

Environment Committee JOINT FAVORABLE REPORT

Bill No.: HB-6499

Title: AN ACT CONCERNING RADIATION SECURITY.

Vote Date: 3/12/2021

Vote Action: Joint Favorable Substitute

PH Date: 3/3/2021

File No.:

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SPONSORS OF BILL:

Environment Committee

REASONS FOR BILL:

Enter into a multi-state agreement with the federal government to improve the safety and security of nuclear material. This agreement benefits Connecticut sources to deal with Department of Energy and Environmental Protection (DEEP), rather than federal entities. The bill direct fees from going to the federal government and is redirected to the state and allows a state specific program to be implemented.

Agreement States have entered into an agreement with the Nuclear Regulatory Commission (NRC) to oversee most types of radioactive material for industrial, healthcare and academic purposes, and excludes jurisdiction for nuclear power plants and spent nuclear fuel storage.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie Dykes, Commissioner, Department of Energy and Environmental Protection

On December 10, 2020, Governor Lamont submitted a letter of intent to the NRC to become an Agreement State. HB6499 amends several statutes required to provide specific authorities to authorize the Governor to enter an agreement with the NRC and an Agreement State.

HB6499 authorizes the Governor and DEEP for the monitoring and security of radioactive materials in industrial, healthcare and academics. The Governor and DEEP are also responsible for safety and security planning for emergency or terrorist events that may include radioactive materials.

HB 6499 benefits the state by the following:

- **Retaining Funding In-State** – state keeps \$1.2M in fees
- **Promoting Accessibility and Responsiveness for Constituents** – local control to respond to constituents.
- **Streamlining Licensing and Regulatory Procedures** - State-level regulatory oversight of radioactive material eliminates dual regulatory responsibilities.
- **Achieving Regulatory Consistency Regionally and Nationally** - Consistent regulatory frameworks between other Agreement States and the NRC.

External Affairs Division Judicial Branch

Requests several technical changes in language with respect to first and second offenses of Section 4 (b), (c), (d) is changed to subdivisions (i) and (ii). Request is to provide clear and accurate data for future inquiries.

Request for change in Section 6 (b) and (d), to request venue clarification in line 187 “the Attorney General shall bring a civil action in the superior court for the judicial district of Harford to recover . . .”.

NATURE AND SOURCES OF SUPPORT:

Ashley Zane, Government Affairs Associate, Connecticut Business Industry Association

Connecticut Business Industry Association (CBIA) supports centralizing licensing processes and state level control under HB6499 and Agreement State status. An example is the time it takes to get an answer to a question, DEEP's current response time is about one month, the NRC can take eight months or more. Increased access to state inspection and licensing personnel resolves questions more efficiently.

HB6499 reduces barriers to interstate commerce with the designation of Connecticut as an Agreement State. Forty states currently belong to the Agreement State including several surrounding states. HB6499 ensures compatible regulations across state lines and reduces confusion for business.

NATURE AND SOURCES OF OPPOSITION:

Connecticut Hospital Association

HB6499 authorizes Governor Lamont to begin entry into the Agreement State with the NRC. The state takes over regulation of radioactive materials in the healthcare industry. The

promised elimination of dual regulations, reduced costs, and streamlined program administration are commendable, promises may go unrealized with HB6499. The NRC maintains highly qualified and trained staff for complex medical use of radioactive materials. DEEP's ability to hire properly trained and experienced medical physicists to support the complex medical use of radioactive materials is a challenge. The staff hired by DEEP need to meet the same standards as DEEP.

Reported by: Steve Smith

Date: 3/16/2021