

107TH CONGRESS  
2D SESSION

# S. 2501

To establish requirements arising from the delay or restriction on the shipment of special nuclear materials to the Savannah River Site, Aiken, South Carolina.

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## IN THE SENATE OF THE UNITED STATES

MAY 9, 2002

Mr. ALLARD (for himself, Mr. SESSIONS, and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To establish requirements arising from the delay or restriction on the shipment of special nuclear materials to the Savannah River Site, Aiken, South Carolina.

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

3       **SECTION 1. REQUIREMENTS RELATING TO DELAY, RE-**  
4                               **STRICTION, OR PROHIBITION ON SHIPMENT**  
5                               **OF SPECIAL NUCLEAR MATERIALS TO SAVAN-**  
6                               **NAH RIVER SITE, AIKEN, SOUTH CAROLINA.**

7       (a) REQUIREMENTS.—Subject to subsection (c), if as  
8 of the date of the enactment of this Act, or at any time  
9 after that date, the State of South Carolina acts to delay

1 or restrict, or seeks or enforces a judgment to prohibit,  
2 the shipment of special nuclear materials (SNM) to the  
3 Savannah River Site, Aiken, South Carolina, for proc-  
4 essing by the proposed mixed oxide (MOX) fuel fabrication  
5 facility at the Savannah River Site, the Secretary of En-  
6 ergy shall—

7           (1) reopen the Record of Decision (ROD) on  
8           the mixed oxide fuel fabrication facility for purposes  
9           of identifying and evaluating alternative locations for  
10          the mixed oxide fuel fabrication facility; and

11          (2) conduct a study of the costs and implica-  
12          tions for the national security of the United States  
13          of—

14                (A) converting the Savannah River site to  
15                an environmental management (EM) closure  
16                site; and

17                (B) transferring all current and proposed  
18                national security activities at the Savannah  
19                River Site from the Savannah River Site to  
20                other facilities of the National Nuclear Security  
21                Administration or the Department of Energy,  
22                as appropriate.

23          (b) REPORT ON STUDY.—If the Secretary conducts  
24          a study under subsection (a)(2), the Secretary shall sub-  
25          mit to the congressional defense committees a report on

1 the study not later than six months after the commence-  
2 ment of the study.

3 (c) CONTINGENT SUSPENSION OF APPLICABILITY OF  
4 REQUIREMENTS.—If at any time before the requirements  
5 in subsection (a) otherwise go into effect, the Secretary  
6 and the State of South Carolina enter into an agreement  
7 regarding the shipment of special nuclear materials to the  
8 Savannah River Site for processing by the proposed mixed  
9 oxide fuel fabrication facility at the Savannah River Site,  
10 the requirements in subsection (a) shall not go into effect  
11 as long, as determined by the Secretary, as the Secretary  
12 and the State of South Carolina comply with the agree-  
13 ment.

14 (d) SPECIAL NUCLEAR MATERIALS.—In this section,  
15 the term “special nuclear materials” includes weapons  
16 grade plutonium.

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