



# House of Representatives

General Assembly

**File No. 208**

January Session, 2007

Substitute House Bill No. 7312

*House of Representatives, March 29, 2007*

The Committee on Energy and Technology reported through REP. FONTANA, S. of the 87th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING PLANNED RADIATION RELEASES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-135 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) The Department of Environmental Protection shall: (1) Review  
4 the plans for and operation of safety programs at nuclear plants; (2)  
5 make recommendations to the Nuclear Regulatory Commission  
6 concerning third-party inspection of components and construction of  
7 nuclear plants for the purpose of improving quality assurance plans  
8 and programs; (3) require the immediate reporting to the  
9 Commissioner of Environmental Protection or his designee, which  
10 may be another state agency, by licensees of the United States Nuclear  
11 Regulatory Commission which operate nuclear power generating  
12 facilities in this state as soon as the licensee has knowledge or, in the  
13 exercise of reasonable care should have had knowledge of (A) any  
14 release of radiation which is planned, unplanned, unmonitored or

15 which exceeds design standards and specifications established by the  
16 Nuclear Regulatory Commission, and (B) any occurrence, incident or  
17 other abnormal circumstance, unless it is immediately evident that  
18 such occurrence, incident or circumstance is not required to be  
19 reported within twenty-four hours or sooner to the Nuclear Regulatory  
20 Commission; (4) monitor radiation originating from nuclear plants and  
21 perform tests to detect any buildup of radioactivity in the soil, water,  
22 plants or animals of the state; (5) review the training and education of  
23 workers at nuclear plants to insure awareness of the possible risks of  
24 cancer and future genetic effects; (6) represent the interests of the state  
25 in federal and state regulatory hearings and other administrative  
26 actions concerning nuclear plants which affect the state; (7) intervene  
27 in federal proceedings and petition federal agencies for revision of  
28 existing regulations where appropriate; (8) conduct periodic on-site  
29 evaluations of the effectiveness and enforcement of federal regulations  
30 for the packaging and transportation of radioactive material; (9) study  
31 plans for, and hazards inherent in the decommissioning of Connecticut  
32 nuclear plants including the possible future use of land now in use by  
33 a nuclear power facility; (10) study the storage problems posed by high  
34 level wastes; (11) study and, in cooperation with the state police,  
35 monitor the security of nuclear plants to assure that the dangers from  
36 sabotage and terrorism are minimized; (12) monitor sources of ionizing  
37 radiation, microwave radiation and radioactive materials within the  
38 state; (13) review the state emergency plan for radiation safety; and  
39 (14) investigate out-of-state potential radiological hazards which may  
40 have a significant adverse effect upon the health or safety of the people  
41 of the state. The commissioner shall charge each of the four nuclear-  
42 powered commercial electric power generating plants an annual fee of  
43 sixty thousand dollars for monitoring radiation released from such  
44 plants. Nuclear fuels radiation facilities shall pay an annual fee of  
45 fifteen thousand dollars for monitoring such plants.

46 (b) In addition to the reporting required of a licensee pursuant to the  
47 provisions of subdivision (3) of subsection (a) of this section, the  
48 department may require the reporting immediately or within such  
49 time period as the department may designate of any additional

50 occurrence, incident or other abnormal circumstance which is not  
51 required to be reported within twenty-four hours or sooner to the  
52 Nuclear Regulatory Commission. The department shall adopt  
53 regulations, in accordance with chapter 54, to carry out the provisions  
54 of this subsection.

55 (c) Licensees shall post on their web sites all plans for routine and  
56 continuous releases of radiation to the atmosphere, including dates,  
57 times and fissile materials, as soon as such releases are scheduled.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	22a-135

**ET**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Department of Environmental Protection	GF - Cost	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

By adding planned radiation releases, which occur on a daily basis, to the Department of Environmental Protection's (DEP) enforcement activities, DEP will require a physicist at an annual cost of \$72,000 a year for salary, \$2,000 in overtime, plus fringe benefits<sup>1</sup> and approximately \$5,000 for associated other expenses.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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<sup>1</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The estimated first year fringe benefit rate for a new employee as a percentage of average salary is 25.8%, effective July 1, 2006. The first year fringe benefit costs for new positions do not include pension costs. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System (SERS). The SERS 2006-07 fringe benefit rate is 34.4%, which when combined with the non pension fringe benefit rate totals 60.2%.

**OLR Bill Analysis**

**sHB 7312**

***AN ACT CONCERNING PLANNED RADIATION RELEASES.***

**SUMMARY:**

Under this bill, the Department of Environmental Protection (DEP) must require a nuclear power plant operator to report any planned radiation releases to the DEP commissioner or his designee, as soon as it knows of, or should have known of, the release. The operator is already required to report unplanned and unmonitored releases and those that exceed the plant's design standards and specifications. The bill also requires the operator to post on its website all plans for routine and continuous releases of radiation, including their dates, times, and types of radioactive material released, as soon as the release is scheduled.

EFFECTIVE DATE: October 1, 2007

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/13/2007)