

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Kelcourse and Diana DiZoglio

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 to amend section 5K(E) of Chapter 111 relative to funding for radiological monitoring near operating nuclear plants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James M. Kelcourse</i>	<i>1st Essex</i>	<i>6/25/2021</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>6/25/2021</i>

HOUSE No.

By Representative Kelcourse of Amesbury and Senator DiZoglio, a joint petition (subject to Joint Rule 12) of James M. Kelcourse and Diana DiZoglio relative to funding for radiological monitoring near operating nuclear plants. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to amend section 5K(E) of Chapter 111 relative to funding for radiological monitoring near operating nuclear plants.

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. Section 5K of Chapter 111 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by striking out paragraph (E) and inserting in place there of
3 the following:-

4 “(E) With respect to the fiscal year in which this section becomes effective, the
5 department is hereby authorized to make an assessment in the amount of not less than \$360,000
6 against the operator of each operating nuclear power plant to support the state radiation
7 monitoring program, when all or part of the plant’s Emergency Planning Zone encompasses
8 areas within the Commonwealth of Massachusetts. With respect to subsequent fiscal years, the
9 department is authorized to make assessments in amounts that, in the aggregate, are not more
10 than the costs incurred in the prior fiscal year by the department’s radiation control program in
11 the performance of its duties under this section. The department shall send notice of its
12 assessment to the individual company against which an assessment is made, and said company

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

24 The department of public health shall promulgate rules and regulations to implement this
25 act within 180 days of the effective date of passage.