

108TH CONGRESS  
2D SESSION

# S. 2518

To amend the Omnibus Low-Level Radioactive Waste Interstate Compact Consent Act to make the consent of Congress to certain compacts contingent on party states sharing the long-term liability for damages caused by radioactive releases from regional facilities.

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IN THE SENATE OF THE UNITED STATES

JUNE 15, 2004

Mr. NELSON of Nebraska introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Omnibus Low-Level Radioactive Waste Interstate Compact Consent Act to make the consent of Congress to certain compacts contingent on party states sharing the long-term liability for damages caused by radioactive releases from regional facilities.

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. LIABILITY FOR DAMAGES CAUSED BY RADIO-**  
4 **ACTIVE RELEASES FROM REGIONAL FACILI-**  
5 **TIES.**

6 (a) IN GENERAL.—Section 212 of the Omnibus Low-  
7 Level Radioactive Waste Interstate Compact Consent Act

1 (42 U.S.C. 2021d note; Public Law 99–240) is amend-  
2 ed—

3 (1) in paragraph (2), by striking “and” after  
4 the semicolon at the end;

5 (2) in paragraph (3), by striking the period at  
6 the end and inserting “; and”; and

7 (3) by adding at the end the following:

8 “(4) is granted only if the compact provides  
9 that all party states to the compact are jointly and  
10 severally liable for the cost of long-term liability in-  
11 curred in connection with the radioactive release  
12 from a regional facility in a host state of the com-  
13 pact (in excess of fund available from the extended  
14 care and long-term liability fund of the host State  
15 and from property and third-party liability insur-  
16 ance), based on the proportionate share of the total  
17 volume of waste placed in the regional facilities by  
18 generators located in each party state, except that  
19 this paragraph shall not apply to a party state with  
20 a total volume of waste recorded on low-level radio-  
21 active waste manifests for any year that is less than  
22 10 percent of the total volume recorded on those  
23 manifests for the region during the same year. ”.

1           (b) **EFFECTIVE DATE.**—The amendments made by  
2 subsection (a) take effect on the date that is 3 years after  
3 the date of enactment of this Act.

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