



INFORMATION REPORT ON

State Legislation

OFFICE OF STATE PROGRAMS
U. S. NUCLEAR REGULATORY COMMISSION
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I. BILLS ENACTED INTO LAW

INDIANA

Emergency Disposal of Hazardous Substances H-1470. Upon notification of the accidental or deliberate discharge of any hazardous substance in an amount that could endanger the health, safety, or welfare of the public, the State Board of Health may require that the spilled substance be treated at the site of discharge or removed to a disposal facility. The Board of Health will assess actual costs against the parties they determine to be responsible. (Approved 2/28/80.)

IDAHO

Resolution on Waste HJM-16. Memorializes the U.S. Congress, President and the DOE that DOE "properly and safely manage nuclear wastes at the Idaho National Engineering Laboratory until a permanent repository is completed;" that DOE proceed with the WIPP project; and that the Slagging Pyrolysis Incinerator be constructed at the Idaho Laboratory. (Adopted 2/19/80.)

Resolution on the Breeder Reactor SJM-111. Memorializes the Federal government to proceed to plan, authorize, develop, construct and operate a commercial fast breeder reactor at the Idaho National Engineering Laboratory. (Adopted 3/3/80.)

KENTUCKY

Resolution on Decommissioning Maxey Flats HR-4. Directs the Legislative Research Commission to appoint a special advisory committee on nuclear issues to assume an oversight role on all matters pertaining to the nuclear industry and waste disposal during 1980-1982. A report is due to the legislature by January 1, 1982 on the alternatives for the management, handling and disposal of radioactive wastes generated within the State. (Adopted 3/12/80.)

Resolution on Maxey Flats HR-57. Petitions the NRC and DOE to provide Kentucky with technical and financial assistance in the decommissioning of the Maxey Flats Disposal Site; petitions the Federal Government to reimburse the State for all the costs it has incurred which are related to the site; requests NRC and DOE to draft any needed legislation so that

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KENTUCKY (Continued)

funds and technical assistance can be provided; and requests the Kentucky congressional delegation to introduce and support such legislation. (Adopted 3/19/80.)

MAINE

Radiation Amendments H-1682. Directs that the Department of Human Services shall monitor radioactive emissions from all nuclear reactors in the State. Sets an annual registration fee of \$59,200 per unit. Requires registration of sources and devices capable of emitting ionizing radiation. Requires the Department to promulgate rules and regulations requiring annual certification and calibration of the equipment. (Approved 3/31/80.)

VIRGINIA

Felony for Radioactive Release H-611. Provides that any person who intentionally attempts to destroy or damage any facility, equipment or material which might threaten a radiation release beyond the areas in which they are normally used or contained shall be guilty of a felony. (Approved 4/2/80.)

WASHINGTON

Hazardous Materials Transportation H-1970. Requires a bill of lading with a red border for the transport of hazardous materials within the State. Sets civil penalties for violation of the State's transportation regulations. (Approved 3/13/80.)

Hazardous Materials Carriers S-3331. Sets a scale of fines from \$200 to \$500 for noncompliance of regulations pertaining to vehicle equipment on motor carriers transporting hazardous materials. (Approved 3/10/80.)

WEST VIRGINIA

Waste Disposal Ban H-986. Bans the storage or disposal of radioactive waste within the State except medical, educational, research or industrial waste. The industrial waste may not include any materials produced in conjunction with the operation of a power reactor or reprocessing facility. (Approved 3/24/80.)

II. INTRODUCTION OF NEW LEGISLATION

ALABAMA

Radiation Fees and Bonds H-66. Would authorize the State Board of Health to collect initial and annual licensing and registration fees to support an inspection program of x-ray equipment in the State, and also would permit the bonding of certain licensees. (Introduced 2/5/80.)

Ban on Reactors H-114. Would prohibit the construction of any nuclear power plant which is to be situated within 40 miles of any existing nuclear plant even if the existing plant is located in another State. (Introduced 2/5/80.)

ALABAMA (Continued)

Pass Through of Costs H-414. Would prohibit any public utility in the State from charging its customers for any reparation expenses incurred by such utility because of any accident or mechanical malfunction at one of their nuclear plants which results in any radioactive emission. (Introduced 2/12/80.)

ARIZONA

Radiological Emergency H-2171. Would designate the Division of Emergency Services within the State Department of Emergency and Military Affairs as the lead agency for the development of a radiological emergency response plan. The plan would be submitted to the Governor and legislature by January 1, 1981. Also would appropriate \$150,000 to get the job done. (Introduced 2/4/80.)

Radiation Regulatory Agency H-2172. Would abolish the Arizona Atomic Energy Commission and establish a Radiation Regulatory Agency and a Radiation Regulatory Advisory Council. Duties would include 1) the regulation and control of sources of radiation; 2) the regulation of the transportation of sources of radiation, in cooperation with the State Department of Transportation; 3) the assumption of primary responsibility for providing necessary technical assistance to handle any incidents, and emergencies involving radiation occurring anywhere in the State; 4) establishing procedures for selecting any proposed permanent disposal sites located within the State for low-level radioactive waste; and 5) conducting or initiating off-site radiological environmental monitoring of the air, water, and soil surrounding any fixed nuclear facility, any uranium milling and tailing site, and any uranium leaching operation, and maintaining and reporting the data or results obtained by the monitoring. Additionally, this bill would provide for the establishment of an escalated enforcement action including issuance of orders, conduct of hearings, and procedures for appeals; and civil penalties. (Introduced 2/4/80.)

CALIFORNIA

Diablo Canyon Study H-2726. Would require the California Energy Commission to report to the Legislature on the economic and technical feasibility of converting the Diablo Canyon nuclear power plant to an alternative fuel source. (Introduced 3/3/80.)

Radiation Control H-2747. Would require the Department of Health to maintain surveillance over the storage, packaging, transporting and loading of all radioactive materials in the State. Also would require the Department, with the assistance of the Office of Emergency Services and the Energy Commission to study the adequacy of current RAM packaging, the effectiveness of special routing and timing, and the establishment of a tracking system. Would extend the nuclear emergency response plan to include radioactive materials in transit and provide training for law enforcement officers. And would require the Department to designate the time and routes for RAM transit. (Introduced 3/4/80.)

CALIFORNIA (Continued)

Emergency Planning H-3003. Would require the Office of Emergency Services to plan for the evacuation of persons in an area in which nuclear material is stored. Would make no provision for local cost reimbursement. (Introduced 3/6/80.)

CONNECTICUT

Radiation Responsibility H-5228. Would transfer the responsibility for oversight of radiation and nuclear plant safety from the Department of Environmental Protection to the Office of Policy and Management. (Introduced 2/6/80.)

Nuclear Incident Reporting H-5555. Would require NRC licensees to report to the Department of Environmental Protection any unplanned radiation release or abnormal occurrence which is reported to NRC. (Introduced 2/22/80.)

Financing Nuclear Response Plans H-5559. Would require towns in which nuclear plants are located to remit to the State a portion of the property tax they derive from the plant and to require the State to use these funds to develop and implement emergency evacuation plans. (Introduced 2/22/80.)

Reimbursement for Nuclear Plans H-5715. Would require the Public Service Company which operates a nuclear plant to reimburse the surrounding towns for the costs they incur due to the requirements that they prepare evacuation plans. (Introduced 3/5/80.)

Moratorium Extension H-5822. Would extend the moratorium on the construction of nuclear power facilities to include Millstone III currently under construction until such time as a means for the disposal of high level waste is identified and approved. (Introduced 3/7/80.)

HAWAII

Resolution on Low-Level Waste HCR-43. Would request the Department of Health to inquire as to how low-level radioactive waste is currently disposed of in the State, that the Department of Health develop alternative disposal methods. A report of recommendations and findings would be due to the legislature prior to the start of the 1981 session. (Introduced 2/4/80.)

Radiation Control Regulations HCR 50, HR-174 and SCR-16. Would request the Department of Health to review the Conference of State Radiation Control Program Director suggested State Regulations for possible adoption by the State. If the Department finds them acceptable, then it would publish them and hold public hearings. A report would be due by January 1, 1981. (Introduced 2/8/80.)

Palmyra Island HR-147. Would express the opposition of the legislature to the storage of any radioactive waste on Palmyra Island or any other Pacific location. (Introduced 2/7/80.)

HAWAII (Continued)

Radiological Safety Task Force H-2409. Would create a Radiological Safety Task Force within the Department of Health to study, investigate, report and make recommendations on radioactive waste storage and disposal, a radiological emergency response plan, State radiation regulations, among other things. Reports would be due to the legislature prior to the 1981 and 1982 sessions. (Introduced 2/8/80.)

Nuclear Insurance H-2427. Would require any vessel entering the waters of that State carrying nuclear materials to have liability insurance of an unspecified amount in case of accident. (Introduced 2/8/80.)

Radiation Monitoring Devices H-2827. Would appropriate funds for the purpose of purchasing radiation monitoring equipment to monitor background radiation. (Introduced 2/12/80.)

Emergency Plans SR-75. Would request the Governor and Departments of Health, Land and Natural Resources, Defense, and Transportation to plan for a nuclear emergency in Hawaii including shelters and evacuation. (Introduced 2/7/80.)

Resolution of Waste Disposal SR-76. Would express the opposition of the Legislature to the Federal Government for the storage or disposal of radioactive material in the Pacific Basin. (Introduced 2/7/80.)

Radiological Monitoring SR-79. Would request the Departments of Health, Defense and Environmental Quality to prepare a State plan for the regular monitoring of radioactive materials in the air, soil, vegetation and water. (Introduced 2/7/80.)

IDAHO

Waste Management H-511. Would ban the disposal or storage of radioactive waste in the State. Exempted would be: waste produced within the State, uranium mill tailings produced in the State, and that which was stored within the State prior to July 1, 1980. (Introduced 2/6/80.)

INDIANA

Training Requirement S-191. Would allow the State Board of Health to adopt rules to regulate who may operate a radiation machine and what level of training and experience an individual must have to operate such a machine. (Introduced 1/7/80.)

KANSAS

Operator Training S-791. Would direct the Division of Emergency Preparedness to provide by rules and regulations a procedure for the certification and licensing of nuclear facility operators using at least the minimum standards in 10 CFR 55. (Introduced 2/13/80.)

KENTUCKY

Hazardous Materials Transportation H-863. Would require the Department of Transportation to adopt by reference or in entirety the Federal hazardous materials regulations. Effective January 1, 1981 would require a permit to transport hazardous materials, including radioactive materials into or through the State. Would set notification procedures in case of accident. Would exempt defense shipments. (Introduced 3/5/80.)

MAINE

Nuclear Fission Control Act - Initiated Bill-2. Would ban generation of electricity by nuclear power in Maine. This would include existing plants, as well as future construction. (Introduced 3/7/80.)

MARYLAND

Resolution on Waste HJR-43. Would urge the U.S. Congress to seriously consider the establishment of a nuclear waste disposal site in Antarctica. (Introduced 2/4/80.)

Emergency Plans H-1032 - Would require each local civil defense organization to submit to the State CD Director a nuclear emergency plan, including evacuation plans, in case of an emergency caused by a radiation release. (Introduced 2/1/80.)

Nuclear Waste Safety and Protection Act H-1558. Would ban the storage or disposal of spent fuel or high level waste in the State. Would extend temporary onsite storage of spent fuel at the Calvert Cliffs plants until June 30, 1981 if the Department of Health and Mental Hygiene determines that it is under the control of a person who certifies that the spent fuel will be transported outside the State. (Introduced 2/8/80.)

Evacuation Plan H-1696. Before a nuclear plant could be sited, the ability to adequately provide for emergency evacuation of area residents must be considered. (Introduced 2/8/80.)

VIRGINIA

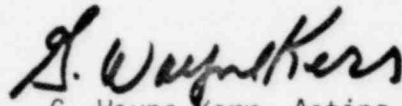
Spent Fuel Disposal Ban H-871. Would ban spent fuel disposal within the State unless the legislature approves it. (Introduced 2/4/80.)

Hazardous Materials Transportation H-1023. Would allow the Board of Health to promulgate rules and regulations governing hazardous materials transportation. (Introduced 2/4/80.)

VIRGINIA (Continued)

Evacuation Plans S-344. Would direct utilities to annually mail to customers in the 10 mile radius of a nuclear plant a notice, approved by the Department of Emergency Services, prescribing emergency plans. (Introduced 1/31/80.)

Waste Disposal Site S-473. Before the Board of Health could acquire a site for nuclear waste disposal it would have to have the legislatures approved. (Introduced 2/4/80.)



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