

**HOUSE . . . . . No. 2030**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Sarah K. Peake and Ann-Margaret Ferrante*

*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 radiological air monitoring.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Brian R. Mannal</i>	<i>2nd Barnstable</i>

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By Representatives Peake of Provincetown and Ferrante of Gloucester, a petition (accompanied by bill, House, No. 2030) of Sarah K. Peake, Ann-Margaret Ferrante and others for legislation to authorize the Department of Public Health to enhance radiological air monitoring through an additional assessment to certain power plants. Public Health.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2046 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to radiological air monitoring.

*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. Subsection E of Section 5K of Chapter 111 of the General Laws is hereby  
2 amended by striking the text of the section and inserting in place thereof the following:

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4 The department is hereby authorized to make assessments against (i) the operator of each  
5 existing and proposed nuclear power plant in the commonwealth and (ii) electric companies in  
6 the commonwealth which own, in whole or in part, or purchase power from the Seabrook nuclear  
7 power plant to defray costs incurred by the department’s radiation control program in the  
8 performance of its duties under this section. Costs that shall include, but not be limited to, the  
9 purchase, installation, maintenance of real-time radiological air monitoring station to be located

10 in Massachusetts communities impacted by: Pilgrim, including Cape Cod and Seabrook Nuclear  
11 Power Stations, including Essex county. With respect to the fiscal year in which this section  
12 becomes effective, the department is authorized to make assessments in the amount of not less  
13 than \$400,000 with respect to each of such nuclear power plants. With respect to subsequent  
14 fiscal years, the department is authorized to make assessments in amounts that, in the aggregate,  
15 are equal to the costs incurred in the prior fiscal year by the department's radiation control  
16 program in the performance of its duties under this section. The department is hereby further  
17 authorized to make a collection, based on such assessments, of monies from said operators of  
18 nuclear power plants to defray the cost of such activities. The department shall send notice of its  
19 assessment to the individual company against which an assessment is made, and said company  
20 shall pay such assessment within 30 days of the notice of the assessment; provided, however,  
21 that such company shall have a reasonable opportunity to submit objections concerning said  
22 assessment to the department for review. If, after completion of such review, the department  
23 determines the assessment is valid, the department shall issue a demand for such assessment, and  
24 the company against which such assessment is made shall pay such assessment immediately. If a  
25 company subject to assessment under this section fails to pay the assessment within 30 days of  
26 the notice of the assessment, or fails to pay the demand for assessment upon completion of the  
27 final review, whichever occurs later, the department may refer such matter to the department of  
28 revenue for the collection of the assessment in accordance with applicable enforcement  
29 provisions pursuant to chapter 62C. The amount so collected shall be deposited into the General  
30 Fund and credited to the department.