

NUCLEAR FISSION POWER FACILITIES SUBCOMMITTEE
OF THE
SENATE AND HOUSE STANDING COMMITTEES ON ENERGY

Report to Members of the
Second Session of the Sixty-seventh General Assembly

State of Iowa
1978

FINAL REPORT
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The Legislative Council authorized a Subcommittee composed of members of the House and Senate Standing Committees on Energy to examine the substance and effects of House Files 551 and 523 introduced during the 1977 legislative session. House File 523 provides that a certificate of convenience and necessity shall not be issued by the Iowa state commerce commission for the siting of a nuclear fission power facilities until the commission finds, subject to the disapproval of the general assembly, that a demonstrated and commercially available technology exists for the reprocessing of spent fuel. House File 551 follows the same scheme but addresses the question of a technology for the disposal of high level nuclear waste. The following legislators were appointed to the Subcommittee:

Senator James Gallagher, Co-chairperson
Representative Mary O'Hallaron, Co-chairperson
Senator Stephen Bisenius
Senator Cliff Burroughs
Senator Richard Ramsey
Senator John Scott
Representative Rollin Howell
Representative Arlo Hullinger
Representative John Pelton
Representative Richard Welden

The Subcommittee held one meeting as authorized on November 9, 1977. It was recognized at the onset that the issues involved are numerous and highly technical but the Subcommittee concluded that the primary issue of the future of nuclear power development in Iowa cannot be ignored. The Subcommittee generally discussed amongst themselves and with interested persons in attendance, the following issues:

1. The lack of any statutory requirements concerning the notification of government officials when high level nuclear material, whether waste or not, is being transported through a state.
2. The suitability of Iowa geologic formations for disposal of nuclear waste.
3. Problems created by the lack of adequate disposal facilities for nuclear waste. It was pointed out that plant shutdowns are predicted by 1985 because of this problem.

4. The roles of the states and the federal government in the reprocessing and disposal areas. The Carter administration has emphasized temporary disposal over reprocessing and has determined that disposal should be the responsibility of the federal government. The Environmental Protection Agency is promulgating rules governing the selection of disposal sites. The big question at this point is the role the states will play in such site selection. Several states have already enacted laws prohibiting the development of a disposal site within their boundaries.
5. The costs to the consumer associated with reprocessing and disposal.

The Subcommittee voted in favor of pursuing the following questions during the 1978 legislative session meeting as a Subcommittee:

1. Should some portion of Iowa be a depository or storage site for high level radioactive material?

Related questions--

Who would pay the cost of storing Iowa waste at some out-of-state location?

Can the state prohibit disposal or storage by the federal government on federally-owned land in Iowa?

2. Should legislation be developed to restrict the interstate and intrastate movement of nuclear wastes? If yes, who should be responsible for the safe transportation of such wastes?
3. Who should bear transportation and disposal costs of Iowa generated wastes?
4. Should the concepts contained in House Files 523 and 551 be pursued?
5. Should additional nuclear power facilities be constructed in Iowa?

It was agreed that the legislative service bureau staff, the Energy Committee chairpersons and the Energy Policy Council would formulate a proposal for further study of these issues by the Subcommittee during the legislative session.

It is anticipated that persons from the appropriate federal agencies and other experts in the environmental and nuclear fields will be invited to meet with the Subcommittee as part of the study.