HOUSE 1906: An Act increasing nuclear power plant protections to a twenty mile radius.

SPONSORS: Representatives Cantwell of Marshfield, Cutler of Duxbury, Calter of Kingston and Lawn of Watertown.

SUMMARY: This legislation seeks to require nuclear power plant protections be extended to a 20 mile radius of a nuclear power plant.

• SECTION 1 amends M.G.L. Chapter 111§5K (B)(1) to require monitoring stations be dispersed throughout a 20 mile radius of the nuclear power plant, including cities and towns in Barnstable, Dukes, and Nantucket counties and Cape Ann.

• SECTION 2 amends M.G.L. Chapter 111§5K (F) to require stockpiling of thyroid-blocking agents in cities and towns within a 20 mile radius of a nuclear power plant, including cities and towns in Barnstable, Dukes, and Nantucket counties and Cape Ann.

CURRENT LAW: M.G.L. Chapter 111§5K governs the Department of Public Health’s (DPH) oversight of nuclear reactors, subject to appropriation. Specifically, this section requires DPH to:

- adopt rules and regulations to monitor use and release of nuclear materials, source materials, or radioactive materials in operation of nuclear reactors;

- establish and maintain a monitoring and surveillance program for nuclear reactors, including creation of a network of monitoring stations to determine movement, dispersal, and reconcentration of radioactive materials from nuclear reactors;

- levy reasonable charges against nuclear reactor operators to support operation of the state radiation monitoring program;

- assess each operator of existing and proposed nuclear power plants an amount equal to each fiscal year’s costs of DPH’s radiation control program,
the collection of which cannot exceed $180,000 annually;

- stockpile thyroid-blocking agents for cities and towns within a 10 mile radius of a nuclear power plant, for which DPH may make an assessment against nuclear power plant and electric company operators in Massachusetts that own or purchase power from the Seabrook nuclear power plant; and

- procure and maintain adequate supplies of potassium iodide tablets approved by the Federal Food and Drug Administration (FDA) for use in emergency planning zones and Cape Ann, Cape Cod, and the Islands.

**HOUSE 1907:**

An Act to amend Section 5K(E) of Chapter 111.

**SPONSORS:**

Representatives Cantwell of Marshfield, Cutler of Duxbury and Calter of Kingston.

**SUMMARY:**

This legislation stipulates DPH is authorized to make fiscal year assessments no less than $400,000 of each nuclear power plant, and make assessments each subsequent fiscal year in an amount that in the aggregate covers the cost of operating the Department’s radiation control program in the prior fiscal year.

- SECTION 4 further states DPH is allowed to make assessments against operators of existing and proposed nuclear power plants and electric companies who own or purchase power from the Seabrook nuclear power plant and/or Vermont Yankee nuclear power plant to defray costs of operating DPH's radiation control program.

- In the first fiscal year this section is effective, this assessment can be no less than $400,000 of each nuclear power plant, and in subsequent fiscal years will equal the costs of operating the Department’s radiation control program in the prior fiscal year.

- DPH must send notice of the assessment to each company, payable within 30 days of assessment notice, provided each company have a reasonable
opportunity to submit objections concerning the assessment to DPH for review for a validity determination. If the assessment is determined valid, it is to be paid immediately.

- Companies failing to pay the assessment within 30 days or after a validity determination DPH may refer the issue to the Department of Revenue for collection of the assessment in accordance with applicable enforcement provisions pursuant to M.G.L. Chapter 62C.

- The assessment is to be deposited in the General Fund and credited to DPH.

CURRENT LAW:

• M.G.L. Chapter 62C governs administrative provisions relative to state taxation, including notice and responsibility for unpaid corporate or partnership assessments and individual liability.

• M.G.L. Chapter 111§5K governs the Department of Public Health’s (DPH) oversight of nuclear reactors, subject to appropriation. Specifically, this section requires DPH to:

  - adopt rules and regulations to monitor use and release of nuclear materials, source materials, or radioactive materials in operation of nuclear reactors;

  - establish and maintain a monitoring and surveillance program for nuclear reactors, including creation of a network of monitoring stations to determine movement, dispersal, and reconcentration of radioactive materials from nuclear reactors;

  - levy reasonable charges against nuclear reactor operators to support operation of the state radiation monitoring program;

  - assess each operator of existing and proposed nuclear power plants an amount equal to each fiscal year’s costs of DPH’s radiation control program, the collection of which cannot exceed $180,000 annually;

  - stockpile thyroid-blocking agents for cities and towns within a 10 mile radius of a nuclear power plant, for which DPH may make an assessment against nuclear power plant and electric company operators in Massachusetts that own or purchase power from the Seabrook nuclear
power plant; and

- procure and maintain adequate supplies of potassium iodide tablets approved by the Federal Food and Drug Administration (FDA) for use in emergency planning zones and Cape Ann, Cape Cod, and the Islands.

**HOUSE 2045:**  
An Act increasing nuclear power plant protections to a twenty mile radius.

**SPONSORS:**  

**SUMMARY:**  
This legislation seeks to require nuclear power plant protections be extended to a 20 mile radius of a nuclear power plant.

• SECTION 1 amends M.G.L. Chapter 111§5K (B)(1) to require monitoring stations be dispersed throughout a 20 mile radius of the nuclear power plant, including cities and towns in Barnstable, Dukes, and Nantucket counties and Cape Ann.

• SECTION 2 amends M.G.L. Chapter 111§5K (F) to require stockpiling of thyroid-blocking agents in cities and towns within a 20 mile radius of a nuclear power plant, including cities and towns in Barnstable, Dukes, and Nantucket counties and Cape Ann.

• SECTION 3 amends M.G.L. Chapter 111§5K by adding paragraph (I) which defines the plume exposure pathway emergency planning zone as the area located within a 20 mile radius of the nuclear power plant, including cities and towns in Barnstable, Dukes, and Nantucket counties and Cape Ann.

- This paragraph also requires protective action plans be in place for the plume exposure pathway emergency planning zone, to include sheltering
and evacuation details.

- SECTION 4 requires DPH to promulgate rules and regulations to implement provisions of this legislation within 180 days of its effective date.

CURRENT LAW:  
- M.G.L. Chapter 111§5K governs the Department of Public Health’s (DPH) oversight of nuclear reactors, subject to appropriation.

Specifically, this section requires DPH to:

- adopt rules and regulations to monitor use and release of nuclear materials, source materials, or radioactive materials in operation of nuclear reactors;

- establish and maintain a monitoring and surveillance program for nuclear reactors, including creation of a network of monitoring stations to determine movement, dispersal, and reconcentration of radioactive materials from nuclear reactors;

- levy reasonable charges against nuclear reactor operators to support operation of the state radiation monitoring program;

- assess each operator of existing and proposed nuclear power plants an amount equal to each fiscal year’s costs of DPH’s radiation control program, the collection of which cannot exceed $180,000 annually;

- stockpile thyroid-blocking agents for cities and towns within a 10 mile radius of a nuclear power plant, for which DPH may make an assessment against nuclear power plant and electric company operators in Massachusetts that own or purchase power from the Seabrook nuclear power plant; and

- procure and maintain adequate supplies of potassium iodide tablets approved by the Federal Food and Drug Administration (FDA) for use in emergency planning zones and Cape Ann, Cape Cod, and the Islands.

HOUSE 2046: An Act relative to radiological air monitoring.

SUMMARY: This legislation stipulates DPH is authorized to make fiscal year assessments no less than $400,000 of each nuclear power plant, and make assessments each subsequent fiscal year in an amount that in the aggregate covers the cost of operating the Department’s radiation control program in the prior fiscal year.

- SECTION 4 further states DPH is allowed to make assessments against operators of existing and proposed nuclear power plants and electric companies who own or purchase power from the Seabrook nuclear power plant and/or Vermont Yankee nuclear power plant to defray costs of operating DPH’s radiation control program, which must include purchase, installation, and maintenance of real-time radiological air monitoring stations in affected communities.

- In the first fiscal year this section is effective, this assessment can be no less than $400,000 of each nuclear power plant, and in subsequent fiscal years will equal the costs of operating the Department’s radiation control program in the prior fiscal year.

- DPH must send notice of the assessment to each company, payable within 30 days of assessment notice, provided each company have a reasonable opportunity to submit objections concerning the assessment to DPH for review for a validity determination. If the assessment is determined valid, it is to be paid immediately.

- Companies failing to pay the assessment within 30 days or after a validity determination DPH may refer the issue to the Department of Revenue for collection of the assessment in accordance with applicable enforcement provisions pursuant to M.G.L. Chapter 62C.

- The assessment is to be deposited in the General Fund and credited to DPH.

CURRENT LAW: • M.G.L. Chapter 62C governs administrative provisions relative to state taxation, including notice and responsibility for unpaid corporate or partnership assessments and individual liability.

• M.G.L. Chapter 111§5K governs the Department of Public Health’s (DPH)
oversight of nuclear reactors, subject to appropriation. Specifically, this section requires DPH to:

- adopt rules and regulations to monitor use and release of nuclear materials, source materials, or radioactive materials in operation of nuclear reactors;

- establish and maintain a monitoring and surveillance program for nuclear reactors, including creation of a network of monitoring stations to determine movement, dispersal, and reconcentration of radioactive materials from nuclear reactors;

- levy reasonable charges against nuclear reactor operators to support operation of the state radiation monitoring program;

- assess each operator of existing and proposed nuclear power plants an amount equal to each fiscal year’s costs of DPH’s radiation control program, the collection of which cannot exceed $180,000 annually;

- stockpile thyroid-blocking agents for cities and towns within a 10 mile radius of a nuclear power plant, for which DPH may make an assessment against nuclear power plant and electric company operators in Massachusetts that own or purchase power from the Seabrook nuclear power plant; and

- procure /maintain adequate supplies of potassium iodide tablets approved by the Federal Food and Drug Administration (FDA) for use in emergency planning zones and Cape Ann, Cape Cod, the Islands.