

HOUSE No. 4444

The Commonwealth of Massachusetts

PRESENTED BY:

Josh S. Cutler and Kathleen R. LaNatra

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 relative to preventing the discharge of radioactive materials.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>1/21/2022</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>1/24/2022</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>1/26/2022</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>1/26/2022</i>
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>1/26/2022</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/27/2022</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>2/18/2022</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/28/2022</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>3/21/2022</i>

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By Representatives Cutler of Pembroke and LaNatra of Kingston, a petition (subject to Joint Rule 12) of Josh S. Cutler, Kathleen R. LaNatra and others for legislation to establish penalties for the disposal of radioactive waste into the Commonwealth's waters. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to preventing the discharge of radioactive materials.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to protect the Commonwealth from the disposal of radioactive waste into the Commonwealth's waters, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and health.

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 2 of Chapter 21E of the General Laws, as appearing in the 2018
2 Official Edition is hereby amended by adding after the words "their labelling." the following:-

3 This definition does not exclude the release of any radioactive material by any person that
4 has agreed to comply with a standard, statute or regulation of the commonwealth protective of
5 health, the environment, or the economic interests of the commonwealth or any of its citizens or
6 businesses.

7 SECTION 2. Subsection (a) of section 5 of said Chapter 21E, as so appearing, is hereby
8 further amended by adding after the words "personal property" the following:-

9 or business

10 SECTION 3. Chapter 270 of the General Laws, as appearing in the 2018 Official Edition
11 is hereby amended by adding the following section:-

12 Section 16B: Disposal of Radioactive Materials

13 No person shall directly or indirectly deposit, dispose of, or discharge, any solid or liquid
14 radioactive material directly or indirectly (i) in any coastal or inland waters as defined in section
15 1 of Chapter 131, (ii) within the rise and fall of the tide waters, or (iii) on any land owned by any
16 other person. Whoever does so shall be punished by a fine by a fine of not more than \$5,500 for
17 the first offense and a fine not to exceed \$15,000 for each subsequent; and also shall be liable,
18 without regard to fault, (i) to the commonwealth for all damages or loss incurred or suffered as a
19 result of such deposit, disposition or discharge or the threat thereof, and (ii) to any person for
20 damage to his real or personal property or business incurred or suffered as a result of such
21 deposit, disposition or discharge or the threat thereof.