMS TO SUPPORT THE ACTIVITIES**
 7 **OF COMMUNITY ADVISORY BOARDS.**

8 (a) DEFINITIONS.—In this section:

9 (1) COMMUNITY ADVISORY BOARD.—The term
 10 “community advisory board” means a community
 11 committee or other advisory organization that aims
 12 to foster communication and information exchange
 13 between—

14 (A) a licensee planning for and involved in
 15 decommissioning activities; and

1 (B) members of a community that may be
 2 affected by the decommissioning activities of
 3 that licensee.

4 (2) COMMISSION.—The term “Commission”
 5 means the Nuclear Regulatory Commission.

6 (3) DECOMMISSION.—The term “decommis-
 7 sion” has the meaning given the term in section
 8 50.2 of title 10, Code of Federal Regulations (or
 9 successor regulations).

10 (4) LICENSEE.—The term “licensee” has the
 11 meaning given the term in section 50.2 of title 10,
 12 Code of Federal Regulations (or successor regula-
 13 tions).

14 (5) SMALL, RURAL, OR DISADVANTAGED COM-
 15 MUNITY.—The term “small, rural, or disadvantaged
 16 community” means an area that—

17 (A) has a population of fewer than 50,000
 18 individuals; or

19 (B) is disadvantaged with respect to geo-
 20 graphic, socioeconomic, public health, or envi-
 21 ronmental hazard criteria, as determined by the
 22 Commission.

23 (b) SHORT-TERM GRANT PROGRAM.—

24 (1) DEFINITION OF ELIGIBLE ENTITY.—In this
 25 subsection, the term “eligible entity” means—

1 (A) a State in which a civilian nuclear
2 power plant or nuclear power generation unit,
3 as determined by the Commission, is decommis-
4 sioned or is in the process of being decommis-
5 sioned during the 3-year period beginning on
6 the date of enactment of this Act; and

7 (B) an Indian Tribe the land of which con-
8 tains a civilian nuclear power plant or nuclear
9 power generation unit, as determined by the
10 Commission, that is decommissioned or is in the
11 process of being decommissioned during the 3-
12 year period beginning on the date of enactment
13 of this Act.

14 (2) ESTABLISHMENT.—Not later than 180 days
15 after the date of enactment of this Act, the Commis-
16 sion shall establish a grant program under which the
17 Commission shall award grants to eligible entities to
18 support the activities of community advisory boards.

19 (3) APPLICATIONS.—An eligible entity desiring
20 a grant under this subsection shall submit to the
21 Commission an application at such time, in such
22 manner, and containing such information as the
23 Commission may require.

24 (4) USE OF FUNDS.—

1 (A) AWARDING OF SUBGRANTS.—An eligi-
2 ble entity shall use a grant awarded under this
3 subsection to make subgrants to community ad-
4 visory boards for use in accordance with sub-
5 paragraph (B).

6 (B) USE OF SUBGRANTS.—A community
7 advisory board may use a subgrant awarded
8 under subparagraph (A)—

- 9 (i) to hire or consult with experts;
- 10 (ii) for administrative costs;
- 11 (iii) to cover travel expenses;
- 12 (iv) for website and social media
- 13 maintenance;
- 14 (v) for the preparation of annual re-
- 15 ports and other communications;
- 16 (vi) to contract for services;
- 17 (vii) to reimburse volunteers; and
- 18 (viii) to cover other reasonable and
- 19 necessary expenses of the community advi-
- 20 sory board, as determined to be appro-
- 21 priate by the Commission.

22 (5) DISTRIBUTION OF FUNDS.—The Commis-
23 sion shall establish a formula to ensure, to the max-
24 imum extent practicable, geographic diversity among
25 grant recipients under this subsection.

1 (6) REQUIREMENT.—In carrying out this sub-
2 section, the Commission, to the maximum extent
3 practicable, shall implement the recommendations
4 described in the report submitted to Congress under
5 section 108 of the Nuclear Energy Innovation and
6 Modernization Act (Public Law 115–439; 132 Stat.
7 5577) entitled “Best Practices for Establishment
8 and Operation of Local Community Advisory Boards
9 Associated with Decommissioning Activities at Nu-
10 clear Power Plants”.

11 (7) COST SHARING.—Notwithstanding any
12 other provision of law, with respect to a subgrant
13 awarded under this subsection, neither the Commis-
14 sion nor an eligible entity may impose a cost-sharing
15 requirement on a community advisory board with re-
16 spect to—

17 (A) any activity that is carried out on be-
18 half of, for the benefit of, or to foster commu-
19 nication and information exchange with, a
20 small, rural, or disadvantaged community; or

21 (B) any activity of the community advisory
22 board if—

23 (i) the applicable nuclear power plant
24 or nuclear power generation unit is located

1 in a small, rural, or disadvantaged commu-
 2 nity; or

3 (ii) a small, rural, or disadvantaged
 4 community may be disproportionately im-
 5 pacted by the applicable decommissioning
 6 activities of the licensee.

7 (8) AUTHORIZATION OF APPROPRIATIONS.—

8 There is authorized to be appropriated to the Com-
 9 mission to carry out this subsection \$12,500,000 for
 10 the period of fiscal years 2026 through 2028, to re-
 11 main available until the date that is 5 years after
 12 the date of enactment of this Act.

13 (c) LONG-TERM GRANT PROGRAM.—

14 (1) DEFINITIONS.—In this subsection:

15 (A) ELIGIBLE ENTITY.—The term “eligible
 16 entity” means—

17 (i) a State in which a civilian nuclear
 18 power plant or nuclear power generation
 19 unit, as determined by the Commission, is
 20 decommissioned or is in the process of
 21 being decommissioned more than 3 years
 22 after the date of enactment of this Act;
 23 and

24 (ii) an Indian Tribe the land of which
 25 contains a civilian nuclear power plant or

1 nuclear power generation unit, as deter-
2 mined by the Commission, that is decom-
3 missioned or is in the process of being de-
4 commissioned more than 3 years after the
5 date of enactment of this Act.

6 (B) FUND.—The term “Fund” means the
7 Community Advisory Board Fund established
8 under paragraph (2).

9 (C) PSDAR.—The term “PSDAR” means
10 a post-shutdown decommissioning activities re-
11 port submitted to the Commission and affected
12 States under section 50.82(a)(4)(i) of title 10,
13 Code of Federal Regulations (or successor regu-
14 lations).

15 (2) COMMUNITY ADVISORY BOARD FUND.—

16 (A) ESTABLISHMENT.—There is estab-
17 lished in the Treasury of the United States a
18 fund, to be known as the “Community Advisory
19 Board Fund”.

20 (B) DEPOSITS.—Each fiscal year, there
21 shall be deposited in the Fund an amount equal
22 to the total amount collected by the Commis-
23 sion pursuant to the regulations promulgated
24 under paragraph (7) for the fiscal year.

1 (C) USE OF FUND.—Amounts in the Fund
 2 shall be available to the Commission, without
 3 further appropriation or fiscal year limitation,
 4 for making grants under this subsection.

5 (3) ESTABLISHMENT OF GRANT PROGRAM.—
 6 Not later than 1 year after the date of enactment
 7 of this Act, the Commission shall establish a grant
 8 program under which the Commission shall award
 9 grants to eligible entities to support the activities of
 10 community advisory boards.

11 (4) APPLICATIONS.—An eligible entity desiring
 12 a grant under this subsection shall submit to the
 13 Commission an application at such time, in such
 14 manner, and containing such information as the
 15 Commission may require.

16 (5) USE OF FUNDS.—

17 (A) AWARDING OF SUBGRANTS.—An eligi-
 18 ble entity shall use a grant awarded under this
 19 subsection to make subgrants to community ad-
 20 visory boards for use in accordance with sub-
 21 paragraph (B).

22 (B) USE OF SUBGRANTS.—A community
 23 advisory board may use a subgrant awarded
 24 under subparagraph (A)—

25 (i) to hire or consult with experts;

- 1 (ii) for administrative costs;
- 2 (iii) to cover travel expenses;
- 3 (iv) for website and social media
- 4 maintenance;
- 5 (v) for the preparation of annual re-
- 6 ports and other communications;
- 7 (vi) to contract for services;
- 8 (vii) to reimburse volunteers; and
- 9 (viii) to cover other reasonable and
- 10 necessary expenses of the community advi-
- 11 sory board, as determined to be appro-
- 12 priate by the Commission.

13 (6) COST SHARING.—Notwithstanding any
14 other provision of law, with respect to a subgrant
15 awarded under this subsection, neither the Commis-
16 sion nor an eligible entity may impose a cost-sharing
17 requirement on a community advisory board with re-
18 spect to—

19 (A) any activity that is carried out on be-
20 half of, for the benefit of, or to foster commu-
21 nication and information exchange with, a
22 small, rural, or disadvantaged community; or

23 (B) any activity of the community advisory
24 board if—

1 (i) the applicable nuclear power plant
2 or nuclear power generation unit is located
3 in a small, rural, or disadvantaged commu-
4 nity; or

5 (ii) a small, rural, or disadvantaged
6 community may be disproportionately im-
7 pacted by the applicable decommissioning
8 activities of the licensee.

9 (7) RULEMAKING.—

10 (A) IN GENERAL.—Not later than 180
11 days after the date of enactment of this Act,
12 the Commission shall promulgate regulations
13 requiring a licensee submitting to the Commis-
14 sion a PSDAR relating to the decommissioning
15 of a nuclear power plant or a nuclear power
16 generation unit, as determined by the Commis-
17 sion, for which consultation is required under
18 section 113 b. of the Atomic Energy Act of
19 1954 to certify that the licensee has paid to the
20 Commission for deposit into the Fund—

21 (i) in the case of a PSDAR relating to
22 the decommissioning of 1 or more nuclear
23 power plants, \$500,000 for each of those
24 power plants; or

1 (ii) in the case of a PSDAR relating
2 to the decommissioning of 1 or more nu-
3 clear power generation units, as deter-
4 mined by the Commission, \$500,000 for
5 each nuclear power plant in which those
6 units are located.

7 (B) REQUIREMENTS.—The regulations
8 promulgated under subparagraph (A) shall pro-
9 vide that—

10 (i) for each subsequent PSDAR relat-
11 ing to a nuclear power plant for which a
12 PSDAR was previously submitted relating
13 to the power plant or any nuclear power
14 generation unit located in the power
15 plant—

16 (I) if consultation is required
17 under section 113 b. of the Atomic
18 Energy Act of 1954 with respect to
19 the subsequent PSDAR or any decom-
20 missioning activities relating to the
21 subsequent PSDAR, the licensee sub-
22 mitting the subsequent PSDAR shall
23 certify that the licensee has paid to
24 the Commission for deposit into the
25 Fund \$500,000, which shall be in ad-

dition to any amounts previously paid to the Commission for deposit into the Fund relating to any previously submitted PSDAR; and

(II) if consultation under section 113 b. of the Atomic Energy Act of 1954 is not required with respect to the subsequent PSDAR or any decommissioning activities relating to the subsequent PSDAR, the licensee submitting the subsequent PSDAR shall certify that such consultation is not required;

(ii) a licensee may pay to the Commission the amounts described in clause (i) or (ii) of subparagraph (A) or in subclause (I) of clause (i) at any time prior to the submission of a PSDAR relating to those amounts; and

(iii) with respect to a merchant power plant, no amounts may be withdrawn from the decommissioning trust fund relating to that merchant power plant for the purpose of paying to the Commission an amount described in—

1 (I) clause (i) or (ii) of subpara-
2 graph (A); or

3 (II) subclause (I) of clause (i).

4 (C) LIMITATION.—A licensee that has paid
5 to the Commission the amount described in
6 clause (i) or (ii) of subparagraph (A) with re-
7 spect to a nuclear power plant shall not be re-
8 quired to pay that amount with respect to the
9 same power plant on submission of any subse-
10 quent PSDAR relating to the decommissioning
11 of that power plant or any nuclear power gen-
12 eration unit located in that power plant if con-
13 sultation is not required with respect to that
14 PSDAR or any decommissioning activities relat-
15 ing to that PSDAR under section 113 b. of the
16 Atomic Energy Act of 1954.

17 (8) REQUIREMENT.—In carrying out this sub-
18 section, the Commission, to the maximum extent
19 practicable, shall implement the recommendations
20 described in the report submitted to Congress under
21 section 108 of the Nuclear Energy Innovation and
22 Modernization Act (Public Law 115–439; 132 Stat.
23 5577) entitled “Best Practices for Establishment
24 and Operation of Local Community Advisory Boards

1 Associated with Decommissioning Activities at Nu-
 2 clear Power Plants”.

3 **SEC. 4. ASSISTANCE FOR NUCLEAR HOST COMMUNITIES.**

4 (a) FUNDING.—Section 701(f)(1) of the Public
 5 Works and Economic Development Act of 1965 (42
 6 U.S.C. 3231(f)(1)) is amended by striking “2029” and in-
 7 serting “2034”.

8 (b) ADDITIONAL ACTIVITIES.—Section 209(e)(2)(A)
 9 of the Public Works and Economic Development Act of
 10 1965 (42 U.S.C. 3149(e)(2)(A)) is amended by inserting
 11 “, including through capacity building and economic resil-
 12 ience activities” after “communities”.

13 (c) FEDERAL SHARE.—Section 204(c) of the Public
 14 Works and Economic Development Act of 1965 (42
 15 U.S.C. 3144(c)) is amended by adding at the end the fol-
 16 lowing:

17 “(5) CERTAIN NUCLEAR HOST COMMUNITIES.—

18 “(A) IN GENERAL.—In the case of a grant
 19 to a nuclear host community under section
 20 209(e) that is a small, rural, or disadvantaged
 21 community, the Federal share of the cost of the
 22 project or activity carried out with the grant
 23 shall be 100 percent.

24 “(B) DEFINITIONS.—In this paragraph:

1 “(i) NUCLEAR HOST COMMUNITY.—

2 The term ‘nuclear host community’ has the
3 meaning given the term in section
4 209(e)(1).

5 “(ii) SMALL, RURAL, OR DISADVANTAGED COMMUNITY.—The term ‘small,
6 rural, or disadvantaged community’ means
7 an area that—
8

9 “(I) has a population of fewer
10 than 50,000 individuals; or

11 “(II) is disadvantaged with re-
12 spect to geographic, socioeconomic,
13 public health, or environmental hazard
14 criteria, as determined by the Sec-
15 retary.”.

16 **SEC. 5. FINANCIAL ASSISTANCE FOR COMMUNITIES WITH**
17 **STRANDED NUCLEAR WASTE.**

18 (a) DEFINITIONS.—In this section:

19 (1) AFFECTED COMMUNITY.—The term “af-
20 fected community” means a unit of local govern-
21 ment, including a county, city, town, village, school
22 district, or special district, that contains stranded
23 nuclear waste within the boundaries of the unit of
24 local government, as determined by the Secretary.

1 (2) ELIGIBLE CIVILIAN NUCLEAR POWER
2 PLANT.—The term “eligible civilian nuclear power
3 plant” means a nuclear power plant that—

4 (A) has been decommissioned; or

5 (B) is in the process of being decommis-
6 sioned.

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of Energy.

9 (4) STRANDED NUCLEAR WASTE.—The term
10 “stranded nuclear waste” means nuclear waste or
11 spent nuclear fuel stored in dry casks or spent fuel
12 pools at a decommissioned or decommissioning nu-
13 clear facility.

14 (b) ESTABLISHMENT.—Not later than 60 days after
15 the date of enactment of this Act, the Secretary shall es-
16 tablish and carry out a noncompetitive grant program to
17 provide financial assistance to units of local government
18 within the jurisdictional boundary of which an eligible ci-
19 vilian nuclear power plant is located to offset the economic
20 and social impacts of stranded nuclear waste in affected
21 communities.

22 (c) ELIGIBILITY.—A unit of local government that is
23 an affected community shall be eligible to receive a grant
24 under this section for a fiscal year.

25 (d) AWARDS.—

1 (1) AMOUNT.—The amount of a grant awarded
 2 under subsection (b) shall be equal to \$15 for each
 3 kilogram of spent nuclear fuel stored at the eligible
 4 civilian nuclear power plant in the affected commu-
 5 nity.

6 (2) NUMBER AND FREQUENCY.—With respect
 7 to each eligible civilian nuclear power plant, the Sec-
 8 retary may only award 1 grant under subsection (b)
 9 to each eligible unit of local government for each fis-
 10 cal year.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) IN GENERAL.—There are authorized to be
 13 appropriated to the Secretary such sums as are nec-
 14 essary to carry out this section for each of fiscal
 15 years 2026 through 2035.

16 (2) NO OFFSET.—None of the funds made
 17 available under this subsection may be used to offset
 18 the funding for any other Federal program.

19 **SEC. 6. ECONOMIC DEVELOPMENT IN HOST COMMUNITIES.**

20 (a) DEFINITIONS.—In this section:

21 (1) CERTIFICATION OF PERMANENT CESSATION
 22 OF OPERATIONS.—The term “certification of perma-
 23 nent cessation of operations” means a written cer-
 24 tification of the determination of a licensee to per-
 25 manently cease operations of a civilian nuclear

1 power plant required to be submitted to the Com-
2 mission under section 50.82 of title 10, Code of Fed-
3 eral Regulations (or successor regulations).

4 (2) COMMISSION.—The term “Commission”
5 means the Nuclear Regulatory Commission.

6 (3) COVERED FACILITY.—The term “covered
7 facility” means a civilian nuclear power plant for
8 which decommissioning activities will be carried out
9 after the date of enactment of this Act, including—

10 (A) new and existing civilian nuclear power
11 plants for which decommissioning activities
12 have not begun as of that date of enactment;
13 and

14 (B) existing civilian nuclear power plants
15 for which decommissioning activities have begun
16 as of that date of enactment.

17 (4) DECOMMISSION.—The term “decommis-
18 sion” has the meaning given the term in section
19 50.2 of title 10, Code of Federal Regulations (or
20 successor regulations).

21 (5) HOST COMMUNITY.—The term “host com-
22 munity” means a State, unit of Tribal government,
23 or unit of local government, including a county, city,
24 town, village, school district, or special district, that
25 contains a decommissioning civilian nuclear power

1 plant within the boundaries of the State, unit of
 2 Tribal government, or unit of local government, as
 3 determined by the Secretary.

4 (6) HOST COMMUNITY ECONOMIC RECOVERY
 5 ACCOUNT.—The term “host community economic re-
 6 covery account” means a host community economic
 7 recovery account established by the Secretary under
 8 subsection (b)(1).

9 (7) LICENSEE.—The term “licensee” has the
 10 meaning given the term in section 50.2 of title 10,
 11 Code of Federal Regulations (or a successor regula-
 12 tion).

13 (8) NUCLEAR DECOMMISSIONING TRUST.—The
 14 term “nuclear decommissioning trust” means a nu-
 15 clear plant decommissioning trust fund described in
 16 section 35.32 of title 18, Code of Federal Regula-
 17 tions (or a successor regulation).

18 (9) SECRETARY.—The term “Secretary” means
 19 the Secretary of Commerce, acting through the As-
 20 sistant Secretary of Commerce for Economic Devel-
 21 opment.

22 (b) HOST COMMUNITY ECONOMIC RECOVERY AC-
 23 COUNTS.—

24 (1) ESTABLISHMENT.—For each covered facil-
 25 ity, the Secretary of the Treasury shall establish in

1 the Treasury of the United States an account, to be
 2 known as a “host community economic recovery ac-
 3 count”.

4 (2) MANAGEMENT.—Each host community eco-
 5 nomic recovery account shall be administered by the
 6 Secretary.

7 (3) FUNDING.—

8 (A) IN GENERAL.—Not less frequently
 9 than annually, each licensee of a covered facility
 10 shall—

11 (i) if a nuclear decommissioning trust
 12 has been established for the covered facil-
 13 ity, transfer to the Secretary, from that
 14 nuclear decommissioning trust, an amount
 15 sufficient to ensure that the balance of the
 16 host community economic recovery account
 17 relating to that covered facility is not less
 18 than 2 percent of the sum obtained by
 19 adding—

20 (I) the balance of that nuclear
 21 decommissioning trust; and

22 (II) the balance of that host com-
 23 munity economic recovery account; or

24 (ii) if a nuclear decommissioning trust
 25 has not been established for the covered fa-

1 cility, transfer to the Secretary an amount
2 sufficient to ensure that the balance of the
3 host community economic recovery account
4 relating to that covered facility is not less
5 than 2 percent of the greater of—

6 (I) the sum obtained by adding—

7 (aa) the total amount of fi-
8 nancial assurance for decommis-
9 sioning of that covered facility
10 provided by the licensee using a
11 method other than a nuclear de-
12 commissioning trust; and

13 (bb) the balance of that host
14 community economic recovery ac-
15 count; and

16 (II) the sum obtained by add-
17 ing—

18 (aa) the applicable minimum
19 amount determined under section
20 50.75(c) of title 10, Code of Fed-
21 eral Regulations (or a successor
22 regulation), for the covered facil-
23 ity; and

1 (bb) the balance of that host
 2 community economic recovery ac-
 3 count.

4 (B) LIMITATION.—Any amounts distrib-
 5 uted by the Secretary to host communities
 6 under subsection (c)(1) from a host community
 7 recovery account shall be considered to be part
 8 of the balance of that host community recovery
 9 account for purposes of subparagraph (A).

10 (4) DEPOSITS.—Amounts transferred to the
 11 Secretary under paragraph (3) shall be deposited in
 12 the applicable host community economic recovery ac-
 13 count.

14 (c) USE OF FUNDS.—

15 (1) IN GENERAL.—Amounts deposited in a host
 16 community economic recovery account under sub-
 17 section (b)(4) shall be used by the Secretary to pro-
 18 vide grants to host communities within the bound-
 19 aries of which the applicable covered facility is lo-
 20 cated.

21 (2) ECONOMIC DEVELOPMENT.—Amounts pro-
 22 vided to a host community under paragraph (1)
 23 shall be used for—

24 (A) economic development planning (as de-
 25 fined by the Secretary); or

1 (B) carrying out a comprehensive economic
 2 development strategy (as defined in section 3 of
 3 the Public Works and Economic Development
 4 Act of 1965 (42 U.S.C. 3122)).

5 (d) AVAILABILITY OF FUNDS.—

6 (1) IN GENERAL.—Amounts deposited in a host
 7 community economic recovery account under sub-
 8 section (b)(4) shall be available to the Secretary
 9 without appropriation or fiscal year limitation for
 10 providing grants in accordance with this section.

11 (2) DEADLINE.—The Secretary shall begin the
 12 process for making grants to applicable host commu-
 13 nities under subsection (c)(1) not later than the ear-
 14 lier of—

15 (A) the date that is 5 years before sched-
 16 uled shutdown of the applicable covered facility;
 17 and

18 (B) the date on which the applicable li-
 19 censee submits to the Commission a certifi-
 20 cation of permanent cessation of operations
 21 with respect to the applicable covered facility.

22 (3) COST SHARING.—Notwithstanding any
 23 other provision of law, the Secretary may not impose
 24 a cost-sharing requirement with respect to—

1 (A) a grant provided under subsection
 2 (c)(1) to a host community that is a small,
 3 rural, or disadvantaged community (as defined
 4 in section 4(a)); or

5 (B) any activity carried out by, or for the
 6 benefit of, a small, rural, or disadvantaged com-
 7 munity (as so defined) using a grant provided
 8 under that subsection.

9 (e) CERTAIN COVERED FACILITIES.—

10 (1) DEFINITION OF CURRENTLY DECOMMISS-
 11 SIONING FACILITY.—In this subsection, the term
 12 “currently decommissioning facility” means a cov-
 13 ered facility for which decommissioning activities
 14 have begun as of the date of enactment of this Act.

15 (2) FUNDING OF HOST COMMUNITY ECONOMIC
 16 RECOVERY ACCOUNTS.—Not later than 1 year after
 17 the date of enactment of this Act, each licensee of
 18 a currently decommissioning facility shall—

19 (A) if a nuclear decommissioning trust has
 20 been established for the currently decommis-
 21 sioning facility, transfer to the Secretary, from
 22 that nuclear decommissioning trust, an amount
 23 equal to 2 percent of the balance of that nu-
 24 clear decommissioning trust as of that date of

1 enactment for deposit in accordance with sub-
2 section (b)(4); or

3 (B) if a nuclear decommissioning trust has
4 not been established for the currently decom-
5 missioning facility, transfer to the Secretary,
6 for deposit in accordance with subsection
7 (b)(4), an amount equal to 2 percent of the
8 greater of—

9 (i) the total amount of financial as-
10 surance for decommissioning of that cov-
11 ered facility provided by the licensee using
12 a method other than a nuclear decommis-
13 sioning trust as of that date of enactment;
14 and

15 (ii) the applicable minimum amount
16 determined under section 50.75(c) of title
17 10, Code of Federal Regulations (or a suc-
18 cessor regulation), for the covered facility
19 as of that date of enactment.

20 (3) DEADLINE.—With respect to a currently
21 decommissioning facility, the Secretary shall begin
22 the process for making grants to applicable host
23 communities under subsection (c)(1) not later than
24 1 year after the date of enactment of this Act.

1 (4) CLARIFICATION.—Subsections (b)(3) and
2 (d)(2) shall not apply in the case of a currently de-
3 commissioning facility.

4 (f) RULEMAKING.—Not later than 180 days after the
5 date of enactment of this Act, the Commission shall revise
6 such regulations as are necessary (including, if applicable,
7 section 50.75(c) of title 10, Code of Federal Regulations)
8 to ensure, to the maximum extent practicable, that nuclear
9 decommissioning trusts will contain sufficient amounts to
10 carry out this section without compromising the ability of
11 the nuclear decommissioning trust to fund other legitimate
12 decommissioning activities.

○