
September 15, 2026

The Honorable Bob Latta
Chairman
Subcommittee on Energy
Committee on Energy and Commerce
House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Kathy Castor
Ranking Member
Subcommittee on Energy
Committee on Energy and Commerce
House of Representatives
2323 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Latta and Ranking Member Castor:

In light of the Subcommittee's September 15 hearing, Nuclear Spent Fuel Policy: Examining Nuclear Lifecycle Innovation Campuses, attached please find Western Governors' Association (WGA) policy resolutions 2025-01, Energy in the West, and 2025-07, Radioactive Materials Management.

Western Governors recognize the important role of nuclear energy in meeting growing demand and enabling more reliable, affordable, and abundant energy. As Congress and the Department of Energy develop Nuclear Lifecycle Innovation Campuses and consider durable nuclear waste disposal strategies, Governors emphasize that these strategies should be developed in close coordination with states and should appropriately consider state involvement, expertise, and consent in nuclear fuel cycle activities. The Governors affirm that "no consolidated facility for nuclear waste, whether interim or permanent, or privately or federally owned and operated, shall be located within the geographic boundaries of a western state or U.S. territory without the written consent of the current Governor in whose state or territory the facility is to be located."

Addressing the full nuclear fuel cycle, including fuel production, enrichment, reprocessing, storage, and final disposition of used nuclear fuel is critical to enabling the continued development of nuclear energy. Western Governors further outline their bipartisan recommendations to develop and deploy nuclear energy and bolster the domestic nuclear fuel cycle in the 2026 initiative report, *Energy Superabundance: Unlocking Prosperity in the West*, which serves as the culmination of a year-long stakeholder engagement process led by former WGA Chair, Utah Governor Spencer Cox.

I request that this document be included in the permanent record of the hearing, as it articulates Western Governors' collective and bipartisan policy positions and recommendations on this important issue.

Thank you for your consideration of this request. Please contact me if you have any questions or require further information.

Sincerely,



Jack Waldorf
Executive Director

Attachments



Policy Resolution 2025-01

Energy in the West

A. **BACKGROUND**

Western energy production, and its related delivery, are indispensable to meeting our nation's energy demands, and the energy sector is a significant contributor to the economic success of many western communities. Electricity generation and delivery systems are undergoing rapid, significant change across the West. The increasing effects of extreme weather events, the integration of clean energy and distributed energy resources, rapidly increasing demand from data centers and new technologies, the electrification of vehicles and buildings, and the retirement of traditional energy generating assets are all contributing to fundamental shifts in the electricity sector. Ensuring the reliability of energy generation and delivery systems is a priority of every Western Governor.

Western Governors recognize that approaches to energy use and development vary among our states and territories. The West has the vast majority of high-quality energy resources in the United States, including geothermal energy capacity, wind and solar power resources, the majority of oil and natural gas, coal, hydropower, and non-federal United States petroleum. Further, the West has the largest contiguous areas of high-yield biomass energy resource potential, is uniquely situated to produce low carbon intensity, clean hydrogen, and leads the nation in domestic uranium production and advanced nuclear reactor technology development. The presence of federal lands affects energy projects and infrastructure deployment across the West. Planning, permitting, and siting energy generating assets and transmission and pipeline infrastructure requires close coordination between states, private developers, utilities, and federal agencies to create an effective state-federal partnership in energy development, land management, and environmental protection.

B. **GOVERNORS' POLICY STATEMENT**

Governors' Energy Priorities

1. Western Governors recognize the following as energy policy priorities for the West:
 - a. Secure the United States' energy supply and delivery systems, and safeguard against both physical and cybersecurity risks.
 - b. Ensure energy is clean, affordable, equitable, and reliable by providing a balanced portfolio of resources.
 - c. Increase energy efficiency associated with electricity, natural gas, and other energy sources and uses to enhance energy affordability and to effectively meet environmental goals.
 - d. Advance efficient environmental review, siting, and permitting processes that facilitate clean energy development and the improvement and construction of necessary energy infrastructure, while ensuring environmental and natural resource protection.

- e. Improve the United States' electric grid's reliability and resilience.
- f. Protect western wildlife, natural resources, and the environment, including clean air and clean water, and reduce greenhouse gas emissions.
- g. Make the West a leader in energy education, technology development, research, and innovation.
- h. Utilize an all-of-the-above approach to energy development and use in the West, while protecting the environment, wildlife, and natural resources, and reducing emissions.

Grid Modernization and Resilience

- 2. A robust, resilient, and well-maintained energy delivery system is vital to the economy and quality of life in the West. Grid infrastructure in the West faces potential disruptions due to natural disasters, particularly wildfires and extreme heat events, as well as a growing cyber threat landscape. Increased grid threats due to wildfires and extreme weather events highlight the need to develop and use energy systems that are both reliable and resilient to climate change. Upgrades to transmission and distribution infrastructure, including information technology systems, are needed to properly address these risk factors, as well as anticipated increased electricity demand. Coordination between electricity providers and states in energy markets can lead to cost-effective energy for ratepayers and leverage regional resources.
- 3. Transmission infrastructure in western states often crosses one or multiple federal lands jurisdictions. In these situations, close coordination between states, utilities, and federal agencies is needed to ensure that projects are planned, permitted, and sited in a timely, efficient manner. Western Governors encourage federal agencies to streamline project-permitting reviews to minimize timelines without compromising environmental and natural resource protection or states' roles in those processes.
- 4. Western Governors encourage Congress to provide federal agencies, particularly the Bureau of Land Management (BLM), the Environmental Protection Agency, the Department of Energy (DOE), the Federal Energy Regulatory Commission, the U.S. Forest Service (USFS), the Bureau of Ocean Energy Management, and the U.S. Fish and Wildlife Service with additional support to enhance staff and resource capacity to conduct environmental review and permitting activities associated with transmission infrastructure.
- 5. Western Governors recommend federal agencies leverage designated West-wide Energy Corridors to support the effective and efficient permitting and siting of energy infrastructure assets. Where applicable, Western Governors encourage BLM and USFS to integrate designated corridor specifications into local land use plans.
- 6. Western Governors believe clear, coordinated, and consistent wildfire mitigation strategies, including application of federal vegetation management practices, is integral to maintaining the health of western forests, preventing dangerous and damaging wildfires, and maintaining grid reliability. The Governors support effective and efficient cross-jurisdictional coordination that enables vegetation management for federal transmission and distribution rights-of-way.

Innovation and Technology

7. Western Governors encourage innovation and application of short- and long-duration energy storage, including battery, hydrogen, pumped hydropower, geothermal, and compressed air technologies, where cost-effective. Western Governors also support reconsideration of federal definitions of short- and long-term energy storage with an eye toward incentivizing progressively longer storage capacity.
8. The potential for geothermal energy in the West is vast and brings many benefits, from baseload energy generation to heating and cooling efficiencies. The Heat Beneath Our Feet Chair initiative report is a roadmap for accelerating the development and deployment of geothermal technologies. Western Governors incorporate the recommendations identified in the Heat Beneath Our Feet Chair initiative report into this resolution by reference.
9. Western states are leading the development and deployment of decarbonization technologies and strategies, including carbon capture, utilization, and storage, engineered carbon dioxide (CO₂) removal, and natural sequestration. The Decarbonizing the West Chair initiative report contains recommendations to advance these technologies and strategies to position western states at the forefront of innovation and reduce CO₂ in the atmosphere. Western Governors incorporate the recommendations identified in the Decarbonizing the West Chair initiative report into this resolution by reference.
10. Western Governors are committed to considering advanced and small modular reactors as a reliable and emission-free energy resource.
11. Western Governors are committed to developing regional hydrogen hubs to spur economic development and add more clean energy sources to the region's resource mix.
12. The developing floating offshore wind industry presents a strong economic and sustainable energy generation opportunity for the West. Western states can work collectively, and in consultation with tribal governments and in coordination with stakeholders, to address workforce, economic, infrastructure, social, environmental, and manufacturing challenges associated with offshore wind planning, siting, and deployment.
13. Western Governors commend efforts by the United States Geological Survey and state geological surveys to identify potential critical minerals deposits for alternative energy technologies and other consumer products vital to modern society.
14. Governors also support development of emerging tools and technologies that address barriers to mineral supply chain reliability, including technologies that help recycle or reuse existing critical mineral resources for use in clean energy technologies.
15. Western Governors are committed to leveraging the vast expertise in the West's industry, academic institutions, and national laboratories to make the region an international hub for new energy technology research and development, and energy education.
16. Western Governors encourage Congress and DOE to support and fund research, development, demonstration, and deployment of advanced energy technologies.

17. Western Governors support the creation of public-private research and development partnerships among industry, academia, the national laboratories, and federal agencies to identify promising new technologies, including energy efficiency technologies that advance clean energy with reduced environmental impacts.

Economic and Workforce Development

18. Western Governors and states are committed to encouraging training and education in energy-related fields and ensuring there is an adequate workforce operating under the highest safety standards.
19. Many western states and communities have been affected by localized job losses due to changes in the energy sector and the closure of coal power plants. Western Governors and states are working diligently to facilitate the creation of employment opportunities for displaced energy sector workers.
20. Western Governors offer their support for the U.S. Department of Agriculture (USDA) Rural Energy for America program, which has benefited farmers, ranchers, and rural businesses that are often underserved by other federal energy efforts.
21. Western Governors support funding and long-term authorization for the State Energy Program (SEP), Weatherization Assistance Program (WAP), and Low-Income Home Energy Assistance Program (LIHEAP).
22. Western Governors support legislative measures that promote flexibility for rural electric cooperatives to refinance or adjust loans secured through the USDA Rural Utilities Service.
23. Western Governors support increasing the development and use of energy storage and low- and zero-emissions vehicles and associated infrastructure. WGA's Electric Vehicles Roadmap initiative report provides valuable insights on strategies to effectively integrate electric vehicle charging equipment with local grid infrastructure.
24. Western Governors call on the federal government to lift a barrier to domestic free trade between the contiguous United States and the noncontiguous states and territories in the Merchant Marine Act of 1920 by allowing those jurisdictions to receive energy commodities produced on the mainland but transported by foreign vessels, should those jurisdictions, and the jurisdictions whose ports are being used to ship these materials, desire it.
25. Redundant federal regulation of energy development, transport, and use is not required where sufficient state or territorial regulations exist. Existing state authority should not be replaced or impeded by Congress or federal agencies. Where additional regulations are necessary, federal agencies should consult and coordinate with states, territories, and tribes to ensure collaboration and understanding of unique circumstances within individual states, territories, and tribal nations.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.

2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in December 2027. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.



Policy Resolution 2025-07

Radioactive Materials Management

A. BACKGROUND

Western states have a vested interest in the safe management of radioactive materials, from mining and milling of uranium ore, to the production and use of radioactive materials for commercial and national defense purposes, to the transportation, storage and disposal of radioactive materials and waste. Large amounts of high-level radioactive waste (HLW) have been, and will continue to be, transported through western states, both as a result of environmental cleanup of federal sites involved in the development and manufacture of nuclear weapons and for storage or disposal of spent nuclear fuel (SNF) used for research or to generate electricity.

The Waste Isolation Pilot Plant (WIPP) located in New Mexico was constructed to serve as a permanent repository for defense-related transuranic (TRU) waste. WIPP received its first truck shipment of TRU waste in 1999. Since then, the WIPP shipping campaign has consistently demonstrated the safe transportation of TRU waste. The success of the WIPP TRU waste transportation campaign is directly attributable to the collaborative partnership and planning effort between the Department of Energy (DOE) and western states to develop and implement the WIPP Transportation Safety Program.

B. GOVERNORS' POLICY STATEMENT

1. Western Governors believe that safe and event-free transport must be paramount in all federal policies regarding transportation of radioactive materials and SNF. This is true of all transportation modes, including truck and railway. The Governors support existing federal radioactive waste transport safety requirements designed to protect public health and safety, including the Hazardous Materials Transportation Authorization Act. Early coordination and effective communication with state, tribal, and local governments are essential to the ultimate success of any nuclear waste transportation safety program.
2. The WIPP Transportation Safety Program Implementation Guide is an excellent model for transportation planning, and a similar guide should be used as a base document for DOE transportation programs including shipments of SNF, or HLW, to any storage and/or disposal facility.
3. If DOE decides to transport radioactive waste – such as SNF, HLW or TRU – by rail, federal agencies should work with states to design and implement such a transportation system. The rail industry should fully cooperate in this process and commit to implementing best practices for such a transportation system. Congress should provide a firm legal basis for transportation system design and implementation.
4. Trains transporting SNF and HLW should be inspected by fully qualified inspectors, using a consistent approach which has been developed cooperatively with the help of western states. To the extent practical, the inspection protocol should be commensurate with the

Commercial Vehicle Safety Alliance Level VI inspection program, which has been successfully used by all highway shipments to WIPP.

5. The Federal Railroad Administration Rail Safety Program and revised Safety Compliance Oversight Plan should be fully implemented along any route affected by prospective SNF or HLW shipments in any western state. Five years prior to the start of such shipments, each affected western state should receive financial and technical support from DOE to ensure sufficient trained state rail safety inspectors.
6. The WIPP Transportation Safety Program is essential to the expeditious cleanup and disposal of TRU waste from the U.S. nuclear weapons complex and the operation of WIPP. Western Governors expect DOE to fulfill commitments made by the Secretary of Energy as set forth in Memorandums of Agreement with WGA signed in 1995, 2003 and 2009. DOE must continue to provide sufficient and timely in-kind, financial, technical, and other appropriate assistance to any state or Indian tribe through whose jurisdiction TRU waste will be transported for the purpose of planning, developing, and implementing the WIPP Transportation Safety Program. The Governors also expect DOE to follow the safety standards, principles and procedures as contained in the WIPP Transportation Safety Program Implementation Guide, as amended, for the transport of all TRU waste, whether to WIPP or to an interim site for storage, characterization, and/or repackaging.
7. DOE must continue to comply with both the letter and spirit of all applicable requirements specified in the WIPP Land Withdrawal Act (Pub. L. 102-579, as amended by Pub. L. 104-201, 106 Stat. 4777 et seq.), especially regarding transportation safety, emergency preparedness and accident prevention. Further, the Governors support resumption of the economic assistance payments authorized in Section 15 of the Act.
8. The Governors believe it is the responsibility of the generators of SNF and HLW and the federal government, not the states and tribes, to pay for all costs associated with assuring safe transportation, responding effectively to accidents and emergencies that may occur, and otherwise assuring public health and safety. This includes costs associated with route evaluations and inspecting and escorting shipments. In addition, funding allocations to states and tribes should be made on a needs-based rather than formula-based system.
9. In any radiological materials/waste shipping campaign, including SNF or HLW, no federal agency or other entity should have the authority to privatize or delegate to a contractor any key transportation responsibilities unless approved by the states. Such responsibilities include but are not limited to: interacting with states, tribes, and affected units of local government; selection of transportation modes, routes, and casks; preparation of an environmental impact statement that addresses transportation issues; preparation of transportation plans in concurrence with states and tribes; and decisions regarding the provision of technical assistance and funding to the states in preparation for shipments.
10. Although DOE has the authority to self-regulate its shipments of SNF and HLW, the Governors believe DOE should adopt the U.S. Nuclear Regulatory Commission (NRC) physical protection requirements for all such shipments. NRC regulations establish a comprehensive physical protection system designed both to minimize the potential for theft, diversion, or radiological sabotage of such shipments, and to facilitate the location and recovery of such shipments that may have come under the control of unauthorized persons.

11. DOE should invoke provisions of its Standard Contract with nuclear utilities to prioritize shut-down nuclear reactors over operating reactors in terms of shipment priority. In addition, DOE should adopt a policy of shipping “oldest fuel first,” so as to reduce the radiological risk during transportation.
12. The Governors strongly encourage DOE, NRC, the Department of Transportation (DOT), and the Environmental Protection Agency, to work cooperatively with the states and tribal governments in implementing a policy to ensure the safe management, transportation, storage, and disposal of SNF and HLW and to comply with any and all agreements negotiated and entered into by a state’s Governor and all applicable state laws regarding these matters.
13. No consolidated facility for nuclear waste, whether interim or permanent, or privately or federally owned and operated, shall be located within the geographic boundaries of a western state or U.S. territory without the written consent of the current Governor in whose state or territory the facility is to be located. Specifically, the federal government should develop a consent process for consolidated nuclear waste storage or disposal facilities, whether publicly or privately owned, that explicitly includes states in the siting and licensing process.
14. Any proposal to store or otherwise dispose of HLW and/or SNF must be viewed as being part of an integrated program that considers all aspects of necessary operation and intergovernmental considerations. Specifically, states, localities, and tribes should be consulted about transportation and logistical considerations such as proximity to population centers, tribal lands, or military installations along transportation routes or near proposed sites prior to initiating such a project. Further, states, localities, and tribes that could be directly and materially affected by the transport to, storage in, or disposal at a particular facility must be consulted in the decision-making process, regardless of whether the transportation routes or sites are located within their geographic boundaries.
15. Commercial SNF should remain at reactor sites until:
 - One or more storage and/or disposal sites or reprocessing facilities are fully operational with appropriate permits and financial assurance as required by the state.
 - DOE and the nuclear utility companies have consulted with states along the waste transportation corridor and implemented a mutually acceptable transportation plan for shipping the SNF waste to interim storage facilities or permanent disposal sites.
 - DOE and the nuclear utility companies have put into place adequate infrastructure capacity to handle, store and dispose of this waste.
 - DOE, DOT, and the nuclear utility companies have ensured and funded adequate state and local emergency and medical responder training and resources in case of an accident or terrorist attack while shipping this waste.
16. The creation of interim storage sites for SNF would be a direct result of the federal government’s failure to begin accepting spent fuel on schedule. Therefore, the Governors maintain that it is the federal government’s responsibility to ensure adequate preparation for shipments to these facilities, coordination with states, and provision of adequate federal

funding, to reimburse the states for costs associated with shipments to any interim storage facility, whether publicly or privately owned and operated. The Governors consider it to be entirely appropriate to use the Nuclear Waste Fund to pay for these activities.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in June 2028. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.