

SENATE No. 2685

The Commonwealth of Massachusetts

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

SENATE, March 11, 2024.

The committee on Public Health, to whom was referred the petitions (accompanied by bill, Senate, No. 1448) of Patrick M. O'Connor for legislation to monitor dry casks of spent nuclear fuel, report the accompanying bill (Senate, No. 2685).

For the committee,
Julian Cyr

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An Act relative to monitoring dry casks of spent nuclear fuel..

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 111 of the General Laws is hereby amended by:-

2 (a) Amending the title of section 5K by adding “STORAGE OF SPENT NUCLEAR
3 FUEL:” after “NUCLEAR REACTOR; and

4 (b) Adding the following to section 5K:- (I) For the purpose of preventing, mitigating, or
5 alleviating impacts on the resources of the commonwealth and to the health of its citizens from
6 radiation emitted by spent nuclear fuel at facilities that at any time generated electricity for retail
7 customers in the commonwealth, (i) the owner and operator of each such facility in the
8 commonwealth that is not a stranded asset under Chapter 164 of the Acts of 1997 that stores
9 nuclear fuel in dry casks shall report to the department of public health radiation control division,
10 on a continuous real-time basis, the temperature of and the rate of helium and radiation release
11 from each such dry cask. and (ii) the department of public health shall, in consultation with the
12 office of the attorney general, promulgate rules and regulations to adopt and implement such
13 reporting.

14 SECTION 2. Section 5K of Chapter 111 of the General Laws is hereby further amended
15 by adding the following paragraph:-

16 The licensee of each existing and proposed nuclear power plant in the Commonwealth,
17 shall fully fund offsite radiological emergency response expenses incurred by the
18 Commonwealth or a municipality post closure until all the reactor's spent fuel is removed from
19 the spent fuel pool and placed in dry casks. No monies from any Decommissioning Trust Fund
20 shall be used to satisfy this obligation.