

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1232

S. P. 381

In Senate, March 24, 1975

Referred to the Committee on Energy. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Curtis of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Nuclear Power Plant Construction.

Be it enacted by the People of the State of Maine, as follows:

10 MRSA § 51 is repealed and the following enacted in place thereof:

§ 51. Nuclear power plant construction

1. Legislative findings. The Legislature finds that serious and substantial questions have been raised concerning the effect of nuclear fission power plants on public health and safety. Such questions include the reliability of the emergency safety systems; the state of knowledge regarding means by which to restore safely or adequately dispose of poisonous radioactive wastes; and the creation by one generation of potentially catastrophic hazards for future generations.

2. Nuclear fission power plants; construction requirements. A nuclear fission power plant shall not be constructed in the State of Maine unless the following conditions are determined to have been met pursuant to paragraph B.

A. The effectiveness of all safety systems, including but not limited to the emergency core cooling systems, is demonstrated by comprehensively testing substantially similar physical systems in actual operation; and

B. It is demonstrated that the radioactive wastes from the plant can be stored or disposed of with no reasonable chance of intentional or unintentional escape of the wastes or emission of radioactivity into the natural environment; and

C. Either the liability limits imposed by the Federal Government have been removed or full compensation is adequately guaranteed by the utility

for the people and businesses of Maine in the event of personal injury, property damage, or economic losses resulting from escape or diversion of radioactivity or radioactive materials from a nuclear fission power plant.

3. Nuclear fission power plant review committee.

A. A nuclear power plant review committee is hereby formed consisting of the Chairman of the Public Utilities Commission, the Chairman of the Board of Environmental Protection, the Commissioner of the Department of Health and Welfare, the Coordinator of Atomic Development Activities and the Attorney General. The chairman shall be selected by the committee members from their number, and staff assistance as needed shall be drawn from the departments represented on the committee.

B. A person, firm or corporation proposing the construction of a nuclear fission power plant in the State shall notify the chairman. Upon receipt of the notice, the committee shall have 6 months in order to make a determination as to whether the conditions specified in paragraph A have been satisfied. In making its determination, the committee shall prepare findings of fact and shall schedule public hearings to solicit opinions from all interested parties. Such hearings may, and insofar as practicable, shall be held concurrently and in combination with hearings to be held by the Public Utilities Commission or the Board of Environmental Protection in connection with the proposed construction of such plant.

C. The Public Utilities Commission may only issue a certificate of public convenience and necessity for a nuclear fission power plant, as provided under Title 35, section 13-A, after the review committee has made a determination that the plant will satisfy the conditions specified in subsection 1.

STATEMENT OF FACT

The purpose of this bill is to improve standards of safety which must be met before construction of a nuclear power plant is authorized.