

SENATE No. 2394

The Commonwealth of Massachusetts

PRESENTED BY:

Susan L. Moran, (BY REQUEST)

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 updating the citizens advisory panel and strengthening citizen participation on the panel for the decommissioning of the Pilgrim Nuclear Power Plant.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Arthur Desloges

SENATE No. 2394

By Ms. Moran (by request), a petition (accompanied by bill, Senate, No. 2394) (subject to Joint Rule 12) of Arthur Desloges, for legislation to update the citizens advisory panel and strengthening citizen participation on the panel for the decommissioning of the Pilgrim Nuclear Power Plant. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act updating the citizens advisory panel and strengthening citizen participation on the panel for the decommissioning of the Pilgrim Nuclear Power Plant.

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 188, SECTION 14 of the General Laws, as appearing in the 2016 Official
2 Edition, is hereby amended by deleting subsection (a) in its entirety and replacing subsection (a)
3 with the following subsection (a): “There shall be created a nuclear decommissioning citizens
4 advisory panel which shall consist of the following members or their designees: the secretary of
5 health and human services, who shall serve ex officio; the secretary of energy and environmental
6 affairs, who shall serve ex officio; the commissioner public utilities, who shall serve ex officio;
7 the secretary of housing and economic development, who shall serve ex officio; the director of
8 the Massachusetts Emergency Management Agency; 1 member from Massachusetts Department
9 of Public Health Radiological Control Program appointed by the Bureau of Environmental
10 Health;

11 1 representative of the Town of Plymouth as selected by the Plymouth Select Board; 1
12 member appointed by the Governor; 1 member appointed by the Speaker of the House; 1
13 member appointed by the President of the Senate; 1 member appointed by the Attorney
14 General’s Office; 2 non-voting representatives of the Pilgrim Nuclear Power Station, also known
15 in this section as PNPS or Station, as selected by the owner of the Station; 2 at large
16 representatives, one each appointed by the State Senator and the other by State Representative
17 who represent the district where former Pilgrim Nuclear Power Station is situated; 1 member
18 appointed by the senior US Senator from Massachusetts; 1 member appointed by the Town of
19 Plymouth Preservation Committee; 1 member appointed by the Plymouth League of Woman
20 Voters; 1 member appointed by the Town of Duxbury Select Board; 1 member to represent the
21 blue economy appointed by the MA Seafood Collaborative; 1 member appointed by the MA
22 Association of Realtors; 1 member appointed by the Association to Protect Cape Cod; 1 member
23 appointed jointly by the Herring Pond Wampanoag Tribe; and 1 member appointed by the Town
24 of Plymouth Board of Health.”

25 Said SECTION 14, as so appearing, is further amended in subsection (b) by replacing in
26 its entirety, a new subsection (b) as follows:- “Each appointing authority shall appoint a member
27 for a 3-year term. Subsequent appointments under this subdivision shall be for terms of 4 years.
28 Ex officio members shall serve for the duration of their time in office or until a successor has
29 been appointed.”

30 (c) The commissioner of public utilities shall serve as the chair until the panel elects a
31 chair or co-chairs under subsection (d).

32 (d) The panel annually shall elect a chair or co-chairs, and a vice chair, for 1-year terms
33 commencing with its first meeting following the effective date of this section.

34 Said Section 14, as so appearing, is further amended in subsection (e) by replacing in its
35 entirety a new subsection (e) as follows; - “A majority of the panel's voting members shall
36 constitute a quorum. The panel shall act only by vote of a majority of its entire voting
37 membership and only at meetings called by the chair or a co-chair or by any 5 of the members.
38 The person or persons calling the meeting shall provide adequate notice to all its members.”

39 (f) Members of the panel who are not ex officio members, employees of the
40 Commonwealth of Massachusetts, representatives of the PNPS, or members representing towns
41 outside Massachusetts, and who are not otherwise compensated or reimbursed for their
42 attendance shall be entitled to \$50 per diem and their necessary and actual expenses.

43 (g) The executive office of energy and environmental affairs shall furnish administrative
44 support for the panel.

45 Said SECTION 14, as so appearing, is further amended in subsection (h) by replacing in
46 its entirety a new subsection (h) as follows:- “The chair shall: (1) manage the provision of
47 administrative support to the panel, including scheduling meetings and securing meeting
48 locations, providing public notice of meetings, producing minutes of meetings, and assisting in
49 the compilation and production of the panel's annual report; (2) keep the panel informed of the
50 status of matters within the jurisdiction of the panel; (3) notify members of the panel in a timely
51 manner upon receipt of information relating to matters within the jurisdiction of the panel; (4)
52 upon request, provide to all members of the panel all relevant information within the control of
53 the department of public utilities relating to subjects within the scope of the duties of the panel;

54 (5) provide workshops or training for panel members as may be appropriate; (6) hire experts,
55 contract for services, and provide for materials and other reasonable and necessary expenses of
56 the panel as the commissioner may consider appropriate on request of the panel from time to
57 time; (7) funds for these purposes described in this subsection (h) shall come from the owners of
58 the Pilgrim Nuclear Power Plant and not to exceed \$35,000.00 annually.”

59 Said SECTION 14, as so appearing, is further amended in subsection (i) by replacing in
60 its entirety a new subsection (i) as follows:- “The Panel shall serve in an advisory capacity only
61 and shall not have authority to direct decommissioning of the PNPS. The duties of the panel shall
62 be: (1) to commence public meetings beginning on or about June 1, 2017, at a frequency of
63 quarterly until the shutdown of the Pilgrim Nuclear Power Station (PNPS) for the purpose of
64 discussing issues related to decommissioning planning activities; (2) to hold a minimum of four
65 public meetings each year for the purpose of discussing issues relating to the progress of
66 decommissioning of the PNPS beginning on or about June 1, 2019, or when the PNPS
67 permanently ceases power operations; provided that the panel may hold additional meetings; (3)
68 to advise the governor, the general court, the agencies of the commonwealth, and the public on
69 issues related to the decommissioning of the PNPS, with a written report being provided
70 annually to the governor and to the energy committees of the General Court. This report will
71 provide in reasonable detail the sentiments, fears, concerns, and opinions of the community with
72 respect to the decommissioning and include a list of groups and residents providing testimony;
73 (4) to serve as a conduit for public information and education on and to encourage community
74 involvement in matters related to the decommissioning of the PNPS and to receive written
75 reports and presentations on the decommissioning of the Station at its regular meetings; (5) to
76 periodically receive reports on the Decommissioning Trust Fund and other funds associated with

77 decommissioning of the PNPS, including fund balances, expenditures made, and reimbursements
78 received which the owner of the PNPS shall provide; (6) to receive reports regarding the
79 decommissioning plans for the PNPS, including any site assessments and post-shutdown
80 decommissioning assessment reports which the owner of the PNPS shall provide; (7) to provide
81 a forum and a website for receiving public comment on these plans and reports; (8) to provide
82 summaries and comments on these plans and reports to state agencies and the owner of the
83 PNPS and in the annual report described in clause (3); (9) the Governor, Chair and
84 representatives from the panel shall meet at least annually to discuss the sentiment, opinions and
85 concerns of both the public and the panel with respect to matters under the jurisdiction of the
86 panel (10) the Chair shall ensure that at least 60 minutes of each public meeting be allocated to
87 public comment and testimony; and (11) the Chair shall provide sufficient time at each meeting
88 where the owners of the Pilgrim Nuclear Power Plant respond to questions from the panel and
89 respond to reasonable questions from the public. Questions from the public shall be submitted in
90 writing and in advance of the meeting.”