



# House of Representatives

General Assembly

**File No. 372**

February Session, 2022

House Bill No. 5202

*House of Representatives, April 7, 2022*

The Committee on Energy and Technology reported through REP. ARCONTI of the 109th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT EXEMPTING EXISTING NUCLEAR POWER GENERATING FACILITIES IN THE STATE FROM THE NUCLEAR POWER FACILITY CONSTRUCTION MORATORIUM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-136 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 No construction shall commence on a fifth nuclear power facility  
4 until the Commissioner of Energy and Environmental Protection finds  
5 that the United States Government, through its authorized agency, has  
6 identified and approved a demonstrable technology or means for the  
7 disposal of high level nuclear waste. The provisions of this section shall  
8 not apply to any nuclear power generating facility operating in the state  
9 as of October 1, 2022. As used in this section, "high level nuclear waste"  
10 means those aqueous wastes resulting from the operation of the first  
11 cycle of the solvent extraction system or equivalent and the concentrated  
12 wastes of the subsequent extraction cycles or equivalent in a facility for  
13 reprocessing irradiated reactor fuel and shall include spent fuel

14 assemblies prior to fuel reprocessing.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2022</i>	22a-136
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***ET***      *Joint Favorable*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill exempts any nuclear power facility (i.e., the Millstone Power Station in Waterford) from the current moratorium on building new nuclear power facilities. Currently, the moratorium prohibits new nuclear power facility construction until the Department of Energy and Environmental Protection (DEEP) finds that the federal government has approved technology to dispose of nuclear waste.

This is not anticipated to result in a fiscal impact to the state or municipalities in either FY 23 or FY 24 as it is expected that it takes more than two years to build a nuclear power facility and start generating power in that timeframe.

### Ratepayer Impact Statement

The bill is not anticipated to impact ratepayers in either FY 23 or FY 24 as it is not anticipated that the current operator will modify or build new facilities during this period.

### **The Out Years**

The extent to which any new nuclear facilities that may be built will impact the state or municipalities as ratepayers in the outyears is currently unknown.

**OLR Bill Analysis****HB 5202*****AN ACT EXEMPTING EXISTING NUCLEAR POWER GENERATING FACILITIES IN THE STATE FROM THE NUCLEAR POWER FACILITY CONSTRUCTION MORATORIUM.*****SUMMARY**

This bill exempts any nuclear power generating facility currently operating in the state (i.e., the Millstone Power Station in Waterford) from the state's moratorium on building new nuclear power facilities.

Generally, the moratorium prohibits construction from starting on a new nuclear power facility unless and until the Department of Energy and Environmental Protection commissioner finds that the federal government has identified and approved a demonstrable technology or means to dispose high level nuclear waste.

EFFECTIVE DATE: October 1, 2022

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable

Yea 25    Nay 1    (03/22/2022)