

SENATE No. 1797

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel A. Wolf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a fee on the storage of spent nuclear fuel in pools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>	
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	
<i>Chris Walsh</i>	<i>6th Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>	
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>	<i>11/6/2015</i>

SENATE No. 1797

By Mr. Wolf, a petition (accompanied by bill, Senate, No. 1797) of Daniel A. Wolf, Sarah K. Peake, Michael O. Moore, Thomas J. Calter and other members of the General Court for legislation to establish a fee on the storage of spent nuclear fuel in pools. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act establishing a fee on the storage of spent nuclear fuel in pools.

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. Chapter 10 of the General Laws, as appearing in the 2012 Official Edition,
2 is hereby amended by inserting after section 74 the following new section:-

3 Section 75. Spent Nuclear Fuel Storage Fee

4 (a) Definitions. For the purposes of this section the following words shall have the
5 following meanings:-

6 “Decommissioning”, shall mean closing and and decontaminating a nuclear power station
7 and nuclear power site, including dismantling the facility, removing all nuclear fuel, coolant and
8 nuclear waste from the site, releasing the site for unrestricted use, and terminating the license.
9 Safestor is not decommissioning for the purposes of this act.

10 “Nuclear fuel assembly”, shall mean a structured group of metal tubes containing pellets
11 of fissionable material which provide fuel for nuclear reactors.

12 “Nuclear power station”, shall mean a commercial facility that uses or used nuclear fuel
13 to generate electric power.

14 “Spent nuclear fuel”, shall mean nuclear fuel assemblies that have been removed from the
15 reactor core of a nuclear power station.

16 “Spent fuel pool”, shall mean any structure in which spent nuclear fuel is kept under
17 water following removal from a reactor.

18 (b) There is hereby established an annual fee of \$10,000 for each nuclear fuel assembly
19 that is or was stored within a spent fuel pool during any part of a calendar year. All fees due
20 under this section shall be payable by March 1 of the following calendar year to the state
21 treasurer. This fee shall be assessed on the direct or indirect owner(s) of each nuclear power
22 station in the Commonwealth.

23 (c) Commercial nuclear power stations that have been completely decommissioned as of
24 January 1, 2016 are exempt from the fee established under subsection (b).

25 (d) Annually, the state treasurer shall allocate fees collected under this section as follows:

26 1. Thirty percent of the total revenue from each nuclear power station shall be allocated
27 to the general operations budget of the town or city in which the nuclear power station is located.

28 2. Fifty percent of the total revenue from each nuclear power station shall be evenly
29 divided and allocated to the general operations budgets of town and cities of the Commonwealth
30 wholly or partially within a 20-mile radius of the nuclear power station other than the town or
31 city in which the nuclear power station is located; provided however, that in the case of Pilgrim
32 Nuclear Power Station, fifty percent of revenue shall be evenly divided and allocated among the

33 following towns: Town of Bridgewater, Town of Carver, Town of Duxbury, Town of Halifax,
34 Town of Hanover, Town of Hanson, Town of Kingston, Town of Lakeville, Town of Marion,
35 Town of Marshfield, Town of Middleboro, Town of Norwell, Town of Pembroke, Town of
36 Plympton, Town of Rochester, Town of Scituate, Town of Wareham, Town of Whitman, Town
37 of Barnstable, Town of Bourne, Town of Brewster, Town of Chatham, Town of Dennis, Town of
38 Eastham, Town of Falmouth, Town of Harwich, Town of Mashpee, Town of Orleans, Town of
39 Provincetown, Town of Sandwich, Town of Truro, Town of Wellfleet, and Town of Yarmouth;

40 3. Twenty percent of the total revenue shall be allocated to the division of green
41 communities in the department of energy resources to fund the green communities program
42 established under section 10 of chapter 25A. If any portion of the allocation under this subsection
43 causes the funding for the green communities program to exceed \$10 million in any single fiscal
44 year, then that portion shall be reallocated to the general operations budgets of the towns and
45 cities identified in paragraphs 1 and 2 of this subsection in the percentages specified in said
46 paragraphs.

47 SECTION 2. Subsection (d) of section 10 of chapter 25A, as so appearing, is hereby
48 amended by striking out paragraph (4) in its entirety and inserting in place thereof the following
49 paragraphs:-

50 (4) amounts from spent nuclear fuel storage fee payments under section 75 of chapter 10;
51 and (5) other funds as the governing board of the Massachusetts Renewable Energy Trust Fund
52 established under section 9 of chapter 23J, may provide.

53 SECTION 3. This act shall take effect on January 1, 2016.