

## FIRST REGULAR SESSION

### ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1309

S.P. 429

In Senate, April 21, 1987

Reference to the Committee on Human Resources suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate Presented by Senator KANY of Kennebec. Cosponsored by Senator MATTHEWS of Kennebec,

Representative MAHANY of Easton, Representative HOLT of Bath.

### STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT Relating to State Involvement in Inspections and Enforcement Activities of Nuclear Power Plants and Evacuation Plans.

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

Sec. 1. 35 MRSA c. 269, sub-c. II-A is enacted to read:

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SUBCHAPTER II-A INSPECTIONS

12 §3345. Inspection

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Pursuant to rules promulgated by the Commissioner 1 of Human Services and agreements between the commis-2 3 sioner and the United States Nuclear Regulatory Com-4 mission, employees of the Division of Health Engineering designated by the Commissioner of Human Ser-vices may participate, except as preempted by federal law or regulation, in inspections of any nuclear pow-5 6 7 8 er plant in this State. 9 Training. Employees of the division may be 1. 10 trained at any nuclear plant and issued necessary 11 certification for access to the nuclear power plant. 12 The division shall give prior notice 2. Notice. 13 to the United States Nuclear Regulatory Commission of its intention for division employees to accompany and 14 15 observe United States Nuclear Regulatory Commission 16 inspectors on any inspection in this State. 17 Transportation. Division employees may participate in or initiate, to the extent not preempted 18 19 by federal law or regulation, inspection of the means of transportation of radioactive materials to or from 20 21 a nuclear power plant. 22 4. Conclusions. When conclusions and observations made by division employees are substantially 23 24 different from those made by the United States Nucle-25 ar Regulatory Commission inspectors, the division 26 shall make those conclusions and observations availa-27 ble in writing to the United States Nuclear Regulato-28 Commission and the operator of the nuclear power ry 29 plant. 30 §3346. Authority to make agreements The Commissioner of Human Services may enter into 31 32 agreements with the United States Nuclear Regulatory 33 Commission to carry out this subchapter. 34 37-B MRSA Sec. 2. §960, as reallocated by PL 35 1983, c. 816, Pt. B, §14, is amended to read: 36 §960. Emergency planning area 37 The emergency planning area is identified as fol-38 lows.

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1. Emergency Planning Zone. The Emergency Planning Zone shall be designated by the Bureau of Civil Emergency Preparedness by rule as the zone where specific evacuation plans are required to protect from exposure by the inhalation pathway. Unless--changed by--rule7--the--Emergency--Planning-Zone-shall-be-the Emergency-Planning-Zone--contained--in--the--existing Emergency-Radiological--Preparedness--Plan7-with-approximately-a-10-mile-radius-around-any-nuclear-power plant.

2. Ingestion Pathway Zone. The Ingestion Pathway Zone shall be designated by the Bureau of Civil Emergency Preparedness by rule as the zone beyond the Emergency Planning Zone where protective action plans are required relative to the food chain. Unless-changed-by-rule7-the--Ingestion--Pathway-Zone shall-be-a-circle-of-a-50-mile-radius-centered-on-any nuclear-power-plant.

#### STATEMENT OF FACT

20 This bill provides a mechanism whereby the Divi-21 sion of Health Engineering, within the Department of 22 Human Services, may observe and participate in in-23 spections of nuclear power plants in this State and 24 the transportation of radioactive material to and 25 from any such plant.

26 Additionally, following the nuclear disaster at 27 Chernobyl in which over 135,000 people were evacuated from a 19-mile radius surrounding the plant and in 28 29 which radiation was disbursed throughout Europe, the 30 emergency planning area established by this former 31 law and current Nuclear Regulatory Commission regula-32 tions is inadequate. As a response, section 2 of repeals specific evacuation area provi-33 this bill 34 This allows the State to implement stricter sions. 35 evacuation standards by rule.

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