

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE (Filing No. S-188)
108TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1388,
L.D. 1660, Bill, "AN ACT to Require that Certain Conditions be Met
Prior to Certification of any Nuclear Power Plant by the Public
Utilities Commission."

Amend the amendment by striking out everything after the title
and inserting in its place the following:

Amend the bill by striking out everything after the enacting
clause and inserting in its place the following:

'10 MRSA c. 4 is enacted to read:

CHAPTER 4

REQUIREMENTS FOR CERTIFICATION OF NUCLEAR POWER
PLANTS BY THE PUBLIC UTILITIES COMMISSION

§251. Definitions

As used in this chapter, unless the context otherwise indicates,
the following words and phrases shall have the following meanings.

1. Commission. "Commission" means the Public Utilities Commission.
2. Construction. "Construction" means the installation of permanent equipment or structures.
3. High level nuclear wastes. "High level nuclear wastes" means those aqueous wastes resulting from the operation of the first cycle of the solvent extraction system or equivalent and the concentrated wastes of the subsequent extraction cycles or equivalent in a facility for reprocessing irradiated reactor fuel. High level nuclear wastes shall include spent fuel assemblies prior to fuel reprocessing.

4. Nuclear power plant. "Nuclear power plant" means a nuclear fission thermal power plant.

5. Technology or means for the disposal of high-level nuclear waste. "Technology or means for the disposal of high-level nuclear waste" means a method for the permanent and terminal disposal of high-level nuclear waste. It shall not necessarily require that facilities for the application of such technology and means be available at the time the commission makes its findings. Such disposition shall not necessarily preclude the possibility of an approved process for retrieval of such waste.

§252. Requirements prior to certification of nuclear power plants by the Public Utilities Commission

No construction shall commence on a nuclear power plant after the effective date of this chapter until the Public Utilities Commission has complied with this chapter.

§253. Power to certify

The commission shall not certify any nuclear power plant until the following condition is met.

1. Commission finding of United States identification and approval of technology. The commission finds that the United States Government, through its authorized agency, has identified and approved a demonstrable technology or means for the disposal of high-level nuclear waste.

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§254. Certification of nuclear power plants

If the conditions of section 253 have been met, the commission may certify a nuclear power plant if it finds that:

1. Waste storage facilities operational. Specific facilities with adequate capacity to contain high-level nuclear waste are in actual operation, or will be in operation, at the time the nuclear power plant being certified requires the means for the disposal of high-level nuclear waste; and

2. Proposal for disposal is in conformity. The disposal of high-level nuclear waste proposed for any nuclear power plant to be certified according to this chapter is in full conformity with the technology approved by the authorized agency of the United States Government.

§255. Commission action upon petition

Upon petition of any person, firm or corporation, the commission shall within a reasonable time conduct public hearings and make specific findings as to the condition set forth in section 253, subsection 1.

§256. Commission action if power to grant certificates not granted

If the conditions of section 253 —————> have not been met, the commission may continue to receive and process applications for certification but may not certify a nuclear power plant. Any other governmental entity which grants necessary permits, licenses, approvals or authorizations for construction of a nuclear power plant may process and grant those permits, licenses, approvals or authorizations, subject to the commission's granting of certification under this chapter.

OF R.

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P.1388, LD. 1660 -

Statement of Fact

The intent of this amendment is to more clearly define some of the technical terms used in the bill and to remove the Legislature as the final authority to approve or disapprove nuclear waste disposal systems. According to this amendment, the certification of a nuclear power plant is dependent upon the commission's finding that the United States ^{Government,} through its authorized agency, has identified and approved a technology for the disposal of high-level nuclear waste.



(D. Collins)

NAME:

COUNTY: Aroostook

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