Minnesota is the only U.S. state with an outright ban on construction of new nuclear power facilities. The state’s prohibition dates back to legislative actions taken in 1994 amid concerns and legal disputes about how and where to store the high-level radioactive waste from these plants. Minnesota has had two such facilities in operation since the early 1970s (Prairie Island, which has two units, and Monticello).

A bill was introduced this year to end the ban (SF 306 [2]/HF 1400 [3]), but it failed to advance. Two other states in the Midwest have “de facto” moratoria on new nuclear power plants.

In Wisconsin, home to two operating nuclear reactors (at the Point Beach plant) and two decommissioned facilities (Kewaunee and La Crosse), a new facility can only be built once two conditions are met: 1) a federally licensed site is available to dispose of high-level radioactive waste; and 2) the new facility is “economically advantageous” to ratepayers. Legislation was introduced this fall to lift Wisconsin’s ban (SB 288 [4]).

Illinois, which uses the most nuclear energy of any U.S. state, requires one of two stipulations to be met prior to construction of a new plant: approval by the state General Assembly or federal approval of a strategy to dispose of nuclear waste.

This year, Illinois legislators have dealt with another question related to nuclear power: What does the future hold for some of the state’s existing facilities? The Exelon Corp. has indicated that it might close some of its unprofitable plants unless policy changes are made by the Illinois General Assembly. (It announced in September that these plants would remain open for at least the next few years.)

In response, Illinois legislators initiated a study analyzing the economic impact of plant closures and exploring strategies to avoid them. One of those options is the creation of a “low carbon portfolio standard”: requiring wholesale purchasers of electricity to obtain a certain percentage of their supply from sources with low carbon intensity. To help the unprofitable plants, nuclear would be considered “low carbon” alongside other sources such as wind and solar.

Illinois’ HB 3293 [5] and SB 1585 [6] would adopt this standard, but as of early October, neither the House nor Senate had passed these bills.