

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2264 Session of 2014

INTRODUCED BY R. MILLER, HELM, SCHLOSSBERG, MILLARD, COHEN, CALTAGIRONE, EVERETT, HEFFLEY, GINGRICH, CLYMER, WATSON, MURT AND BARRAR, MAY 19, 2014

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 4, 2014

AN ACT

1 Amending the act of July 10, 1984 (P.L.688, No.147), entitled
2 "An act combining the radiation safety provisions of The
3 Atomic Energy Development and Radiation Control Act and the
4 Environmental Radiation Protection Act; empowering the
5 Department of Environmental Resources to implement a
6 comprehensive Statewide radiation protection program; further
7 providing for the power of the Environmental Quality Board
8 and for the duties of the Environmental Hearing Board;
9 expanding the authority of the department to regulate other
10 radiation sources; providing for radiation emergency
11 response; establishing requirements for transport of spent
12 reactor fuel; establishing fees; providing penalties; making
13 repeals; and authorizing and directing the Department of
14 Environmental Resources and the Governor to convey ownership
15 to the Carl A. White Acid Mine Drainage Treatment Plant,
16 situated in Washington Township, Indiana County,
17 Pennsylvania, to the County of Indiana, subject to a right of
18 reverter for stated conditions," in fees, further providing
19 for nuclear facility and transport fees.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 ~~Section 1. Section 402(b.1)(1) of the act of July 10, 1984 <--~~
23 ~~(P.L.688, No.147), known as the Radiation Protection Act,~~
24 ~~amended July 13, 2007 (P.L.95, No.31), is amended to read:~~

25 SECTION 1. SECTION 402(B.1)(1) AND (C)(1.1) OF THE ACT OF <--

1 JULY 10, 1984 (P.L.688, NO.147), KNOWN AS THE RADIATION  
2 PROTECTION ACT, AMENDED JULY 13, 2007 (P.L.95, NO.31), ARE  
3 AMENDED TO READ:

4 Section 402. Nuclear facility and transport fees.

5 \* \* \*

6 (b.1) Department fees.--

7 (1) [Within 30 days of the effective date of this  
8 subsection, each person who has a current nuclear power  
9 reactor construction permit or operating license from the NRC  
10 for a site within this Commonwealth shall pay the department  
11 \$100,000 per nuclear power reactor site, regardless of the  
12 number of individual nuclear power reactors located at the  
13 site.] By July 1, 2007, and July 1 of each year thereafter  
14 through July 1, 2014, each person who has a current nuclear  
15 power reactor construction permit or operating license from  
16 the NRC for a site within this Commonwealth shall pay the  
17 department an annual fee of \$550,000 per nuclear power  
18 reactor site, regardless of the number of individual nuclear  
19 power reactors located at the site. By July 1, 2015, and July  
20 1 of each year thereafter, each person who has a current  
21 nuclear power reactor construction permit or operating  
22 license from the NRC for a site within this Commonwealth  
23 shall pay the department an annual fee of \$650,000 per  
24 nuclear power reactor site, regardless of the number of  
25 individual nuclear power reactors located at the site. For  
26 the purposes of this subsection only, a nuclear power reactor  
27 site shall be deemed to be the location of one or more  
28 individual nuclear power reactors which still has spent  
29 nuclear fuel stored onsite, has not been fully dismantled and  
30 decommissioned pursuant to applicable Federal law and

1 regulations and has not been granted license termination by  
2 the NRC.

3 \* \* \*

4 (C) AGENCY FEES.--

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5 (1.1) (I) [WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS  
6 PARAGRAPH, EACH PERSON WHO HAS A CURRENT NUCLEAR POWER  
7 REACTOR CONSTRUCTION PERMIT OR OPERATING LICENSE FROM THE  
8 NRC FOR A SITE WITHIN THIS COMMONWEALTH SHALL PAY THE  
9 AGENCY, REGARDLESS OF THE NUMBER OF INDIVIDUAL NUCLEAR  
10 POWER REACTORS LOCATED AT THE SITE, \$100,000 TO BE  
11 DEPOSITED INTO THE RADIOLOGICAL EMERGENCY RESPONSE  
12 PLANNING AND PREPAREDNESS PROGRAM FUND TO BE COLLECTED  
13 AND USED BY THE AGENCY IN ACCORDANCE WITH THE PROVISIONS  
14 OF 35 PA.C.S. § 7320 (RELATING TO RADIOLOGICAL EMERGENCY  
15 RESPONSE PREPAREDNESS, PLANNING AND RECOVERY PROGRAM) AND  
16 \$50,000 TO BE DEPOSITED INTO THE RADIATION EMERGENCY  
17 RESPONSE FUND TO BE COLLECTED AND USED BY THE AGENCY FOR  
18 RADIOLOGICAL EMERGENCY RESPONSE EQUIPMENT, PLANNING,  
19 TRAINING AND EXERCISE COSTS INVOLVING NONAGENCY  
20 PERSONNEL.] BY JULY 1, 2007, AND JULY 1 OF EACH YEAR  
21 THEREAFTER THROUGH JULY 1, 2014, EACH PERSON WHO HAS A  
22 CURRENT NUCLEAR POWER REACTOR CONSTRUCTION PERMIT OR  
23 OPERATING LICENSE FROM THE NRC FOR A SITE WITHIN THIS  
24 COMMONWEALTH SHALL PAY THE AGENCY THE FOLLOWING FEES,  
25 REGARDLESS OF THE NUMBER OF INDIVIDUAL NUCLEAR POWER  
26 REACTORS LOCATED AT THE SITE:

27 (A) \$200,000 TO BE COLLECTED AND USED BY THE  
28 AGENCY IN ACCORDANCE WITH THE PROVISIONS OF 35  
29 PA.C.S. § 7320 (RELATING TO RADIOLOGICAL EMERGENCY  
30 RESPONSE PREPAREDNESS, PLANNING AND RECOVERY

1           PROGRAM).

2           (B) \$150,000 TO BE COLLECTED AND USED BY THE  
3           AGENCY FOR RADIOLOGICAL EMERGENCY RESPONSE EQUIPMENT,  
4           PLANNING, TRAINING AND EXERCISE COSTS INVOLVING  
5           NONAGENCY PERSONNEL.

6           (I.1) BY JULY 1, 2015, AND JULY 1 OF EACH YEAR  
7           THEREAFTER, EACH PERSON WHO HAS A CURRENT NUCLEAR POWER  
8           REACTOR CONSTRUCTION PERMIT OR OPERATING LICENSE FROM THE  
9           NRC FOR A SITE WITHIN THIS COMMONWEALTH SHALL PAY THE  
10           AGENCY THE FOLLOWING FEES, REGARDLESS OF THE NUMBER OF  
11           INDIVIDUAL NUCLEAR POWER REACTORS LOCATED AT THE SITE:

12           (A) \$275,000 TO BE COLLECTED AND USED BY THE  
13           AGENCY IN ACCORDANCE WITH THE PROVISIONS OF 35  
14           PA.C.S. § 7320.

15           (B) \$150,000 TO BE COLLECTED AND USED BY THE  
16           AGENCY FOR RADIOLOGICAL EMERGENCY RESPONSE EQUIPMENT,  
17           PLANNING, TRAINING AND EXERCISE COSTS INVOLVING  
18           NONAGENCY PERSONNEL.

19           (II) PAYMENTS COLLECTED UNDER [SUBPARAGRAPH (I) (A) ]  
20           SUBPARAGRAPHS (I) (A) AND (I.1) (A) SHALL BE DEPOSITED INTO  
21           THE RADIOLOGICAL EMERGENCY RESPONSE PLANNING AND  
22           PREPAREDNESS PROGRAM FUND ESTABLISHED PURSUANT TO 35  
23           PA.C.S. § 7320 (C) . PAYMENTS COLLECTED UNDER [SUBPARAGRAPH  
24           (I) (B) ] SUBPARAGRAPHS (I) (B) AND (I.1) (B) SHALL BE  
25           DEPOSITED INTO THE RADIATION EMERGENCY RESPONSE FUND. FOR  
26           THE PURPOSES OF THIS SUBSECTION ONLY, A NUCLEAR POWER  
27           REACTOR SITE SHALL BE DEEMED TO BE THE LOCATION OF ONE OR  
28           MORE INDIVIDUAL NUCLEAR POWER REACTORS WHICH STILL HAS  
29           SPENT NUCLEAR FUEL STORED ONSITE, HAS NOT BEEN FULLY  
30           DISMANTLED AND DECOMMISSIONED PURSUANT TO APPLICABLE

1 FEDERAL LAW AND REGULATIONS AND HAS NOT BEEN GRANTED  
2 LICENSE TERMINATION BY THE NRC.

3 \* \* \*

4 Section 2. This act shall take effect July 1, 2014, or  
5 immediately, whichever is later.