

Original sponsor: Kerttula

Offered: 2/18/81
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2

CS FOR SENATE BILL NO. 29 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to nuclear materials."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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* Section 1. AS 18.45.025 is amended to read:

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Sec. 18.45.025. FACILITIES SITING PERMIT REQUIRED. (a) A [NO]

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person may not construct a nuclear fuel production facility, utiliza-

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tion facility, reprocessing facility, or nuclear waste disposal facility

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in the state unless he has first obtained a permit from the Department

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of Environmental Conservation to construct the facility on land desig-

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nated by the legislature under (b) of this section.

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(b) The legislature shall designate by law the land in the state

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on which a nuclear fuel production, utilization, reprocessing or dis-

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posal facility may be located.

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(c) The Department of Environmental Conservation shall adopt

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regulations governing the issuance of [THESE] permits required by (a)

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of this section. However, a [; HOWEVER, NO] permit may not be issued

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until

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[(1) THE LEGISLATURE HAS APPROVED THE REGULATIONS BY A CON-

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CURRENT RESOLUTION CONCURRED IN BY A MAJORITY OF THE MEMBERS OF EACH

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HOUSE;]

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(2) the municipality [LOCAL GOVERNMENT] with jurisdiction

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over the proposed facility site has approved the permit; and

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[(3) THE LEGISLATURE HAS APPROVED THE PERMIT BY A CONCURRENT

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RESOLUTION CONCURRED IN BY A MAJORITY OF THE MEMBERS OF EACH HOUSE;

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AND]

(4) the governor has approved the permit.

* Sec. 2. AS 18.45 is amended by adding a new section to read:

Sec. 18.45.027. TRANSPORTATION OF NUCLEAR WASTE MATERIAL. (a)

The transportation of high level nuclear waste material, except for purposes of disposal outside the state, is prohibited.

(b) For purposes of this section, "high level nuclear waste material"

(1) means

(A) nuclear waste materials produced by nuclear power plants; and

(B) material of a kind or quantity which, when stored or disposed, would constitute a threat to the health or safety of the public, as determined by the Department of Environmental Conservation under AS 46.03.250 by regulation;

(2) does not include radioactive materials used in medicine, education, or scientific research which are stored or disposed of in conformity with procedures established by the Department of Environmental Conservation by regulation adopted under AS 46.03.250(3).

* Sec. 3. AS 46.03.250 is amended to read:

Sec. 46.03.250. AUTHORITY. The department shall adopt regulations

(1) defining low level radiation;

(2) establishing standards governing the discharge of low level radiation [RADIONUCLIDES] to the air, water, land, and subsurface land of the state;

(3) defining nuclear waste material which does not constitute a threat to public health or safety and which may be stored or disposed in the state; and

(4) establishing procedures for the storage and disposal of radioactive materials used in medicine, education, or scientific re-

1 search.

2 * Sec. 4. AS 46.03.260 is amended to read:

3 Sec. 46.03.260. USE OF ATOMIC RADIATION. A person who conducts
4 an operation which results in the discharge of low level radiation
5 [RADIONUCLIDES] to the air, water, land or subsurface land of the state
6 must obtain a permit from the department before commencing the dis-
7 charge.

8 * Sec. 5. AS 46.03 is amended by adding a new section to read:

9 Sec. 46.03.843. STORAGE AND DISPOSAL OF HIGH LEVEL NUCLEAR WASTE
10 MATERIAL. (a) The storage and disposal of high level nuclear waste
11 material in the state is prohibited.

12 (b) For purposes of this section, "high level nuclear waste
13 material"

14 (1) means

15 (A) nuclear waste materials produced by nuclear power
16 plants; and

17 (B) nuclear waste material of a kind or quantity which,
18 when stored or disposed, would constitute a threat to the health
19 or safety of the public, as determined by the Department of Envi-
20 ronmental Conservation under AS 46.03.250 by regulation;

21 (2) does not include radioactive materials used in medicine,
22 education, or scientific research which are stored or disposed of in
23 conformity with procedures established by the department by regulation.