

By Mr. Serra of Boston, petition of Emanuel G. Serra relative to the storage of radioactive materials. Energy.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT RELATIVE TO THE STORAGE OF RADIOACTIVE MATERIAL.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The General Laws are hereby amended by inserting after chapter
2 25 the following chapter:

3 **CHAPTER 25A**

4 **STORAGE OF RADIOACTIVE MATERIAL.**

5 *Section 1.* No facility for deposit, storage, reprocessing, or dis-
6 posal of spent nuclear fuel elements or high level radioactive waste
7 material shall be constructed or established in the state of Massa-
8 chusetts unless the General Court first finds that it promotes the
9 general good of the state and approves, through either bill or joint
10 resolution, a petition for approval of the facility.

11 *Section 2.* A petition for approval by the General Court of a
12 facility under section shall be submitted to the speaker of the
13 house and the president of the senate. The petition shall be referred
14 forthwith to the joint energy committee. The committee shall hold
15 a public hearing on each petition for approval.

16 Any agency or person may submit recommendations relating to
17 the proposed facility to the committee. The committee shall be
18 authorized to examine all records and information relevant to the
19 petition in the possession of the petitioner or any state agency.

20 Upon receipt of the petition, notice shall be given by the commit-
21 tee to the chairman of the department of public utilities, the
22 commissioner of public health, the secretary of the agency of
23 environmental affairs and the attorney general. Each public offi-

24 cial so notified shall, prior to the public hearing under subsection
25 (b) of this section, submit to the committee his agency's evaluation
26 of the impact of the facility on the state and any other information
27 deemed relevant to the petition.

28 Notice, by certified mail, shall be given to the chairman or
29 director of the municipal and regional planning commissions and
30 the board of selectmen for each town, in which the proposed
31 facility is to be located and each contiguous town not less than 30
32 days prior to the public hearing under subsection (b) of this section.

33 *Section 3.* The committee shall report to the general court its
34 recommendation to approve or not to approve the petition for the
35 facility together with such additional information and comment it
36 deems appropriate.

37 Any bill or joint resolution approving a facility under this sec-
38 tion shall include findings that the proposed facility:

39 (1) will promote the general welfare and will not have an undue
40 adverse effect on health, safety, aesthetics, historic sites, air and
41 water purity, the natural environment and the economy; and

42 (2) will not unduly interfere with the orderly development of the
43 region with due consideration having been given to the recom-
44 mendations of the municipal and regional planning commissions
45 and the municipal legislative bodies.

46 Unless the proposed facility is approved by the general court, no
47 state officer, agency or department shall undertake to approve or
48 license the proposed facility or undertake to cause or obtain the
49 approval of licensing from any other state or federal governmental
50 agency or board. The appropriate state officers and agencies shall
51 use every proper and available legal means to prevent siting and
52 licensing of such facility until the approval of the general court is
53 obtained.