

# HOUSE . . . . . No. 3596

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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### AN ACT RELATIVE TO NUCLEAR REACTORS; MONITORING AND SURVEILLANCE; CHARGES AND ASSESSMENTS ..

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

1           Chapter 111 Section 5K (E) shall be stricken and replaced by inserting the filing

2           (E) The department is hereby authorized to make assessments against (i) the operator of  
3 each existing and proposed nuclear power plant in the commonwealth and (ii) electric companies  
4 in the commonwealth which own, in whole or in part, or purchase power from the Seabrook  
5 nuclear power plant and/or Vermont Yankee nuclear power plant to defray costs incurred by the  
6 department's radiation control program in the performance of its duties under this section. With  
7 respect to the fiscal year in which this section becomes effective, the department is authorized to  
8 make assessments in the amount of not more than \$250,000 with respect to each of such nuclear  
9 power plants. With respect to subsequent fiscal years, the department is authorized to make  
10 assessments in amounts that, in the aggregate, are equal to the costs incurred in the prior fiscal  
11 year by the department's radiation control program in the performance of its duties under this  
12 section. The department is hereby further authorized to make a collection, based on such  
13 assessments, of monies from said operators of nuclear power plants to defray the cost of such

14 activities. The department shall send notice of its assessment to each individual company against  
15 which an assessment is made, and said company shall pay such assessment within 30 days of the  
16 notice of the assessment; provided, however, that such company shall have a reasonable  
17 opportunity to submit objections concerning said assessment to the department for review. If,  
18 after completion of such review, the department determines the assessment is valid, the  
19 department shall issue a demand for such assessment, and the company against which such  
20 assessment is made shall pay such assessment immediately. If a company subject to assessment  
21 under this section fails to pay the assessment within 30 days of the notice of the assessment, or  
22 fails to pay the demand for assessment upon completion of the final review, whichever occurs  
23 later, the department may refer such matter to the department of revenue for the collection of the  
24 assessment in accordance with applicable enforcement provisions pursuant to chapter 62C. The  
25 amount so collected shall be deposited into the General Fund and credited to the department.