

## INFORMATION REPORT ON

# State Legislation

OFFICE OF STATE PROGRAMS  
U. S. NUCLEAR REGULATORY COMMISSION

Vol. 10, No. 4

June 15, 1984

Wisconsin enacted Senate Bill 202 as 1983 Wisconsin Act 393 on May 2, 1984. Through this Act Wisconsin becomes a member of the Midwest Interstate Low-Level Waste Compact and creates the Midwest Interstate Low-Level Radioactive Waste Commission. Other States which have passed the Compact are Indiana, Iowa, Michigan, Minnesota, Missouri and Ohio. Illinois enacted a somewhat different version of the Compact.

The NRC Office of State Programs supported and coordinated attendance of Agreement State personnel at a Uranium Mill Inspection Course. This course was put on by the Uranium Field Office in Denver, Colorado. Dates of participation were June 13 and 14.

A handwritten signature in cursive script that reads "G. Wayne Kerr".

G. Wayne Kerr, Director  
Office of State Programs

Prepared by:  
James McQuade, OSP  
(301) 492-9881

B407110066 B40615  
PDR NUREG  
BR-0025 R PDR

Decommissioning

California, A-3705  
Kentucky, H-960

Emergency Planning

Vermont, H-410

General

Connecticut, S-443  
Maine, L-2366  
Massachusetts, H-1738  
Michigan, SCR-612

Low-Level Waste Compacts

Kentucky, S-369  
New Jersey, A-1800  
Ohio, H-344  
Rhode Island, S-748  
Wisconsin, S-202

Power Plant Moratoria

Illinois, S-1452  
Kansas, H-2658  
Kentucky, H-158

Power Plant Siting  
& Construction

Florida, S-738

Public Utilities

Illinois, S-1588  
Maine, H-2053  
Massachusetts, H-4998  
New Jersey, A-1311  
New York, A-3190  
New York, A-10785  
New York, A-11279

Radiation Control

Alabama, S-526  
Florida, H-1057  
Iowa, S-2274  
Maryland, H-216  
Mississippi, H-920  
Mississippi, H-974  
Nebraska, L-420  
Nebraska, L-716  
New Jersey, S-515  
New York, A-10493  
New York, A-10536  
Pennsylvania, S-1264  
Tennessee, H-1945  
Tennessee, S-1782  
West Virginia, S-524

Radioactive Waste Disposal  
& Management

Kentucky, HJR-101  
Maine, L-1045  
Maryland, S-462  
Massachusetts, S-1349  
New York, A-7881  
Washington, H-1581

Enacted Legislation

Kentucky

Requirements for Certification of a Nuclear Power Facility, H-158. Before construction of a nuclear power facility, the Public Service Commission must find that the Federal government has identified and approved a demonstrated technology or means for the disposal of high level nuclear waste. Then, in order to certify such a facility, the Commission must find that it: has specific facilities with adequate capacity to contain high level nuclear waste; has a plan for disposal in conformity with technology approved by the Federal government; and knows with reasonable certainty the cost of disposal. (Enacted: 2/16/84)

Maine

Educational Clearinghouse on Nuclear Usage, L-2366. Gives the Commissioner of Education and Cultural Services the authority to develop a clearinghouse of information on nuclear usage. (Enacted: 4/12/84)

Nebraska

Nuclear Waste Liability, L-420. Relieves from liability any person who provides assistance to prevent or mitigate the effect of the actual or threatened discharge of hazardous materials except in enumerated circumstances. (Enacted: 2/10/84)

Radiation Control, L-716. Amends the radiation control program related to license applications; redefines source material and special nuclear material. Incorporates provisions of the Model State Radiation Control Act. (Enacted: 4/3/84)

Ohio

Midwest Interstate Low-Level Radioactive Waste Compact, H-344. Amends sections of the Act which enact the Compact into law and enter the State as a party to provide regional management to the problem of low-level waste disposal. Current Compact members are: IL,\* IN, IA, MI, MN, MO, OH, and WI. (Enacted: 4/25/84)

Vermont

Emergency Preparedness, H-410. Gives the Governor emergency powers in case of a radiological incident. Requires the preparation of a radiological emergency response plan designed to protect the lives and property of persons residing within the State who might be threatened as a result of their proximity to any operating nuclear reactor. (Enacted: 3/20/84)

Wisconsin

Midwest Interstate Low-Level Radioactive Waste Compact, S-202. Enacts the Midwest Interstate Low-Level Radioactive Waste Compact and creates a Midwest Interstate Low-Level Radioactive Waste Commission. Current Compact members are: IL,\* IN, IA, MI, MN, MO, OH, and WI. (Enacted: 5/2/84)

\* Enacted a somewhat different version of the Compact.

## Introduced Legislation

### Alabama

Amendment to Code Governing the Radiation Advisory Board of Health, S-526. Provides for appointment of a veterinarian to such board. (Introduced: 4/5/84)

### California

Nuclear Reactor Retirement Funding, A-3705. Provides funding for decommissioning of nuclear power plants, describes payments by privately owned public utilities owning or operating nuclear power plants, and provides for a board of directors to administer the fund. (Introduced: 2/17/84)

### Colorado

Insurance Exclusions, S-66. Requires insurers of property, liability or automobile insurance which exclude nuclear energy exposures to file evidence of reduction in premiums prior to excluding such coverage with the insurance commissioner. Exclusions should be set forth clearly and conspicuously. (Introduced: 1/4/84)

### Connecticut

Nuclear Public Safety Fund, S-443. Instructs the Department of Public Utility to establish a nuclear public safety fund, develop an equitable method of assessing Nuclear Regulatory Commission licensees, and reimburse those municipalities contiguous to municipalities containing a nuclear power generating facility, for a portion of their public safety expenditures. Provides that money within the fund shall be invested by the State Treasurer. (Introduced: 2/28/84)

### Florida

Revision of the Florida Radiation Protection Act, H-1057. Revises the powers and duties of the Department of Health and Rehabilitative Services, especially in the areas of licensing and inspection. Expands duties to include regulation. Extends power of the Department over various areas including naturally occurring radioactive material, possession of radioactive material, and the facilities, film, film processing equipment and resultant images of radiation machines and components. Modifies previous penalties and provides guidelines for application of penalties. (Introduced: 4/3/84)

Revisions to the Florida Power Plant Siting Act and the Florida Radiation Protection Act, S-738. Modifies legislative intent. Provides that intent to file an application for a nuclear electrical power plant also be filed with the Department of Health and Rehabilitative Services. Restricts alteration of certain time limits. Modifies judicial review. Expands the powers and duties of the Department of Health and Rehabilitative Services. (Introduced: 4/5/84)



## Illinois

Prohibition on the Construction of Nuclear Facilities, S-1452. Bans the construction of a new nuclear facility until the Director of the Illinois Environmental Protection Agency finds that the Federal government has identified and approved a demonstrable technology or means for the disposal of high level nuclear waste. (Introduced: 2/28/84)

Public Utilities Act Amendments, S-1588. Provides that the cost of significant plant additions and new plants shall not be included in the rate base of any utility unless such cost is prudent and reasonable. Requires the Commerce Commission to conduct an audit to determine if such cost is prudent and reasonable. (Introduced: 3/28/84)

## Iowa

Licensing of Operators of Radiation Emitting Equipment, S-2274. Provides for examination and licensing of persons using radiologic technology for therapeutic or diagnostic purposes. Creates a board of examiners to administer examinations, set standards for study, issue licenses, and discipline licensees. Provides guidelines and minimum qualifications for licensing. Sets disciplinary standards, procedures and penalties for misconduct of a licensed technologist. (Introduced: 3/2/84)

## Kansas

Certification of Nuclear Power Plants, H-2658. Bans operation of a nuclear power plant unless certified by the State Corporation Commission. No certifications can be given until the Commission finds that the Federal government has identified and approved a demonstrable technology or means for the disposal of high level nuclear waste. (Introduced: 1/9/84)

## Kentucky

Low-Level Waste Storage/Disposal, HJR-101. Resolution directing the Universities of Kentucky and Louisville to accept low-level, radioactive waste from Kentucky licensees of radioactive materials. The Universities are authorized to issue regulations concerning packaging and are directed to design and build a storage/disposal structure. (Introduced: 3/2/84)

Decommission of Low-Level Radioactive Waste Disposal Sites, H-960 (as reported to the Senate). Charges the National Resources and Environmental Protection cabinet with stabilization and decommissioning of any nuclear waste facility owned by the Commonwealth on July 15, 1980. (Introduced: 3/2/84; Reported to Senate: 3/24/84)

Midwest Interstate Low-Level Radioactive Waste Compact, S-369. Introduces the Compact for enactment into law and proposes to enter the State as a party. The bill passed Senate but was defeated in the House when only a simple majority (48-42) voted to enact because the bill was considered as emergency legislation and needed a constitutional rather than a simple majority for passage. (Introduced: 3/5/84; Defeated: 3/30/84)

## Maine

Funding for Spent Fuel Disposal at Nuclear Power Plants, L-1045. Requires the licensee operating any nuclear power plant to collect sufficient funds during the remaining useful life of the plant to pay for spent fuel disposal costs. (Introduced: 3/4/84)

Performance Standards, L-2053. Allows the Public Utilities Commission to promulgate standards by which electric generating stations may be measured to determine full efficiency. (Introduced: 2/3/84; withdrawn: 3/9/84 Senate, 3/12/84 House)

## Maryland

Radiation Detection of Low-Level Nuclear Waste, H-216. Requires the Department of Health and Mental Hygiene to use radiation detection equipment to monitor the disposal of low-level nuclear waste. (Introduced: 1/11/84)

Prohibition on Locating Hazardous Waste and Low-Level Nuclear Waste Disposal Sites Near Reservoirs, S-462. Prohibits the Department of Health and Mental Hygiene from issuing a permit to a facility that disposes of certain hazardous substances and low-level nuclear waste if the facility is planned for location in a watershed for on-stream public supply reservoirs. (Introduced: 2/1/84)

## Massachusetts

Prohibition of Certain Nuclear Waste Reprocessing, H-1738. Prohibits any person from reprocessing or upgrading any nuclear materials or constructing any facility which would make it possible to produce nuclear weapons. (Introduced: 1/4/84)

Pass-Through Costs, H-4998. Prohibits the Department of Public Utilities from approving any charges to consumers of electricity attributed to increased costs of construction of nuclear power plants located in the town of Plymouth and in the municipality of Seabrook in the State of New Hampshire. (Introduced: 1/4/84)

Corrective Changes in the Hazardous Waste Facility Siting Act, S-1349. Includes a provision banning low-level radioactive waste disposal facilities. (Introduced: 1/4/84)

## Michigan

Special Committee, SCR-612. Creates a special committee to study the allegations of construction deficiencies at the Midland nuclear power plant project of the Consumers Power Company. (Introduced: 3/8/84)

Mississippi

Medical Radiation, H-920. Creates the Mississippi Medical Radiation Health, Safety and Protection Act. Establishes the Radiation Advisory Committee to consult with the State Board of Health. Instructs the State Board of Health to establish rules and regulations and issue credentials for persons applying ionizing radiation or administering radiopharmaceuticals to human beings. Makes violations of this Act a misdemeanor. (Introduced: 2/22/84)

Radiation Advisory Council, H-974. Reconstitutes the membership of the Radiation Advisory Council. Clarifies the advisory functions of such council. (Introduced: 2/22/84)

New Jersey

Utility Costs, A-1311. Prohibits utilities from incorporating costs incurred in the operation of any new power plant until technology for a permanent disposal site for radioactive waste is in operation. (Introduced: 2/6/84)

Amendment to the Northeast Interstate Low-Level Radioactive Waste Management Compact Act, A-1800. Allows the host State to establish requirements and regulations for source reduction and volume reduction. Provides for judicial action to remove any law, regulation or constitutional provision of any party State obstructive to the Compact. Provides that a State in whose jurisdiction a regional facility may be sited to design and construct any type of disposal facility it determines best protects the health, safety and welfare of its citizens and environment. (Introduced: 3/15/84)

X-Ray Technologists Licensing, S-515. Provides for licensing of podiatric, orthopedic and urologic X-ray technologists. (Introduced: 1/10/84)

New York

Even Distribution of Power, A-3190. Charges the State Power Authority with assuring that each type of power generated by the Authority, including nuclear fuel facilities, is evenly distributed to residential consumers in the State, so that all such consumers receive equal benefit from each of the low cost generating facilities of the Authority. (Introduced: 2/8/83)

Waste Disposal Prohibition, A-7881. Prohibits the burial of any form of radioactive waste in any manner. (Introduced 5/18/83; Amended 2/23/84)

Natural and Man-Made Disaster Preparedness, A-10493. Empowers the Disaster Preparedness Commission to obtain directly from the licensees data necessary for monitoring and verification of plant status and data on high range and low range radiation. (Introduced: 3/27/84)

Safety Requirements for Exposure to X-ray Equipment, A-10536. Provides that each pregnant female employee working for a public or private employer utilizing X-ray equipment will be give either radiation protection blankets or jackets, at the request of such employee, if she works in proximity to such equipment. (Introduced: 3/27/84)

New York, cont'd.

Prohibition Against Rate Recovery for Repairs to Certain Nuclear Electric Generating Facilities, A-10785. Prohibits the recovery through rates, any payments made by any electric corporation to assist directly or indirectly in effecting repairs necessitated by a radiological accident at a nuclear electric generating facility located outside the State. (Introduced: 3/27/84)

Moratorium on Rate Increases and Issuance of Securities, A-11279. Prohibits the Public Service Commission from granting to the Long Island Lighting Company further rate increases or issuing any further securities for a period of two years unless expressly allowed in this amendment. This action is a response to the financial condition of the utility caused by the Shoreham nuclear plant. (Introduced: 4/9/84)

Pennsylvania

Regulation and Licensing of Radiologic Technologists, S-1264. Establishes the Radiologic Technology Board of Examiners. Directs rules for regulation and licensing of technologists. (Introduced: 2/27/84)

Rhode Island

Northeast Interstate Low-Level Radioactive Waste Management Compact, S-748. Would enact the Compact into law and enter the State as a party. Eligible States named are CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, and VT. (Introduced: 3/2/84)

Tennessee

Medical Advisory Committee for Radiological Health, H-1945. Extends termination date for Committee to June 30, 1990. (Introduced: 3/19/84)

Operation of Radiation Equipment, S-1782. Makes it unprofessional conduct for any licensee of a professional licensing board to operate, permit an employee to operate, or supervise the operation of medical radiation machines unless the operator possesses a current certificate issued by the appropriate board or agency. (Introduced: 3/7/84)

Washington

Regulation of Radioactive Waste, H-1581. Authorizes regulation of radioactive waste disposal by the Department of Ecology. (Introduced: 1/25/84)

West Virginia

Regulation of Radiologic Technologists, S-524. Authorizes the Radiologic Technology Board of Examiners to promulgate Legislative rules relating to radiologic technologists. (Introduced: 2/8/84)



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

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE: \$300

FIRST CLASS MAIL  
POSTAGE & FEES PAID  
USNRC  
WASH D C  
PERMIT No. 662

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