

**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, \$12,040,000, to remain available until expended, which shall be derived from the Nuclear Waste Fund.

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 2024 OMB Budget Request

The Nuclear Waste Fund Oversight program's FY 2024 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 contract holders 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; and
- Operation and maintenance costs for Yucca Mountain legacy licensing and data management system.

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

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

| | (\$K) | | | | |
|--|--------------------|--------------------|--------------------|------------------------------------|---------------|
| | FY 2022 Enacted | FY 2023 Enacted | FY 2024 Request | FY 2024 Request vs FY 2023 Enacted | |
| | | | | \$ | % |
| Nuclear Waste Fund Oversight | 7,500 | 10,205 | 12,040 | +1,835 | +18.0% |
| Nuclear Waste Fund Oversight Interim Storage ¹ | 20,000 | 0 | 0 | 0 | 0% |
| Total | 27,500 | 10,205 | 12,040 | +1,835 | +18.0% |

Nuclear Waste Fund Oversight
Nuclear Waste Fund Oversight
Interim Storage¹
Total

| Future Year Energy Program(\$K) | | | | | |
|--|--------------|---------|---------|---------|---------|
| | 2024 Request | FY 2025 | FY 2026 | FY 2027 | FY 2028 |
| Nuclear Waste Disposal | 12,040 | 12,000 | 13,000 | 13,000 | 13,000 |

In the FY 2012 Consolidated Appropriations Act (P.L. 112-74), Congress directed the Department to include a future-years energy program (FYEP) in subsequent requests that reflects the proposed appropriations for five years. This FYEP shows outyear funding for each account for FY 2025 - FY 2028. The outyear funding levels use the growth rates from and match the outyear account totals published in the FY 2024 President’s Budget for both the 050 and non-050 accounts. Actual future budget request levels will be determined as part of the annual budget process.

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, operation and maintenance costs for Yucca Mountain legacy licensing and data management system, and associated federal staff.

¹ The Interim Storage program’s FY 2024 Budget Request is included in the Integrated Waste Management System subprogram within Fuel Cycle Research and Development.

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

| |
|---|
| FY 2024 Request vs FY 2023 Enacted |
|---|

Nuclear Waste Fund Oversight:

The increase from \$10,205,000 to \$12,040,000 reflects funding for the operation and maintenance costs for the Yucca Mountain legacy licensing and data management system being requested within the Nuclear Waste Fund Oversight program (Nuclear Waste Disposal account).

+\$1,835

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 spent nuclear fuel (SNF) and high-level waste (HLW) that require safe storage and eventual disposal. Commercial electricity generation, the largest generator of SNF, has to date generated approximately 90,000 metric tons of uranium (MTU) of SNF. The current nuclear power reactor fleet has the potential to generate an additional 50,000 MTU, for a total of approximately 140,000 MTU by 2060¹. 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).

¹ Peters, S., J. Carter, and K. Banerjee. Spent Nuclear Fuel and Reprocessing Waste Inventory, FCRD-NFST-2013-000263, Rev. 9, PNNL-33938, November 2022.

Nuclear Waste Fund Oversight

Activities and Explanation of Changes

| FY 2023 Enacted | FY 2024 Request | Explanation of Changes FY 2024 Request vs FY 2023 Enacted |
|--|--|---|
| <p>Interim Storage and Nuclear Waste Fund Oversight \$10,205,000</p> <ul style="list-style-type: none"> • Implemented an appropriate investment strategy for the NWF investment portfolio and prudently manage the NWF portfolio. • Administered the Standard Contract between contract holders and the government. • Maintained physical security requirements for the Yucca Mountain site under DOE Order 473.3A as well as provide site maintenance and fulfill environmental requirements. • Provided legal services for nuclear waste disposal activities. • Supported the agency financial report and audit. • Supported associated Federal staff and support. | <p>Nuclear Waste Fund Oversight \$12,040,000</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 contract holders 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. • Operation and maintenance costs for Yucca Mountain legacy licensing and data management system. | <p style="text-align: center;">+\$1,835,000</p> <ul style="list-style-type: none"> • The increase from \$10,205,000 to \$12,040,000 reflects funding for the operation and maintenance costs for the Yucca Mountain legacy licensing and data management system being requested within the Nuclear Waste Fund Oversight program (Nuclear Waste Disposal account). |