

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1517

S.P. 516

In Senate, February 25, 1999

An Act Concerning Transportation of Radioactive Waste.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TREAT of Kennebec.
Cosponsored by Senators: CATHCART of Penobscot, LIBBY of York, Representatives:
BULL of Freeport, MARTIN of Eagle Lake, MITCHELL of Vassalboro, NORBERT of
Portland, SHIAH of Bowdoinham, TOWNSEND of Portland.

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

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Sec. 1. 38 MRSA §1455 is enacted to read:

§1455. Shipment of waste out of State

A person may not transport out of this State high-level radioactive waste from the decommissioning of any nuclear power plant without a permit issued by the commissioner.

1. Application. A person applying for a permit under this section shall provide to the commissioner:

A. The name of the shipper;

B. The name of the carrier;

C. The type and quantity of the radioactive substance for which a permit to ship is sought;

D. The proposed date and time of shipment;

E. The starting point, scheduled route in the State and destination of shipment; and

F. Any other information required by the commissioner.

2. Issuance of permit. The commissioner shall issue a permit to an applicant if the commissioner finds that the transportation of the material will be accomplished in a manner that adequately protects the public health, safety and welfare of the citizens of this State. The commissioner shall grant or deny a permit within 3 days, Saturdays, Sundays and state holidays excluded, from the date of application, except that, if the commissioner determines that additional time is required to evaluate the application, the commissioner may take additional time if the commissioner provides notice to the applicant within the 3-day period. If necessary to protect the public health, safety or welfare, the commissioner may require changes in dates, routes or times for transporting the radioactive substance. The commissioner may consult with the Commissioner of Public Safety; the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency; the Commissioner of Human Resources; or any other entity in evaluating an application or issuing a permit under this section. Whenever the commissioner grants a permit, the commissioner shall notify the Commissioner of Public Safety, who shall take any steps necessary to ensure compliance with the terms of the permit.

2 3. Rules. The commissioner shall adopt rules implementing
3 the provisions of this section and establishing a permit fee
4 schedule that covers the cost of administering this section.
5 Rules adopted pursuant to this subsection are major substantive
6 rules as defined in Title 5, chapter 375, subchapter II-A.

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SUMMARY

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12 This bill requires that a person shipping high-level
radioactive waste out of the State have a permit issued by the
Department of Environmental Protection.