

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 515
OFFERED BY MR. MARKEY OF MASSACHUSETTS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Radioactive Import
3 Deterrence Act”.

4 SEC. 2. PROHIBITION OF IMPORTATION.

5 (a) AMENDMENT.—Chapter 19 of the Atomic Energy
6 Act of 1954 (42 U.S.C. 2015 et seq.) is amended by in-
7 serting after section 276 the following new section:

8 “SEC. 277. IMPORTATION OF LOW-LEVEL RADIO-
9 ACTIVE WASTE.

10 “a. Except as provided in subsection b. or c., the
11 Commission shall not issue a license authorizing the im-
12 portation into the United States of—

13 “(1) low-level radioactive waste (as defined in
14 section 2 of the Low-Level Radioactive Waste Policy
15 Act (42 U.S.C. 2021b)); or

16 “(2) specific radioactive waste streams exempt-
17 ed from regulation by the Commission under section

1 10 of the Low-Level Radioactive Waste Policy Act
2 (42 U.S.C. 2021j).

3 “b. Subsection a. shall not apply to—

4 “(1) low-level radioactive waste being returned
5 to a United States Government or military facility
6 which is authorized to possess the material; or

7 “(2) low-level radioactive waste resulting from
8 the use in a foreign country of nuclear material ob-
9 tained by the foreign user from an entity in the
10 United States that is being returned to the United
11 States for management and disposal.

12 “c. The President may waive the prohibition under
13 this section and authorize the grant of a specific license
14 to import materials prohibited under subsection a., under
15 the rules of the Commission, only after a finding that such
16 importation would meet an important national or inter-
17 national policy goal, such as the use of waste for research
18 purposes. Such a waiver must specify the policy goal to
19 be achieved, how it is to be achieved, and the amount of
20 material to be imported.

21 “d. A license not permitted under this section that
22 was issued before the date of enactment of this section
23 may continue in effect according to its terms, but may
24 not be extended or amended with respect to the amount
25 of material permitted to be imported.”.

1 (b) TABLE OF CONTENTS AMENDMENT.—The table
2 of contents for the Atomic Energy Act of 1954 is amended
3 by inserting after the item relating to section 276 the fol-
4 lowing new item:

“Sec. 277. Importation of low-level radioactive waste.”.

