

## INFORMATION REPORT ON



# State Legislation

OFFICE OF STATE PROGRAMS  
U. S. NUCLEAR REGULATORY COMMISSION

Vol. 10 No. 5

June 22, 1984

Arizona enacted Senate Bill 1365 on May 14, 1984. The resultant Act makes Arizona the first member of the Western Low-Level Waste Disposal Compact. California is the only other named party to the Compact and has not yet enacted legislation.

Georgia passed legislation to conform the text of their compact with that of other members of the Southeast Interstate Low-Level Radioactive Waste Management Compact in House Bill 1267 which was enacted on March 28, 1984.

NRC and the State of Illinois have signed a Memorandum of Understanding that provides for cooperation between them in regulating nuclear activities. The Memorandum was signed by NRC Chairman Nunzio J. Palladino and Illinois Governor James R. Thompson. It is intended to provide the basis for detailed subagreements in areas such as low-level radioactive waste packaging, treatment, storage and transport; emergency preparedness; siting of nuclear facilities; decommissioning of nuclear facilities; transport of irradiated reactor fuel and monitoring the transport of radioactive material. It does not transfer any licensing authority from the NRC to the State of Illinois. Each party agrees to explore the possibility of sharing proprietary and other information in its possession that is exempt from mandatory disclosure. The Memorandum further provides for consideration of compensation to one party for activities performed at the request of the other party.

The first subagreement, effective June 11, 1984, allows the State of Illinois to perform certain inspection functions for and on behalf of NRC. Specifically it allows Illinois to inspect certain NRC reactor and materials licensees' facilities which generate low-level radioactive waste and determine compliance with the Commission's rules and regulations regarding the packaging and transportation of such waste destined for disposal at a commercial low-level radioactive waste disposal site. Signatories to the subagreement were NRC Regional Administrator James G. Keppler and Illinois Department of Nuclear Safety Director Don Etchison.

*G. Wayne Kerr*

G. Wayne Kerr, Director  
Office of State Programs

Prepared by:  
James McQuade, OSP  
(301) 492-9880

8407120626 840622  
PDR NUREG  
BR-0025 R PDR

Decommissioning

Illinois, S-1721

Emergency Planning

Connecticut, S-401

Illinois, H-3098

Illinois, S-1838

Louisiana, H-866

Louisiana, H-1521

Louisiana, H-1629

General

Illinois, H-2733

Illinois, S-1623

Louisiana, H-1535

Louisiana, H-1545

Low-Level Waste Compacts

Arizona, S-1365

Georgia, H-1267

Illinois, H-3060

New Jersey, S-1463

Power Plant Siting &  
Construction

Connecticut, H-5126

Florida, H-834

Public Utilities

Mississippi, H-436

New York, A-9124

South Carolina, H-3812

Radiation Control

Alabama, H-364

Alabama, S-43

Alabama, S-329

Alabama, S-350

Florida, S-241

Georgia, H-457

Louisiana, H-598

Louisiana, H-711

Louisiana, H-1493

Louisiana, H-1538

Louisiana, S-262

Maine, L-2076

South Carolina, S-985

Radioactive Waste Disposal  
& Management

Arizona, HCM-2002

Minnesota, S-1258

New York, S-9160

Utah, H-96

Transportation

South Carolina, S-868

South Carolina, S-981

## Enacted Legislation

### Arizona

Western Low-Level Waste Disposal Compacts, S-1365. Enacts the Compact into law and enters the State as a party. Eligible States named are Arizona and California. (Enacted: 5/14/84)

### Connecticut

Construction Work In Progress Costs Included In Rates, H-5126. Allows electric companies to charge ratepayers for the costs of construction involving certain nuclear plants only under specified conditions. (Enacted: 5/2/84)

Nuclear Safety Emergency Preparedness Fund, S-401. Instructs the Director of the Office of Civil Preparedness to submit a plan for carrying out the purposes of the Nuclear Safety Emergency Preparedness Program during the next State fiscal year. (Enacted: 5/11/84)

### Georgia

Radiation Control Civil Penalties, H-457. Provides the Department of Human Resources with the authority to impose and collect civil penalties for violation of radiation control rules and regulations. (Enacted: 4/4/84)

Revision of the Southeast Interstate Low-Level Radioactive Waste Management Compact, H-1267. Revises the text of the Compact so as to conform to the text of the Compact as agreed to by all of the other party States. (Enacted: 3/28/84)

### Maine

Temporary Licenses and Special Permits, L-2076. Amends the Medical Radiation Health and Safety Act to allow temporary licenses. Allows the issuance of a special permit to practice as a nuclear medicine technologist. (Enacted: 3/28/84)

### Minnesota

High Level Radioactive Waste Disposal and Transportation, S-1258. Prohibits a person from making a study or test of a specific area or site related to disposal unless the State has executed a consultation and cooperation agreement. Requires a consultation and cooperation agreement between the State and Federal government upon notice from the Department of Energy that Minnesota contains a potentially impacted area. Regulates transportation of high level radioactive waste in the State. (Enacted: 4/28/84)

## Introduced Legislation

### Alabama

Radiation Advisory Board of Health, H-364. Provides for the appointment of a tenth member to the Board from the fields of radiology, medicine, radiation, health physics or applied sciences. (Introduced: 2/21/84)

Radiation Advisory Board of Health, S-43. Provides for the appointment of a veterinarian as the tenth member to the Board. (Introduced: 5/24/84)

Examination and Continuing Education for Persons Using Ionizing Radiation Equipment, S-329. Provides for examination, examination fee, and exceptions to the examinations for persons using ionizing radiation equipment. Provides for continuing competency of such persons by requiring attendance for at least twenty contact hours of recognized continuing education per year. Exempts certain persons from the continuing education provision. (Introduced: 2/23/84)

Radiation Advisory Board of Health, S-350. Provides for the appointment of a veterinarian and radiologic technician as the tenth and eleventh members to the Board. (Introduced: 2/23/84)

### Florida

Nuclear Power Plants, H-834. Provides additional duties for the Department of Health and Rehabilitative Services concerning certification of new nuclear electric power plants. Provides extensive guidelines for siting of new power plants. Requires electric utilities to install and have in operation by October 1, 1985 an automated alert system and offsite radiation monitoring devices for nuclear electrical power plants. (Introduced: 4/3/84)

Florida Radiation Protection Act, S-241. Expands the authority of the Department of Health and Rehabilitative Services to regulate the "possession" of radioactive material. Clarifies that radioactive material includes that which is naturally occurring. Authorizes the Department to supervise decontamination activities in an emergency. Changes various portions of the Florida Radiation Protection Act on financing and money matters. Specifies that the owner, licensee, or other responsible party bear the costs of decontamination, transportation, burial, disposal, or other disposition of sources of ionizing radiation. Prohibits any municipality or county from regulating the possession, use or transportation of sources of radiation. Establishes a radiation monitoring system at each weigh station operated by the Department of Transportation. (Introduced: 4/3/84)

### Illinois

Appropriations, H-2733 and S-1623. Appropriates \$72,436.27 for the expenses of the Illinois Commission on Atomic Energy. (H-2733 Introduced: 4/4/84; and S-1623 Introduced: 4/3/84)



Illinois, cont'd.

Advisory Committee, H-3060. Amends the Midwest Interstate Low-Level Radioactive Waste Commission Act to create a seven-member Advisory Committee to advise the Illinois member of the Commission. (Introduced: 4/13/84)

Amendments to the Illinois Nuclear Safety Preparedness Act, H-3098. Authorizes reimbursement to the Illinois Emergency Services and Disaster Agency, as well as local governments for expenses incurred with respect to nuclear safety plans and programs. Increases fees for operators of nuclear power and storage facilities. Authorized the Department of Nuclear Safety to accept and administer loans, grants, or other funds or gifts from the Federal government and from other sources, public and private, for carrying out its functions under the Act. (Introduced: 4/13/84)

Decommissioning Trust Fund, S-1721. Creates a Decommissioning Trust Fund to cover the costs of decommissioning a nuclear power plant. (Introduced: 4/11/84)

Amendment to the Illinois Nuclear Safety Preparedness Act, S-1838. Provides that Fire Protection Districts may be reimbursed for the cost of plans and programs to deal with the possibility of nuclear accidents. (Introduced: 4/12/84)

Louisiana

Dental X-Ray Assistants, H-598. Outlines qualifications for dental assistants to take dental X-rays. Requires that a dental assistant shall perform all dental X-ray functions solely under the direct supervision of a licensed dentist and on the premises of the dental office. (Introduced: 4/24/84)

Regulation and Licensing of Radiologic Technologists, H-711. Creates a Radiologic Technology Board of Examiners. Provides for the qualification, examination and licensing of radiologic technologists. (Introduced: 4/26/84)

Emergency Preparedness Fees for Nuclear Power Facilities, H-866. Provides that nuclear power facilities pay an annual fee to cover the costs of State radiological preparedness plans and radiation surveillance and monitoring programs involving such facilities. (Introduced: 4/30/84)

Regulation and Licensing of Radiologic Technologists, H-1493. Creates a Radiologic Technology Board of Examiners. Provides for the qualification, examination and licensing of radiologic technologists. (Introduced: 4/30/84)

Peacetime Radiological Emergency Response Plan, H-1521. Expands the powers and duties of the Office of Air Quality to include designating agencies to perform various functions under that office's emergency plans for nuclear power facilities. Authorizes and directs the use of medical personnel and equipment for such plans. (Introduced: 4/30/84)

Louisiana, cont'd.

Amendment to the Louisiana Environmental Quality Act, H-1535. Changes the word "nuclear" to "radioactive" under the definition of the word "pollutant". (Introduced: 4/30/84)

Certification of Radiological Examiners, H-1538. Requires the Louisiana State Board of Medical Examiners to regulate and certify the qualifications of persons who perform diagnostic or therapeutic radiological examinations or treatments in the private office of a physician. (Introduced: 4/30/84)

Office of Air Quality, H-1545. Changes the name of the Office of Air Quality to the Office of Air Quality and Nuclear Energy. (Introduced: 4/30/84)

Peacetime Radiological Emergency Response Plan, H-1629. Expands the powers and duties of the Office of Air Quality to include designating agencies to perform various functions under the office's emergency plans for nuclear power facilities. Authorizes the use of school lunch program food to feed refugees in an authorized emergency. (Introduced: 4/30/84)

Certification of Chiropractic Assistants Who Perform X-Ray Functions, S-262. Expands the authority of the Louisiana Board of Chiropractic Examiners to include certification of chiropractic assistants performing X-ray functions. (Introduced: 4/17/84)

Mississippi

Apportioning the Assessed Value of Nuclear Generating Plants, H-436. Apportions the assessed valuation of nuclear generating plants among the counties, municipalities and taxing districts within the utility's area of service. (Introduced: 2/1/84)

New Jersey

Northeast Interstate Low-Level Radioactive Waste Management Compact Act, S-1463. Repeals the Compact. (Introduced: 3/1/84)

New York

Surcharge for Unpaid Taxes, Penalties, and Interest by Gas and Electric Corporations, A-9124. Imposes a twenty-five percent surcharge on unpaid taxes, penalties and interest by gas and electric corporations who willfully and unjustifiably refuse to pay real property taxes. Legislation is the result of the Long Island Lighting Company's withholding of property tax payments assessed against its Shoreham nuclear power plant. (Introduced: 2/16/84)

Low-Level Waste Disposal, S-9160. Prohibits disposal of low-level radioactive wastes by land burial. (Introduced: 5/3/84)

South Carolina

Ad Valorem Taxes on a Nuclear Powered Electric Generating Plant and Facilities, H-3812. Disallows exemption from ad valorem taxation for a nuclear power plant purchased in all or part by a tax exempt entity. (Introduced: 4/12/84)

Procedures and Requirements for Transporting Radioactive Material, S-868. Describes procedures and requirements for applications of transport and actual transport of radioactive materials. (Introduced: 3/7/84)

Procedures and Requirements for Transporting Radioactive Material, S-981. Describes procedures and requirements for applications of transport and actual transport of radioactive materials. Provides criminal penalties for violation of provisions of the Act. (Introduced: 4/17/84)

Utah

Proposed High Level Nuclear Waste Repository, H-96. Defines the role of the State planning coordinator as the initial person in the State to be contacted by any Federal Agency in connection with the proposed repository and as the person to negotiate with the Department of Energy. Defines further functions and duties of the coordinator. Requires the Department of Energy to enter into an agreement with the State prior to commencement of site characterization. (Introduced: 1/7/84)

Joint Resolution

South Carolina

Radioactive Materials, X-Rays, and Particle Accelerators, S-985. Approves regulations of the Department of Health and Environmental Control, relating to radioactive materials, X-rays, and particle accelerators. (Introduced: 4/17/84)

Memorials

Arizona

Copper Canisters For the Disposal of Nuclear Wastes, HCM-2002. Urges the Congress of the United States to direct the Department of Energy to investigate the feasibility of utilizing copper canisters for the burial of nuclear wastes. (Introduced: 2/6/84; Passed Senate: 3/29/84; to Secretary of State)

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

FIRST CLASS MAIL  
POSTAGE & FEES PAID  
USNRC  
WASH D C  
PERMIT No. 562

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

120555078877 1 99999  
US NRC  
ADM-DIV OF TIDC  
POLICY & PUB MGT BR-PDR NUREG  
W-501  
WASHINGTON DC 20555