

DATE: November 25, 2008
TO: Sue Tierney, Phil Niedzielski-Eichner, Skila Harris
FROM: Chris Kouts
SUBJECT: Information Request

As requested, enclosed is the additional information you requested yesterday.

1. Testimony:
 - September 24, 2008 before the Senate Committee on Commerce, Science and Transportation,
 - July 15, 2008 before the House Committee on Energy and Commerce
 - October 4, 2007 before the House Committee on the Budget and Chairman Spratt

2. Proposed Legislation "Nuclear Fuel Management and Disposal Act" submitted to Congress March 6, 2007

3. State-by-State Maps that outline each state's electricity generation mix, commercial spent nuclear fuel inventories, and payments into the Nuclear Waste Fund

The additional information on the history of the use of engineered barriers will be available early next week.

Please let me know if you need additional information or have any questions.

Testimony

**Statement of Edward F. Sproat III
Director
Office of Civilian Radioactive Waste Management
U.S. Department of Energy**

**Before the
Committee on Commerce, Science and Transportation
United States Senate**

September 24, 2008

Mr. Chairman and Members of the Committee, I am Edward F. Sproat III, Director of the Department of Energy's (DOE) Office of Civilian Radioactive Waste Management (OCRWM). I appreciate the invitation to appear before the Committee to discuss the safety and security of transporting spent nuclear fuel.

Since the early 1960s, more than 3,000 shipments of spent nuclear fuel have been conducted safely and securely in the United States, having traveled more than 1.7 million miles. There has never been a spent nuclear fuel transportation accident that has resulted in any release of radioactive material harmful to the public or the environment. The use of robust casks certified by the Nuclear Regulatory Commission (NRC), and strict regulatory standards for every aspect of logistics, including material characterization, packaging, loading, marking, equipment inspections, routing, training, security, and shipment monitoring, have all contributed to this outstanding safety record.

In 2006, the National Academy of Sciences published a study on the safety of spent nuclear fuel shipments titled: "*Going the Distance? The Safe Transport of Spent Nuclear Fuel and High-Level Radioactive Waste in the United States.*" In that report, the

Academy concluded that from a technical viewpoint, these shipments present "...a low-radiological-risk activity with manageable safety, health and environmental consequences when conducted in strict adherence with existing regulations." The plans to ship spent nuclear fuel to the Yucca Mountain repository in the 2020 timeframe are building on this successful experience base.

Roles and Relationships

The Department of Transportation (DOT) and the NRC have established safety and security regulations for transport of spent nuclear fuel. DOE has committed to meet or exceed these regulations for shipments to Yucca Mountain. The Nuclear Waste Policy Act of 1982, as amended (NWPA) explicitly requires the Department to ship spent nuclear fuel and high-level radioactive waste to a repository in transportation casks certified by the NRC. Under the NWPA, the Department must also comply with NRC notification requirements prior to conducting such shipments. In addition, the NWPA requires the Department to provide States and Tribes technical assistance and funds for training local public safety officials in safe routine transportation and emergency response procedures. The Department has selected mostly rail as the preferred mode of transport both nationally and in the State of Nevada for shipments to Yucca Mountain. The Department also has made the policy decision to use dedicated trains as the usual mode of rail service to enhance operational efficiency.

As the planning process for the Yucca Mountain transportation system evolves, we are continually looking for opportunities to further enhance the safety and security of these

shipments. Post 9/11, the NRC has also imposed additional security measures for its licensees transporting spent nuclear fuel and other materials, many of which were measures DOE had put in place for its shipments years before. We are and will continue to coordinate our planning closely with NRC, DOT, and the Department of Homeland Security.

Once routes and shipment schedules are established, advance notification will be provided to individuals that have appropriate security clearance in each governor's office in compliance with NRC regulations. All shipments will be accompanied by armed escorts and will be continuously monitored and tracked via satellite. We anticipate that most rail shipments will be conducted on dedicated trains, meaning no other materials will be transported on the same train, allowing for greater operational control of such shipments. Highway and rail shipments will be thoroughly inspected in accordance with standards of the Commercial Vehicle Safety Alliance or the Federal Railroad Administration, as appropriate, prior to departing from their points of origin.

Challenges and Issues

In their report on the safety of spent nuclear fuel shipments referenced above, the National Academy of Sciences addressed the relative risks of these shipments compared to other hazardous materials commonly transported in this country. Their findings demonstrate that each spent nuclear fuel shipment is thousands of times less risky than shipments of other commonly transported hazardous materials. This level of safety is the

direct result of the stringent regulatory standards and robust packages used for such shipments.¹

In addition to the lower risks for each shipment of spent nuclear fuel, there are far fewer of these shipments per year than shipments of other hazardous materials. In 2006, American railroads transported hazardous materials 111 billion ton-miles in over 1,000,000 rail cars. Of this total, less than 0.025 percent were spent nuclear fuel shipments.

The National Academy of Sciences, the transportation industry, the State of Nevada, and a broad spectrum of other stakeholders advocated strongly for a transportation system based on mostly rail shipments. Over the life of the repository, fewer than 3,000 trains can transport the same amount of spent nuclear fuel that would require more than 48,000 truck shipments. In addition, the use of Transportation, Aging, and Disposal canisters, which weigh up to 180 tons in their transportation configuration, requires the use of rail transport.

A significant fleet of transportation casks has to be developed to support shipments to Yucca Mountain. That process has started with funding for the design and certification of the Transportation, Aging and Disposal canisters and their transportation overpacks. Funding to support development of a fleet of approximately 150 transport casks that meet the stringent safety requirements of the NRC is needed as part of the transportation

¹ National Research Council of the National Academies, Going the Distance? The Safe Transport of Spent Nuclear Fuel and High-Level Radioactive Waste in the United States (Washington, D.C.: The National Academies Press, 2006), pp. 174-182.

system. In addition, the Department needs to develop a fleet of rail cars with the best available safety technology. These rail cars will meet the new requirements established by the Association of American Railroads. The Department is collaborating with the Naval Nuclear Propulsion Program on development of the next generation of security escort rail cars designed to this new standard.

Current Status and Steps Moving Forward

In a 2004 Record of Decision, the Department selected mostly rail as its mode of transport, both nationally and in the State of Nevada. In June 2008, the Department completed the “Final Environmental Impact Statement for a Rail Alignment for the Construction and Operation of a Railroad in Nevada to a Geologic Repository at Yucca Mountain, Nye County, Nevada” (Rail Alignment EIS). The Rail Alignment EIS analyzes the environmental impacts associated with a range of potential alignments for constructing and operating a railroad in Nevada to Yucca Mountain. There was considerable public involvement in the development of the EIS and a Record of Decision is anticipated this fall.

As we move forward the Department will continue its ongoing collaborations with States, Tribes and stakeholders as we fulfill our commitment to establish a safe and secure transportation system for shipments to Yucca Mountain. I appreciate the Committee’s interest on this important aspect of the Department’s Yucca Mountain Program.

**Statement of Edward F. Sproat, III, Director
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
Before the
Subcommittee on Energy and Air Quality
Committee on Energy and Commerce
U.S. House of Representatives**

July 15, 2008

Mr. Chairman and Members of the Committee, I appreciate the invitation to appear before the Committee to discuss the current status of the Yucca Mountain Program, including funding and liability issues associated with the development and operation of the repository.

In July 2006, I appeared before this Committee to discuss my plans to move the Yucca Mountain Program forward. I outlined four strategic objectives that I intended to pursue and implement during my tenure as Director:

1. Submit a high-quality and docketable License Application to the United States Nuclear Regulatory Commission (USNRC) no later than June 30, 2008;
2. Design, staff, and train the Office of Civilian Radioactive Waste Management (OCRWM) organization such that it has the skills and culture needed to design, license, and manage the construction and operation of the Yucca Mountain Project with safety, quality, and cost effectiveness;

3. Develop and begin implementation of a comprehensive national transportation plan that accommodates State, local and Tribal concerns and input to the greatest extent practicable; and
4. Minimize the Government's liability associated with the unmet contractual obligations to move spent nuclear fuel from nuclear plant sites.

In my testimony, I also outlined a number of intermediate milestones with dates that would need to be met in order to submit the License Application, including supplementing the repository environmental impact statement. I am pleased to report that we met or beat all but one of those milestones (we missed one by two weeks) and submitted the License Application to the USNRC on June 3 of this year in spite of FY 2007 and FY 2008 appropriations reductions totaling over \$200 million less than the President's requests. We were able to accomplish this due to significant improvements the Program has made in management practices and processes. Following a 90-day acceptance review by the USNRC, the Department of Energy (the Department or DOE) believes the License Application will be docketed, thus beginning the formal licensing phase that is anticipated to last three to four years.

Concerning organizational development, the Program is transitioning from a science focus to a project execution focus and the organization must be ready to function successfully as a USNRC licensee to construct and operate the repository, as well as manage the transport and receipt of spent nuclear fuel and high-level radioactive waste.

Internal assessments have identified the need to establish and improve critical business processes, implement human capital management systems to provide a high quality workforce, and implement the organizational structure necessary to achieve optimal productivity and efficiencies during the licensing, construction, and operation phases of the project. The Department is currently developing and implementing the management processes and performance indicators needed to drive continuous improvement, improve individual employee and management job performance, and develop leadership capabilities.

Our focus on transportation has increased. The Department has issued a final rail alignment environmental impact statement for the Nevada Rail Line, submitted an application to the Surface Transportation Board at the U.S. Department of Transportation for a certificate of public convenience and necessity to construct and operate the proposed rail line, and issued a draft National Transportation Plan for comment. In May 2008, the Department also awarded contracts for the design, licensing and demonstration of the Transportation, Aging, and Disposal (TAD) canister system. The TAD canister is planned to be the primary means for packaging spent nuclear fuel for transportation to, and disposal in, the repository at Yucca Mountain. The TAD canister will minimize the need for repetitive handling of spent nuclear fuel by using the same canister from the time the fuel leaves a nuclear power plant; it is a significant step in the transportation planning process.

The DOE has also actively worked with the Department of Justice to achieve settlements

with more than 25 percent of the nuclear industry in connection with lawsuits relating to the Government's delay in beginning acceptance of spent nuclear fuel. The growing liability associated with the Department's inability to begin acceptance of spent nuclear fuel under the Standard Contracts with utilities provides further impetus for the Federal government to move forward with the repository program. To make this happen, it is essential that the Department have access to the Nuclear Waste Fund and its revenue streams as intended under the Nuclear Waste Policy Act of 1982.

To allow the licensing of new nuclear plants, we have informed utilities interested in constructing new reactors that DOE is prepared to discuss a revision to the Standard Contract to cover the new plants. The Department has developed an amendment to the Standard Contract which we believe adequately protects the interests of the taxpayer and the contract holder. The Nuclear Waste Policy Act of 1982 requires that utilities have such a disposal contract with DOE, or be engaged in good faith negotiations with DOE for such a contract, before USNRC may issue a license for a new commercial reactor. Numerous utilities have recently indicated their desire to enter into contracts with the Department for new nuclear power plants they intend to construct. Execution of disposal contracts with the utilities is an essential step in the development of new reactors that are needed to meet our Nation's growing demands for electricity.

My office has also completed four reports that are in DOE review and we expect that they will be released in the near future. The first report is the Total System Life Cycle Cost estimate for the development, construction, operation, and final decommissioning

of the Yucca Mountain repository system and the second report is the fee adequacy assessment of the 1 mil per kilowatt/hour fee paid by nuclear utilities into the Nuclear Waste Fund using the new total cost estimate. The third report addresses the need for a second repository and it is required by the Nuclear Waste Policy Act of 1982 to be submitted by the Secretary of Energy to the President and the Congress. The fourth report concerns the interim storage of spent nuclear fuel from decommissioned reactors, as requested in the House Report that accompanied the Consolidated Appropriations Act, 2008.

FUNDING REFORM

The significant reductions in appropriations funding for FY 2007 and FY 2008 have negated the Department's ability to meet the March 2017 opening date I outlined for this Committee in 2006. To have confidence in any milestones after 2008, it is imperative that the funding process for the OCRWM Program allow the Nuclear Waste Fund and the annual receipts from the nuclear waste generators to be used for their intended purpose. The Nuclear Waste Policy Act of 1982 established the requirement that the generators of spent nuclear fuel must pay for its disposal costs. As a result, the Nuclear Waste Fund was created and is funded by a 1 mil per kilowatt-hour fee on all nuclear generation in this country. As of today, the Fund has a balance of approximately \$21 billion which is invested in U.S. Treasury instruments. The Government receives approximately \$750 million per year in revenues from on-going nuclear generation and approximately \$1 billion from interest earnings.

At the present time, due to technical scoring requirements, the Department cannot receive appropriations from the Nuclear Waste Fund equal to its annual fee receipts or interest or some combination of the two to use for their intended purpose without incurring a significant recorded negative impact on the Federal budget deficit. The monies collected are counted as mandatory receipts in the budgetary process, and spending from the Nuclear Waste Fund is scored against discretionary funding caps for the appropriations process. The Administration has proposed fixing this problem by reclassifying mandatory Nuclear Waste Fund fees as discretionary, in an amount equal to appropriations from the Fund for authorized waste disposal activities. Funding for the Program would still have to be requested by the President and appropriated by the Congress from the Nuclear Waste Fund.

The projected budget authority needed through repository construction is well above current and historic levels, and the current funding level is insufficient to build the repository and the transportation system. The current funding level will not allow the placement of the design and construction contracts for the repository or the transportation systems. In short, DOE will not be able to execute its responsibilities under the Nuclear Waste Policy Act of 1982 and will not be able to set a date for meeting its contractual obligations. Government liability will continue to grow with no apparent limit.

LIABILITY

The calculation of potential liability costs to taxpayers is a complex matter that depends on a number of variables that change year to year; however, on average the taxpayers' liability will increase \$500 million annually for every year the Department is required to delay the opening of Yucca Mountain due to funding shortfalls. The DOE estimates that taxpayers' potential liability to contract holders who have paid into the Nuclear Waste Fund will increase from approximately \$7 billion to approximately \$11 billion because the opening of the repository is delayed from 2017 to 2020. Moreover, the liability costs to the taxpayers do not include the additional costs associated with keeping defense waste sites open longer than originally anticipated. The Department has not yet estimated those costs. It can be seen, however, that each year of delay in opening the repository has significant taxpayer cost implications. Therefore, the Administration believes it is in the Nation's best interest to expedite construction of the repository and the transportation infrastructure necessary to bring both defense and commercial spent nuclear fuel and high-level waste to Yucca Mountain.

CONCLUSION

Two years ago, when I first appeared before this Committee, I made a number of commitments intended to show that the Yucca Mountain Program was viable and could make progress. I am pleased to report that we have met those commitments, developed and submitted the long delayed License Application to the USNRC, and made substantial progress in improving the management of this Program. I have every confidence in the senior Federal management team who will run this Program following my departure.

They will need the help of Congress, however, to obtain the funding required to execute their mission. Assuming the USNRC grants the Department a Construction Authorization to build the repository in the next three to four years, the Department could be ready to begin accepting spent nuclear fuel by 2020, but only if adequate funding is provided. For the DOE to achieve its mission, it must be allowed to use the Nuclear Waste Fund and its revenue streams as intended by Congress when the Fund was established.

Thank you for this opportunity to discuss the status of the Program. I would be pleased to answer any questions the Committee may have at this time.

Statement of Edward F. Sproat III
Director of the
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
Before the Committee on the Budget
U.S. House of Representatives
October 4, 2007

Mr. Chairman and Members of the Committee, I am Edward F. Sproat III, Director of the Department of Energy's (DOE) Office of Civilian Radioactive Waste Management (OCRWM). I appreciate the invitation to appear before the Committee to discuss the funding and liability issues associated with the development and operation of the Yucca Mountain repository. Your request to address the Government's financial position and future cash flows that impact the budget allows me the opportunity to discuss the much needed funding reform for the Program. Funding reform is vital to the Government's ability to build the repository and minimize the Government's existing liability.

I want to state my appreciation for the staff at the Department of Justice who have worked tirelessly on the 67 cases filed against the Government by the holders of the Standard Contract. I believe Mr. Hertz will address your questions regarding the lawsuits and payments from the Judgment Fund.

Minimizing the Government's liability associated with the unmet contractual obligations to move spent nuclear fuel from nuclear plant sites is one of the four strategic objectives for the Program that I set when I was confirmed. In the simplest of terms, the best way to reduce the Government's liability is to complete the Yucca Mountain repository and begin the acceptance of spent nuclear fuel from the Nation's nuclear reactor sites. Meeting the other three strategic objectives and fixing the broken funding mechanism for this Program is how the Government is to expedite the acceptance of spent nuclear fuel. The other three strategic objectives are to:

- Submit a high-quality and docketable License Application to the Nuclear Regulatory Commission (NRC) no later than June 30, 2008;
- Design, staff, and train the OCRWM organization such that it has the skills and culture needed to design, license, and manage the construction and operation of the Yucca Mountain Project with safety, quality, and cost effectiveness; and
- Develop and begin implementation of a comprehensive national transportation plan that accommodates State, local and Tribal concerns and input to the greatest extent practicable.

STATUS OF THE PROGRAM

In support of meeting these objectives, I am confident that in FY 2008 we will:

- Certify the Licensing Support Network in accordance with NRC requirements and regulations;
- Complete the Repository Supplemental Environmental Impact Statement;
- Submit the License Application for construction authorization to NRC by June, 2008 and begin its defense;
- Design the Transportation, Aging and Disposal canisters to be used by the industry to package and ship spent nuclear fuel to the repository;
- Deliver the report to Congress required by the Nuclear Waste Policy Act on the need for a second repository; and
- Resolve comments and issue the final environment impact statement for the Nevada Rail Line which is required to transport spent nuclear fuel to the repository.

FUTURE FUNDING - THE NEED FOR FUNDING REFORM

To have confidence in any milestones after 2008, it is imperative that the funding process for the Program allows the Nuclear Waste Fund and the annual receipts from the nuclear waste generators to be used for their intended purpose. The Nuclear Waste Policy Act established the requirement that the generators of spent nuclear fuel must pay for its disposal costs. As a result, the Nuclear Waste Fund was created and is funded by a 1 mil per kilowatt-hour fee on all nuclear generation in this country. As of today, the Fund has a balance of approximately \$20.7 billion which is invested in U.S. Treasury instruments. The Government receives approximately \$750 million per year in revenues from on-going nuclear generation and the Fund averages about 5.5 percent annual return on its investments. The Secretary of Energy has the responsibility to annually assess the adequacy of the fee and is authorized to adjust it as necessary.

At the present time, due to technical scoring requirements, the Department cannot receive appropriations from the Nuclear Waste Fund equal to its annual receipts, interest, or corpus for their intended purpose without a significant recorded negative impact on the Federal budget deficit. The monies collected are counted as mandatory receipts in the budgetary process, and spending from the Nuclear Waste Fund is scored against discretionary funding caps for the appropriations process. The Administration proposed fixing this problem by reclassifying mandatory Nuclear Waste Fund fees as discretionary, in an amount equal to appropriations from the Fund for authorized waste disposal activities. Funding for the Program would still have to be requested by the President and appropriated by the Congress from the Nuclear Waste Fund.

The projected budget authority needed through repository construction is well above current and historic levels, and the current funding levels are insufficient to build the

repository and the transportation system. If the Program is funded at its current levels without fixing the current funding mechanism, the shortfall in the funding needed would be between \$1.0 billion and \$1.5 billion per year. This funding shortfall will not allow the placement of the design and construction contracts for the repository or the transportation systems. In short, DOE will not be able to execute its responsibilities under the Nuclear Waste Policy Act and will not be able to set a date for meeting its contractual obligations. Government liability will continue to grow with no apparent limit.

In order for the Government to meet its obligations under the Nuclear Waste Policy Act, the funding mechanism for this Program must be designed to provide the following to DOE:

- Appropriations of amounts sufficient to allow funding of long term engineering, construction and procurement contracts; and,
- Authority to collect and utilize the fees from the nuclear waste generators for the management of spent fuel as required by the Nuclear Waste Policy Act and made available in the year they are received.

Funding from the annual Nuclear Waste Fund fees alone at the current 1 mil per kilowatt-hour level will not be sufficient to fund the Program at the required levels. The Administration will address the Program's funding needs in the context of developing the President's annual budget.

LIABILITY COSTS

Litigation settlements or damages are not paid from the Yucca Mountain Program appropriations. Rather, damages or settlement payments to utilities for the Department's delay are paid from the Judgment Fund, which is a permanent indefinite appropriation funded by taxpayer dollars. In 2002, the U.S Court of Appeals for the 11th Circuit ruled that the Department was not authorized under the Nuclear Waste Policy Act to spend Nuclear Waste Fund monies on settlement agreements aimed at compensating utilities for onsite storage costs.

The estimated current potential liability is approximately \$7.0 billion which is predicated on the Department beginning operations at Yucca Mountain in 2017. Delaying the opening of the repository to 2020 could cost taxpayers as much as an additional \$4 billion from the Judgment Fund to pay damages.

PROGRAM COSTS

The Program has spent \$11 billion in 2000 constant dollars since 1983. The 2001 total life cycle cost estimate for the Program was \$57.5 billion in 2000 constant dollars, which included costs already incurred. The Program is expected to release a revised total system

life cycle cost estimate shortly. The estimate will include the costs for accepting approximately 30 percent more spent nuclear fuel into the system and will estimate costs through the repository's closing in year 2133. Based on our recently completed Program schedule and cost estimate, annual funding will be needed at levels 2 to 3 times the current appropriations starting in FY 2009. If the requested fixes to the funding process are not put into place, DOE will not be able to set a credible opening date for the repository and Government liability will continue to grow.

Therefore, I respectfully urge the Congress to consider that it is in the taxpayers' best interest to provide funding reform to expedite the procurement activities, engineering and construction of the repository and the associated transportation systems. It will limit the taxpayer's burden of billions of dollars in liability and stop the waste of Nuclear Waste Fund dollars by delays due to inadequate funding.

Thank you for this opportunity to discuss these issues, and I would be pleased to answer any questions the Committee may have at this time.

Proposed Legislation



The Secretary of Energy
Washington, DC 20585

March 6, 2007

The Honorable Richard B. Cheney
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

Enclosed for the consideration of Congress is a legislative proposal entitled "Nuclear Fuel Management and Disposal Act." The Administration is committed to advancing the development of the Yucca Mountain repository, and I look forward to working with you and your colleagues in the Congress on legislation to achieve this objective.

This legislative proposal is the same as that submitted by the Administration to Congress last year, with the exception of technical amendments to one section discussed in the enclosed bill summary. We are aware that some Members of Congress have expressed concerns about elements of this proposal and that some have proposed other approaches to addressing radioactive waste disposal issues. The Administration offers this legislative proposal again to continue the conversation and looks forward to working with Congress to develop a bill that can be passed by Congress and signed by the President.

In doing so, we must not lose sight of three key facts:

1. Expansion of nuclear power in the United States is a critical energy security and national security priority.
2. In order to ensure that expansion, the Nation must have a repository for the disposal of spent nuclear fuel and high-level radioactive waste.
3. Congress and the President already have decided that Yucca Mountain is the appropriate location for that repository, subject, of course, to licensing by the Nuclear Regulatory Commission.

In 2002, Congress passed and the President signed Public Law 107-200, which approved the site at Yucca Mountain for the Nation's permanent geologic repository for spent nuclear fuel and high-level radioactive waste. That joint resolution was subject to vigorous debate prior to its passage and enactment. It is time to proceed to implement the decisions already made by the Nation.

It is also very important that we do so promptly. Nuclear power helps address many of our Nation's most pressing concerns. It is a clean, reliable, domestic source of energy. Increased reliance on nuclear power will help us address the energy price spikes that have occurred in recent years, as well as the increased



importance of ensuring that we look more to our own country, rather than foreign sources, for our energy supplies. Moreover, nuclear power produces large amounts of energy with no atmospheric emissions of criteria pollutants such as NOx or SO2, and no emissions of greenhouse gases such as CO2. For the United States to address global climate change effectively, it must ensure that nuclear power is an important source of the Nation's energy supply. The Yucca Mountain repository is necessary for the disposal of both current and future inventories of spent nuclear fuel and high-level radioactive waste generated by nuclear reactors.

More specifically, the development of that repository is necessary for disposal of the more than 55,000 metric tons of spent nuclear fuel and high-level waste currently stored at over 100 sites in 39 States, as well as the approximately 2,000 metric tons being generated annually. Moreover, even with the future deployment of advanced recycling and reactor technologies contemplated in the Global Nuclear Energy Partnership, the Yucca Mountain repository will continue to be necessary for the disposal of the spent nuclear fuel and high-level radioactive waste that will be generated by those technologies.

The expeditious licensing and development of the Yucca Mountain repository also is necessary to address the mounting Federal Government liability associated with delays in opening the repository. The Nuclear Waste Policy Act of 1982, as amended (NWPAA), required the Federal Government to enter into contracts with commercial nuclear generating facilities whereby the Government became obligated to accept and dispose of spent nuclear fuel from those facilities. The 1982 legislation contemplated that repository operations would commence in 1998.

More than 60 lawsuits have been filed against the Government for its partial breach of those contracts, and to date, the Government already has paid tens of millions of dollars to settle some of these claims. To date, the Government has paid approximately \$214 million in three settlements and one judgment and has filed notices of appeal of two other judgments totaling approximately \$190 million.

The Department of Energy estimates that the Government's liability already is approaching \$7 billion, and it will continue to grow by hundreds of millions of dollars for each year that the opening of the Yucca Mountain repository is delayed past 2017. The American taxpayers are bearing these costs. Congress can help mitigate that liability by passing the Yucca Mountain legislation that will facilitate the licensing, construction, and operation of the repository by 2017.

The expeditious opening of the repository is necessary for the disposal of spent nuclear fuel and high-level radioactive waste located at sites throughout the country and necessary to address the growing Federal Government liability associated with the delays in the opening of the repository. Enactment of Yucca

Mountain legislation also would advance the Nation's energy independence, energy security, and national security objectives.

For your convenience, I am enclosing a bill summary, a legislative provisions summary, the bill, and a sectional analysis of the bill.

The Office of Management and Budget advises that enactment of this bill is in accord with the program of the President.

I look forward to working with you on Yucca Mountain legislation. If you or your staff have any questions regarding the bill, or if we can provide any assistance, please contact Jill Sigal, Assistant Secretary for Congressional and Intergovernmental Affairs, at 202-586-5450.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam", with a long horizontal flourish extending to the right.

Samuel W. Bodman

Enclosures



The Secretary of Energy
Washington, DC 20585

March 6, 2007

The Honorable Nancy Pelosi
Speaker of the U.S. House of Representatives
Washington, D.C. 20515

Dear Madame Speaker:

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importance of ensuring that we look more to our own country, rather than foreign sources, for our energy supplies. Moreover, nuclear power produces large amounts of energy with no atmospheric emissions of criteria pollutants such as NOx or SO2, and no emissions of greenhouse gases such as CO2. For the United States to address global climate change effectively, it must ensure that nuclear power is an important source of the Nation's energy supply. The Yucca Mountain repository is necessary for the disposal of both current and future inventories of spent nuclear fuel and high-level radioactive waste generated by nuclear reactors.

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Sincerely,

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Samuel W. Bodman

Enclosures

A BILL

To enhance the management and disposal of spent nuclear fuel and high-level radioactive waste, to assure protection of public health and safety, to ensure the territorial integrity and security of the repository at Yucca Mountain, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nuclear Fuel Management and Disposal Act”.

5 **SEC. 2. DEFINITIONS.**

6 (a) NUCLEAR WASTE POLICY ACT OF 1982 DEFINITIONS.—For purposes
7 of this Act:

- 8 (1) “Commission”,
9 (2) “disposal”,
10 (3) “Federal agency”,
11 (4) “high-level radioactive waste”,
12 (5) “repository”,
13 (6) “Secretary”,
14 (7) “State”,
15 (8) “spent nuclear fuel”, and
16 (9) “Yucca Mountain site”

17 have the meaning given those terms in section 2 of the Nuclear Waste Policy Act of
18 1982 (42 U.S.C. 10101).

19 (b) OTHER DEFINITIONS.—For purposes of this Act—

1 (1) "Withdrawal" means the geographic area consisting of the land
2 described in section 3(c);

3 (2) "Secretary concerned" means the Secretary of the Air Force or the
4 Secretary of the Interior, or both, as appropriate; and

5 (3) "Project" means the Yucca Mountain Project.

6 **SEC. 3. LAND WITHDRAWAL AND RESERVATION.**

7 (a) **LAND WITHDRAWAL, JURISDICTION, AND RESERVATION.—**

8 (1) **LAND WITHDRAWAL.**—Subject to valid existing rights, and except
9 as provided otherwise in this Act, the lands described in subsection (c) are
10 withdrawn permanently from all forms of entry, appropriation, and disposal under
11 the public land laws, including without limitation the mineral leasing laws, the
12 geothermal leasing laws, and the mining laws.

13 (2) **JURISDICTION.**—Except as otherwise provided in this Act,
14 jurisdiction over the Withdrawal is vested in the Secretary. There are transferred
15 to the Secretary the lands within the Withdrawal under the jurisdiction of the
16 Secretary concerned on the date of enactment of this Act.

17 (3) **RESERVATION.**—The Withdrawal is reserved for use by the
18 Secretary for the development, preconstruction testing and performance
19 confirmation, licensing, construction, management and operation, monitoring,
20 closure, post-closure, and other activities associated with the disposal of high-
21 level radioactive waste and spent nuclear fuel under the Nuclear Waste Policy Act
22 of 1982 (42 U.S.C. 10101 et seq.).

1 (b) REVOCATION AND MODIFICATION OF PUBLIC LAND ORDERS AND
2 RIGHTS OF WAY.—

3 (1) PUBLIC LAND ORDER REVOCATION. —Public Land Order 6802 of
4 September 25, 1990, as extended by Public Land Order 7534, and any conditions
5 or memoranda of understanding accompanying those land orders, are revoked.

6 (2) RIGHT OF WAY RESERVATIONS.--Project right-of-way
7 reservations N-48602 and N-47748 of January 5, 2001, are revoked.

8 (c) LAND DESCRIPTION.—

9 (1) BOUNDARIES.--The lands and interests in lands withdrawn and
10 reserved by this Act comprise the approximately 147,000 acres of land in Nye
11 County, Nevada, as generally depicted on the Yucca Mountain Project Map,
12 YMP-03-024.2, entitled "Proposed Land Withdrawal" and dated July 21, 2005.

13 (2) LEGAL DESCRIPTION AND MAP. —As soon as practicable after the date
14 of enactment of this Act, the Secretary of the Interior shall:

15 (A) publish in the Federal Register a notice containing a legal
16 description of the Withdrawal; and

17 (B) file copies of the maps described in paragraph (1) and the legal
18 description of the Withdrawal with the Congress, the Governor of the
19 State of Nevada, and the Archivist of the United States.

20 (3) TECHNICAL CORRECTIONS. —The maps and legal description
21 referred to in this subsection have the same force and effect as if they were
22 included in this Act. The Secretary of the Interior may correct clerical and
23 typographical errors in the maps and legal description.

1 (d) RELATIONSHIP TO OTHER RESERVATIONS. —The provisions of
2 subtitle A of title XXX of the Military Lands Withdrawal Act of 1999 (sections 3011-
3 3023 of Pub. L. No. 106-65) and of Public Land Order 2568 do not apply to the lands
4 withdrawn and reserved by subsection (a). This Act does not apply to any other lands
5 withdrawn for use by the Department of Defense under subtitle A of title XXX of the
6 Military Lands Withdrawal Act of 1999.

7 (e) MANAGEMENT RESPONSIBILITIES.

8 (1) GENERAL AUTHORITY.—The Secretary shall manage the lands
9 withdrawn by subsection (a) consistent with the Federal Land Policy and
10 Management Act of 1976 (43 USC 1701 et seq.), this Act, and other applicable
11 law. The Secretary shall consult with the Secretary concerned in discharging that
12 responsibility.

13 (2) MANAGEMENT PLAN.—

14 (A) DEVELOPMENT. —The Secretary, after consulting with the
15 Secretary concerned, shall develop a management plan for the use of the
16 Withdrawal. Within 3 years after the date of enactment of this Act, the
17 Secretary shall submit the management plan to the Congress and the State
18 of Nevada.

19 (B) PRIORITY OF YUCCA MOUNTAIN PROJECT-RELATED
20 ISSUES. —Subject to subparagraphs (C), (D), and (E), any use of the
21 Withdrawal for activities not associated with the Project is subject to
22 conditions and restrictions that the Secretary considers necessary or
23 desirable to permit the conduct of Project-related activities.

1 (C) DEPARTMENT OF THE AIR FORCE USES. —The
2 management plan may provide for the continued use by the Department of
3 the Air Force of the portion of the Withdrawal within the Nellis Air Force
4 Base Test and Training Range under terms and conditions on which the
5 Secretary and the Secretary of the Air Force agree concerning Air Force
6 activities.

7 (D) NEVADA TEST SITE USES. —The Secretary may allow the
8 National Nuclear Security Administration to continue to use the portion of
9 the Withdrawal on the Nevada Test Site and may impose any conditions
10 on that use that the Secretary considers necessary to minimize any effect
11 on either Project or Administration activities.

12 (E) OTHER NON-YUCCA MOUNTAIN PROJECT USES. —
13 The management plan shall provide for the maintenance of wildlife habitat
14 and shall provide that the Secretary may permit non-Project-related uses
15 that the Secretary considers appropriate, including domestic livestock
16 grazing and hunting and trapping in accordance with the following
17 requirements:

18 (i) GRAZING. —The Secretary may permit grazing to
19 continue where established before the date of enactment of this
20 Act, subject to regulations, policies, and practices that the
21 Secretary, after consulting with the Secretary of the Interior,
22 determines to be necessary or appropriate. The management of

1 grazing shall be conducted in accordance with applicable grazing
2 laws and policies, including—

3 (I) the Act commonly known as the “Taylor
4 Grazing Act” (43 U.S.C. 315 et seq.);

5 (II) title IV of the Federal Land Policy Management
6 Act of 1976 (43 U.S.C. 1751 et seq.); and

7 (III) the Public Rangelands Improvement Act of
8 1978 (43 U.S.C. 1901 et seq.).

9 (ii) HUNTING AND TRAPPING. —The Secretary may
10 permit hunting and trapping within the Withdrawal where
11 established before the date of enactment of this Act, except that the
12 Secretary, after consulting with the Secretary of the Interior and
13 the State of Nevada, may designate zones where, and establish
14 periods when, no hunting or trapping is permitted for reasons of
15 public safety, national security, administration, or public use and
16 enjoyment.

17 (F) MINING. —

18 (i) IN GENERAL. —Except as provided in subparagraph
19 (B), surface or subsurface mining or oil or gas production,
20 including slant drilling from outside the boundaries of the
21 Withdrawal, is not permitted at any time on lands on or under the
22 Withdrawal. The Secretary of the Interior shall evaluate and
23 adjudicate the validity of all mining claims on the portion of the

1 Withdrawal that, on the date of enactment of this Act, was under
2 the control of the Bureau of Land Management. The Secretary
3 shall provide just compensation for the acquisition of any valid
4 property right.

5 (ii) CIND-R-LITE MINE. —Patented Mining Claim No.
6 27-83-0002, covering the Cind-R-Lite mine, shall not be affected
7 by establishment of the Withdrawal, unless the Secretary, after
8 consulting with the Secretary of the Interior, determines that the
9 mine's acquisition is required in furtherance of the reserved use of
10 the Withdrawal set forth in subsection (a)(3). In that event, the
11 Secretary shall provide just compensation.

12 (G) LIMITED PUBLIC ACCESS. —The management plan may
13 provide for limited public access to the portion of the Withdrawal under
14 Bureau of Land Management control on the date of enactment of this Act.
15 Permitted uses may include continuation of the Nye County Early
16 Warning Drilling Program, utility corridors, and other uses the Secretary,
17 after consulting with the Secretary of the Interior, considers consistent
18 with the purposes of the Withdrawal.

19 (3) CLOSURE.—If the Secretary, after consulting with the Secretary
20 concerned, determines that the health and safety of the public or the common
21 defense and security require the closure of a road, trail, or other portion of the
22 Withdrawal, or the airspace above the Withdrawal, the Secretary may effect and
23 maintain the closure and shall provide notice of the closure.

1 (4) IMPLEMENTATION.—The Secretary and the Secretary concerned
2 shall implement the management plan developed under paragraph (2) under terms
3 and conditions on which they agree.

4 (f) IMMUNITY.—The United States and its departments and agencies shall be
5 held harmless and shall not be liable for damages to persons or property suffered in the
6 course of any mining, mineral leasing, or geothermal leasing activity conducted on the
7 Withdrawal.

8 (g) LAND ACQUISITION.—The Secretary may acquire lands and interests in
9 lands within the Withdrawal. Those lands and interests in lands may be acquired by
10 donation, purchase, lease, exchange, easement, rights-of-way, or other appropriate
11 methods using donated or appropriated funds. The Secretary of the Interior shall conduct
12 any exchange of lands within the Withdrawal for Federal lands outside the Withdrawal.

13 **SEC. 4. APPLICATION PROCEDURES AND INFRASTRUCTURE ACTIVITIES.**

14 (a) APPLICATION.—Section 114(b) of the Nuclear Waste Policy Act of 1982
15 (42 U.S.C. 10134(b)) is amended by adding the following sentence after “such
16 application.”:

17 “An application for construction authorization need not contain information on surface
18 facilities other than surface facilities necessary for initial operation of the repository.”.

19 (b) APPLICATION PROCEDURES AND INFRASTRUCTURE
20 ACTIVITIES.—Section 114(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C.
21 10134(d)) is amended by--

22 (1) inserting “(1)” after “ACTION. —”;

23 (2) striking the last two sentences; and

1 (3) inserting the following new paragraphs (2) and (3) after paragraph (1)
2 as designated and amended in paragraphs (1) and (2) of this subsection:

3 “(2) If the Commission approves an application for construction authorization and
4 the Secretary submits an application to amend the authorization to obtain permission to
5 receive and possess spent nuclear fuel and high-level radioactive waste, or to undertake
6 any other action concerning the repository, the Commission shall consider the application
7 using expedited, informal procedures, including discovery procedures that minimize the
8 burden on the parties to produce documents that the Commission does not need to render
9 a decision on an action under this section. The Commission shall issue a final decision
10 on whether to grant permission to receive and possess, or on any other application, within
11 one year of submission of the application, except that the Commission may extend that
12 deadline by not more than six months if, not less than 30 days before the deadline, the
13 Commission complies with the reporting requirements of subsection (e)(2).

14 “(3)(A) At any time before or after the Commission issues a final decision on an
15 application from the Secretary for construction authorization under this subsection, the
16 Secretary may undertake infrastructure activities that the Secretary deems are necessary
17 or appropriate to support construction or operation of a repository at the Yucca Mountain
18 site or transportation to such site of spent nuclear fuel and high-level radioactive waste.
19 Infrastructure activities include, but are not limited to, safety upgrades; site preparation;
20 the construction of a rail line to connect the Yucca Mountain site with the national rail
21 network, including any facilities to facilitate rail operations; and construction, upgrade,
22 acquisition, or operation of electrical grids or facilities, other utilities, communication
23 facilities, access roads, rail lines, and non-nuclear support facilities.

1 “(B) The Secretary shall comply with all applicable requirements under the
2 National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to an
3 infrastructure activity undertaken under this paragraph. If the Secretary determines that
4 an environmental impact statement is required in connection with an infrastructure
5 activity undertaken under this paragraph, the Secretary need not consider the need for the
6 action, alternative actions, or a no-action alternative. To the extent a Federal agency
7 must consider the potential environmental impact of an infrastructure activity undertaken
8 under this paragraph, the agency shall adopt, to the extent practicable, an environmental
9 impact statement prepared under this paragraph without further action. Adoption satisfies
10 the responsibilities of the adopting agency under the National Environmental Policy Act
11 of 1969 (42 U.S.C. 4321 et seq.), and no further action is required by the agency.

12 “(C) The Commission may not deny construction authorization, permission to
13 receive and possess spent nuclear fuel and high-level radioactive waste, or any other
14 action concerning the repository on the grounds that the Secretary undertook an
15 infrastructure activity under this paragraph.”.

16 (c) CONNECTED ACTIONS.—Section 114(f)(6) of the Nuclear Waste Policy
17 Act of 1982 (42 U.S.C. 10134(f)(6)) is amended by striking “or” and inserting before the
18 period “, or an action connected or otherwise related to the repository to the extent the
19 action is undertaken outside the geologic repository operations area and does not require
20 a license from the Commission”.

21 (d) EXPEDITED AUTHORIZATIONS.—Section 120 of the Nuclear Waste
22 Policy Act of 1982 (42 U.S.C. 10140) is amended—

1 (1) in subsection (a)(i) by inserting “or an infrastructure activity” after
2 “repository”, by inserting “, State, local, or Indian tribe” after “Federal” both
3 places it appears, and by striking “repositories” and inserting “a repository or
4 infrastructure activity”;

5 (2) in subsection (b) by striking “, and may include terms and conditions
6 permitted by law”; and

7 (3) by adding after subsection (b) the following new subsections (c) and
8 (d):

9 “(c) An agency or officer that fails to grant authorization within one year of
10 receiving an application or request from the Secretary subject to subsection (a) shall
11 submit a written report to Congress explaining the reason for not meeting this deadline or
12 rejecting the application or request.

13 “(d) For purposes of applying any Federal, State, local, or Tribal law or
14 requirement, the taking of an action related to a repository or an infrastructure activity is
15 considered to be beneficial and not detrimental to the public interest and interstate
16 commerce and consistent with the public convenience and necessity.”.

17 **SEC. 5. NUCLEAR WASTE FUND.**

18 (a) CREDITING FEES.—Beginning on October 1, 2007, and continuing through
19 the end of the fiscal year when construction is complete for surface facilities for the fully
20 operational repository as described in the license application and for the Nevada rail line,
21 fees collected by the Secretary and deposited in the Nuclear Waste Fund under the
22 Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.) shall be credited to the

1 Nuclear Waste Fund as discretionary offsetting collections each year in amounts not to
2 exceed the amounts appropriated from the Nuclear Waste Fund for that year.

3 (b) FUND USES.—Section 302(d)(4) of the Nuclear Waste Policy Act of 1982
4 (42 U.S.C. 10222(d)(4)) is amended by inserting “infrastructure activities that the
5 Secretary deems are necessary or appropriate to support construction or operation of a
6 repository at the Yucca Mountain site or transportation to such site of spent nuclear fuel
7 and high-level radioactive waste, and” after “with”.

8 **SEC. 6. REGULATORY REQUIREMENTS.**

9 (a) MATERIAL REQUIREMENTS.—Notwithstanding any other law, no
10 Federal, State, interstate, or local requirement, either substantive or procedural, that is
11 referred to in section 6001(a) of the Resource Conservation and Recovery Act (42 U.S.C.
12 6961(a)), applies to—

13 (1) any material during transportation to the Yucca Mountain site, if the
14 material is transported in a package, cask, or other container that the Commission
15 has certified for transportation of that type of material; or

16 (2) any material located at the Yucca Mountain site for disposal in the
17 repository, if the management and disposal of the material is subject to a license
18 issued by the Commission.

19 (b) PERMITS.—The Administrator of the Environmental Protection Agency shall
20 be the permitting agency for purposes of issuing, administering, or enforcing any new or
21 existing air quality permit or requirement applicable to a Federal facility or activity
22 subject to the requirements of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et
23 seq.). A State or unit of local government shall not issue, administer, or enforce a new or

1 existing air quality permit or requirement affecting a Federal facility or activity in the
2 Withdrawal and subject to the requirements of the Nuclear Waste Policy Act of 1982.

3 **SEC. 7. TRANSPORTATION.**

4 The Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.) is amended by
5 inserting the following new section after section 180:

6 “SEC. 181. (a) The Secretary is authorized to determine the extent to which any
7 transportation done in carrying out the Secretary's functions under this Act that is
8 regulated under the Hazardous Materials Transportation Authorization Act of 1994 shall
9 instead be regulated exclusively under the Atomic Energy Act of 1954.

10 “(b) On request by the Secretary, the Secretary of Transportation is authorized to
11 determine pursuant to section 5125 of title 49, United States Code, that any requirement
12 of a State, political subdivision of a State, or Indian tribe regarding transportation done by
13 or on behalf of the Secretary in carrying out this Act is preempted, irrespective of
14 whether the transportation otherwise is or would be subject to regulation under the
15 Hazardous Materials Transportation Authorization Act of 1994.”

16 **SEC. 8. WATER RIGHTS.**

17 Section 124 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10144) is
18 amended by inserting “(a) WATER RIGHTS ACQUISITION EFFECT.—” after the
19 section number and by adding the following new subsection (b):

20 “(b) BENEFICIAL USE OF WATER.—Notwithstanding any other Federal,
21 State, or local law, the use of water from any source in quantities sufficient to accomplish
22 the purposes of this Act to carry out Department functions under this Act is declared to be
23 a use that is beneficial to interstate commerce and that does not threaten to prove

1 detrimental to the public interest. A State shall not enact or apply a law that
2 discriminates against this use. The Secretary, through purchase or otherwise, may obtain
3 water rights necessary to carry out Department functions under this Act.”.

4 **SEC. 9. WASTE CONFIDENCE.**

5 Notwithstanding any other law, in deciding whether to permit the construction or
6 operation of a nuclear reactor or any related facilities, the Commission shall deem,
7 without further consideration, that sufficient capacity will be available in a timely manner
8 to dispose of the spent nuclear fuel and high-level radioactive waste resulting from the
9 operation of the reactor and any related facilities.

BILL SUMMARY

The Administration's proposal contains a number of provisions to facilitate the licensing, construction, and operation of a repository at Yucca Mountain. These provisions would permit the Department to accelerate fulfillment of its responsibilities, without *diminishing the protection currently afforded workers, members of the public, and the environment*. The enclosed proposed legislation contains the following primary provisions:

First, the bill would withdraw permanently from public use approximately 147,000 acres of land in Nye County, Nevada. Permanent land withdrawal, which can be accomplished only by law, is necessary to assure security and public health and safety around the Yucca Mountain repository. Moreover, this provision would comply with existing Nuclear Regulatory Commission (NRC) licensing requirements.

Second, the bill would repeal the statutory 70,000 metric ton capacity limitation on the repository at Yucca Mountain so that the amount of waste material emplaced in the repository would be determined by the actual physical capacity of the Mountain and conditions in the license granted by the NRC. The Final Environmental Impact Statement that accompanied the Site Recommendation to the President in 2002 analyzed the emplacement of nearly 120,000 metric tons of spent nuclear fuel and high-level radioactive waste. Potentially more than 120,000 metric tons could be emplaced in the repository. Continuation of the current limit would mean that the repository at Yucca Mountain would be oversubscribed with waste materials as soon as it opened. Repeal of the limit would postpone indefinitely the need for the Department to begin a second repository siting and development effort.

Third, the bill would provide that, if the NRC authorizes construction of the repository, subsequent licensing actions would be conducted using expedited, simplified procedures.

Fourth, the bill also would make clear that the Department could undertake infrastructure activities, including construction of a rail line to connect the Yucca Mountain site with the national rail network, prior to receiving construction authorization for the repository.

Fifth, the bill would direct relevant Federal, State, local, and Tribal officials to grant expeditiously, to the extent consistent with law, rights-of-way and other authorizations for infrastructure activities.

Sixth, the Administration believes that the annual fees currently paid to the Government by utilities to finance radioactive waste disposal activities should be treated as offsetting collections against the appropriations from the Nuclear Waste Fund, and supports reclassifying these fees in a budget-neutral manner. Beginning in FY 2008, section 5 of this proposed legislation would reclassify mandatory Nuclear Waste Fund receipts as discretionary, in an amount equal to appropriations from the Fund for authorized waste disposal activities.

If this reclassification is enacted into law, the Administration will work with Congress to implement the reclassification in a budget-neutral manner. More specifically, the Administration would net these Nuclear Waste Fund collections against appropriations made from the Fund, reduce the gross budget authority and outlay levels reflected in the budget for the program by the amount of the receipts proposed to be reclassified, and reduce the overall proposed discretionary budget authority levels by the same amount. It is the Administration's intention to achieve a budget-neutral outcome.

Seventh, the bill would address regulatory requirements and eliminate essentially duplicative regulation of material transported or stored in NRC certified containers or of material located at Yucca Mountain. The bill includes amendments to Section 6 of the bill submitted last year to clarify that that section is only applicable to materials being transported to or stored at the Yucca Mountain repository. The bill also would specify that the Environmental Protection Agency would issue, administer, and enforce any required air quality permits in connection with activities carried out under the NWPA.

Eighth, the bill would make clear that the Department has the authority to regulate the safety and security of transportation of radioactive materials to Yucca Mountain in the same manner as it currently regulates the transportation of weapons grade materials. The Department has been transporting these materials safely for decades in accordance with requirements adopted by the Department under its authorities pursuant to the Atomic Energy Act of 1954. The Department remains committed to cooperating with State, local and Tribal entities and to utilizing existing expertise, resources and standards to the fullest extent practicable.

Ninth, provisions are included in the bill to assure an adequate supply of water to carry out activities under the NWPA at Yucca Mountain.

Finally, the bill would require the NRC, in considering whether to permit the construction or operation of a nuclear reactor or a related facility, to deem, without further consideration, that sufficient capacity will be available in a timely manner to dispose of the spent nuclear fuel and high-level radioactive waste resulting from the operation of the reactor and any related facilities.

LEGISLATIVE PROVISIONS SUMMARY

Permanent Land Withdrawal: This provision would withdraw permanently approximately 147,000 acres of land currently controlled by the Bureau of Land Management, the Air Force, and the Nevada Test Site (NTS) and vest jurisdiction over the land in the Secretary of Energy to construct and operate a repository at Yucca Mountain. The area proposed for withdrawal is the area identified in the Final Environmental Impact Statement (FEIS) accompanying the Site Recommendation to the President in 2002.

Enactment of this proposal would satisfy one of the Nuclear Regulatory Commission (NRC) licensing conditions at Yucca Mountain---that the geologic repository operations area (GROA) be withdrawn permanently from public use (only a law can withdraw the land permanently).

Yucca Mountain Capacity: This provision would repeal the 70,000 metric ton statutory limit on emplacement of radioactive material at Yucca Mountain. The current and projected inventory of commercial spent nuclear fuel exceeds the statutory capacity of the repository. Removing this limit would allow the nearly 120,000 metric tons of spent nuclear fuel and high-level radioactive wastes whose potential environmental impact was analyzed in the FEIS to be emplaced safely at Yucca Mountain. Preliminary estimates have indicated that the site could safely isolate the entire commercial spent fuel inventory currently projected from existing reactors, including life extensions for those plants, in addition to all anticipated DOE high-level radioactive waste materials. Enactment of this provision would postpone indefinitely the decision to initiate a second repository program.

Licensing: The section on application procedures would amend the licensing process in several respects. First, it would make clear that an application for construction authorization need not include information on surface facilities other than those facilities necessary for initial operations. Second, it would establish an expedited one-year schedule and a simplified, informal process (including discovery procedures) for use by the NRC (if the NRC authorizes construction of the repository) to consider an application for permission to "receive and possess" nuclear materials and as well as applications for other license actions. A six-month extension would be allowed under the provision. Current law sets no limits on this process beyond the construction authorization. If left unaddressed, the "receive and possess" licensing phase could take many years and would make achievement of near-term repository operations extremely unlikely. Finally, it would indicate that the NRC need not consider in its environmental review an action connected or otherwise related to the repository if the action is undertaken outside the geologic repository operations area and does not need an NRC license. This would help focus the NRC's attention on the matters at the repository of most concern to it.

Infrastructure Activities: This provision would authorize the Secretary to undertake infrastructure activities needed to further waste disposal activities, including the construction of a rail line to connect the Yucca Mountain site with the national rail network. These activities could be undertaken outside or within the GROA and before or after an NRC construction authorization decision. This provision would permit DOE to begin fulfilling its responsibilities as soon as possible by authorizing it to initiate site preparation, utility, communications, and safety upgrades at Yucca Mountain before NRC grants construction authorization for the repository.

The provision would require the Department to conduct environmental reviews of infrastructure activities. The scope of environmental review of infrastructure activities would be limited in a manner similar to the way in which it is limited as to other activities under the NWPA as to need, alternatives, and the no-action alternative and would require other Federal agencies to adopt an environmental impact statement prepared under this provision without recirculation. The bill specifies that the undertaking of an infrastructure activity under this section would not be grounds for NRC rejection of an application for construction authorization for the repository or any other licensing action concerning the repository. The provision would direct relevant Federal, State, local, and Tribal officials to grant expeditiously, to the extent consistent with law, rights-of-way and other authorizations for infrastructure activities. Finally, the provision would make clear that the development, construction, and operation of an infrastructure activity is in the public interest and consistent with the public convenience and necessity.

Funding Reform: This provision, based on legislation the Administration sent to Congress with the FY 2005 budget, would facilitate adequate funding for the licensing and construction phase of the program by making a technical budgetary scoring change. The provision would reclassify nuclear waste fees, in an amount equal to appropriations for the repository program. Currently, these receipts are recorded as mandatory receipts and do not offset discretionary appropriations for the civilian nuclear waste program. The proposed legislation would shift the classification from the mandatory category to the discretionary category in the Federal budget.

This provision also adds "infrastructure activities" to the list of activities for which expenditures may be made from the Nuclear Waste Fund.

Regulatory Requirements: This provision would exempt material that is owned by the Secretary and transported to the Yucca Mountain site in NRC-licensed containers or located at the Yucca Mountain site from Federal, State, and local environmental requirements under the Resource Conservation and Recovery Act. It also would designate the Environmental Protection Agency as the appropriate agency to issue, administer, and enforce any air quality permits required in connection with the nuclear waste project. These provisions would simplify the regulatory framework for the repository without compromising environmental protection or safety.

Transportation: This provision would clarify the Secretary of Energy can determine the extent to which any transportation done in carrying out the Secretary's functions under the NWPA would be regulated under the Atomic Energy Act of 1954, as is the case currently with respect to the transportation of weapons grade material. In addition, on request by the Secretary of Energy, the Secretary of Transportation would be authorized to determine pursuant to section 5125 of title 49, United States Code, that any requirement of a State, political subdivision of a State, or Indian tribe regarding transportation done by or on behalf of the Secretary of Energy in carrying out the NWPA is preempted, irrespective of whether the transportation otherwise is or would be subject to regulation under the Hazardous Materials Transportation Authorization Act of 1994.

Water Rights: This provision would declare water in quantities sufficient to accomplish the purposes of the Nuclear Waste Policy Act of 1982 that is used for the repository to be beneficial to interstate commerce and not detrimental to the public interest. While Nevada has determined there is sufficient water, Nevada State law, in effect, deems that it is not in Nevada's public interest to allow the water to be used for repository development. This provision would result in non-discriminatory treatment of the Department. The provision also would authorize the Secretary to obtain water rights, by purchase or otherwise, to carry out the Department's functions under the NWPA.

Waste Confidence: This provision would require the NRC, in considering whether to permit the construction or operation of a nuclear reactor or a related facility, to deem, without further consideration, that sufficient capacity will be available in a timely manner to dispose of the spent nuclear fuel and high-level radioactive waste resulting from the operation of the reactor and any related facilities.

SECTIONAL ANALYSIS

SECTION 1. — SHORT TITLE.

This section provides a short title for the bill—"Nuclear Fuel Management and Disposal Act".

SEC. 2. — DEFINITIONS.

This section contains definitions for certain terms used in the bill.

SEC. 3. — LAND WITHDRAWAL AND RESERVATION.

Section 3 deals with the permanent withdrawal from public use of the land on which the geologic repository operations area is located. Section 3 would withdraw permanently from public use approximately 147,000 acres in Nye County, Nevada. The proposed land withdrawal is the one considered as a potential land withdrawal in the Final Environmental Impact Statement accompanying the Secretary of Energy's 2002 nuclear waste repository site recommendation to the President, which the Congress subsequently approved.

Subsections (a), (b), (c), and (d) would withdraw the land; vest the Secretary of Energy with jurisdiction over the withdrawal; transfer jurisdiction from the Secretary of the Air Force and Secretary of the Interior of lands within the withdrawal currently under their jurisdiction; reserve the land for the Secretary of Energy's use for activities associated with the disposal of high-level waste and spent nuclear fuel under the Nuclear Waste Policy Act of 1982; and revoke existing land orders and right-of-way reservations over the withdrawn lands.

Subsection (e) would confer general management authority over the withdrawal on the Secretary of Energy. It would require development of a management plan that would be submitted to the Congress and the State of Nevada within three years. It would authorize continued use of the land by the Air Force and Nevada Test Site, and would permit continuation of existing grazing, hunting, trapping, and mining uses of the withdrawn land.

Subsection (f) concerns claims against the United States. It would grant immunity to the United States, its departments and agencies, for any damages to persons or property suffered in the course of any mining, mineral leasing, or geothermal leasing on the withdrawal. This is a standard protection for the taxpayers in withdrawal legislation.

Subsection (g) would authorize land acquisition within the withdrawal. The Secretary of the Interior would conduct any exchange of lands outside the withdrawal for lands within the withdrawal.

SEC. 4. — APPLICATION PROCEDURES AND INFRASTRUCTURE ACTIVITIES.

Section 4 would amend the Nuclear Regulatory Commission (NRC) licensing process in several respects:

First, section 4 would clarify that an initial application for construction authorization at Yucca Mountain need not include information on surface facilities other than those facilities necessary for initial operations.

Second, section 4 would repeal the 70,000 metric ton limit on the quantity of spent fuel that could be emplaced at the Yucca Mountain repository. Removing this limit would allow the nearly 120,000 metric tons of spent nuclear fuel and high-level nuclear waste whose environmental impact was analyzed in 2002 to be emplaced safely at Yucca Mountain. Enactment of this provision would postpone indefinitely the decision to initiate a second repository program.

Third, section 4 would establish an expedited one-year schedule and a simplified, informal process (including discovery procedures) for use by the NRC (if the NRC authorizes construction of the repository) to consider an application for permission to “receive and possess” nuclear materials, as well as applications for other license actions. A six-month extension would be allowed under the provision. Current law sets no limits on this process beyond the construction authorization.

Fourth, section 4 would authorize the Secretary to undertake infrastructure activities needed to further waste disposal activities at the Yucca Mountain site or transportation to such site of spent nuclear fuel or high level radioactive waste, including the construction of a rail line to connect the Yucca Mountain site with the national rail network. These activities could be undertaken before or after an NRC construction authorization decision on the Yucca Mountain repository.

Fifth, section 4 would require normal environmental reviews of infrastructure activities. The scope of environmental review of activities undertaken under this section would be limited in a similar way as certain other activities under the Nuclear Waste Policy Act of 1982 (NWPA) as to need, alternatives, and the no-action alternative, and other Federal agencies would be required to adopt an environmental impact statement prepared under this section. The bill specifies that the undertaking of an infrastructure activity under this section would not provide grounds for NRC rejection of a construction authorization application for the Yucca Mountain repository.

Sixth, section 4 would direct relevant Federal, State, local, and Tribal officials to grant expeditiously, to the extent consistent with law, rights-of-way and other authorizations for infrastructure activities. This section also makes clear such activities are in the public interest and consistent with the public convenience and necessity.

Finally, section 4 would indicate that the NRC need not consider in its environmental review relating to the Yucca Mountain repository an action connected or otherwise

related to the repository that is undertaken outside the geologic repository operations area and does not need an NRC license. This would allow the NRC to focus its time and attention on the matters related to the safety of repository.

SEC. 5. -- NUCLEAR WASTE FUND.

Section 5 would facilitate adequate funding for the licensing and construction phase of the Yucca Mountain program by making a technical budgetary scoring change. The annual fees collected from utilities would be classified as discretionary offsetting collections and would be credited against the amount appropriated from the Nuclear Waste Fund each year. Up to now the fees collected have been scored as mandatory receipts (fees required by law), while repository program expenditures have been classified as discretionary expenditures. Under deficit reduction laws, mandatory receipts cannot be used to offset discretionary expenditures. This proposal would correct that structural budget problem.

This section also would add infrastructure activities to the list of activities for which expenditures may be made from the Fund.

SEC. 6. REGULATORY REQUIREMENTS.

Section 6 would exempt from the requirements of the Resource Conservation and Recovery Act (RCRA) any material owned by the Secretary if it is transported to the Yucca Mountain site in a package, cask, or other container certified by the NRC for transportation or storage of that type of material. Similarly, any material located at the Yucca Mountain site would be exempt from RCRA if managed in accordance with a license issued by the NRC to receive and possess high-level waste and spent nuclear fuel. The NRC licensing process is complex and comprehensive, designed to protect public health and safety. This section would eliminate lengthy, largely duplicative reviews under a different regulatory scheme.

This section also would designate the Environmental Protection Agency as the appropriate agency to issue, administer, and enforce any air quality permits required in connection with the nuclear waste project. This would simplify the regulatory framework for the repository without compromising environmental protection or safety.

SEC. 7. -- TRANSPORTATION.

Section 7 would make clear that the Secretary of Energy can determine the extent to which any transportation done in carrying out the Secretary of Energy's functions under the NWPA would be regulated exclusively under the Atomic Energy Act of 1954, as is currently the case with respect to the transportation of weapons grade material. In addition, on request by the Secretary of Energy, the Secretary of Transportation would be authorized to determine pursuant to section 5125 of title 49, United States Code, that any requirement of a State, political subdivision of a State, or Indian tribe regarding transportation done by or on behalf of the Secretary of Energy in carrying out the NWPA

is preempted, irrespective of whether the transportation otherwise is or would be subject to regulation under the Hazardous Materials Transportation Authorization Act of 1994.

SEC. 8. -- WATER RIGHTS.

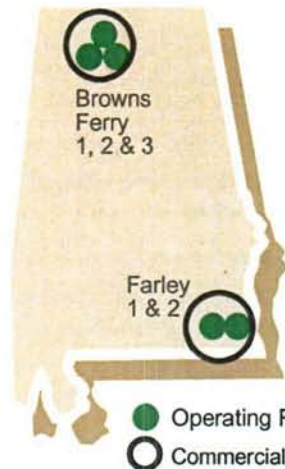
Section 8 would declare the use of water from any source for carrying out Department of Energy functions under the Nuclear Waste Policy Act of 1982 to be beneficial to interstate commerce in quantities sufficient to accomplish the purposes of the Act and would declare that such use does not threaten to prove detrimental to the public interest. The section would prohibit a State from enacting or applying a law that discriminates against that use. The section also would authorize the Secretary to obtain water rights by purchase or otherwise to carry out the Department's functions under the NWPA.

SEC. 9. -- WASTE CONFIDENCE.

Section 9 would require the NRC, in considering whether to permit the construction or operation of a nuclear reactor or a related facility, to deem, without further consideration, that sufficient capacity will be available in a timely manner to dispose of the spent nuclear fuel and high-level radioactive waste resulting from the operation of the reactor and any related facilities.

State-by-State Maps

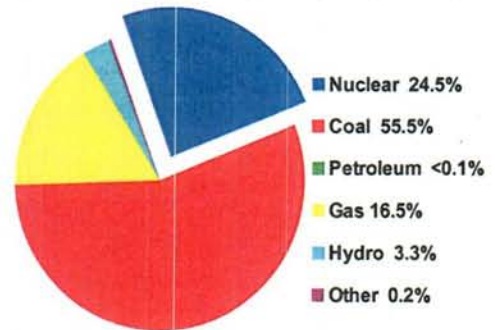
ALABAMA



Elected Officials as of January 2008

Governor:	Robert Riley (R)
Senators:	Richard C. Shelby (R) Jeff Sessions (R)
Representatives:	
District 2:	Terry Everett (R)
District 5:	Robert E. Cramer, Jr. (D)

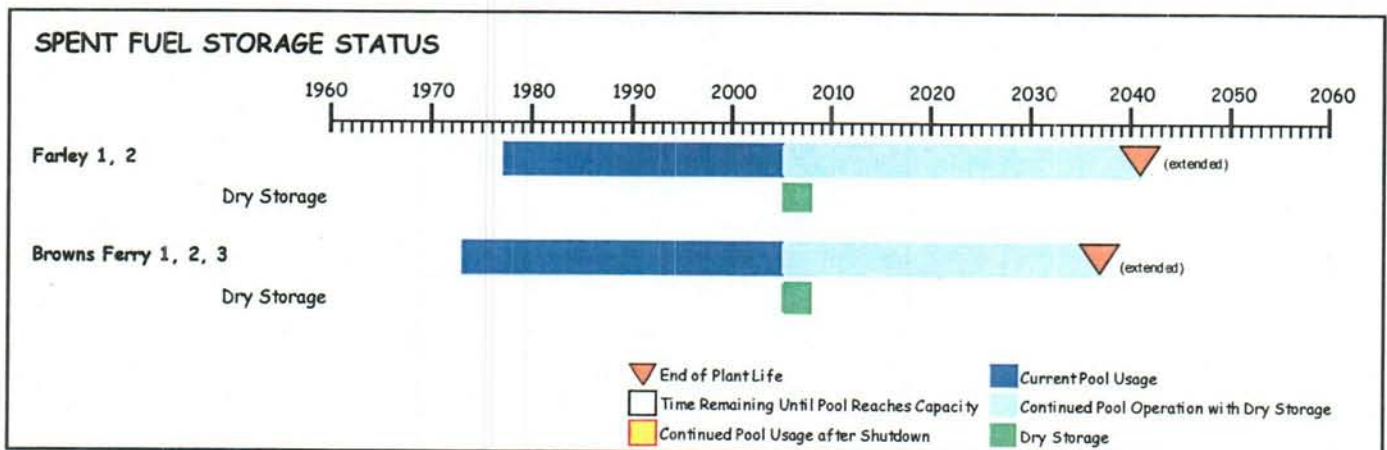
2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
2	Farley 1	Alabama Power Company /	Terry Everett (R)	1977-2037 ⁴	851 MW/PWR
	Farley 2	Southern Nuclear Operating Co. ³		1981-2041 ⁴	860 MW/PWR
5	Browns Ferry 1	Tennessee Valley Authority ⁷	Robert E. Cramer, Jr. (D)	1973-2033 ^{5,6}	1065 MW/BWR
	Browns Ferry 2			1974-2034 ⁶	1118 MW/BWR
	Browns Ferry 3			1976-2036 ⁶	1114 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **2,600 MTHM**
amount currently in dry storage (7/15/08): **130 MTHM**



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$720 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

² Owned by Southern Company: David M. Ratcliffe, Chairman, President, and CEO.

³ NRC granted 20-year license renewal to Farley 1 & 2 in May 2005.

⁴ Browns Ferry 1 was restarted in May 2007 after having not operated since 1985 – the restart took ~ 5 years.

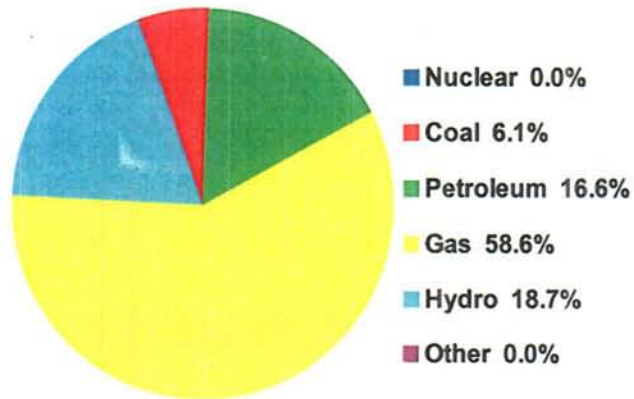
⁵ NRC granted 20-year license renewal to Browns Ferry 1, 2 & 3 in May 2006.

⁶ NRC granted 20-year license renewal to Browns Ferry 1, 2 & 3 in May 2006.

⁷ Owned and operated by TVA: Tom Kilgore, President and CEO.

ALASKA

2007 Electricity Generation Mix¹
(includes utilities and independent power producers)



¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

ARKANSAS

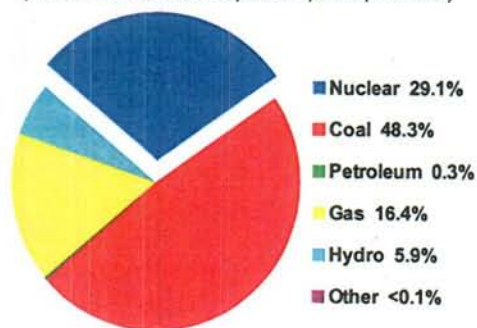


- Operating Commercial Reactors = 2 at 1 site
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: Mike Beebe (D)
 Senators: Blanche Lincoln (D)
 Mark Pryor (D)
 Representatives:
 District 3: John Boozman (R)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

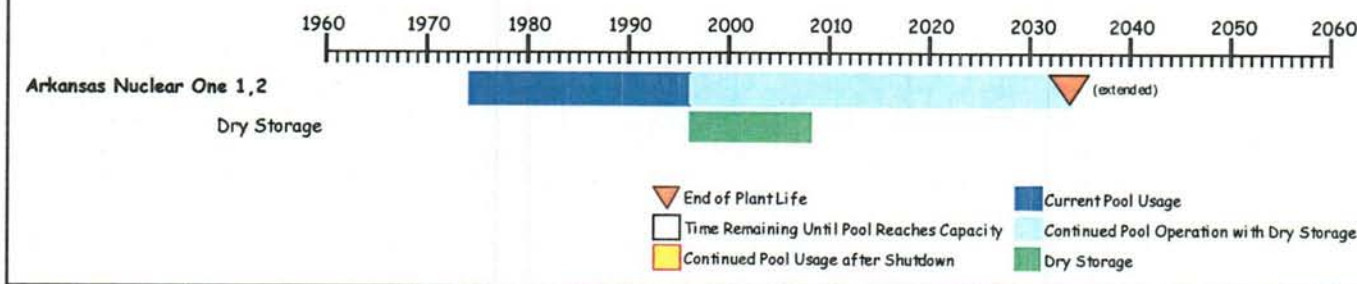


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
3	Arkansas Nuclear One 1	Entergy Arkansas, Inc. /	John Boozman (R)	1974-2034 ⁴	836 MW/PWR
	Arkansas Nuclear One 2	Entergy Nuclear ³		1978-2038 ⁵	998 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **1,100 MTHM**
 amount currently in dry storage (7/15/08): **610 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$286 million**
 Total owed in one-time fees: **\$179 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Owned by Entergy Corporation, Inc.: J. Wayne Leonard, Chairman & CEO.

⁴ NRC granted a 20-year operating license extension for ANO-1 on June 13, 2001.

⁵ NRC granted a 20-year operating license extension for ANO-2 on July 1, 2005.

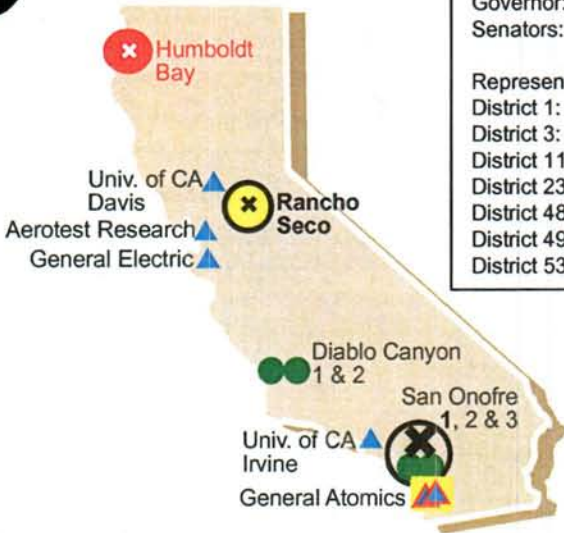
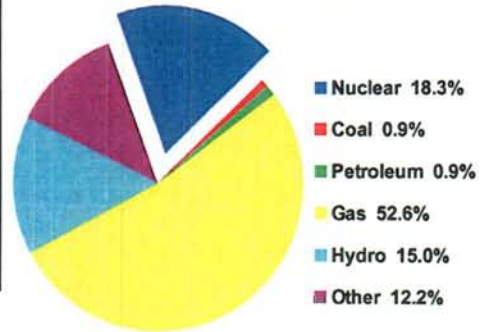
CALIFORNIA

Elected Officials as of January 2008

Governor: Arnold Schwarzenegger (R)
 Senators: Dianne Feinstein (D)
 Barbara Boxer (D)
 Representatives:
 District 1: Mike Thompson (D)
 District 3: Dan Lungren (R)
 District 11: Jerry McNerney (D)
 District 23: Lois Capps (D)
 District 48: John Campbell (R)
 District 49: Darrell E. Issa (R)
 District 53: Susan Davis (D)

2007 Electricity Generation Mix¹

(includes utilities and independent power producers)



- Operating Commercial Reactors = 4 at 2 sites
- ✕ SNF from Shutdown Reactors at Operating Sites = 1
- ✖ Shutdown Commercial Reactors at Shutdown Sites = 1 at 1 site
- ✗ Shutdown Commercial Reactors Sites That No Longer Have Reactors = 1 site
- Commercial Dry Storage Sites
- ▲ Operating Research Reactors = 4 at 4 sites
- ▲ Shutdown Research Reactors with SNF on-site = 2 at 1 site
- Highly Enriched Uranium at Shutdown Site

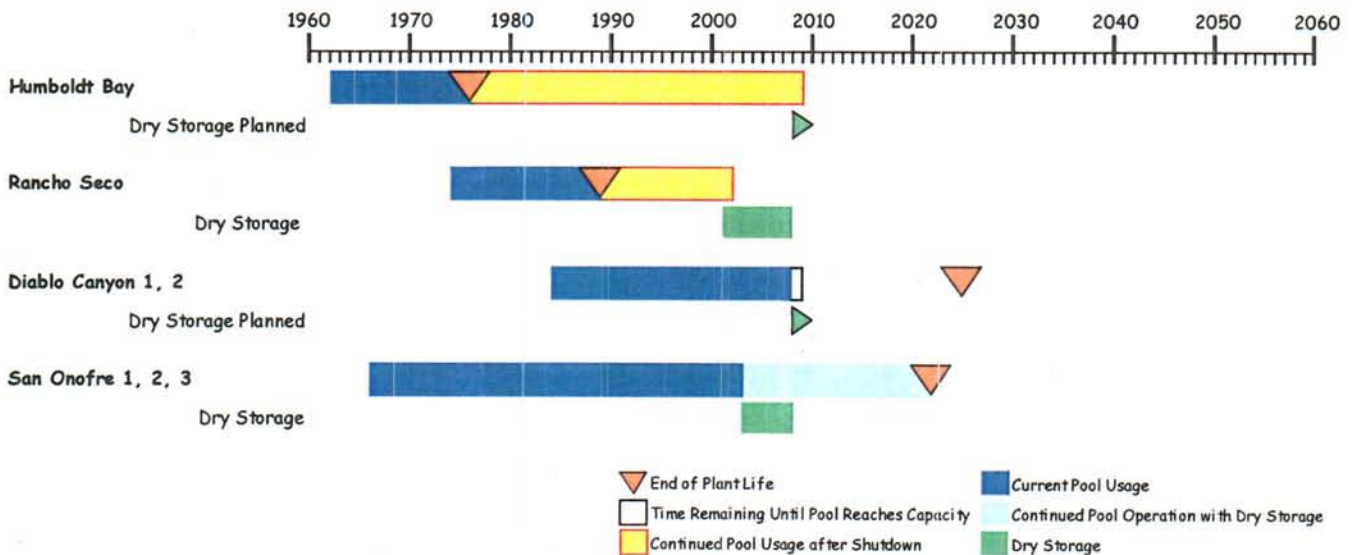
DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Humboldt Bay	Pacific Gas & Electric Company ³	Mike Thompson (D)	1962-1976	0 MW/BWR
3	Univ. of CA - Davis	University of California	Dan Lungren (R)		TRIGA
	Rancho Seco	Sacramento Municipal Utility Dist. ⁴		1974-1989	former PWR
11	Aerotest Research	Aerotest Research	Jerry McNerney (D)		TRIGA (Indus)
	General Electric	General Electric			Nuclear Test
23	Diablo Canyon 1	Pacific Gas & Electric Company ³	Lois Capps (D)	1984-2021	1087 MW/PWR
	Diablo Canyon 2			1985-2025	1087 MW/PWR
48	Univ. of CA - Irvine	Univ. of California	John Campbell (R)		TRIGA Mark I
49	San Onofre 1	Southern California Edison Co. ⁵	Darrell E. Issa (R)	1967-1992	former PWR
	San Onofre 2			1982-2022 ⁶	1070 MW/PWR
	San Onofre 3			1983-2022 ⁶	1080 MW/PWR
53	General Atomics	General Atomics	Susan Davis (D)		TRIGA Mark I
	General Atomics				TRIGA Mark F

CALIFORNIA - continued

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **2,500 MTHM**
 (not including **100 MTHM** from San Onofre at Morris, IL)
 of which: **400 MTHM** is at shutdown reactors
 amount currently in dry storage (7/15/08): **520 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$796 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

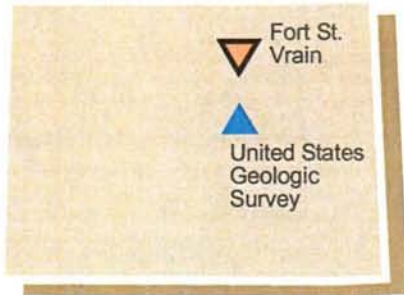
³ Owned by PG&E Corporation: Peter A. Darbee, Chairman, President & CEO.

⁴ Board President of SMUD, Larry Carr. Cask loading activities at Rancho Seco were completed in 8/02.

⁵ Owned by Edison International: John E. Bryson, Chairman, President, and CEO.

⁶ Operating license for SONGS 2 & 3 extended to allow recapture of construction times.

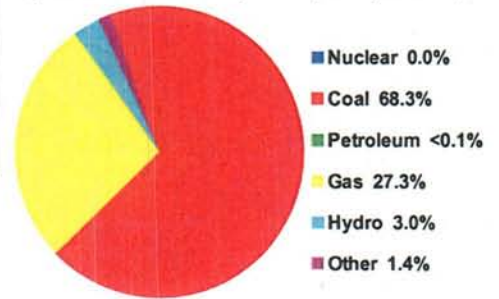
COLORADO



Elected Officials as of January 2008

Governor: Bill Ritter (D)
 Senators: Ken Salazar (D)
 Wayne Allard (R)
 Representatives:
 District 4: Marilyn Musgrave (R)
 District 7: Ed Perlmutter (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



- ▲ Operating Research Reactors = 1 at 1 site
- ▼ DOE-Owned SNF = 1 site

DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
4	Fort St. Vrain	DOE	Marilyn Musgrave (R)		former HTG
7	USGS	USGS	Ed Perlmutter (D)		TRIGA Mark I

DOE-OWNED INVENTORIES²
 Spent Nuclear Fuel: **15 MTHM**

NUCLEAR WASTE FUND
 Cumulative payments as of June 30, 2008: **\$0.23 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Inventory (this is actual not projected) is taken from Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain (DOE/EIS-0250), February 2002, Appendix A, Table A-20.

CONNECTICICUT

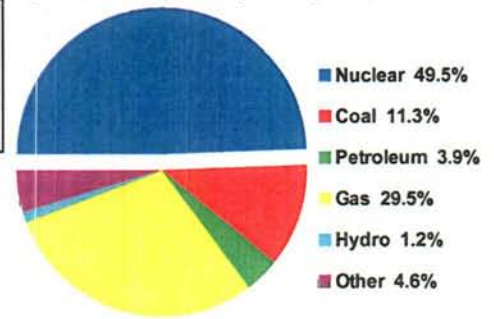


- Operating Commercial Reactors = 2 at 1 site
- ✗ Shutdown Commercial Reactors at Operating Sites = 1
- ✗ Shutdown Commercial Reactors Sites That No Longer Have Reactors = 1 site
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: M. Jodi Rell (R)
 Senators: Christopher J. Dodd (D)
 Joseph I. Lieberman (I)
 Representatives:
 District 2: Joe Courtney (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

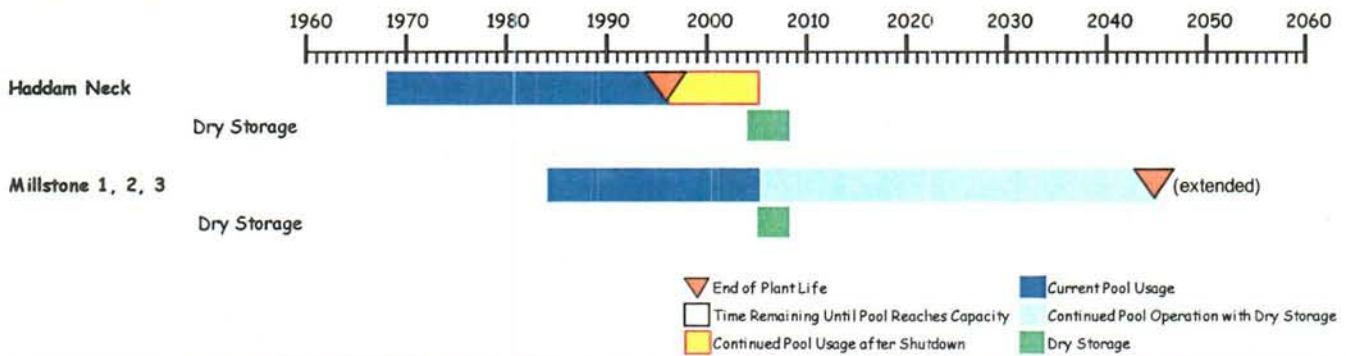


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
2	Haddam Neck	Connecticut Yankee Atomic Power ³	Joe Courtney (D)	1967-1996	Former PWR
	Millstone 1	Dominion Generation ⁴		1970-1998	0 MW/PWR
	Millstone 2			1975-2035 ⁵	882 MW/PWR
	Millstone 3			1986-2045 ⁵	1155 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **1,800 MTHM**
 (not including **30 MTHM** from Haddam Neck at Morris, IL)
 of which: **940 MTHM** is at shutdown reactors
 amount currently in dry storage (7/15/08): **510 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$353 million**
 Total owed in one-time fees: **\$476 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. hydro includes both conventional and pumped storage.

Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

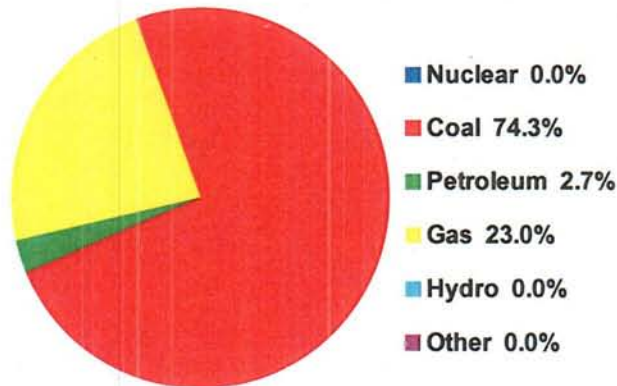
³ Wayne Norton, President

⁴ Sale of all 3 Millstone units from Northeast Utilities to Dominion for \$1.298 billion closed on April 2, 2001. Holding company is Dominion Resources, Inc.: Thomas F. Farrell II, Chairman, President and CEO

⁵ NRC granted a 20-year operating license renewals for Millstone 2 & 3 on 11/28/2005.

DELAWARE

2007 Electricity Generation Mix¹
(includes utilities and independent power producers)



¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

FLORIDA

Univ. of Florida ▲

Crystal River 3 ●

Saint Lucie 1 & 2 ○

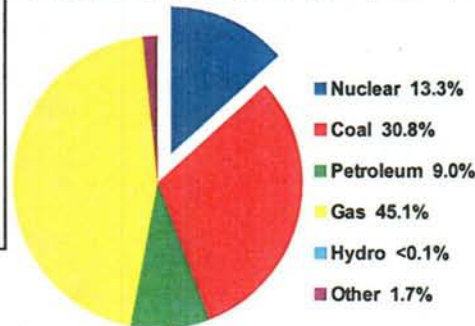
Turkey Point 3 & 4 ●

Elected Officials as of January 2008

Governor: Charlie Crist (R)
 Senators: Mel Martinez (R)
 Bill Nelson (D)

Representatives:
 District 5: Virginia Brown-Waite (R)
 District 6: Cliff Stearns (R)
 District 16: Tim Mahoney (D)
 District 18: Ileana Ros-Lehtinen (R)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



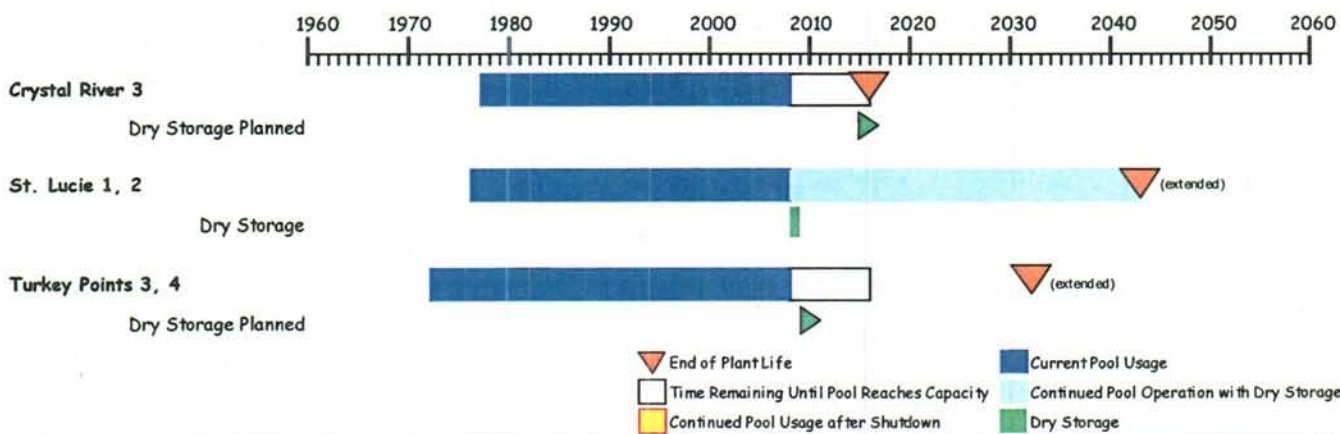
- Operating Commercial Reactors = 5 at 3 sites
- Commercial Dry Storage Sites
- ▲ Operating Research Reactors = 1 at 1 sites

DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
5	Crystal River 3 ³	Progress Energy Florida ⁴	Virginia Brown-Waite (R)	1977-2016	838 MW/PWR
6	Univ. of Florida	University of Florida	Cliff Stearns (R)		Argonaut
16	St. Lucie 1	Florida Power & Light Co. ⁵	Tim Mahoney (D)	1976-2036 ⁶	839 MW/PWR
	St. Lucie 2			1983-2043 ⁶	839 MW/PWR
18	Turkey Point 3		Ileana Ros-Lehtinen (R)	1972-2032 ⁷	693 MW/PWR
	Turkey Point 4			1973-2033 ⁷	693 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **2,600 MTHM**
 amount currently in dry storage (7/15/08): **80 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$743 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Crystal River notified NRC of intent to submit a license renewal application in 2009.

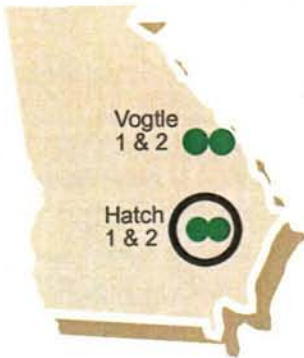
⁴ Holding company is Progress Energy: William (Bill) D. Johnson, Chairman, President & CEO. Merger of FPC with Carolina Power & Light closed on December 1, 2000 to form Progress Energy.

⁵ Owned by FPL Group, Inc.: Lewis Hay III, Chairman and CEO; James L. Robo, President. In October 2006, the FPL Group and Constellation terminated their merger agreement (of December 2005) citing "continued uncertainty over regulatory and judicial matters in Maryland and the potential for a protracted and open-ended merger review process".

⁶ NRC granted 20-year license extensions for Saint Lucie 1 & 2 in October 2003.

⁷ NRC granted license renewals for Turkey Point 3 & 4 in June 2002.

GEORGIA

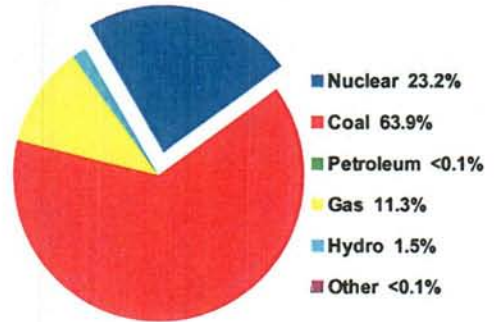


- Operating Commercial Reactors = 4 at 2 sites
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: Sonny Perdue (R)
 Senators: Johnny Isakson (R)
 Saxby Chambliss (R)
 Representatives:
 District 1: Jack Kingston (R)
 District 12: John Barrow (D)

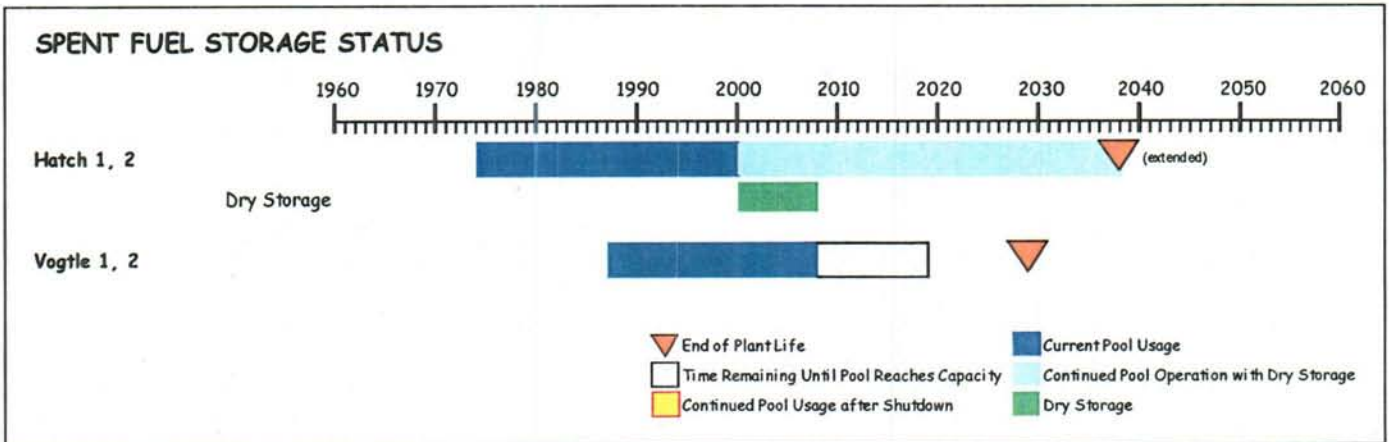
2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Hatch 1	Georgia Power /	Jack Kingston (R)	1974-2034 ⁴	876 MW/BWR
	Hatch 2	Southern Nuclear Operating Co. ³		1978-2038 ⁴	883 MW/BWR
12	Vogtle 1		John Barrow (D)	1987-2027 ⁵	1152 MW/PWR
	Vogtle 2			1989-2029 ⁵	1149 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **2,200 MTHM**
 amount currently in dry storage (7/15/08): **410 MTHM**



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$656 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

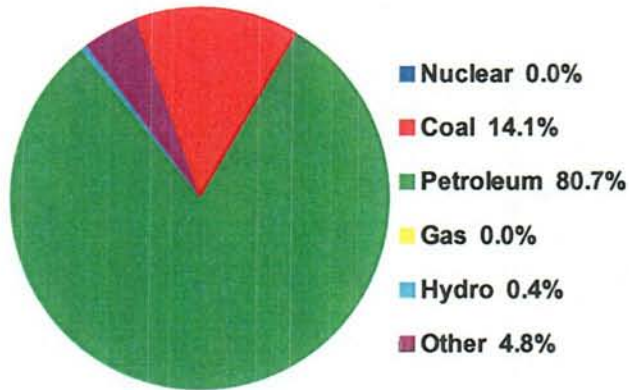
³ Owned by Southern Company: David M. Ratcliffe, Chairman, President, and CEO.

⁴ Operating license renewals for Hatch 1 & 2 approved in January 2002.

⁵ Vogtle 1 & 2 submitted an application for operating license renewals in June 2007.

HAWAII

2007 Electricity Generation Mix¹
(includes utilities and independent power producers)



¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

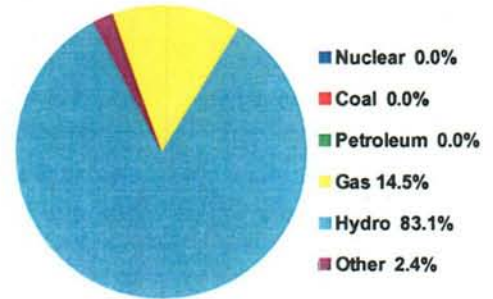
IDAHO



Elected Officials as of January 2008

Governor: Butch Otter (R)
 Senators: Larry E. Craig (R)
 Michael D. Crapo (R)
 Representatives:
 District 2: Mike Simpson (R)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



- ▲ Operating Research Reactors = 1 at 1 site
- ▼ DOE-Owned SNF and HLW = 2 sites
- ▽ Surplus Plutonium*
- Naval Reactor Fuel = 1 site

* Surplus plutonium site already counted in DOE-Owned SNF and HLW (both at INEEL)

DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
2	Idaho State Univ.	Idaho State University	Mike Simpson (R)		AGN-201 #103
	Idaho National Laboratory	DOE			Various
	Argonne National Lab-West	DOE			Various
	Naval Reactors Facility	Navy			Various

DOE-OWNED PROJECTED INVENTORIES³

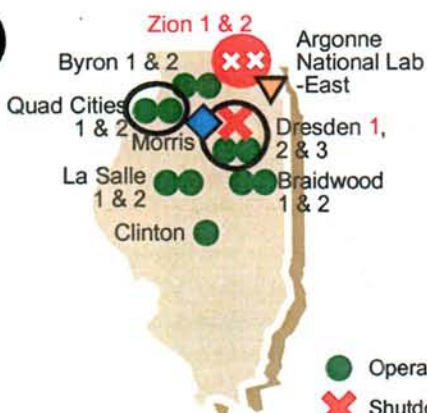
Spent Nuclear Fuel: 310 MTHM
 High-Level Waste (range): 6,700-13,000 canisters

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Projected SNF inventories by 2035 taken from Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain (DOE/EIS-0250), February 2002, Appendix A, Table A-20 and Section A.2.3.5.1. HLW canister ranges taken from the SEIS.

ILLINOIS



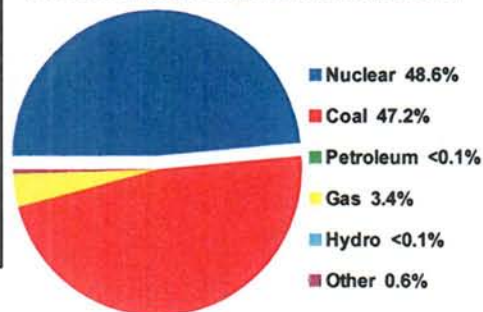
- Operating Reactors = 11 at 6 sites
- ✗ Shutdown Reactors at Operating Sites = 1
- Commercial Dry Storage Sites
- ✗ Shutdown Commercial Reactors at Shutdown Sites = 2 at 1 site
- ◆ Commercial Storage = 1 site
- ▽ DOE-Owned SNF and HLW = 1 site

Elected Officials as of January 2008

Governor: Rod Blagojevich (D)
Senators: Richard J. Durbin (D)
 Barack H. Obama (D)
Representatives:
 District 8: Melissa Bean (D)
 District 11: Jerry Weller (R)
 District 13: Judy Biggert (R)
 District 15: Timothy V. Johnson (R)
 District 16: Donald A. Manzullo (R)
 District 17: Phil Hare (D)

2007 Electricity Generation Mix¹

(includes utilities and independent power producers)



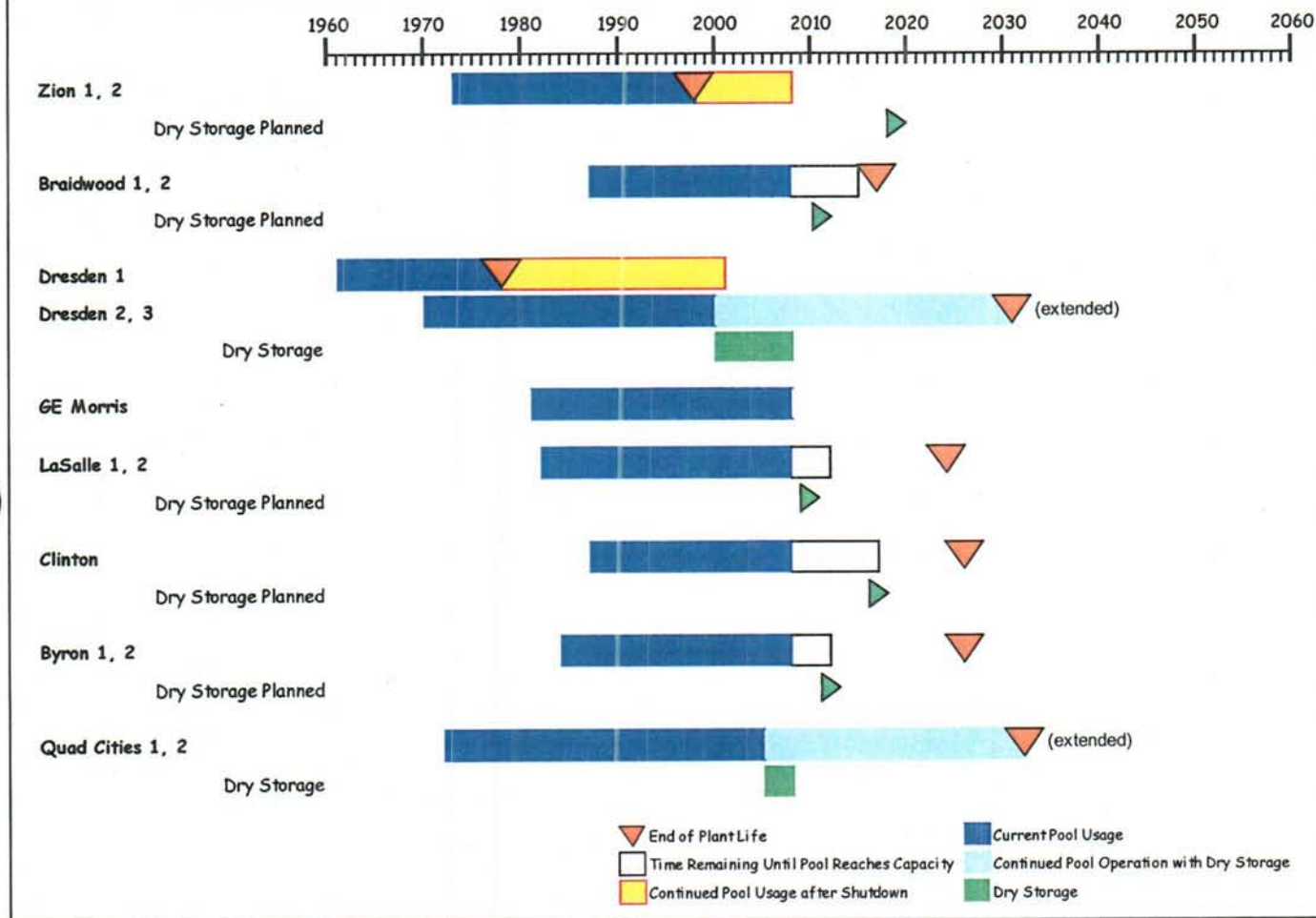
DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
8	Zion 1	Exelon Generation Co., LLC ³	Melissa Bean (D)	1973-1997	0 MW/PWR
	Zion 2			1973-1996	0 MW/PWR
11	Braidwood 1	General Electric Co.	Jerry Weller (R)	1987-2026	1178 MW/PWR
	Braidwood 2			1988-2027	1152 MW/PWR
	Dresden 1			1959-1978	0 MW/BWR
	Dresden 2			1969-2029 ⁴	867 MW/BWR
	Dresden 3			1971-2031 ⁴	867 MW/BWR
	LaSalle County 1			1981-2022 ⁵	1118 MW/BWR
	LaSalle County 2			1982-2022	1120 MW/BWR
	GE Morris	1984-2023	Commercial Storage		
13	Argonne National Lab-E	DOE	Judy Biggert (R)		
15	Clinton	Exelon Generation Co., LLC ³	Timothy Johnson (R)	1987-2026	1052 MW/BWR
16	Byron 1		Donald Manzullo (R)	1985-2024	1164 MW/PWR
	Byron 2	1987-2026		1136 MW/PWR	
17	Quad Cities 1		Phil Hare (D)	1972-2032 ⁴	867 MW/BWR
	Quad Cities 2			1972-2032 ⁴	867 MW/BWR

ILLINOIS - continued

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **7,600 MTHM**
 (including the 670 MTHM in storage at GE Morris)
 of which: 1,100 MTHM is at shutdown reactors
 amount currently in dry storage (7/15/08): 490 MTHM

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$1,707 million**
 Total owed in one-time fees: **\$1,008 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Merger of Unicom and PECO (PA) to Exelon Corp. completed Oct 23, 2000. John Rowe, Chairman, President, CEO. In September 2006, the Exelon and PSEG merger agreement (of December 2004) was terminated. After more than 19 months before the New Jersey Board of Public Utilities, differences in the parties' settlement positions were "insurmountable".

⁴ Operating license for Dresden-2 extended to allow recapture of construction time. Includes 20-year license extensions for Dresden 2, Dresden 3, and both Quad Cities units, approved by NRC on October 28, 2004.

⁵ GE Morris license was renewed for an additional 20 years on 12/20/2004.

⁶ Exelon's purchase of AmerGen completed in December 2003 and AmerGen became a wholly-owned subsidiary of Exelon Generation.

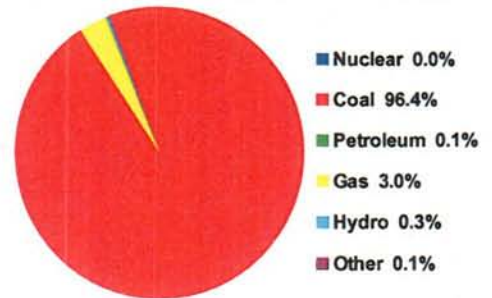
INDIANA



Elected Officials as of January 2008

Governor:	Mitch Daniels (R)
Senators:	Richard G. Lugar (R) Evan Bayh (D)
Representatives:	
District 4:	Steve Buyer (R)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



▲ Operating Research Reactors = 1 at 1 site

DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
4	Purdue Univ.	Purdue University	Steve Buyer (R)		Lockheed

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

IOWA



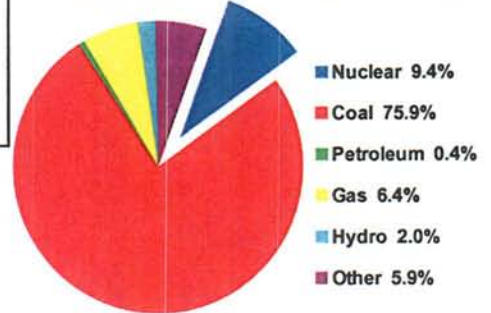
Duane Arnold

- Operating Commercial Reactors = 1 at 1 site
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: Chet Culver (D)
 Senators: Charles E. Grassley (R)
 Tom Harkin (D)
 Representatives: District 2: David Loeb sack (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

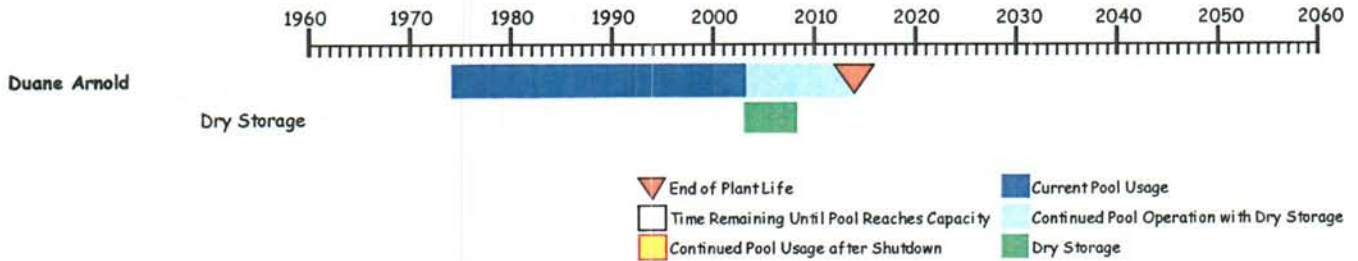


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYP E ²
2	Duane Arnold	FPL Energy, LLC ³	David Loeb sack (D)	1974-2014 ⁴	581 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **420 MTHM**
 amount currently in dry storage (7/15/08): **110 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$109 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.
² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.
³ Sale of Alliant's majority interest in Duane Arnold to FPL completed on 1/27/06. Owned and operated by FPL Group subsidiary FPL Energy. FPL Group, Inc.: Lewis Hay III, Chairman and CEO. In October 2006, the FPL Group and Constellation terminated their merger agreement (of December 2005) citing "continued uncertainty over regulatory and judicial matters in Maryland and the potential for a protracted and open-ended merger review process".
⁴ Duane Arnold has provided letter of intent to submit license extension application in 2008 to NRC.

KANSAS

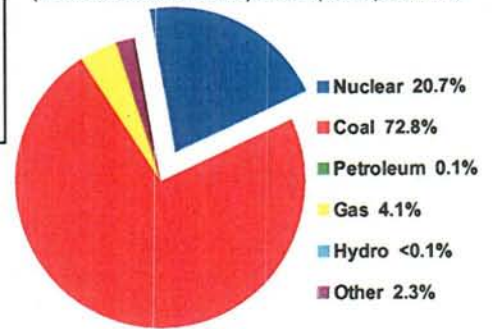
Kansas State University ▲

Wolf Creek ●

Elected Officials as of January 2008

Governor: Kathleen Sebelius (D)
 Senators: Sam Brownback (R)
 Pat Roberts (R)
 Representatives:
 District 2: Nancy Boyda (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



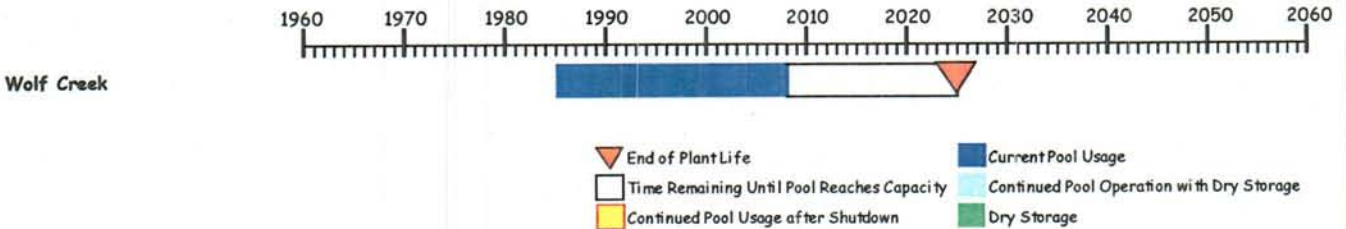
- Operating Commercial Reactors = 1 at 1 site
- ▲ Operating Research Reactors = 1 at 1 site

DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
2	Wolf Creek	Great Plains Energy & Westar Energy / Wolf Creek Nuclear Operating Co. ⁴	Nancy Boyda (D)	1985-2025 ³	1166 MW/PWR
	Kansas State Univ.	Kansas State University			TRIGA

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **540 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$181 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

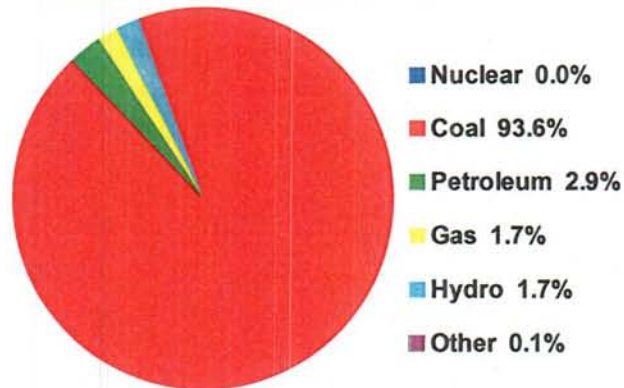
² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Wolf Creek submitted a license renewal application to the NRC in October 2006.

⁴ Wolf Creek has two primary owners with each owning 47% - Great Plains Energy, Micheal J. Chesser, Chairman and CEO and Westar Energy (Kansas City Power and Light), William Downey, President and CEO.

KENTUCKY

2007 Electricity Generation Mix¹
(includes utilities and independent power producers)



¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

LOUISIANA

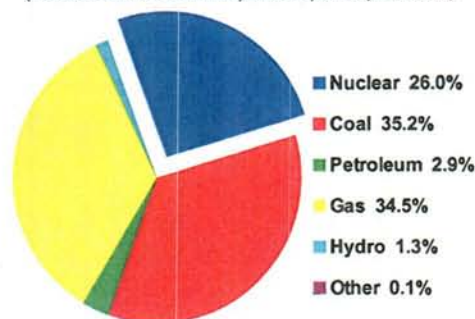


- Operating Commercial Reactors = 2 at 2 sites
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: Bobby Jindal (R)
 Senators: David Vitter (R)
 Mary L. Landrieu (D)
 Representatives:
 District 3: Charlie Melancon (D)
 District 6: Richard Baker (R)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

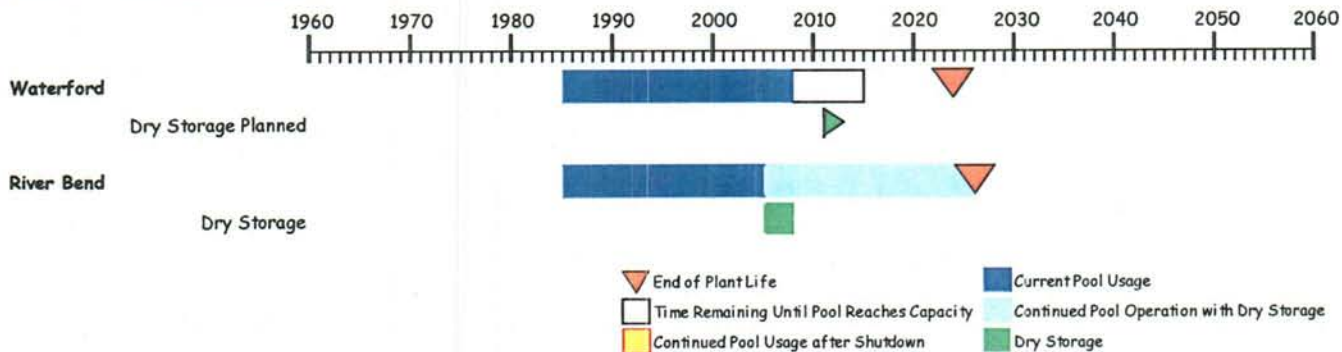


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
3	Waterford 3	Entergy Louisiana, LLC / Entergy Nuclear ³	Charlie Melancon (D)	1985-2024 ⁴	1158 MW/PWR
6	River Bend 1	Entergy Gulf States Louisiana, LLC / Entergy Nuclear ³	Richard Baker (R)	1985-2025 ⁵	966 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **1,000 MTHM**
 amount currently in dry storage (7/15/08): **70 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$309 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.
² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.
³ Owned by Entergy Corporation: J. Wayne Leonard, Chairman & CEO.
⁴ Waterford plans to submit a 20-year operating license renewal application in 2011.
⁵ River Bend plans to submit a 20-year operating license renewal application in 2011.

MAINE



Maine Yankee

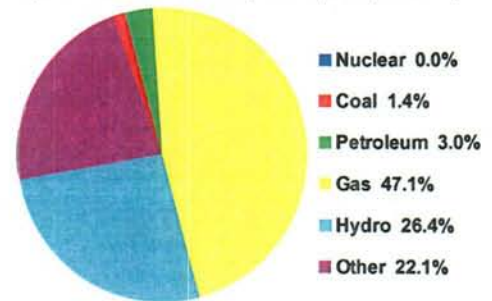
x Shutdown Commercial Reactors Sites That No Longer Have Reactors = 1 site

o Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: John Baldacci (D)
 Senators: Olympia J. Snowe (R)
 Susan Collins (R)
 Representatives:
 District 1: Thomas H. Allen (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

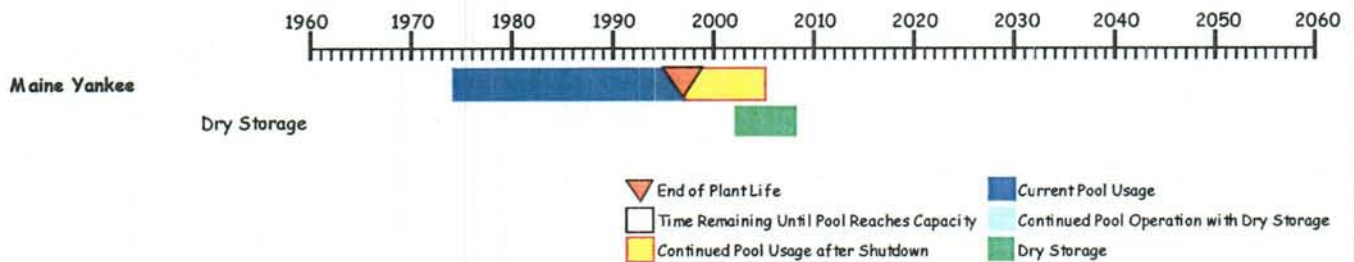


DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Maine Yankee	Maine Yankee Atomic Power Co. ³	Thomas H. Allen (D)	1973-1996	former PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **540 MTHM**
 of which: **540 MTHM** is at shutdown reactor
 amount currently in dry storage (7/15/08): **540 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

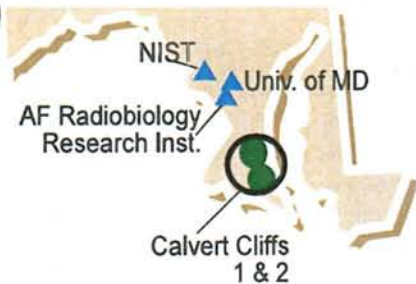
Cumulative payments as of June 30, 2008: **\$65 million**
 Total owed in one-time fees: **\$184 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Wayne Norton, Chief Nuclear Officer

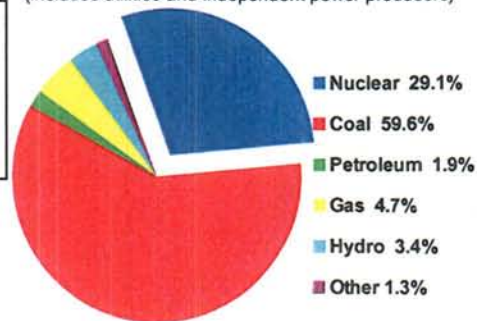
MARYLAND



Elected Officials as of January 2008

Governor:	Martin O'Malley (D)
Senators:	Ben Cardin (D) Barbara A. Mikulski (D)
Representatives:	
District 5:	Steny H. Hoyer (D)
District 8:	Christopher Van Hollen (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



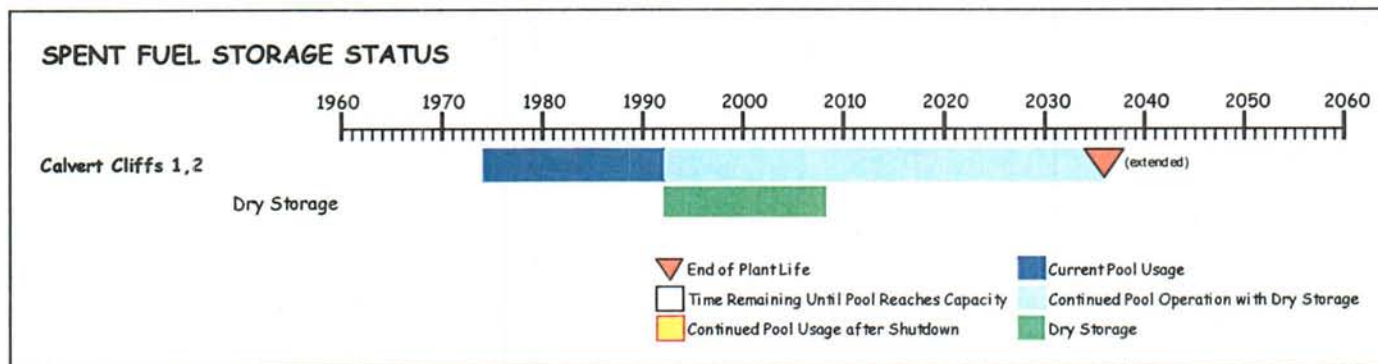
- Operating Commercial Reactors = 2 at 1 sites
- Commercial Dry Storage Sites
- ▲ Operating Research Reactors = 3 at 3 sites

DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
5	Calvert Cliffs 1	Constellation Energy Nuclear ³	Steny H. Hoyer (D)	1974-2034 ⁴	873 MW/PWR
	Calvert Cliffs 2			1976-2036 ⁴	862 MW/PWR
	Univ. of Maryland	University of Maryland			TRIGA
8	NIST	Commerce Dept.	Christopher Van Hollen (D)		Nuclear Test
	Armed Forces Radiobiology Research Inst.	DOD			TRIGA

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **1,100 MTHM**
amount currently in dry storage (7/15/08): **560 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$343 million**

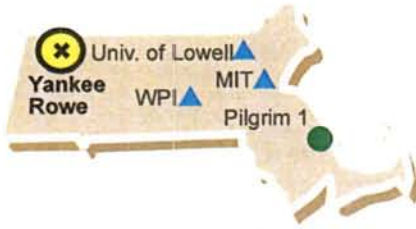
¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Holding Company - Constellation Energy Group, Inc.: Mayo A. Shattuck III - Chairman, President, and CEO. In October 2006, the FPL Group and Constellation terminated their merger agreement (of December 2005) citing "continued uncertainty over regulatory and judicial matters in Maryland and the potential for a protracted and open-ended merger review process".

⁴ Includes 20-year license extensions for both Calvert Cliffs units, approved by NRC on March 23, 2000.

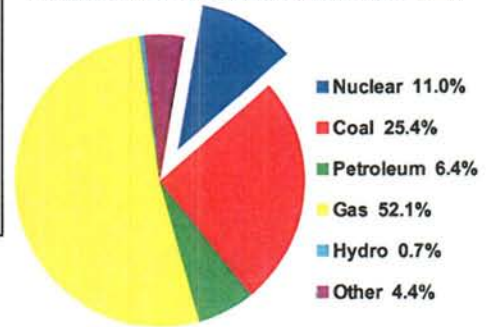
MASSACHUSETTS



Elected Officials as of January 2008

Governor: Deval Patrick (D)
 Senators: Edward M. Kennedy (D)
 John Kerry (D)
 Representatives:
 District 1: John W. Olver (D)
 District 3: James McGovern (D)
 District 5: Niki Tsongas (D)
 District 8: Michael Capuano (D)
 District 10: William D. Delahunt (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

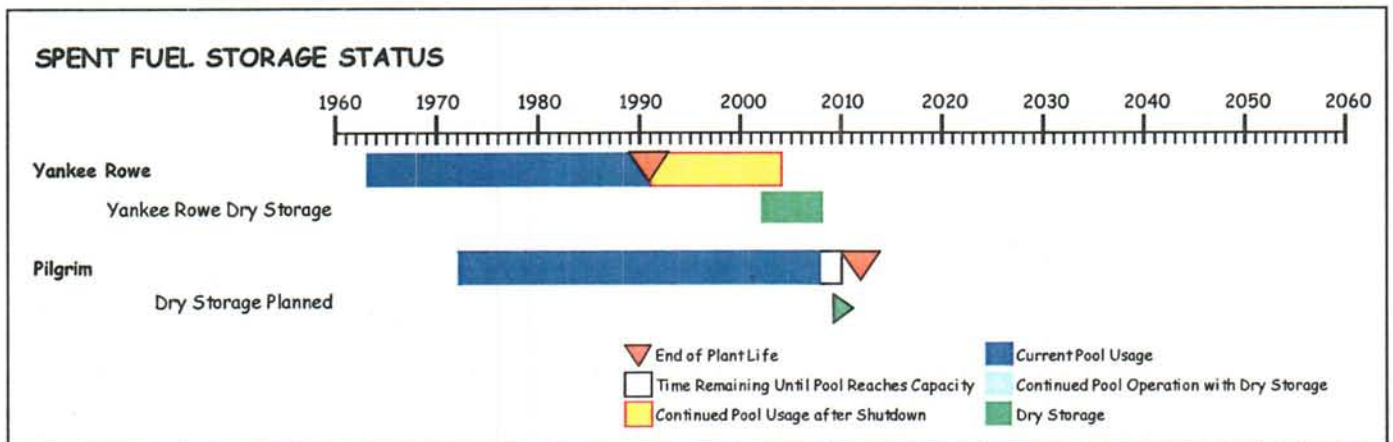


- Operating Commercial Reactors = 1 at 1 site
- ✘ Shutdown Commercial Reactors Sites That No Longer Have Reactors = 1 site
- Commercial Dry Storage Sites
- ▲ Operating Research Reactors = 3 at 3 sites

DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Yankee-Rowe	Yankee Atomic Electric Co. ³	John W. Olver (D)	1960-1991	former PWR
3	Worcester Polytechnic Inst.	Worcester Polytechnic Inst.	James McGovern (D)		GE
5	Univ. of Lowell	Univ. of Lowell	Niki Tsongas (D)		GE Pool
8	Massachusetts Inst. of Tech	Massachusetts Institute of Technology	Michael Capuano (D)		HWR Reflected
10	Pilgrim ⁴	Entergy Nuclear ⁵	William Delahunt (D)	1972-2012 ⁶	685 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **620 MTHM**
 of which: **130 MTHM** is at shutdown reactor
 amount currently in dry storage (7/15/08): **130 MTHM**



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$157 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

Wayne Norton, President

⁴ Sale of Pilgrim by Boston Edison Co. to Entergy Nuclear Generation Co. completed July 13, 1999 (first nuclear plant sale by US utility).

⁵ Holding Company is Entergy Corp., J. Wayne Leonard is the Chairman and CEO. Owner is a lower level subsidiary of Entergy Nuclear. In 2008, Entergy plans to spinoff it's non-utility nuclear reactors into a new merchant nuclear power company "Enexus Energy Corp."

⁶ Pilgrim submitted a license renewal application to the NRC in January 2006.

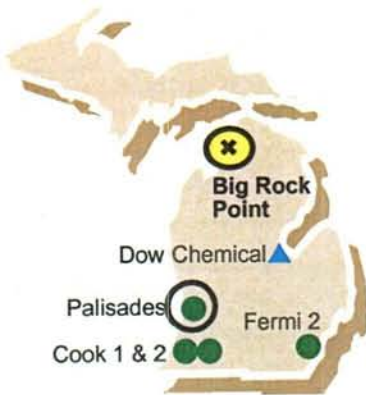
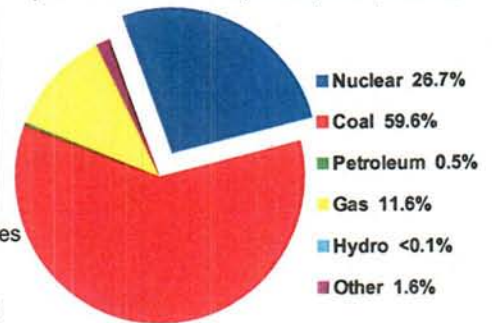
MICHIGAN

Elected Officials as of January 2008

Governor: Jennifer Granholm (D)
 Senators: Carl Levin (D)
 Debbie Stabenow (D)
 Representatives:
 District 1: Bart Stupak (D)
 District 4: Dave Camp (R)
 District 6: Fred Upton (R)
 District 15: John D. Dingell (D)

- Operating Commercial Reactors = 4 at 3 sites
- Commercial Dry Storage Sites
- ✘ Shutdown Commercial Reactors Sites That No Longer Have Reactors = 1 site
- ▲ Operating Research Reactors = 1 at 1 site

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

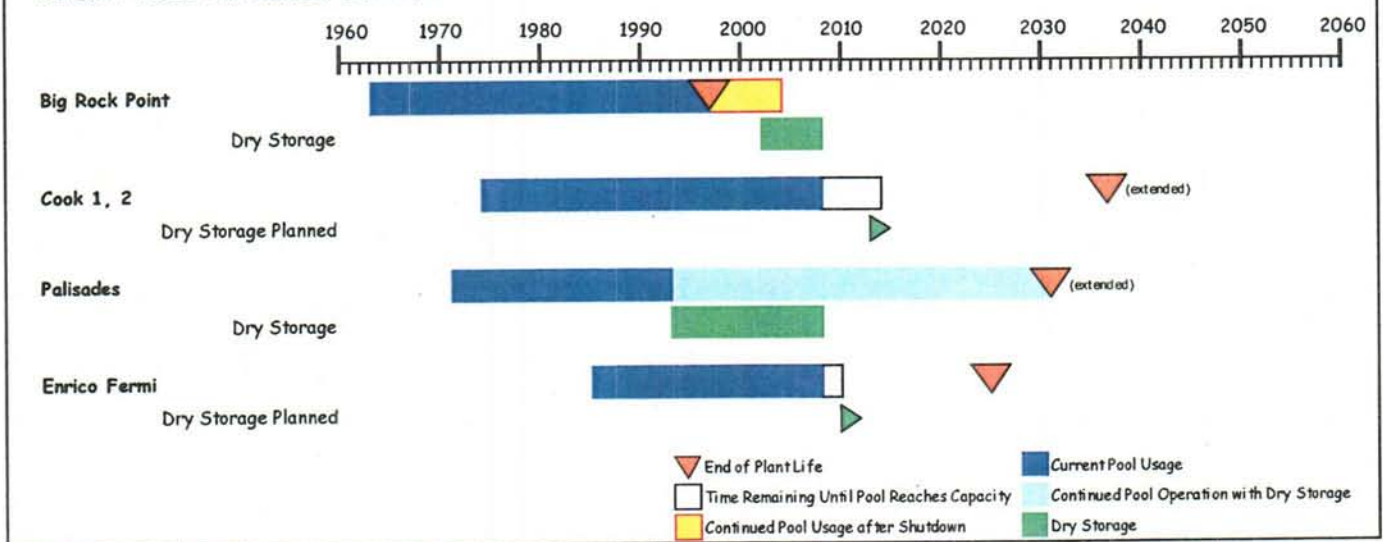


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Big Rock Point ³	Entergy Nuclear ⁴	Bart Stupak (D)	1962-1997	former BWR
4	Dow Chemical	Dow Chemical	Dave Camp (R)		TRIGA
6	Palisades ³	Entergy Nuclear ⁴	Fred Upton (R)	1972-2031 ⁵	778 MW/PWR
	Cook 1	American Electric Power ⁶		1974-2034 ⁷	1016 MW/PWR
	Cook 2			1977-2037 ⁷	1077 MW/PWR
15	Enrico Fermi 2	Detroit Edison Company ⁸	John D. Dingell (D)	1985-2025	1111 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **2,300 MTHM**
 of which: **60 MTHM** is at shutdown reactors
 amount currently in dry storage (7/15/08): **450 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$503 million**
 Total owed in one-time fees: **\$424 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.
² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.
³ On 4/11/07, Entergy closed the \$380 million sale of Palisades from Consumers Energy. The transaction includes the transfer of the Big Rock Point ISFSI. Holding Company is Entergy Corp., J. Wayne Leonard is the Chairman and CEO. Owner is a lower level subsidiary of Entergy Nuclear. In 2008, Entergy plans to spinoff its non-utility nuclear reactors into a new merchant nuclear power company "Enexus Energy Corp."
⁴ NRC renewed Palisades' operating license for an additional 20 years in January 2007. The license had previously been extended to allow recapture of construction time.
⁵ American Electric Power Co.: Michael G. Morris - Chairman, President, and CEO.
⁶ NRC renewed Cook 1 & 2 operating license for an additional 20 years in August 2005.
⁷ Owned by DTE Energy Company: Anthony F. Earley, Jr., Chairman, and CEO.

MINNESOTA

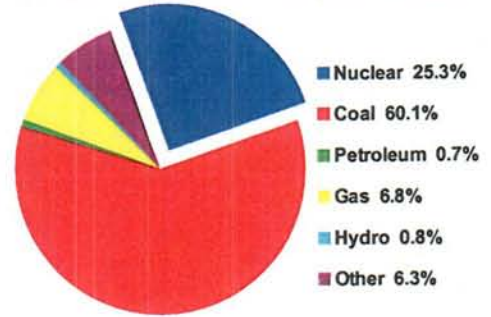


- Operating Commercial Reactors = 3 at 2 sites
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: Tim Pawlenty (R)
 Senators: Amy Klobuchar (D)
 Norm Coleman (R)
 Representatives:
 District 2: John Kline (R)
 District 6: Michele Bachmann (R)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

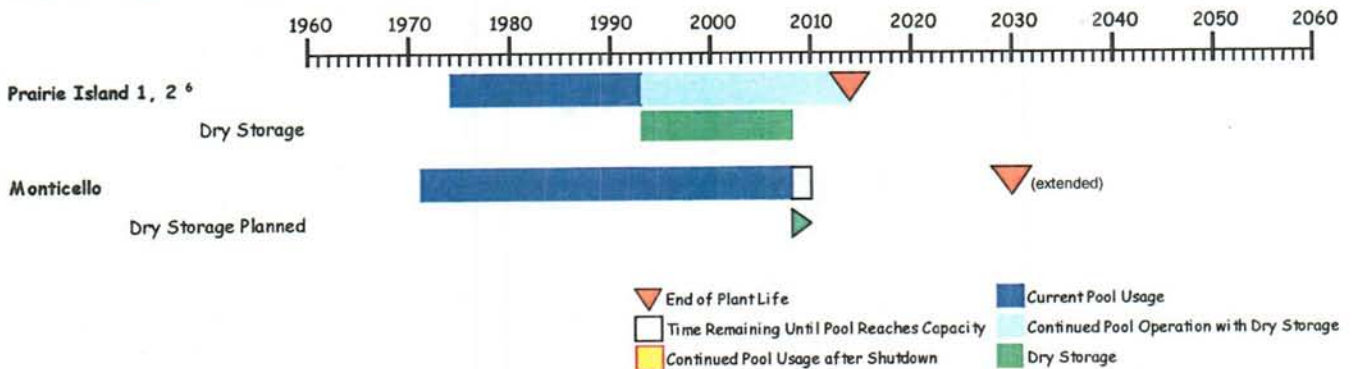


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
2	Prairie Island 1 ³	Nuclear Management Corporation / Northern States Power Co. ⁴	John Kline (R)	1974-2013 ⁵	523 MW/PWR
	Prairie Island 2 ³			1974-2014 ⁵	522 MW/PWR
6	Monticello ³		Michele Bachmann (R)	1971-2030 ⁵	572 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **1,000 MTHM**
 (not including **200 MTHM** from Monticello at Morris, IL)
 amount currently in dry storage (7/15/08): **360 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$377 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ 10/12/07, Xcel announced plans to transfer Monticello's and Prairie Island's operating licenses from Nuclear Management Corporation (NMC) back to Xcel to reintegrate nuclear operations into Xcel Energy. With the completion of the sale of Point Beach, Xcel had become the only remaining member of NMC.

⁴ Owned by Xcel Energy, Richard (Dick) C. Kelly, President, CEO and Chairman.

⁵ NRC granted a 20 year license renewal to Monticello in November 2006. Prairie Island 1 & 2 submitted an application in April 2008.

⁶ Prairie Island ISFSI capacity was limited by state law to the MTU equivalent of 17 casks but on May 29th, 2003, a new law was passed by the legislature allowing continued waste storage until the current operating licenses expire.

MISSISSIPPI

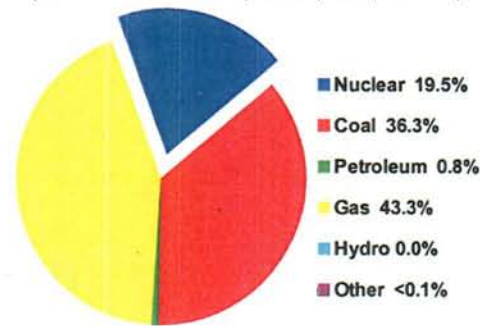


- Operating Commercial Reactors = 1 at 1 site
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor:	Haley Barbour (R)
Senators:	Thad Cochran (R) Roger Wicker (R)
Representatives:	
District 2:	Bennie G. Thompson (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

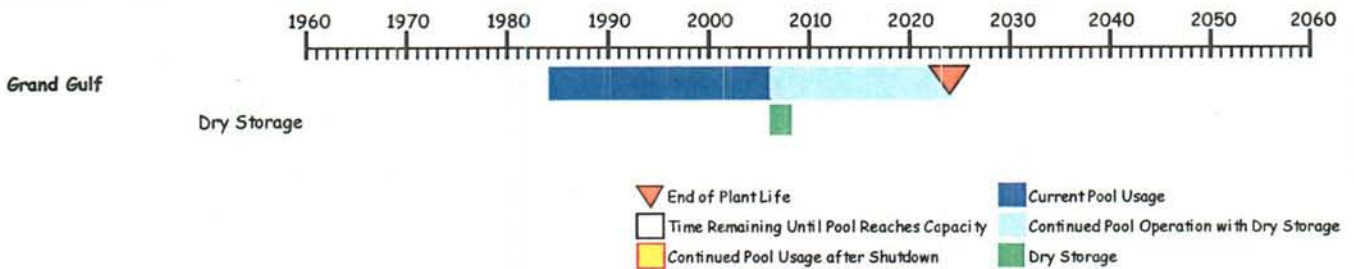


DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
2	Grand Gulf	System Energy Resources / Entergy Nuclear ³	Bennie Thompson (D)	1984-2024 ⁴	1266 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **700 MTHM**
amount currently in dry storage (7/15/08): **50 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$194 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Holding Company - Entergy Corporation: J. Wayne Leonard, CEO.

⁴ Grand Gulf plans to submit a 20-year operating license renewal application in 2010.

MISSOURI

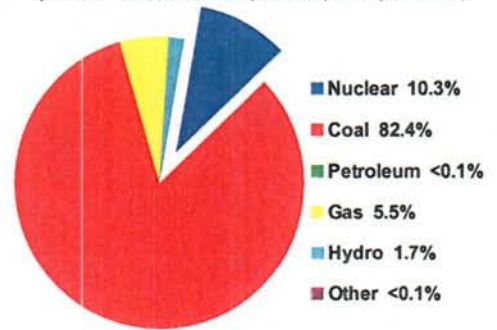


- Operating Commercial Reactors = 1 at 1 sites
- ▲ Operating Research Reactors = 2 at 2 sites

Elected Officials as of January 2008

Governor: Matt Blunt (R)
 Senators: Christopher S. Bond (R)
 Claire McCaskill (D)
 Representatives:
 District 8: Jo Ann Emerson (R)
 District 9: Kenny C. Hulshof (R)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

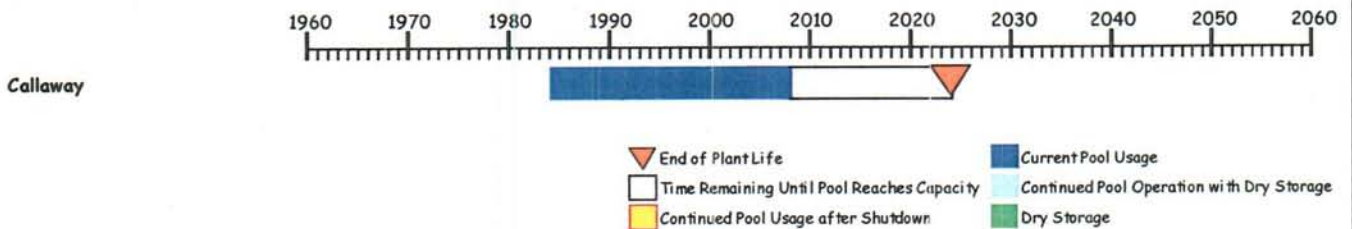


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
8	Univ. of Missouri (Rolla)	University of Missouri	Jo Ann Emerson (R)		Pool
9	Univ. of Missouri (Columbia)	University of Missouri	Kenny C. Hulshof (R)		Tank
	Callaway	AmerenUE ³		1984-2024	1190 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **590 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$187 million**

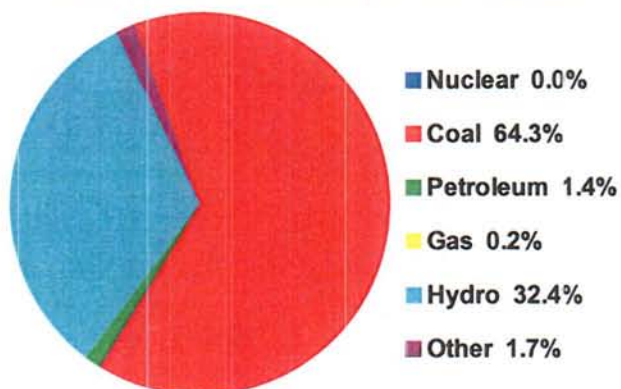
¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Owned by Ameren Corporation: Gary L. Rainwater, Chairman, President, and CEO.

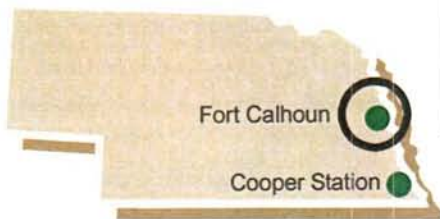
MONTANA

2007 Electricity Generation Mix¹
(includes utilities and independent power producers)



¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

NEBRASKA



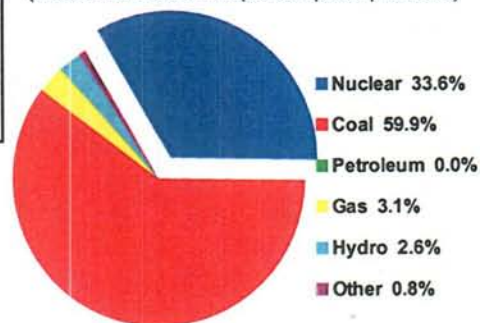
- Operating Commercial Reactors = 2 at 2 sites
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: Dave Heineman (R)
 Senators: Chuck Hagel (R)
 Ben Nelson (D)
 Representatives: Jeff Fortenberry (R)
 District 1:

2007 Electricity Generation Mix¹

(includes utilities and independent power producers)

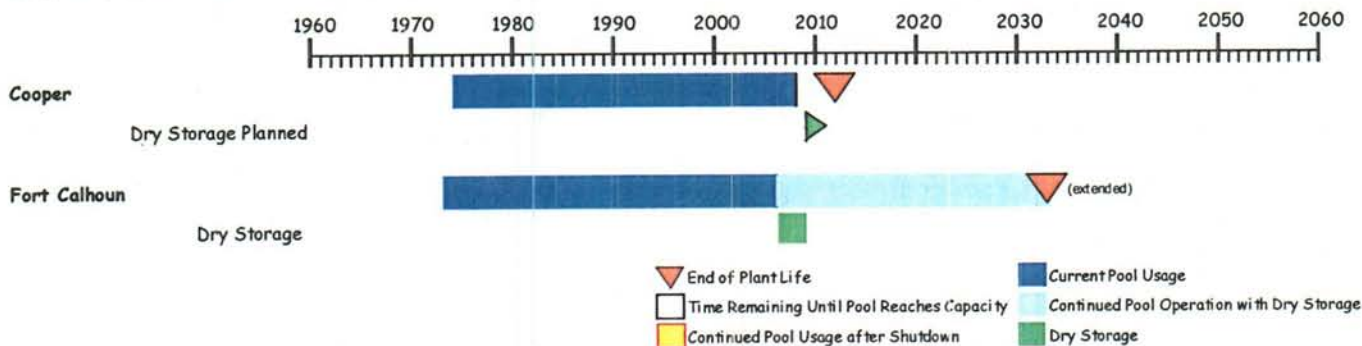


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Cooper Station	Nebraska Public Power District ³	Jeff Fortenberry (R)	1974-2014 ⁴	760 MW/BWR
	Ft. Calhoun	Omaha Public Power District ⁵		1973-2033 ⁶	478 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **720 MTHM**
 (not including **200 MTHM** from Cooper, now at Morris, IL)
 amount currently in dry storage (7/15/08): **50 MTHM**

SPENT FUEL STORAGE STATUS



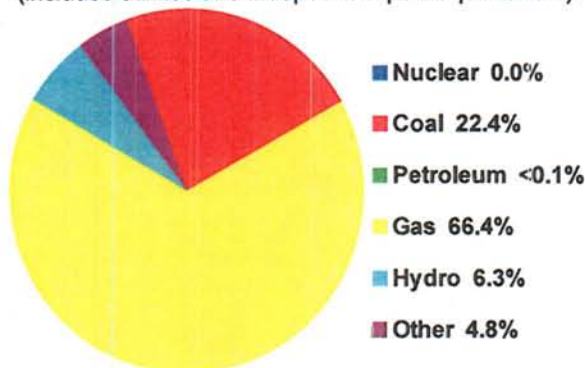
NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$252 million**

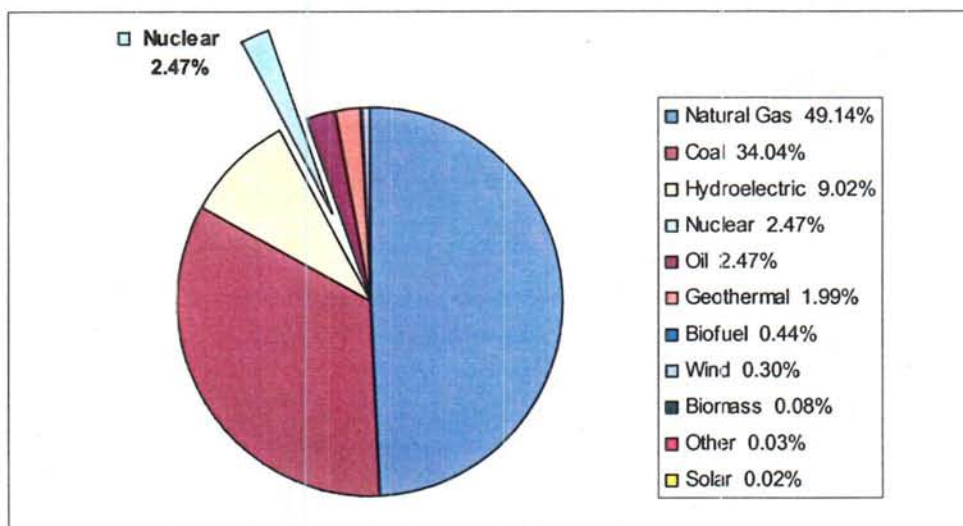
¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.
² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.
³ Ron Asche, President and CEO. Support services are provided by Entergy Nuclear Nebraska under a long-term agreement.
⁴ NRC granted 20 year license renewal to Fort Calhoun in November 2003.
⁵ W. Gary Gates, CEO and President
⁶ Cooper plans to submit a license renewal application in 2008.

NEVADA

2007 Electricity Generation Mix¹
(includes utilities and independent power producers)



Nevada Electricity Consumption Mix



ENERGY SOURCE	NEVADA POWER Southern Nevada Megawatt-Hours	SIERRA PACIFIC Northern Nevada Megawatt-Hours	TOTAL Megawatt-Hours	% of TOTAL
Natural Gas	12,074,834	2,329,214	14,404,048	49.14%
Coal	6,769,143	3,208,310	9,977,453	34.04%
Hydroelectric	1,807,397	837,746	2,645,143	9.02%
Nuclear	457,389	266,386	723,775	2.47%
Oil	457,389	266,386	723,775	2.47%
Geothermal	101,642	481,092	582,734	1.99%
Biofuel	45,356	82,449	127,805	0.44%
Wind	54,646	31,826	86,472	0.30%
Biomass	15,301	8,911	24,212	0.08%
Other	3,183	5,465	8,648	0.03%
Solar	3,825	2,228	6,053	0.02%
TOTALS	21,790,105	7,520,013	29,310,118	100.00%

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² The average fuel mix to produce electricity in Nevada is based on January bill inserts for 2008:

http://nevadapower.com/services/brochures_arch/bill_inserts/2008/npc_2008_01_billinsert.pdf

http://www.sierrapacific.com/services/brochures_arch/bill_inserts/2008/jan/SPP-NV_2008_01_insert.pdf

The grand totals in each bill insert do not equal the sum of the totals for each energy source with Nevada Power's grand total being ~2,282 megawatt-hours more and Sierra Pacific's being ~2,282 less. This is assumed to be the amount bought and sold between the two companies. The totals above equal the sum of the energy sources.

NEW HAMPSHIRE

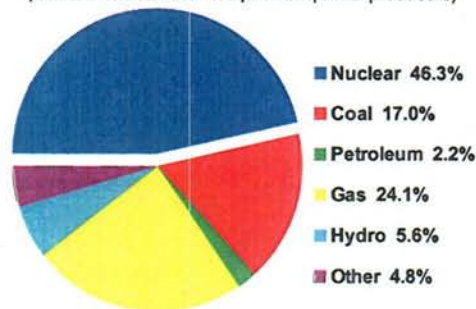


Elected Officials as of January 2008

Governor:	John Lynch (D)
Senators:	Judd Gregg (R) John E. Sununu (R)
Representatives:	
District 1:	Carol Shea-Porter (D)

● Operating Commercial Reactors = 1 at 1 site

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

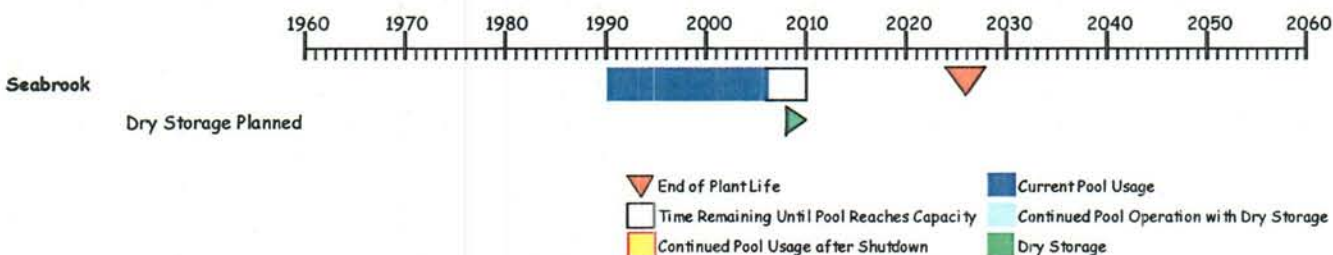


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Seabrook	FPL Energy ³	Carol Shea-Porter (D)	1990-2026 ⁴	1220 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **400 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$146 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Sale from North Atlantic Energy Service Corporation to FPL completed on 11/1/02. Owned and operated by FPL Group subsidiary FPL Energy. FPL Group, Inc.: Lewis Hay III, Chairman, President and CEO. In October 2006, the FPL Group and Constellation terminated their merger agreement (of December 2005) citing "continued uncertainty over regulatory and judicial matters in Maryland and the potential for a protracted and open-ended merger review process".

⁴ Seabrook plans to submit a 20-year operating license renewal application in 2010.

NEW JERSEY



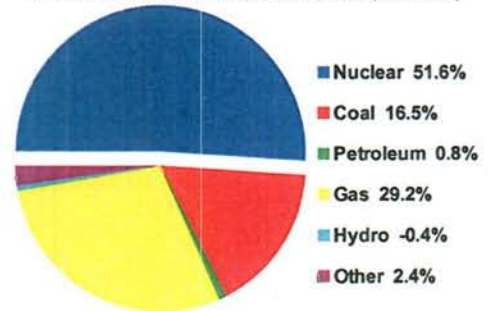
- Operating Commercial Reactors = 4 at 2 sites
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: Jon Corzine (D)
 Senators: Frank Lautenberg (D)
 Robert Menendez (D)
 Representatives:
 District 2: Frank A. LoBiondo (R)
 District 3: Jim Saxton (R)

2007 Electricity Generation Mix¹

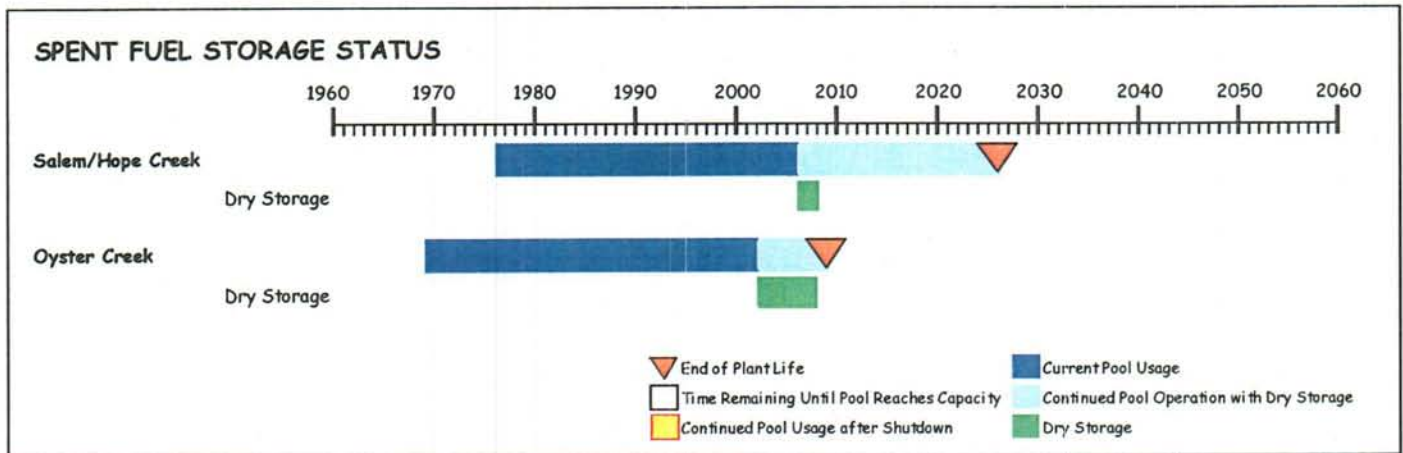
(includes utilities and independent power producers)



DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
2	Hope Creek	PSEG Power LLC ³	Frank LoBiondo (R)	1986-2026 ⁵	1061 MW/BWR
	Salem 1			1976-2016 ⁵	1174 MW/PWR
	Salem 2			1981-2020 ⁵	1130 MW/PWR
3	Oyster Creek	Exelon Generation Co., LLC ⁴	Jim Saxton (R)	1969-2009 ⁵	619 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **2,200 MTHM**
 amount currently in dry storage (7/15/08): **220 MTHM**



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$575 million**

Total owed in one-time fees: **\$173 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Owned by Public Service Enterprise Group: Ralph Izzo, President and CEO. In September 2006, the Exelon and PSEG merger agreement (of December 2004) was terminated. After more than 19 months before the New Jersey Board of Public Utilities, differences in the parties' settlement positions were "insurmountable".

⁴ Exelon's purchase of AmerGen completed in December 2003 and AmerGen become a wholly-owned subsidiary of Exelon Generation which is owned by Exelon Corp., John W. Rowe, Chairman, President and CEO.

⁵ Operating license renewal application for Oyster Creek was submitted on July 28, 2005.

⁶ Submittal of operating license renewal applications for Salem 1 & 2 and Hope Creek is planned for September 2009.

NEW MEXICO

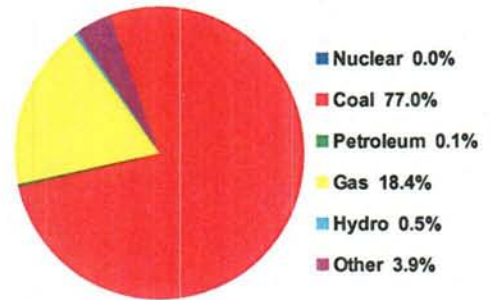


- ▲ Operating Research Reactors = 2 at 2 sites
- ▼ DOE-Owned SNF and HLW = 1 site
- ▽ Surplus Plutonium = 1 site

Elected Officials as of January 2008

Governor:	Bill Richardson (D)
Senators:	Pete V. Domenici (R) Jeff Bingaman (D)
Representatives:	
District 1:	Heather A. Wilson (R)
District 2:	Steve Pearce (R)
District 3:	Tom Udall (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Univ. of New Mexico	University of New Mexico	Heather A. Wilson (R)		AGN-201M #112
	Sandia National Lab	DOE			Various
2	White Sands Missile Range	U.S. Air Force	Steve Pearce (R)		
3	Los Alamos National Lab	DOE	Tom Udall (D)		Various

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

NEW YORK

Elected Officials as of March 2008

Governor: David A. Paterson (D)
 Senators: Charles E. Schumer (D)
 Hillary Rodham Clinton (D)

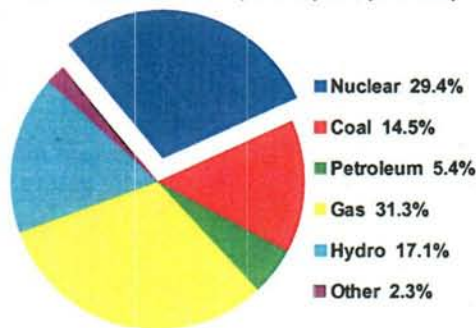
Representatives:
 District 1: Timothy Bishop (D)
 District 19: John Hall (D)
 District 21: Michael R. McNulty (D)
 District 23: John M. McHugh (R)
 District 25: James T. Walsh (R)
 District 29: Randy Kuhl (R)



- Operating Reactors = 6 at 3 sites
- Commercial Dry Storage Sites
- ✗ Shutdown Reactors at Operating Sites = 1
- ▲ Operating Research Reactors = 1 at 1 site
- ▼ DOE-Owned SNF and HLW = 1 at 1 site
- ▼ Commercial HLW = 1 at 1 site

2007 Electricity Generation Mix¹

(includes utilities and independent power producers)



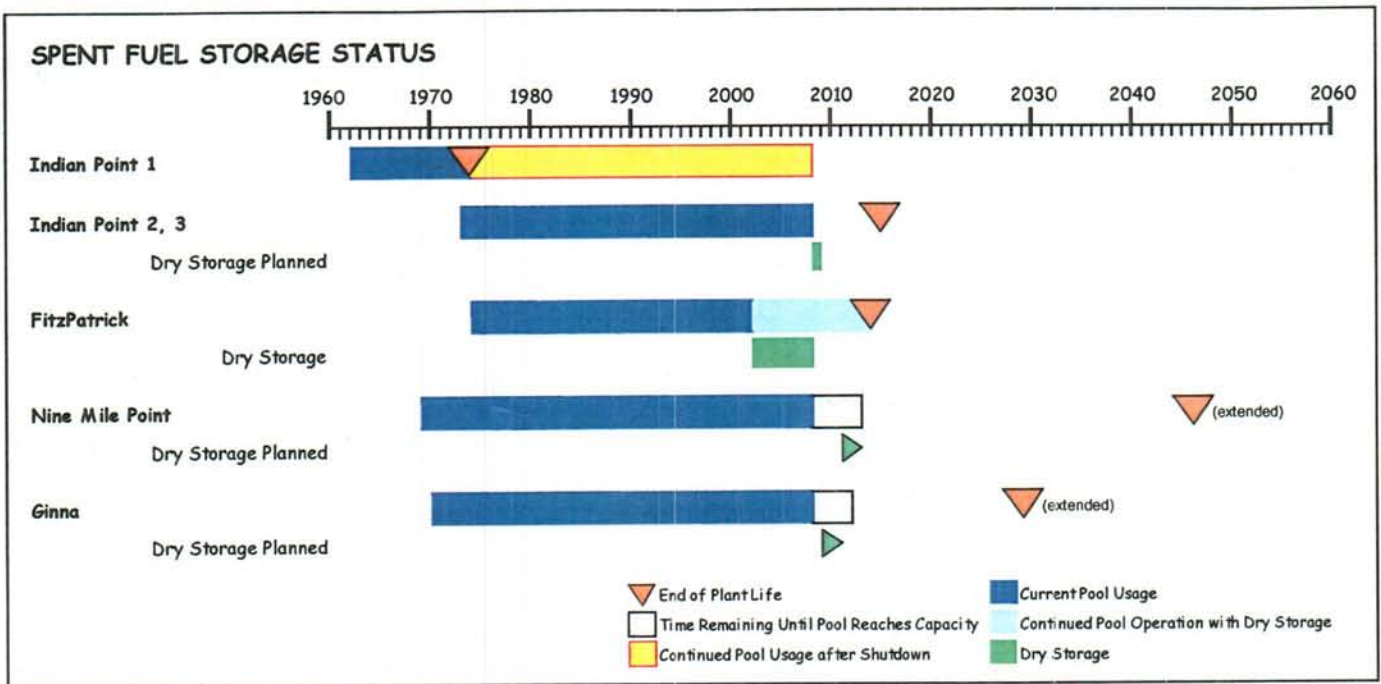
DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Brookhaven National Lab	DOE	Timothy Bishop (D)		
19	Indian Point 1 ³	Entergy Nuclear ⁵	John Hall (D)	1962-1974	0 MW/PWR
	Indian Point 2 ³			1973-2013 ⁶	1020 MW/PWR
	Indian Point 3 ⁴			1976-2015 ⁶	1025 MW/PWR
21	Rensselaer Polytechnic	Rensselaer Polytechnic	Michael McNulty (D)		Critical Assembly
23	FitzPatrick ⁴	Entergy Nuclear ⁵	John M. McHugh (R)	1974-2014 ⁷	852 MW/BWR
	Nine Mile Point 1 ⁸	Constellation Energy Nuclear ⁹		1969-2029 ¹⁰	621 MW/BWR
	Nine Mile Point 2 ⁸			1987-2046 ¹⁰	1135 MW/BWR
25	Ginna ¹¹		James T. Walsh (R)	1969-2029 ¹²	498 MW/PWR
29	West Valley DP	New York State Energy Research and Development Authority (NYSERDA)	Randy Kuhl (R)		

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **3,000 MTHM**
 of which: **30 MTHM** is at shutdown reactor
 amount currently in dry storage (7/15/08): **160 MTHM**

COMMERCIAL HIGH-LEVEL WASTE¹³
 275 Canisters = **640 MTHM**

NEW YORK - continued



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$763 million**

Total owed in one-time fees: **\$500 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Sale of Indian Point 1 and 2 from Consolidated Edison NY to Entergy completed in September 2001.

⁴ On November 21, 2000, Entergy closed the \$967 million sale of FitzPatrick and Indian Point-3 from NYPA.

⁵ Holding Company is Entergy Corp., J. Wayne Leonard is the Chairman and CEO. Owner is a lower level subsidiary of Entergy Nuclear. In 2008, Entergy plans to spinoff its non-utility nuclear reactors into a new merchant nuclear power company "Enexus Energy Corp."

⁶ Entergy submitted a license renewal application for Indian Point 2 & 3 in May 2007.

⁷ Entergy submitted a license renewal application for FitzPatrick in August 2006.

⁸ Niagara Mohawk's sale of Nine Mile Point Units-1 & -2 to Constellation Nuclear completed in 11/2001.

⁹ Owned by Constellation Energy Group, Inc.; Mayo A. Shattuck - Chairman, President and CEO. In October 2006, the FPL Group and Constellation terminated their merger agreement (of December 2005) citing "continued uncertainty over regulatory and judicial matters in Maryland and the potential for a protracted and open-ended merger review process".

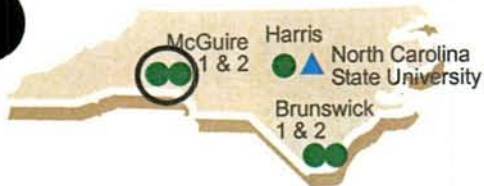
¹⁰ Operating license extension granted for Nine Mile Point-1 to allow recapture of construction time. NRC granted a 20 year license renewal to Nine Mile Point 1 & 2 in October 2006.

¹¹ Sale of Ginna from Rochester Gas & Electric Corp. to Constellation Energy Group, Inc. completed on May 28, 2004.

¹² NRC approved 20-year license renewal for Ginna on May 19, 2004.

¹³ Per West Valley's website (www.wv.doe.gov/Site%History.htm), there are 275 canisters containing vitrified high-level waste. The estimate of MTU is taken from Table A-2 of the "Waste Stream, Transportation, and Waste Package Calculations for the 2004 TLSCC Update".

NORTH CAROLINA



- Operating Reactors = 5 at 3 sites
- Commercial Dry Storage Sites
- ▲ Operating Research Reactors = 1 at 1 site

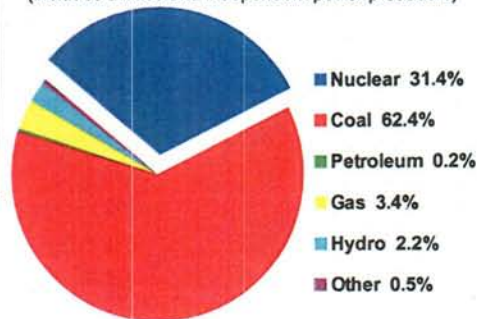
Elected Officials as of January 2008

Governor: Michael F. Easley (D)
 Senators: Richard M. Burr (R)
 Elizabeth Dole (R)

Representatives:
 District 4: David E. Price (D)
 District 7: Mike McIntyre (D)
 District 9: Sue Wilkins Myrick (R)

2007 Electricity Generation Mix¹

(includes utilities and independent power producers)

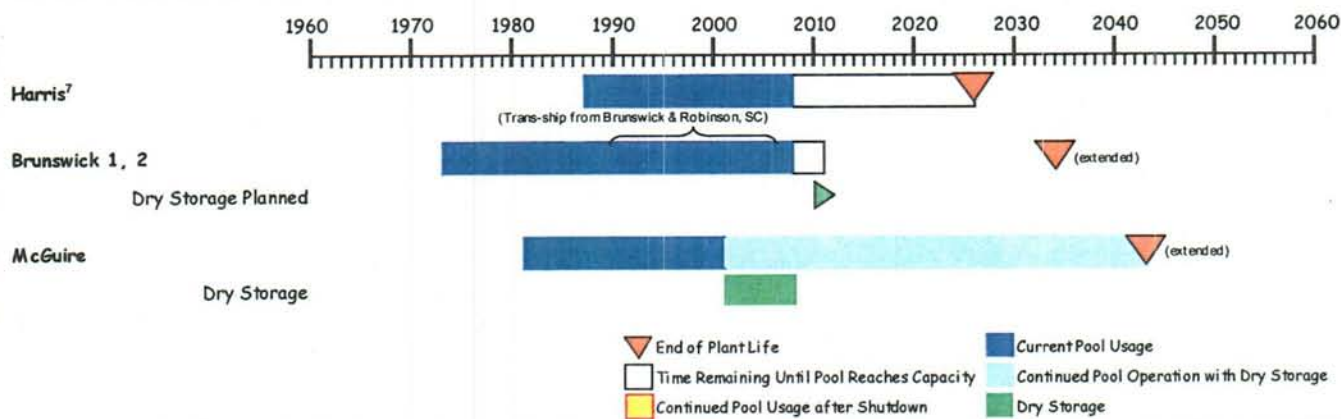


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
4	NC State	North Carolina State University	David E. Price (D)		Pulstar
	Harris	Progress Energy Carolinas ³		1987-2026 ⁴	900 MW/PWR
7	Brunswick 1		Duke Energy Carolinas. ⁶	Sue Wilkins Myrick (R)	1976-2036 ⁵
	Brunswick 2	1974-2034 ⁵			900 MW/BWR
9	W. B. McGuire 1	Duke Energy Carolinas. ⁶	Sue Wilkins Myrick (R)	1981-2041 ⁷	1100 MW/PWR
	W. B. McGuire 2			1983-2043 ⁷	1100 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **3,100 MTHM⁹**
 amount currently in dry storage (7/15/08): **340 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$802 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Holding company is Progress Energy: William (Bill) D. Johnson, Chairman, President & CEO. Merger of FPC with Carolina Power & Light closed on December 1, 2000 to form Progress Energy.

⁴ Harris submitted a license renewal application in November 2006.

⁵ NRC renewed the Brunswick 1 & 2 operating licenses for 20 years in June 2006.

⁶ Owned by Duke Energy Corporation: James E. Rogers is Chairman, President and CEO. Duke/Cinergy merger completed on 4/3/06.

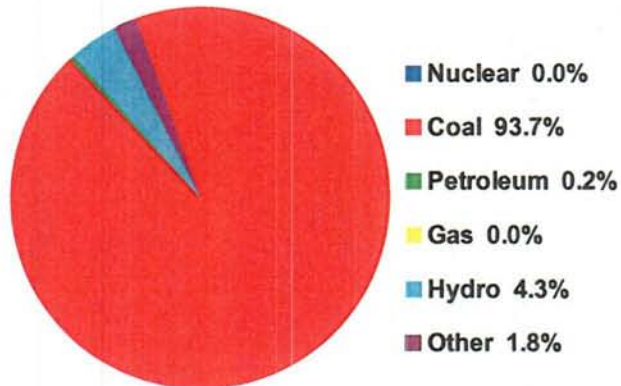
⁷ NRC approved 20-year license extensions for McGuire 1 & 2 in December 2003.

⁸ Harris has 4 pools licensed to store both BWR & PWR SNF. SNF from Brunswick and Robinson (SC) has been trans-shipped for storage in the Harris pools.

⁹ This number reflects transshipments from South Carolina (Progress Energy and Duke) as of 12/31/2002 as reported in the RW-859.

NORTH DAKOTA

2007 Electricity Generation Mix¹
(includes utilities and independent power producers)



¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

OHIO

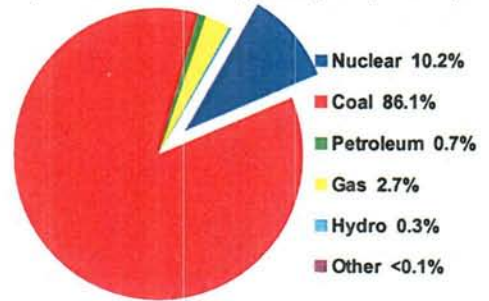


Elected Officials as of January 2008

Governor: Ted Strickland (D)
 Senators: Sherrod Brown (D)
 George V. Voinovich (R)
 Representatives:
 District 9: Marcy Kaptur (D)
 District 14: Steven C. LaTourette (R)
 District 15: Deborah Pryce (R)

2007 Electricity Generation Mix¹

(includes utilities and independent power producers)



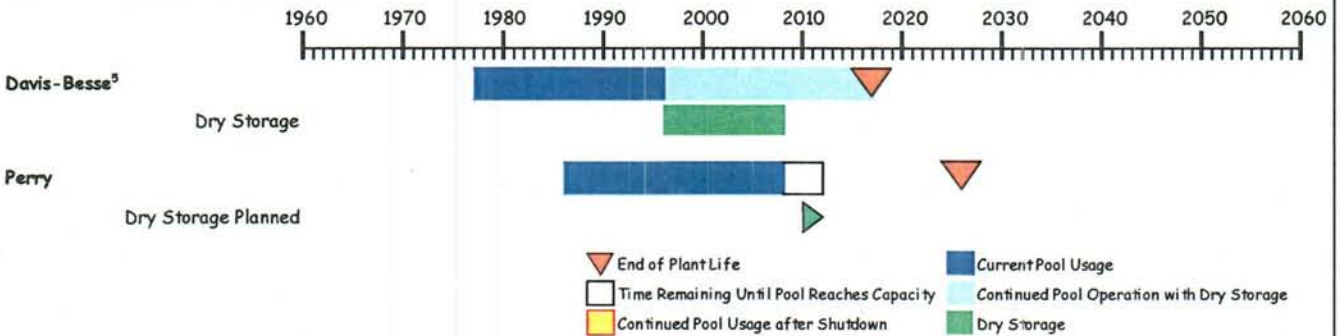
- Operating Commercial Reactors = 2 at 2 sites
- Commercial Dry Storage Sites
- ▲ Operating Research Reactors = 1 at 1 site

DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
9	Davis-Besse	FirstEnergy Solutions Corp. /	Marcy Kaptur (D)	1977-2017 ⁴	873 MW/PWR
14	Perry 1	FirstEnergy Nuclear Operating Co. ³	Steven LaTourette (R)	1986-2026 ⁶	1235 MW/BWR
15	Ohio State Univ.	Ohio State University	Deborah Pryce (R)		Pool

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **1,000 MTHM**
 amount currently in dry storage (7/15/08): **30 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$288 million**
 Total owed in one-time fees: **\$32 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.
² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.
³ Owned by FirstEnergy Corporation; Anthony J. Alexander, President and CEO.
⁴ Davis-Besse has notified the NRC of intent to submit a license renewal application in 2010.
⁵ Davis-Besse plans to re-rack its pools to provide sufficient pool storage to the end of the current operating license; no further use of dry storage beyond the 3 casks already in place is planned for the site.
⁶ Perry has notified the NRC of intent to submit a license renewal application in 2013.

OREGON

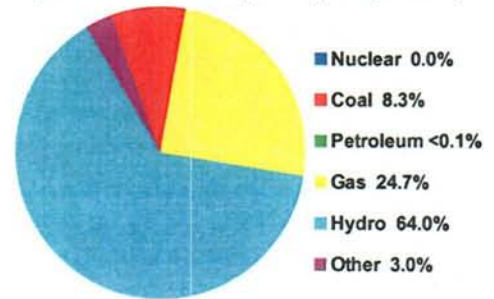
Trojan



Elected Officials as of January 2008

Governor: Ted Kulongoski (D)
 Senators: Ron Wyden (D)
 Gordon H. Smith (R)
 Representatives:
 District 1: David Wu (D)
 District 3: Earl Blumenauer (D)
 District 5: Darlene Hooley (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



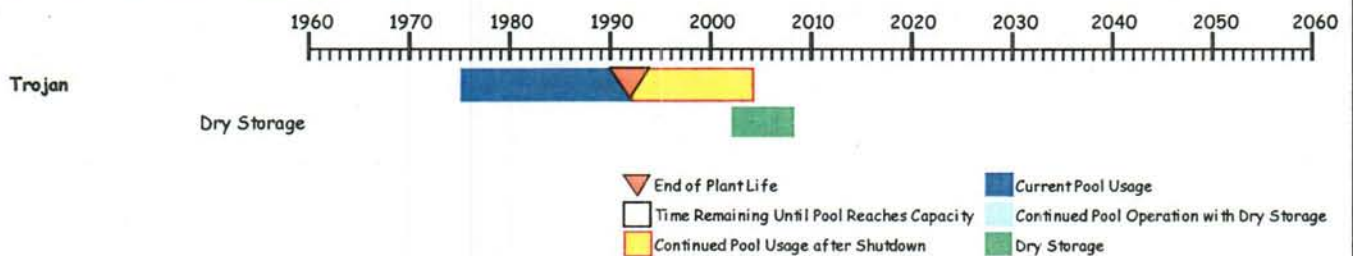
- * Shutdown Commercial Reactors Sites That No Longer Have Reactors = 1 site
- Commercial Dry Storage Sites
- ▲ Operating Research Reactors = 2 at 2 sites

DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Trojan	Portland General Electric Co. ³	David Wu (D)	1975-1992	former PWR
3	Reed College	Reed College	Earl Blumenauer (D)		TRIGA Mark I
5	Oregon State Univ.	Oregon State University	Darlene Hooley (D)		TRIGA Mark II

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **360 MTHM**
 of which: **360 MTHM** is at shutdown reactor
 amount currently in dry storage (7/15/08): **360 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

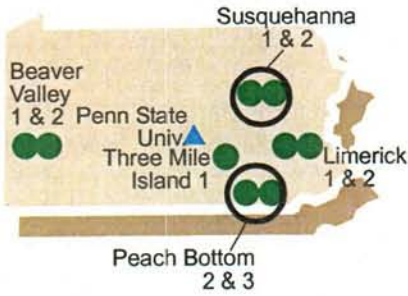
Cumulative payments as of June 30, 2008: **\$76 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ On 4/3/06 PGE returned to a publicly traded, Oregon-based utility when ownership was transferred from Enron to creditors by issuing new common stock. Peggy Fowler is PGE's CEO and President.

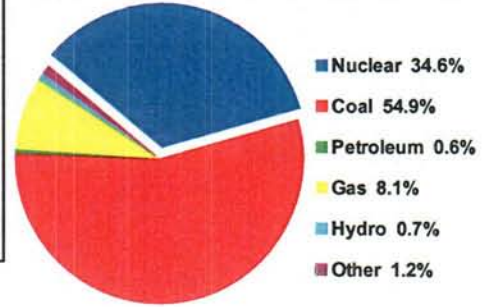
PENNSYLVANIA



Elected Officials as of January 2008

Governor: Edward Rendell (D)
 Senators: Arlen Specter (R), Bob Casey (D)
 Representatives:
 District 4: Jason Altmire (D)
 District 5: John Peterson (R)
 District 6: Jim Gerlach (R)
 District 11: Paul E. Kanjorski (D)
 District 17: Tim Holden (D)
 District 19: Todd Russell Platts (R)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



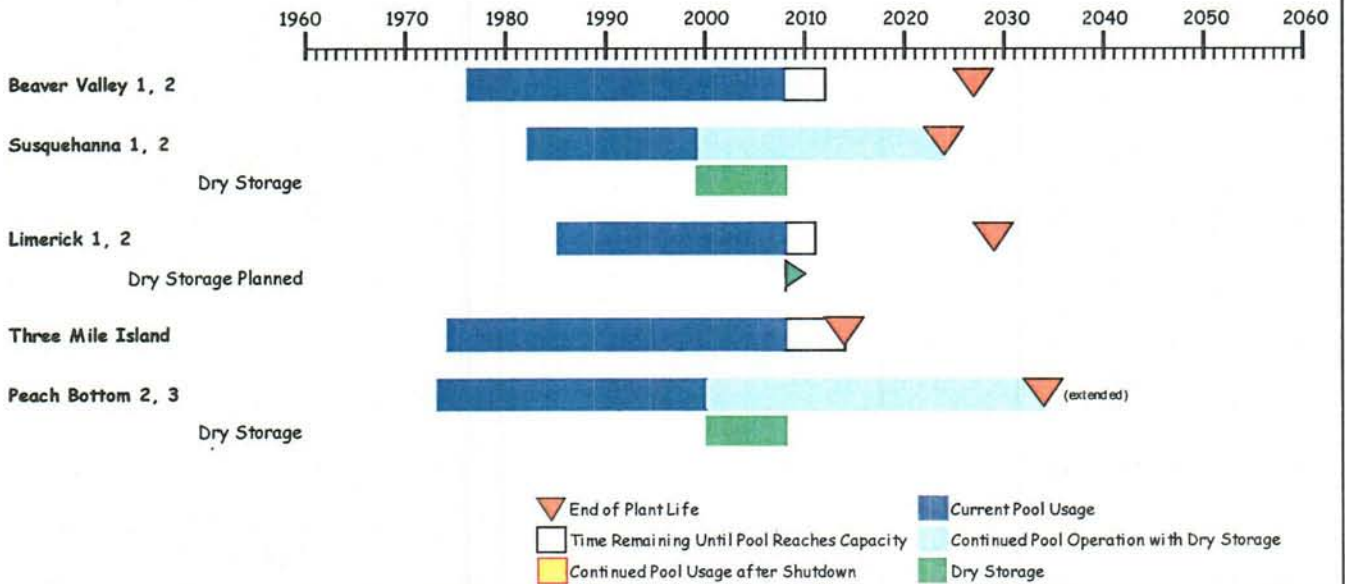
- Operating Commercial Reactors = 9 at 5 sites
- ▲ Operating Research Reactors = 1 at 1 site

DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
4	Beaver Valley 1	FirstEnergy Solutions Corp. /	Jason Altmire (D)	1976-2016 ⁴	821 MW/PWR
4	Beaver Valley 2	FirstEnergy Nuclear Operating Co. ³		1987-2027 ⁴	821 MW/PWR
5	Penn State Univ.	Penn State University	John Peterson (R)		TRIGA
6	Limerick 1	Exelon Generation Co., LLC ⁶	Jim Gerlach (R)	1985-2024	1134 MW/BWR
6	Limerick 2			1989-2029	1134 MW/BWR
11	Susquehanna 1	PPL Generation ⁵	Paul E. Kanjorski (D)	1982-2022 ⁹	1135 MW/BWR
11	Susquehanna 2			1984-2024 ⁹	1140 MW/BWR
17	Three Mile Island 1	Exelon Generation Co., LLC ^{6,7}	Tim Holden (D)	1974-2014 ¹⁰	786 MW/PWR
19	Peach Bottom 2		Todd Russell Platts (R)	1973-2033 ⁸	1112 MW/BWR
19	Peach Bottom 3			1974-2034 ⁸	1112 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **5,200 MTHM**
 amount currently in dry storage (7/15/08): **950 MTHM**

SPENT FUEL STORAGE STATUS



PENNSYLVANIA - continued

NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$1,502 million**

Total owed in one-time fees: **\$88 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Owned by FirstEnergy Corporation: Anthony J. Alexander, President and CEO.

⁴ Beaver Valley 1 & 2 submitted a license renewal application in August 2007. In May 2002, NRC granted Beaver Valley 2 an exemption from the requirement that plants be less than 20 years from the expiration of their current licenses before submitting renewal application.

⁵ Owned by PPL Corp: James H. Miller, Chairman, President and CEO.

⁶ Merger of PECO and Unicom (IL) to Exelon Corp. completed Oct 23, 2000. John Rowe, Chairman, President, and CEO of Exelon. In September 2006, the Exelon and PSEG merger agreement (of December 2004) was terminated. After more than 19 months before the New Jersey Board of Public Utilities, differences in the parties' settlement positions were "insurmountable".

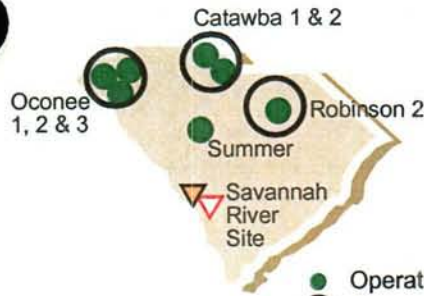
⁷ Exelon's purchase of AmerGen completed in December 2003 and AmerGen become a wholly-owned subsidiary of Exelon Generation.

⁸ The NRC granted license renewals for Peach Bottom 2 & 3 in May 2003.

⁹ Utility submitted a license renewal application for Susquehanna 1 & 2 in September 2006.

¹⁰ License renewal application submitted for TMI1 in January 2008.

SOUTH CAROLINA



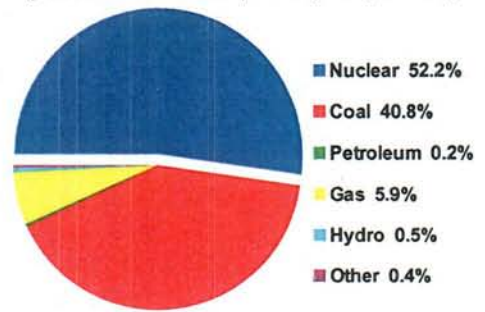
- Operating Commercial Reactors = 7 at 4 sites
- Commercial Dry Storage Sites
- ▽ DOE-Owned SNF and HLW = 1 site
- ▽ Surplus Plutonium*

* Surplus plutonium site already counted in DOE-Owned SNF and HLW (both at SRS).

Elected Officials as of January 2008

Governor: Mark Sanford (R)
 Senators: Jim DeMint (R)
 Lindsey Graham (R)
 Representatives:
 District 3: J. Gresham Barrett (R)
 District 5: John M. Spratt, Jr. (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
3	Savannah River Site	DOE	J. Gresham Barrett (R)		Various
3	Oconee 1	Duke Energy Carolinas ³	J. Gresham Barrett (R)	1973-2033 ⁴	846 MW/PWR
3	Oconee 2			1973-2033 ⁴	846 MW/PWR
3	Oconee 3			1974-2034 ⁴	846 MW/PWR
5	Catawba 1	Duke Energy Carolinas ³	John M. Spratt, Jr. (D)	1985-2043 ⁵	1129 MW/PWR
5	Catawba 2			1986-2043 ⁵	1129 MW/PWR
5	Robinson 2	Progress Energy Carolinas ⁶		1970-2030 ⁷	710 MW/PWR
5	Summer	South Carolina Electric & Gas ⁸		1982-2042 ⁹	966 MW/PWR

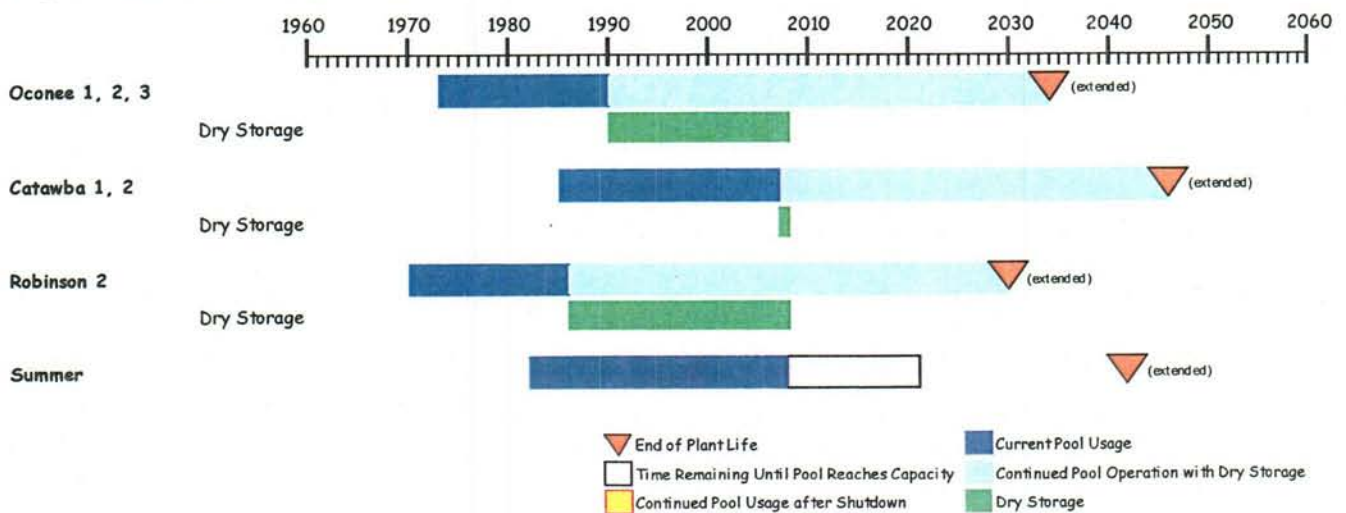
COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **3,500 MTHM¹¹**
 amount currently in dry storage (7/15/08): **1,200 MTHM**

DOE-OWNED PROJECTED INVENTORIES¹²

Spent Nuclear Fuel: **44 MTHM**
 High-Level Waste (range): **6,700-9,100 canisters**

SPENT FUEL STORAGE STATUS



SOUTH CAROLINA - continued

NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$1,198 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Owned by Duke Energy Corporation: James E. Rogers is Chairman, President and CEO. Duke/Cinergy merger completed on 4/3/06.

⁴ NRC approved 20-year license renewals for all three Oconee units on May 23, 2000.

⁵ NRC approved 20-year license renewals for Catawba 1 & 2 in December 2003.

⁶ Holding company is Progress Energy: William (Bill) D. Johnson, Chairman, President & CEO. Merger of FPC with Carolina Power & Light closed on December 1, 2000 to form Progress Energy.

⁷ NRC approved 20-year license extension for Robinson 2 on April 19, 2004.

⁸ Owned by SCANA Corporation: William B. Timmerman, Chairman, President, and CEO.

⁹ NRC approved 20-year license renewal for Summer on April 23, 2004.

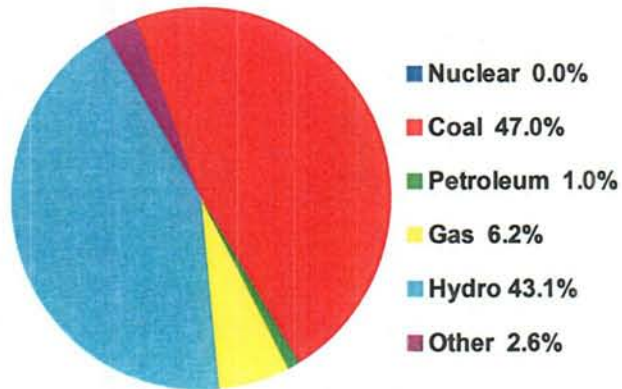
¹⁰ Storage needs for Robinson being met by trans-shipping Robinson SNF to Harris, NC. But Robinson intends to resume dry storage in 2004.

¹¹ This number reflects transshipments to North Carolina (Progress Energy and Duke) as of 12/31/2002 as reported in the RW-859.

¹² Projected SNF inventories by 2035 taken from Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain (DOE/EIS-0250), February 2002, Appendix A, Table A-20 and Section A.2.3.5.1. HLW canister ranges taken from the SEIS.

SOUTH DAKOTA

2007 Electricity Generation Mix¹
(includes utilities and independent power producers)



¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

TENNESSEE



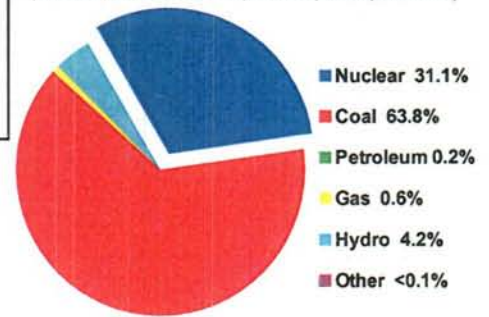
- Operating Reactors = 3 at 2 sites
- ▽ DOE-Owned SNF and HLW = 1 site
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: Phil Bredesen (D)
 Senators: Bob Corker (R)
 Lamar Alexander (R)
 Representatives: Zach Wamp (R)
 District 3:

2007 Electricity Generation Mix¹

(includes utilities and independent power producers)

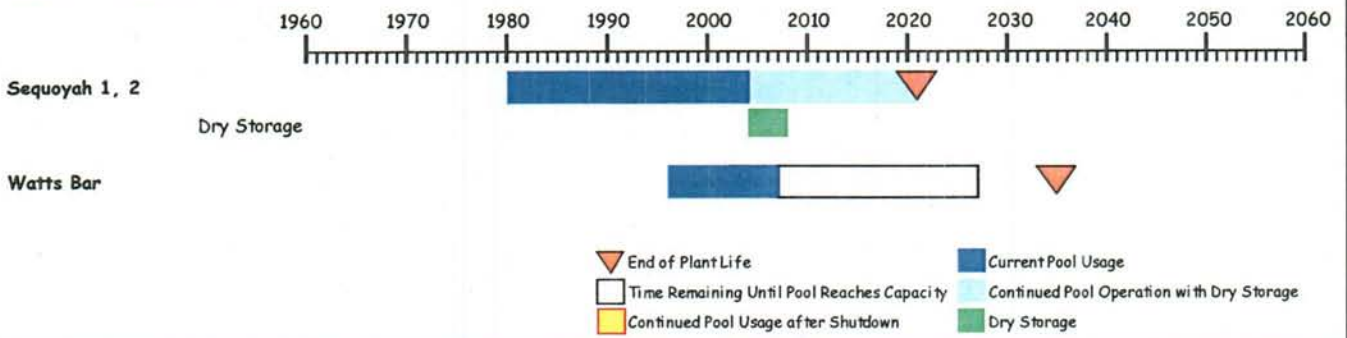


DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
3	Sequoyah 1	Tennessee Valley Authority ³	Zach Wamp (R)	1980-2020	1150 MW/PWR
	Sequoyah 2			1981-2021	1127 MW/PWR
	Watts Bar			1996-2035	1121 MW/PWR
	Oak Ridge National Lab	DOE		Various	

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **1,300 MTHM**
 amount currently in dry storage (7/15/08): **200 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

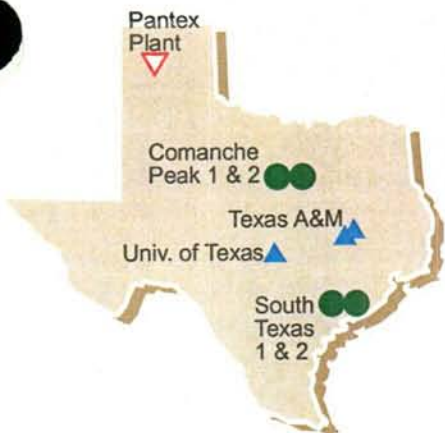
Cumulative payments as of June 30, 2008: **\$439 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Owned and operated by TVA: Tom Kilgore, President and CEO.

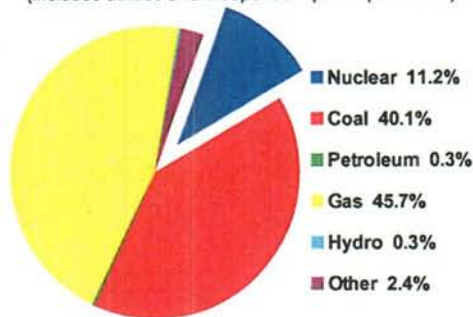
TEXAS



Elected Officials as of January 2008

Governor: Rick Perry (R)
Senators: Kay Bailey Hutchison (R), John Cornyn (R)
Representatives:
 District 10: Michael McCaul (R)
 District 13: Mac Thornberry (R)
 District 14: Ron Paul (R)
 District 17: Chet Edwards (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



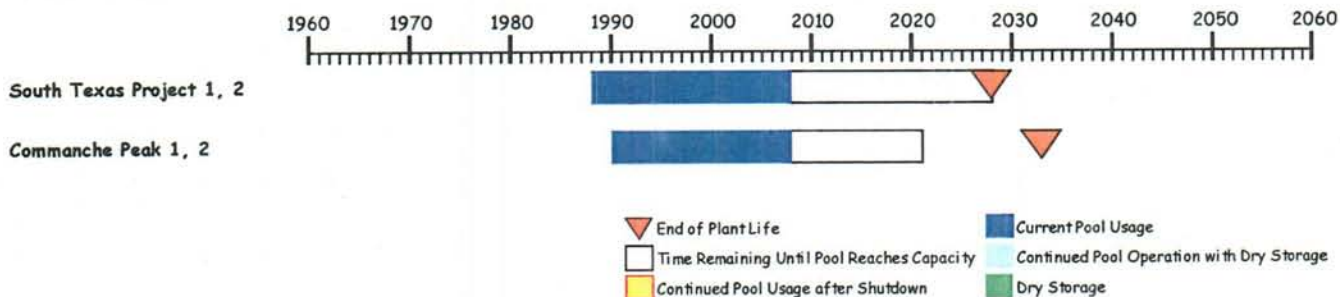
- Operating Commercial Reactors = 4 at 2 sites
- ▲ Operating Research Reactors = 3 at 2 sites
- ▼ Surplus Plutonium = 1 site

DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
10	Univ. of Texas	University of Texas	Michael McCaul (R)		TRIGA Mark II
13	Pantex Plant	Pantex	Mac Thornberry (R)		Production Facility
14	South Texas Project 1	NRG Energy, Inc. /	Ron Paul (R)	1988-2027	1280 MW/PWR
	South Texas Project 2	STP Nuclear Operating Co. ³		1989-2028	1280 MW/PWR
17	Comanche Peak 1	Luminant Power ⁴	Chet Edwards (D)	1990-2030	1150 MW/PWR
	Comanche Peak 2			1993-2033	1150 MW/PWR
	Texas A&M 1	Texas A&M			AGN-201M #106
	Texas A&M 2				TRIGA

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **1,700 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$580 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.
² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.
³ Owned by NRC Energy, David Crane, President and CEO.
⁴ 10/10/07, the merger of TXU Corp. and TEF (lead by group of investors including KKR, Texas Pacific Group and Goldman Sachs) is complete. TXU changed its name to Energy Future Holdings Corp. with John F. Young as President and CEO. The businesses will be transitioned into three separate business units: Luminant, TXU Energy, Oncor with separate boards, management teams and headquarters. Luminant Power, the power generation business, is headed by Mike Greene, CEO.

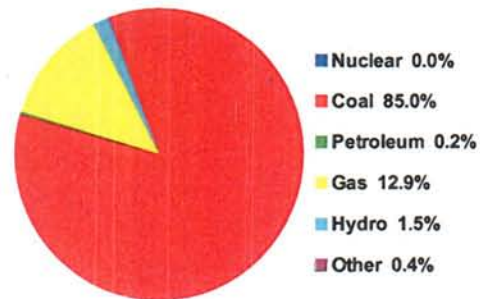
UTAH



Elected Officials as of January 2008

Governor:	Jon Huntsman (R)
Senators:	Orrin G. Hatch (R) Robert Bennett (R)
Representatives:	
District 2:	Jim Matheson (D)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



▲ Operating Research Reactors = 1 at 1 site

DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
2	Univ. of Utah	University of Utah	Jim Matheson (D)		TRIGA Mark I

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7 B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

VERMONT



Vermont Yankee

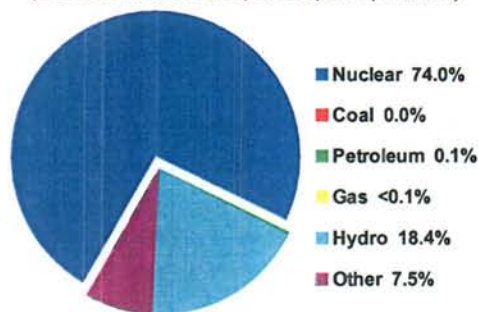
- Operating Commercial Reactors = 1 at 1 site
- Commercial Dry Storage Sites

Elected Officials as of January 2008

Governor: James Douglas (R)
 Senators: Patrick J. Leahy (D)
 Bernie Sanders (I)
 Representatives:
 District 1: Peter Welch (D)

2007 Electricity Generation Mix¹

(includes utilities and independent power producers)

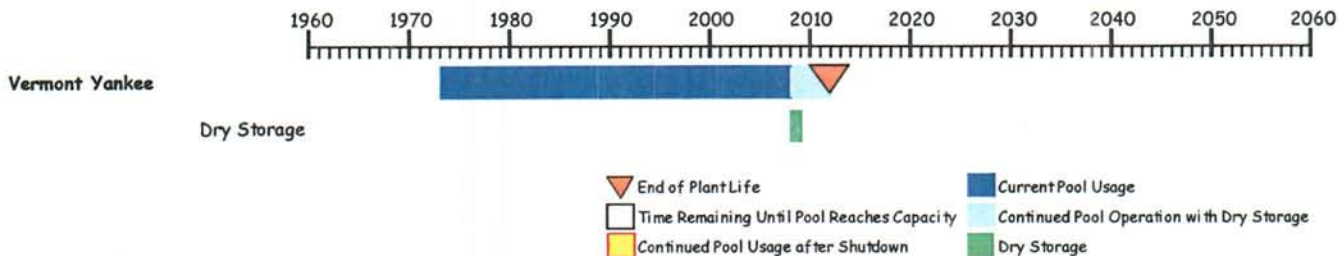


DISTRICT	FACILITY	OWNER/OPERATOR	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
1	Vermont Yankee ³	Entergy Nuclear ⁴	Peter Welch (D)	1973-2012 ⁵	506 MW/BWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **550 MTHM**
 amount currently in dry storage (7/15/08): **50 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$90 million**
 Total owed in one-time fees: **\$143 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. hydro includes both conventional and pumped storage.

Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Sale of Vermont Yankee from Vermont Yankee Nuclear Power Corporation to Entergy completed on July 31, 2002.

⁴ Holding Company is Entergy Corp., J. Wayne Leonard is the Chairman and CEO. Owner is a lower level subsidiary of Entergy Nuclear. In 2008, Entergy plans to spinoff its non-utility nuclear reactors into a new merchant nuclear power company "Enexus Energy Corp."

⁵ Vermont Yankee submitted an operating license renewal application to the NRC in January 2006.

VIRGINIA

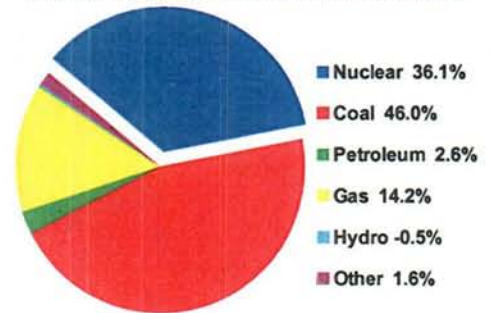
Elected Officials as of January 2008

Governor: Tim Kaine (D)
 Senators: John W. Warner (R)
 Jim Webb (D)
 Representatives:
 District 3: Robert C. Scott (D)
 District 6: Bob Goodlatte (R)
 District 7: Eric I. Cantor (R)



- Operating Commercial Reactors = 4 at 2 sites
- Commercial Dry Storage Sites
- ◆ Commercial SNF Pool Storage (Away-From-Reactor) = 1 site

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)

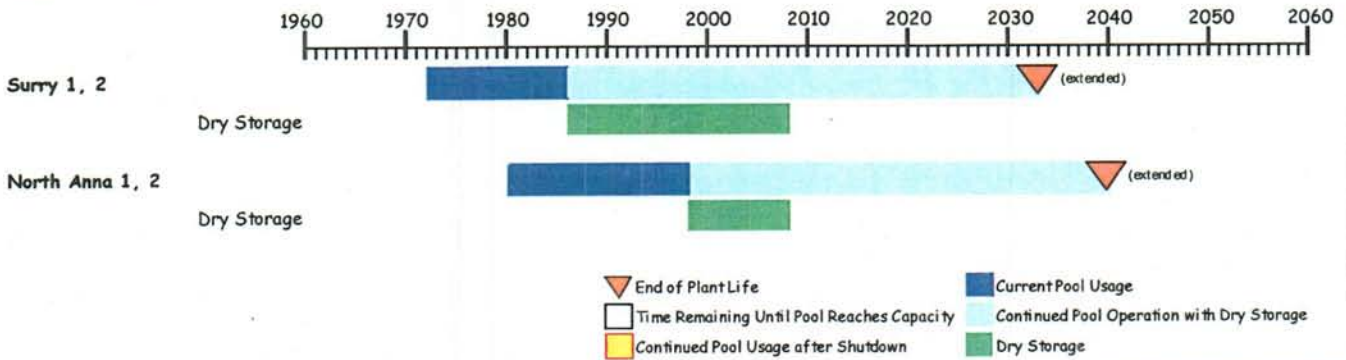


DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
3	Surry 1	Dominion Generation ³	Robert C. Scott (D)	1972-2032 ⁴	799 MW/PWR
	Surry 2		Robert C. Scott (D)	1973-2033 ⁴	799 MW/PWR
6	BWX Technologies	BWX Technologies	Bob Goodlatte (R)		Storage Facility
7	North Anna 1	Dominion Generation ³	Eric I. Cantor (R)	1978-2038 ⁴	924 MW/PWR
	North Anna 2		Eric I. Cantor (R)	1980-2040 ⁴	910 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **2,200 MTHM**
 amount currently in dry storage (7/15/08): **1,170 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$672 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.
² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.
³ Owned by Dominion Resources, Inc.: Thomas F. Farrell II, Chairman, President, and CEO.
⁴ The NRC granted 20-year operating license extensions for Surry 1 & 2 and North Anna 1 & 2 in March 2003.

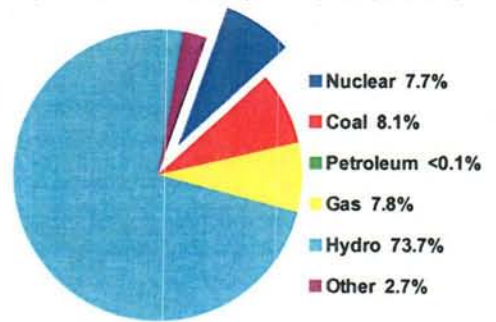
WASHINGTON



Elected Officials as of January 2008

Governor:	Christine Gregoire (D)
Senators:	Patty Murray (D) Maria Cantwell (D)
Representatives:	
District 4:	Doc Hastings (R)
District 5:	Cathy McMorris (R)

2007 Electricity Generation Mix¹ (includes utilities and independent power producers)



- Operating Commercial Reactors = 1 at 1 site
- Commercial Dry Storage Sites
- ▲ Operating Research Reactors = 1 at 1 site
- ▼ DOE-Owned SNF and HLW = 1 site
- ▽ Surplus Plutonium*

* Surplus plutonium site already counted in DOE-Owned SNF and HLW (both at Hanford).

DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
4	Columbia Generating Station	Energy Northwest ³	Doc Hastings (R)	1984-2023 ⁴	1131 MW/BWR
	Hanford Reservation	DOE			Various
5	Washington State Univ.	Washington State Univ.	Cathy McMorris (R)		TRIGA

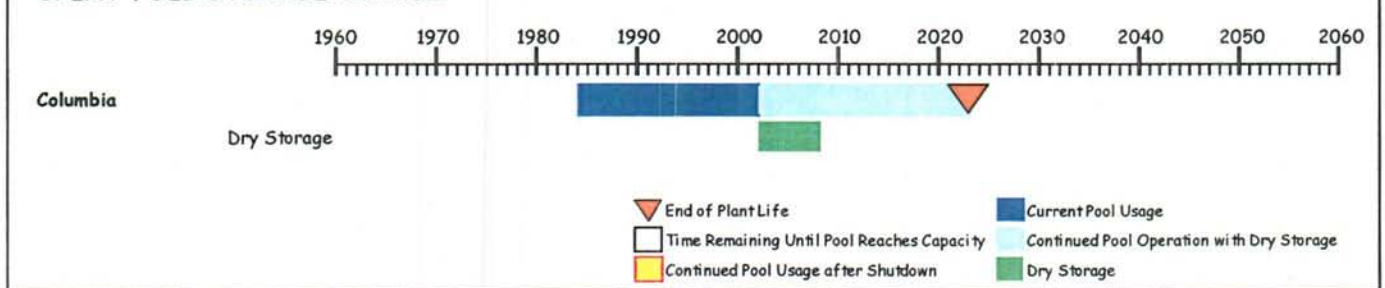
COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **540 MTHM**
amount currently in dry storage (7/15/08): **320 MTHM**

DOE-OWNED PROJECTED INVENTORIES⁵

Spent Nuclear Fuel: **2,100 MTHM**
High-Level Waste (range): **7,100-13,000 canisters**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$153 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ Owned by Energy Northwest: Joseph (Vic) Parrish, CEO.

⁴ Columbia plans to submit an operating license renewal application in 2010.

⁵ Projected SNF inventories by 2035 taken from Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain (DOE/EIS-0250), February 2002, Appendix A, Table A-20 and Section A.2.3.5.1. HLW canister ranges taken from the SEIS.

WISCONSIN

Elected Officials as of January 2008



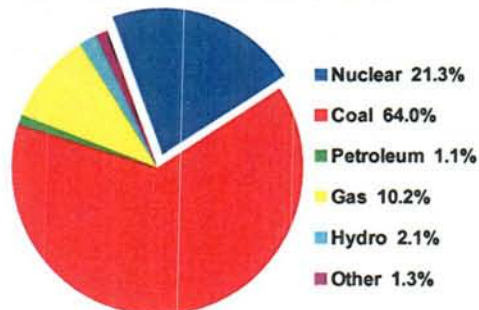
- Operating Reactors = 3 at 2 sites
- Commercial Dry Storage Sites
- ✘ Shutdown Commercial Reactors Sites That No Longer Have Reactors = 1 site
- ▲ Operating Research Reactors = 1 at 1 site

Governor: Jim Doyle (D)
 Senators: Herb Kohl (D)
 Russell D. Feingold (D)

Representatives:
 District 2: Tammy Baldwin (D)
 District 3: Ron Kind (D)
 District 6: Thomas E. Petri (R)
 District 8: Steve Kagen (D)

2007 Electricity Generation Mix¹

(includes utilities and independent power producers)

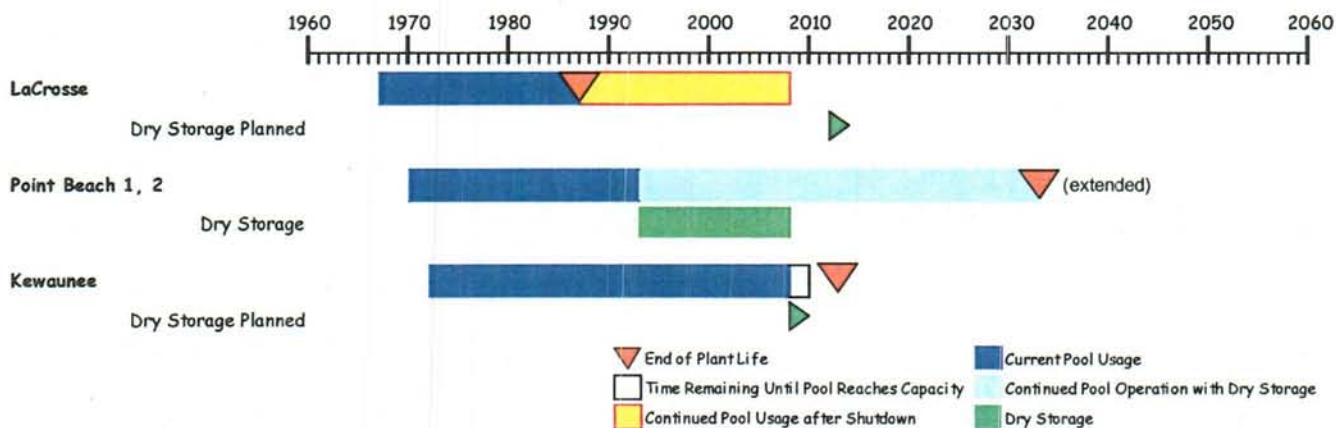


DISTRICT	FACILITY	OWNER	REPRESENTATIVE	LICENSE PERIOD	PLANT OUTPUT/TYPE ²
2	Univ. of Wisconsin	University of Wisconsin	Tammy Baldwin (D)		TRIGA
3	LaCrosse	Dairyland Power Cooperative ³	Ron Kind (D)	1967-1987	former BWR
6	Point Beach 1	FPL Energy ⁴	Thomas E. Petri (R)	1970-2030 ⁵	512 MW/PWR
	Point Beach 2	FPL Energy ⁴		1973-2033 ⁵	514 MW/PWR
8	Kewaunee ⁶	Dominion Generation ⁷	Steve Kagen (D)	1973-2013 ⁸	556 MW/PWR

COMMERCIAL SPENT NUCLEAR FUEL INVENTORIES

Cumulative spent fuel (2002 RW-859 historical data, projections for 2003-2007): **1,200 MTHM**
 of which: **40 MTHM** is at shutdown reactor
 amount currently in dry storage (7/15/08): **270 MTHM**

SPENT FUEL STORAGE STATUS



NUCLEAR WASTE FUND

Cumulative payments as of June 30, 2008: **\$344 million**

¹ Data for Electricity Net Generation Mix from Electric Power Monthly, Tables 1.7.B-1.16.B [DOE/EIA-0226 (2008/03)]. Values for 2007 are estimated based on a sample. Hydro includes both conventional and pumped storage.

² Data for Plant Output/Type from NRC Information Digest (NUREG-1350, Vol. 19, 2007); commercial power output based on net summer capacity.

³ William L. Berg is Dairyland's President and CEO.

⁴ On 10/1/07, FPL Energy, a subsidiary of FPL Group, closed on the acquisition of Point Beach from Wisconsin Electric Power Company. FPL Group, Inc.: Lewis Hay III, Chairman, President and CEO.

⁵ NRC granted a 20-year operating license renewals for Point Beach 1 & 2 on 12/22/05.

⁶ On 7/5/05, Dominion closed on the acquisition of Kewaunee from Wisconsin Public Service Corp.

⁷ Owned by Dominion Resources, Inc.: Thomas Farrell II, Chairman, President, and CEO.

⁸ Kewaunee plans to submit an operating license renewal application in 2008.