

1 AN ACT concerning State government.

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 40 and by adding Section 40.5 as follows:

6 (20 ILCS 3310/40)

7 Sec. 40. Regulation of nuclear safety. The Illinois  
8 Emergency Management Agency shall have primary responsibility  
9 for the coordination and oversight of all State governmental  
10 functions concerning the regulation of nuclear power,  
11 including low level waste management, environmental  
12 monitoring, environmental radiochemical analysis, and  
13 transportation of nuclear waste. Functions performed by the  
14 Department of State Police and the Department of  
15 Transportation in the area of nuclear safety, on the effective  
16 date of this Act, may continue to be performed by these  
17 agencies but under the direction of the Illinois Emergency  
18 Management Agency. All other governmental functions regulating  
19 nuclear safety shall be coordinated by Illinois Emergency  
20 Management Agency.

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

22 (20 ILCS 3310/40.5 new)

1       Sec. 40.5. Radiochemistry laboratory program. The Illinois  
2       Emergency Management Agency shall implement a comprehensive  
3       radiochemistry laboratory program. The Director of the  
4       Illinois Emergency Management Agency, in accordance with the  
5       Personnel Code, shall employ and direct such personnel, and  
6       shall provide for such laboratory and other facilities, as may  
7       be necessary to carry out the purposes of this Act and the Acts  
8       referenced in Section 5.

9       Section 10. The Illinois Nuclear Safety Preparedness Act  
10      is amended by changing Section 8 as follows:

11           (420 ILCS 5/8) (from Ch. 111 1/2, par. 4308)

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

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

22           (2) Development of an environmental monitoring program  
23      for nuclear facilities other than nuclear power plants;

24           (3) Development of procedures for radiological

1 assessment and radiation exposure control for areas  
2 surrounding each nuclear facility in Illinois;

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

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

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

13 (7) Provision of specialized response equipment  
14 necessary to accomplish this task;

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

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

24 (10) Implementation of the program under the Illinois  
25 Nuclear Facility Safety Act.

26 (11) Development and implementation of a

1       radiochemistry laboratory capable of preparing  
2       environmental samples, performing analyses,  
3       quantification, and reporting for assessment and radiation  
4       exposure control due to accidental radioactive releases  
5       from nuclear power plants into the environment.

6       (b) The Agency may incorporate data collected by the  
7       operator of a nuclear facility into the Agency's remote  
8       monitoring system.

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

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

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

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

15           Section 99. Effective date. This Act takes effect upon  
16 becoming law.