

SB3016



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB3016

Introduced 2/15/2018, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

20 ILCS 3310/25

420 ILCS 5/3

420 ILCS 5/8

from Ch. 111 1/2, par. 4303

from Ch. 111 1/2, par. 4308

Amends the Nuclear Safety Law of 2004. Removes certain provisions concerning the Illinois Emergency Management Agency's powers over nuclear steam-generating facility inspectors. Defines "nuclear steam-generating facility" for provisions concerning boiler and pressure vessel safety. Amends the Illinois Nuclear Safety Preparedness Act. Defines "nuclear steam-generating facility" and corrects a cross-reference. Effective immediately.

LRB100 16201 MJP 31324 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Nuclear Safety Law of 2004 is amended by
5 changing Section 25 as follows:

6 (20 ILCS 3310/25)

7 Sec. 25. Boiler and pressure vessel safety. As used in this
8 Section, "nuclear steam-generating facility" means a facility
9 that is under construction, a facility that is licensed to
10 operate, and a facility that is closed permanently and has
11 ceased operations or is undergoing the decommissioning
12 process.

13 The Illinois Emergency Management Agency shall exercise,
14 administer, and enforce all of the following rights, powers,
15 and duties:

16 (1) Rights, powers, and duties vested in the Department
17 of Nuclear Safety by the Boiler and Pressure Vessel Safety
18 Act prior to the abolishment of the Department of Nuclear
19 Safety, to the extent the rights, powers, and duties relate
20 to nuclear steam-generating facilities.

21 (2) Rights, powers, and duties relating to nuclear
22 steam-generating facilities vested in the Department of
23 Nuclear Safety by the Boiler and Pressure Vessel Safety Act

1 prior to the abolishment of the Department of Nuclear
2 Safety, which include but are not limited to the
3 formulation of definitions, rules, and regulations for the
4 safe and proper construction, installation, repair, use,
5 and operation of nuclear steam-generating facilities, the
6 adoption of rules for already installed nuclear
7 steam-generating facilities, the adoption of rules for
8 accidents in nuclear steam-generating facilities, ~~the~~
9 ~~examination for or suspension of inspectors' licenses of~~
10 ~~the facilities,~~ and the hearing of appeals from decisions
11 relating to the facilities.

12 (3) Rights, powers, and duties relating to nuclear
13 steam-generating facilities, vested in the State Fire
14 Marshal, the Chief Inspector, or the Department of Nuclear
15 Safety prior to its abolishment, by the Boiler and Pressure
16 Vessel Safety Act, which include, but are not limited to,
17 ~~the employment of inspectors of nuclear steam generating~~
18 ~~facilities, issuance or suspension of their commissions,~~
19 prosecution of the Act or rules promulgated thereunder for
20 violations by nuclear steam-generating facilities,
21 maintenance of inspection records of all the facilities,
22 publication of rules relating to the facilities, having
23 free access to the facilities, and the issuance of
24 inspection certificates of the facilities, ~~and the~~
25 ~~furnishing of bonds conditioned upon the faithful~~
26 ~~performance of their duties.~~ The Director of the Illinois

1 Emergency Management Agency may designate a Chief
2 Inspector, or other inspectors, as he or she deems
3 necessary to perform the functions transferred by this
4 Section.

5 The transfer of rights, powers, and duties specified in
6 paragraphs (1), (2), and (3) is limited to the program
7 transferred by this Act and shall not be deemed to abolish or
8 diminish the exercise of those same rights, powers, and duties
9 by the Office of the State Fire Marshal, the Board of Boiler
10 and Pressure Vessel Rules, the State Fire Marshal, or the Chief
11 Inspector with respect to programs retained by the Office of
12 the State Fire Marshal.

13 (Source: P.A. 95-777, eff. 8-4-08.)

14 Section 10. The Illinois Nuclear Safety Preparedness Act is
15 amended by changing Sections 3 and 8 as follows:

16 (420 ILCS 5/3) (from Ch. 111 1/2, par. 4303)

17 Sec. 3. Definitions. Unless the context otherwise clearly
18 requires, as used in this Act:

19 (1) "Agency" means the Illinois Emergency Management
20 Agency of the State of Illinois.

21 (2) "Director" means the Director of the Illinois Emergency
22 Management Agency.

23 (3) "Person" means any individual, corporation,
24 partnership, firm, association, trust, estate, public or

1 private institution, group, agency, political subdivision of
2 this State, any other state or political subdivision or agency
3 thereof, and any legal successor, representative, agent, or
4 agency of the foregoing.

5 (4) "NRC" means the United States Nuclear Regulatory
6 Commission or any agency which succeeds to its functions in the
7 licensing of nuclear power reactors or facilities for storing
8 spent nuclear fuel.

9 (5) "High-level radioactive waste" means (1) the highly
10 radioactive material resulting from the reprocessing of spent
11 nuclear fuel including liquid waste produced directly in
12 reprocessing and any solid material derived from such liquid
13 waste that contains fission products in sufficient
14 concentrations; and (2) the highly radioactive material that
15 the NRC has determined to be high-level radioactive waste
16 requiring permanent isolation.

17 (6) "Nuclear facilities" means nuclear power plants,
18 facilities housing nuclear test and research reactors,
19 facilities for the chemical conversion of uranium, and
20 facilities for the storage of spent nuclear fuel or high-level
21 radioactive waste.

22 (7) "Spent nuclear fuel" means fuel that has been withdrawn
23 from a nuclear reactor following irradiation, the constituent
24 elements of which have not been separated by reprocessing.

25 (8) "Transuranic waste" means material contaminated with
26 elements that have an atomic number greater than 92, including

1 neptunium, plutonium, americium, and curium, excluding
2 radioactive wastes shipped to a licensed low-level radioactive
3 waste disposal facility.

4 (9) "Highway route controlled quantity of radioactive
5 materials" means that quantity of radioactive materials
6 defined as a highway route controlled quantity under rules of
7 the United States Department of Transportation, or any
8 successor agency.

9 (10) "Nuclear steam-generating facility" means a facility
10 that is under construction, a facility that is licensed to
11 operate, and a facility that is closed permanently and has
12 ceased operations or is undergoing the decommissioning
13 process.

14 (Source: P.A. 93-1029, eff. 8-25-04.)

15 (420 ILCS 5/8) (from Ch. 111 1/2, par. 4308)

16 Sec. 8. (a) The Illinois Nuclear Safety Preparedness
17 Program shall consist of an assessment of the potential nuclear
18 accidents, their radiological consequences, and the necessary
19 protective actions required to mitigate the effects of such
20 accidents. It shall include, but not necessarily be limited to:

21 (1) Development of a remote effluent monitoring system
22 capable of reliably detecting and quantifying accidental
23 radioactive releases from nuclear power plants to the
24 environment;

25 (2) Development of an environmental monitoring program

1 for nuclear facilities other than nuclear power plants;

2 (3) Development of procedures for radiological
3 assessment and radiation exposure control for areas
4 surrounding each nuclear facility in Illinois;

5 (4) Radiological training of state and local emergency
6 response personnel in accordance with the Agency's
7 responsibilities under the program;

8 (5) Participation in the development of accident
9 scenarios and in the exercising of fixed facility nuclear
10 emergency response plans;

11 (6) Development of mitigative emergency planning
12 standards including, but not limited to, standards
13 pertaining to evacuations, re-entry into evacuated areas,
14 contaminated foodstuffs and contaminated water supplies;

15 (7) Provision of specialized response equipment
16 necessary to accomplish this task;

17 (8) Implementation of the Boiler and Pressure Vessel
18 Safety program at nuclear steam-generating facilities as
19 mandated by Section 25 of the Nuclear Safety Law of 2004
20 ~~Section 2005-35 of the Department of Nuclear Safety Law~~, or
21 its successor statute;

22 (9) Development and implementation of a plan for
23 inspecting and escorting all shipments of spent nuclear
24 fuel, high-level radioactive waste, transuranic waste, and
25 highway route controlled quantities of radioactive
26 materials in Illinois; and

1 (10) Implementation of the program under the Illinois
2 Nuclear Facility Safety Act.

3 (b) The Agency may incorporate data collected by the
4 operator of a nuclear facility into the Agency's remote
5 monitoring system.

6 (c) The owners of each nuclear power reactor in Illinois
7 shall provide the Agency all system status signals which
8 initiate Emergency Action Level Declarations, actuate accident
9 mitigation and provide mitigation verification as directed by
10 the Agency. The Agency shall designate by rule those system
11 status signals that must be provided. Signals providing
12 indication of operating power level shall also be provided. The
13 owners of the nuclear power reactors shall, at their expense,
14 ensure that valid signals will be provided continuously 24
15 hours a day.

16 All such signals shall be provided in a manner and at a
17 frequency specified by the Agency for incorporation into and
18 augmentation of the remote effluent monitoring system
19 specified in subsection (a) (1) of this Section. Provision
20 shall be made for assuring that such system status and power
21 level signals shall be available to the Agency during reactor
22 operation as well as throughout accidents and subsequent
23 recovery operations.

24 For nuclear reactors with operating licenses issued by the
25 Nuclear Regulatory Commission prior to the effective date of
26 this amendatory Act, such system status and power level signals

1 shall be provided to the Department of Nuclear Safety (of which
2 the Agency is the successor) by March 1, 1985. For reactors
3 without such a license on the effective date of this amendatory
4 Act, such signals shall be provided to the Department prior to
5 commencing initial fuel load for such reactor. Nuclear reactors
6 receiving their operating license after the effective date of
7 this amendatory Act, but before July 1, 1985, shall provide
8 such system status and power level signals to the Department of
9 Nuclear Safety (of which the Agency is the successor) by
10 September 1, 1985.

11 (Source: P.A. 93-1029, eff. 8-25-04.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.