

**Nuclear Waste Disposal
Appropriation Language**

For Department of Energy expenses necessary for activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended, \$10,205,000, to remain available until expended, to be derived from the Nuclear Waste Fund.

Note.—A full-year 2022 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2022 (Division A of P.L. 117-43, as amended). The amounts included for 2022 reflect the annualized level provided by the continuing resolution.

Nuclear Waste Fund Oversight

Overview

Under the Nuclear Waste Policy Act of 1982 (NWPA), the Department of Energy (DOE) is responsible for legal services and other support for nuclear waste disposal activities, including managing the Nuclear Waste Fund (NWF), administering the Standard Contract, providing legal services for nuclear waste disposal, and maintaining the security of the Yucca Mountain site.

Highlights of the FY 2023 Budget Request

The Nuclear Waste Fund Oversight program's FY 2023 Budget Request supports activities that include the following:

- Implementation of an appropriate investment strategy and prudent management of the NWF investment portfolio,
- Administration of the Standard Contract for the disposal of spent nuclear fuel (SNF) and high-level radioactive waste (HLW) between nuclear utilities and the government,
- Provision of legal services for activities related to nuclear waste disposal, including but not limited to interim storage,
- Management of the physical security requirements for the Yucca Mountain site under DOE Order 473.3A as well as site maintenance and fulfillment of environmental requirements.
- Execution of the annual agency financial report and audit.

These funds are inclusive of program direction activities and management and technical costs necessary to carry out the mission.

The Interim Storage program's FY 2023 Budget Request is included in the Integrated Waste Management System subprogram within Fuel Cycle Research and Development.

**Nuclear Waste Fund Oversight
Funding (\$K)**

	(\$K)				
	FY 2021 Enacted	FY 2022 Annualized CR	FY 2023 Request	FY 2023 Request vs FY 2021 Enacted	
				\$	%
Nuclear Waste Fund Oversight	7,500	7,500	10,205	+2,705	+36%
Nuclear Waste Fund Oversight Interim Storage ¹	20,000	20,000	0	-20,000	-100%
Total	27,500	27,500	10,205	-17,295	-63%

Future Year Energy Program

	(\$K)				
	2023 Request	FY 2024	FY 2025	FY 2026	FY 2027
Nuclear Waste Disposal	10,205	10,000	10,000	11,000	11,000

Outyear funding for the Nuclear Waste Fund Oversight program will continue support for the implementation of an appropriate investment strategy and prudent management of the NWF investment portfolio, the administration of the Standard Contract, the management of physical security requirements for the Yucca Mountain site, legal services for activities related to nuclear waste disposal, the annual agency financial report and audit, and associated federal staff.

¹ The Interim Storage program's FY 2023 Budget Request is included in the Integrated Waste Management System subprogram within Fuel Cycle Research and Development.

**Explanation of Major Changes
Funding (\$K)**

FY 2023 Request vs FY 2021 Enacted

Nuclear Waste Fund Oversight:

The decrease from \$27,500,000 to \$10,205,000 reflects FY 2021 funding for the Interim Storage program's activities appropriated within the Interim Storage and Nuclear Waste Fund Oversight program (Nuclear Waste Disposal account). The Interim Storage program's FY 2023 Budget Request is proposed to instead be included as part of the Office of Nuclear Energy's Integrated Waste Management System subprogram within Fuel Cycle Research and Development.

-17,295

Total, Nuclear Waste Fund Oversight

-17,295

Nuclear Waste Fund Oversight

Description

The United States (U.S.) utilizes nuclear technology for national defense, research and development, and electric power generation. These activities produce and create quantities of SNF and HLW that require safe storage and eventual disposal. Commercial electricity generation, the largest generator of SNF, accounts for almost 90,000 metric tons of uranium (MTU) of SNF. With the current reactor fleet, commercial generation has the potential to produce an additional 50,000 MTU, for a total of approximately 140,000 MTU. Nearly all existing commercial SNF is stored at the reactor site where it was produced. Of the over 70 commercial power reactor sites storing SNF, approximately a quarter of these sites no longer have an operating reactor. The U.S. inventory of HLW includes HLW produced from commercial activities stored in one state and HLW produced from defense activities stored in three states.

Under the NWPA, the Federal government, specifically DOE, is responsible for the disposal of SNF and HLW. The Nuclear Waste Fund Oversight program is responsible for providing legal and other support for nuclear waste disposal activities associated with carrying out the purposes of the NWPA. The program will ensure the prudent management of the NWF investment portfolio and the administration of the Standard Contract. The program will also support legal services related to nuclear waste disposal activities, including but not limited to the NWF and the Standard Contract. Lastly, the program will continue to support requirements for the management and operation of physical security at the Yucca Mountain site under the Protection Program Operations Directive (DOE Order 473.3A).

Nuclear Waste Fund Oversight

Activities and Explanation of Changes

FY 2021 Enacted	FY 2023 Request	Explanation of Changes FY 2023 Request vs FY 2021 Enacted
<p>Interim Storage and Nuclear Waste Fund Oversight \$27,500,000</p> <ul style="list-style-type: none"> • Initiated processes to identify potential interim storage sites. • Developed an integrated waste management program plan. • Developed preliminary design concepts for interim storage. • Conducted analyses, leveraged expertise from other programs, and engaged with stakeholders as appropriate to develop and evaluate interim storage and associated transportation capabilities. • Maintained engagement with regional, state, and Tribal transportation authorities to prepare for future SNF and HLW shipments. • Maintained support for logistical requirements, packaging and transportation hardware, and analytical capabilities. • Implemented an appropriate investment strategy for the NWF investment portfolio and prudently managed the NWF portfolio. • Maintained physical security requirements for the Yucca Mountain site under DOE Order 473.3A as well as provided site maintenance and fulfilled environmental requirements. • Supported associated Federal staff and support. 	<p>Nuclear Waste Fund Oversight \$10,205,000</p> <ul style="list-style-type: none"> • Implement an appropriate investment strategy for the NWF investment portfolio and prudently manage the NWF portfolio. • Administer the Standard Contract between nuclear utilities and the government. • Maintain physical security requirements for the Yucca Mountain site under DOE Order 473.3A as well as provide site maintenance and fulfill environmental requirements. • Provide legal services for nuclear waste disposal activities. • Support the agency financial report and audit. • Support associated Federal staff and support. 	<p style="text-align: center;">-\$17,295,000</p> <p>Funding decrease reflects the FY 2021 Enacted funding for Interim Storage activities appropriated within the Interim Storage and Nuclear Waste Fund Oversight program (Nuclear Waste Disposal account) and the FY 2023 Budget Request for Interim Storage activities instead included in the Office of Nuclear Energy’s Integrated Waste Management System subprogram within Fuel Cycle Research and Development.</p>