

SENATE No. 344

By Ms. Pollard, a petition (accompanied by bill, Senate, No. 344) of Sharon M. Pollard, Nicholas J. Costello and George Bachrach for legislation relative to the storage of radioactive material. 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
2 Chapter 25 the following chapter: —

3 CHAPTER 25A

4 STORAGE OF RADIOACTIVE MATERIAL

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

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

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

22 Upon receipt of the petition, notice shall be given by the
23 committee to chairman of the department of public utilities,
24 the commissioner of public health, the secretary of the agency

25 of environmental affairs and the attorney general. Each pub-
26 lic official so notified shall, prior to the public hearing under
27 subsection (b) of this section, submit to the committee his
28 agency's evaluation of the impact of the facility on the state
29 and any other information deemed relevant to the petition.

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

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

40 Any bill or joint resolution approving a facility under this
41 section shall include findings that proposed facility: —

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

46 (2) will not unduly interfere with the orderly development
47 of the region with due consideration having been given to the
48 recommendations of the municipal and regional planning com-
49 missions and the municipal legislative bodies.

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