



INFORMATION REPORT ON

State Legislation

OFFICE OF STATE PROGRAMS
U. S. NUCLEAR REGULATORY COMMISSION
(301) 492-7794

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I. BILLS ENACTED INTO LAW

ARKANSAS

Nuclear Planning and Response S-32. Directs the Departments of Health, Bureau of Environmental Services and Public Safety, Office of Emergency Services to jointly carry out a nuclear response program. The program is to include environmental monitoring, radiological emergency response training, an emergency response plan, and dissemination of emergency information to the public. This program would be funded by fees levied against each utility. (Effective immediately, approved 2/6/80.)

Nuclear Planning and Response Plan S-37. Creates an Arkansas Nuclear Planning and Response Fund to be used for funding radiological emergency response planning. (Approved 1/25/80.)

II. INTRODUCTION OF NEW LEGISLATION

ARIZONA

Radiation Regulatory Commission S-1005. Would reconstitute the Arizona AEC into the Radiation Regulatory Commission consisting of four members who do not possess nuclear expertise and three who do. Would authorize it to regulate the use, storage and disposal of radiation sources and to cooperate with the DOT in regulating the transport of radioactive material, in addition to its existing functions. Would allow the Commission to impose civil penalties of not more than \$5,000 daily for each violation up to a maximum of \$25K for any 30 day period. Would establish an "escalated enforcement action" which could include hearings, revocation or suspension of licenses or impounding of the radioactive source. Would bar the disposal of radioactive waste that "originated as waste from without this state." (Introduced 1/21/80.)

CALIFORNIA

Energy Conservation and Development Commission A-1998. Would abolish the current energy commission and create a Department of Energy and an Energy Regulatory Commission to certify power plant sites. Would set an 18 month time table for completion of action on the application. Development around nuclear facilities would be determined by the NRC, if the Commission finds that such a determination is definitive for valid land use planning. (Introduced 1/7/80.)

CONNECTICUT

Nuclear Related Health Problems H-5109. Would appropriate \$30,000 to the Department of Health Services for funding a study comparing the health problems of persons who live and work in the areas surrounding nuclear facilities in SE Connecticut with those of the general population. (Introduced 2/6/80.)

IDAHO

Resolution on Waste Disposal HJM-16. Would urge the US DOE to properly and safely manage nuclear wastes at the Idaho National Engineering Lab and to proceed with construction of WIPP. (Introduced 1/29/80.)

INDIANA

Waste Disposal Restriction S-22. Would forbid the use of national forest land for the disposal, storage or handling of nuclear or hazardous waste. (Introduced 1/7/80.)

Siting Conditions S-443. Would require the PSC to license nuclear power plants and impose as a condition of licensure, waiver of Price-Anderson limits and assumption of full liability for accidents. The General Assembly would have to pass on the effectiveness of the nuclear power safety systems and waste disposal. Would prohibit utilities or corporations from acquiring land for the use, processing, storage or disposal of source, by-product or special nuclear material. Would ban the use of land zoned agricultural on or after 9/1/80 for the processing, handling, storage or disposal of radioactive materials or wastes. (Introduced 1/10/80.)

IOWA

Evacuation Plans S-2052. Would require annual emergency tests for nuclear power plants according to plans prepared by the Office of Disaster Services. The drill would permit, but not require, the actual movement of affected persons. (Introduced 1/16/80.)

KANSAS

Radioactive Waste Ban H-2769. Would ban the disposal of all radioactive waste produced outside the State. (Introduced 1/15/80.)

Legislative Approval for Disposal H-2815. Would require legislative disapproval for a waste disposal facility not to be sited within the State. Testing could only be done with prior approval of the Governor and legislature. (Committee substitute of 1/31/80.)

Nuclear Facility Personnel Act H-2948. Would require every utility planning, constructing or operating a plant in the State to comply with the following: file with the State Corporation Commission (SCC) all documents filed with NRC; have as members of its Board of Directors at least three who are senior reactor operators (SRO); to require control room personnel to have current RO or SRO licenses; to require plant supervisors, vice-presidents in charge of nuclear operations to be certified as SRO's; to submit to the SCC for approval a program for personnel recruitment, training and continuing education. This program would have to include hiring policies.

psychological health and stress evaluations, salary schedules, operator training alternatives, a staff rotation program and a system for plant personnel to report safety concerns to State and federal agencies. Implementation costs would be assessed each utility. (Introduced 2/1/80.)

Emergency Planning S-532. Would establish the Division of Emergency Preparedness as the coordinating and supervising State agency for the transportation and storage of hazardous materials. (Introduced 1/14/80.)

License Conditions S-576. No general or specific license could be issued unless the secretary of health and environment finds that the licensee has made adequate long term provisions for the management and disposal of his waste. No license could be amended to allow a licensee to store on site quantities in excess of what he is licensed to possess. (Introduced 1/14/80.)

KENTUCKY

Legislative Oversight on Waste HR-4. Would direct the formation of a long term plan for stabilization and decommissioning of the Maxey Flats waste disposal site and would provide for legislative oversight on nuclear issues for the 1980-82 legislative session. (Introduced 1/8/80.)

Nuclear Waste H-98 and S-47. Would state that the State's policy is to retain final authority for approving or disapproving the locating, opening, closing, or reopening of a waste disposal site or facility within the State. Before reopening could occur the following must be obtained: 1) a finding by the Departments of Human Resources, Natural Resources, and Environmental Protection that all reasons for site closure have been addressed and resolved; 2) public hearings have been held; 3) majority approval of the legislature; and 4) approval by the governor. (Introduced 1/8/80.)

Transport of Nuclear Materials H-113. Would require a permit for all transport into, out of or within Kentucky of the following materials: any "large quantity" as defined by 10 CFR 71, any radioactive waste, and any material requiring placarding. (Introduced 1/8/80.)

Radiation Monitoring H-114. Would require the Department for Human Resources to monitor radioactive discharges into rivers along the Kentucky border from all nuclear plants located on either side of the river. Summaries of violations would have to be published quarterly in a manner that the general public could understand. (Introduced 1/8/80.)

Task Force on Power Plants SR-3. Would establish a task force to study the effects of a proliferation of power plants in the Ohio River Valley, particularly the development of nuclear power plants, and report its findings to the 1982 General Assembly. (Introduced 1/8/80.)

MAINE

Plant Monitoring H-1654. Would authorize and empower the Department of Human Services to tie into and remotely monitor existing radioactive monitoring devices on nuclear power plant gaseous and liquid effluent streams. (Introduced 1/3/80.)

License Fees H-1682. Would revise the Department of Human Services present authority to license sources of radiation and would allow for the collection of license fees. The fee schedule would establish a fund to defray the Department's expenses. (Introduced 1/16/80.)

MARYLAND

Citizen Evacuation HJR-4. A resolution which would request the Governor to develop a comprehensive plan for citizens around nuclear power plants. (Introduced 1/8/80.)

Alternatives to Nuclear Energy HJR-7. A resolution which would request the Legislative Policy Committee to appoint a Commission to study the efficacy of alternatives to nuclear energy. (Introduced 1/9/80.)

Siting Conditions H-304. No new nuclear plant could be sited in the State until the PUC had found that the U.S. Government has identified and approved a demonstrable technology or means for the disposal of high level waste. (Introduced 1/9/80.)

SOUTH CAROLINA

Nuclear Facility Sabotage H-3176. Would make it unlawful for a person to attempt or willfully sabotage or damage a nuclear facility and would provide a range of sentences: 40 years without parole for a conviction; for damage to the electrical output - 7 years without parole; for willful trespassing on the protected area surrounding the facility 2 years without parole. (Prefiled 9/24/79.)

Criminal Records H-3177. Would allow any person engaged in the business of transporting, fabricating, storing, or using in any manner nuclear material to obtain from the SC Law Enforcement Division a copy of the confidential criminal history record of any employee or any applicant for employee. (Prefiled 9/24/79.)

Resolution on Fuel Storage H-3252. Would memorialize the President and U.S. Congress to exclude South Carolina from consideration as the site for the establishment of an interim storage facility for commercial spent fuel and high level waste unless the facility is approved by the Governor and 2/3 vote of the General Assembly. (Prefiled 12/31/79.)

South Carolina Transportation of Radioactive Waste Act H-3350. This bill would apply to any person who transports or generates radioactive waste within the State and to generators whose waste is designated for storage or disposal within the State. Would require a permit before waste could be transported into the State. The generator would have to have a manifest and have prior notified the Department of Health and Environmental Control. Prior notification and manifest preparation would be established by the Department at least 72 hours prior notice would be required. Also, would give the Department enforcement capability against violators. Would set a civil penalty of \$25,000. (Introduced 1/17/80.)

Transportation of Extra-Hazardous Commodities S-736. Would require a permit, pre-notification and use of officially designated routes when transporting extra-hazardous material, one of which would be all radioactive material licensed by NRC. (Introduced 1/9/80.)

WASHINGTON

Resolution on Radioactive Material Shipments HJM-20. Would memorialize the President and Congress to review the potential hazards to the public posed by regulations

which allow combined shipments of radioactive materials and foodstuffs. And in order to avoid unnecessary risk that the US DOT amend the Hazardous Materials Regulations to prohibit combined shipments. (Introduced 1/17/80.)

Radioactive Waste Amendments H-1412. Would define medical and low level wastes, would prohibit disposal of LLW generated outside the state after 7/1/81. Medical waste would be prohibited after 1/1/84. Wastes are excluded from the ban from States which are party to an interstate compact with Washington. Would require disposal site use permit from the radiation control agency to the generator/packager/broker certifying that wastes will be properly packaged and labeled. Carriers would have to have a certificate of permission before they could transport on the State's highways. (Introduced 1/14/80.)

County Votes Approval for Power Plant Siting H-1441 and S-3180. The Energy Facility Site Evaluation Council could not issue a site certification permit until the voters residing in the affected county or counties, by majority vote, approve the siting. (Introduced 1/15/80.)

State Voter Approval H-1490. Would require Statewide approval by advisory ballot for new nuclear plants to be sited in the State. (Introduced 1/17/80.)

Perpetual Care Fund H-1733. Would require that the Department of Energy to impose and collect fees to finance a perpetual care fund for the Hanford site and to assure that state licensees have insurance in the event of nuclear accidents. (Introduced 1/22/80.)

Regional Waste Sites H-1806. Would allow disposal of radioactive waste produced in Washington, Oregon, Idaho or Montana and the US Department of Defense in the State. (Introduced 1/22/80.)

Nuclear Plant Siting H-1860, H-1866, S-3193, and S-3616. Would restrict new nuclear plant siting to within the Hanford reservation unless the citizens in the affected county approved it. (Introduced 1/22/80.)

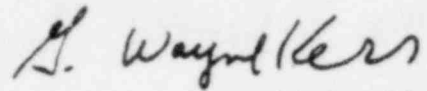
Waste Disposal H-1963. Would permit certain diminimus quantities of radioactive waste to be disposed of at solid waste disposal sites. (Introduced 1/22/80.)

Management of Utilities S-3266. The management and control of an operating agency constructing one or more nuclear plants would be vested in a three member full time board of directors appointed by the Governor and confirmed by the Senate. (Introduced 1/17/80.)

Local Land Use S-3379. Would require that all energy facility sites meet local land use requirements. (Introduced 1/21/80.)

Emergency Planning S-3402. Would require the Department of Emergency Services to study the effect of a serious accident at each nuclear plant in the State. Within 6 months of the completion of the study the State and local plans would have to be revised to reflect the conclusions of the study. Would assess utilities \$100,000 for each nuclear plant to be deposited in a fund to reimburse the State and counties for costs incurred in completing the study and revising their plans.

Also would require a State inspector at each nuclear plant for at least 40 hours a week that the plant is in operation. (Introduced 1/21/80.)



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