

By Mr. Palumbo of Newbury, petition of Thomas G. Palumbo for legislation to require local approval of radiological emergency response plans. Energy.

The Commonwealth of Massachusetts

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

AN ACT REQUIRING LOCAL APPROVAL OF RADIOLOGICAL EMERGENCY RESPONSE PLANS.

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

1 SECTION 1. The first paragraph of section 2B of chapter 639
2 of the acts of 1950, as added by section 24 of chapter 796 of the
3 acts of 1979, is hereby amended by striking out the second sentence
4 and inserting in place thereof the following two sentences: —

5 For the purposes of this section, said areas shall consist of all
6 communities within a twenty mile radius of an existing or pro-
7 posed nuclear power plant and communities located on Cape Cod,
8 whether or not said power plant is located within the common-
9 wealth. No state or local emergency response plan shall be
10 submitted by the governor of the commonwealth to the federal
11 emergency management agency pursuant to 44 code of federal
12 regulations, section 350.12 or to the United States Nuclear
13 Regulatory Commission pursuant to 10 code of federal
14 regulations, part 50, without the approval of a majority of the
15 voters within the nuclear power plant area pursuant to section 2C
16 of this chapter.

1 SECTION 2. Said chapter 639 of the acts of 1950 is hereby
2 further amended by inserting after section 2B the following
3 section:

4 Section 2C. The state secretary shall cause to be placed on the
5 official ballot to be used in each city and town within a nuclear
6 power plant area, as designated by the director of civil defense,

7 at the next biennial state election following at least sixty days after
8 receiving certification by said director that the draft state and local
9 radiological emergency response plans for said nuclear power
10 plant area have been completed, the following question:

11 Shall the proposed state and local radiological emergency
12 response plans for the nuclear power plant be approved?

13 — YES — NO

14 The state secretary shall report the results of the vote on such
15 question to the governor of the commonwealth within thirty days
16 of such election. If the majority of the votes cast within the nuclear
17 power plant area are in the affirmative, the voters of such area
18 shall be deemed to have approved said state and local radiological
19 emergency response plans, and the governor may submit such
20 plans to the federal emergency management agency or the United
21 States Nuclear Regulatory Commission. If the majority of votes
22 cast within said area are in the negative, the voters of said area
23 shall be deemed not to have approved said plans and the governor
24 may not submit said plans to the federal emergency management
25 agency or the United States Nuclear Regulatory Commission.