



General Assembly

February Session, 2014

Raised Bill No. 5307

LCO No. 1406



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING THE USE OF BOOMS FOR THE RETENTION OF CERTAIN OILS OR PETROLEUM AND REVISING CERTAIN REQUIREMENTS FOR THE REGISTRATION OF RADIOACTIVE MATERIALS.

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

1 Section 1. Section 22a-457a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 (a) No person shall transfer oil or petroleum liquids to or from a
4 tank ship or tank barge unless such transfer is supervised by a person
5 designated by or for the operator or agent of such tank ship or tank
6 barge and such designated person is in the immediate vicinity of any
7 such transfer and has the authority to terminate such transfer, if
8 necessary.

9 (b) Each tank ship and tank barge from which and to which oil or
10 petroleum liquids are being transferred, except oil or petroleum
11 liquids with a flash point less than one hundred degrees Fahrenheit,
12 shall be protected by (1) a floating boom retention device which shall
13 enclose the vessel, or (2) any other device designed for the retention of

14 oil or petroleum liquids for which the commissioner has issued written
15 approval for the particular site at which the oil or petroleum liquids
16 are transferred. The floating boom retention device or other device
17 approved by the commissioner shall be deployed at sufficient distance
18 from the vessel to catch and contain any spilled oil or petroleum,
19 except when weather, wind, sea [,] or ice conditions prevent the boom
20 or other device from being wholly or partially deployed in a safe
21 manner. The terminal operator shall report to the Commissioner of
22 Energy and Environmental Protection prior to transfer if the weather,
23 wind, sea [,] or ice conditions exist or develop after deployment which
24 require removal of the boom or other device. The Commissioner of
25 Energy and Environmental Protection may adopt regulations, in
26 accordance with the provisions of chapter 54, creating exemptions to
27 the use of floating boom retention devices or other devices where he
28 deems them in the best interest of public health and safety and
29 protection of the environment.

30 Sec. 2. Section 22a-148 of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective from passage*):

32 (a) As used in this section, "ionizing radiation" includes gamma
33 rays, x-rays, alpha and beta particles, neutrons, protons, high-speed
34 electrons and other atomic or nuclear particles, but does not include
35 sound or radio waves or light of wave lengths ranging from infrared to
36 ultraviolet inclusive, and "radioactive materials" includes any
37 materials, solid, liquid or gas, that emit ionizing radiation
38 spontaneously.

39 (b) No person, firm, corporation, town, city or borough shall operate
40 or cause to be operated any source of ionizing radiation or shall
41 produce, transport, store, possess or dispose of radioactive materials
42 except under conditions which comply with regulations or with orders
43 imposed by the Commissioner of Energy and Environmental
44 Protection for the protection of the public health and preservation of
45 the environment. Such regulations or orders shall be based to the

46 extent deemed practicable by said department on the regulations of the
47 United States Atomic Energy Commission, issued under authority
48 granted to said commission by the Atomic Energy Act of 1954 and
49 entitled "Standards for Protection against Radiation", or, if such
50 regulations should be deemed inappropriate by the Commissioner of
51 Energy and Environmental Protection, on the latest recommendations
52 of the National Committee on Radiation, as published by the United
53 States Department of Commerce, National Bureau of Standards. No
54 regulation pertaining to radiation sources and radioactive materials
55 proposed to be issued by the commissioner shall become effective until
56 thirty days after it has been submitted to the Coordinator of Atomic
57 Development Activities unless, upon a finding of emergency need, the
58 governor by order waives all or any part of said thirty-day period. In
59 no case shall any source of ionizing radiation be utilized otherwise
60 than at the lowest practical level consistent with the best use of the
61 radiation facilities or radioactive materials involved.

62 (c) (1) Except as hereinafter provided, each person, firm,
63 corporation, town, city and borough conducting or planning to
64 conduct any operation within the scope of this section shall register
65 with the Commissioner of Energy and Environmental Protection on
66 forms provided for the purpose and shall reregister [annually]
67 biennially in January of each odd-numbered year. Such registration
68 shall be accompanied by a fee of [two] four hundred dollars. Such
69 registration fee shall not be required of any fire department that
70 registers a chemical detector that contains radioactive material. The
71 commissioner may require registrants to state the type or types of
72 sources of radiation involved, the maximum size or rating of each
73 source, the qualifications of the supervisory personnel, the protective
74 measures contemplated by the registrant and such other information
75 as it determines to be necessary. After initial registration, reregistration
76 shall be required for any radiation installation or mobile source of
77 radiation at any other time when any increase is contemplated in the
78 number of sources, the source strength, the output or the types of

79 radiation energy involved. The act of registration shall not be
80 interpreted to imply approval by the commissioner of the manner in
81 which the activities requiring registration are carried out. (2) The
82 activities described below are exempted from the registration
83 requirements of this section: (A) The production, transportation,
84 storage, use and disposal of naturally occurring radioactive materials
85 of equivalent specific radioactivity not exceeding that of natural
86 potassium; (B) the production, transportation, storage, use and
87 disposal of other radioactive materials in quantities insufficient to
88 involve risk of radiologic damage to a person; (C) the operation of
89 equipment that is primarily not intended to produce radiation and
90 that, by nature of design, does not produce radiation at the point of
91 nearest approach in quantities sufficient to produce radiologic damage
92 to a person; (D) the transportation of any radioactive material in
93 conformity with regulations of the Interstate Commerce Commission
94 or other agency of the federal government having jurisdiction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-457a
Sec. 2	<i>from passage</i>	22a-148

Statement of Purpose:

To discontinue the use of booms to retain certain oils or petroleum and exempt fire departments from certain registration fees for chemical detectors that contain radioactive materials.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]