

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2367

H.P. 1714

House of Representatives, February 27, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HOLT of Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act Regarding Liability for Nuclear Waste.

(AFTER DEADLINE)



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

4 Sec. 1. 38 MRSA §1451, sub-§§5-A, 15-A and 16-A are enacted to read:

6 5-A. Hazardous life. "Hazardous life" means the time it
8 takes for all the radionuclides in the radioactive waste to decay
10 to 1/10th of the maximum permissible concentrations for public
12 exposure to those radionuclides allowed by the Nuclear Regulatory
14 Commission as prescribed in the 10 Code of Federal Regulations,
16 Section 20, Appendix B.

18 15-A. Person. "Person" means an individual, a partnership,
20 a voluntary association, a firm or a corporation.

22 16-A. Radioactive waste generator. "Radioactive waste
24 generator" means any person who produces radioactive waste
26 directly or indirectly through the process of nuclear fission in
28 the State, whether or not that waste is treated, stored,
30 transported off site or disposed of in any manner.

32 Sec. 2. 38 MRSA §1455 is enacted to read:

34 §1455. Liability for radioactive waste

36 Low-level radioactive waste generators are jointly and
38 severally liable for damages to any person, property or the
40 environment in the State caused by the waste they generate during
the hazardous life of that waste.

STATEMENT OF FACT

Federal law provides that states must take responsibility for isolation of low-level radioactive waste generated within their borders except for waste generated by the Department of Defense. This bill ensures that the generators of this waste will be liable for damages in the case of accidents that cause damage to people, the environment or property within the State.