

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Matthew C. Patrick**

*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 passage of the accompanying bill:

**AN ACT RELATIVE TO NUCLEAR REACTORS; MONITORING AND SURVEILLANCE;  
CHARGES AND ASSESSMENTS .**

PETITION OF:

NAME:

Matthew C. Patrick

DISTRICT/ADDRESS:

3rd Barnstable

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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## AN ACT RELATIVE TO NUCLEAR REACTORS; MONITORING AND SURVEILLANCE; CHARGES AND ASSESSMENTS .

*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 111 Section 5K (E) shall be stricken and replaced by inserting the filing**

2           (E) The department is hereby authorized to make assessments against (i) the operator of each existing and  
3           proposed nuclear power plant in the commonwealth and (ii) electric companies in the commonwealth  
4           which own, in whole or in part, or purchase power from the Seabrook nuclear power plant and/or  
5           Vermont Yankee nuclear power plant to defray costs incurred by the department's radiation control  
6           program in the performance of its duties under this section. With respect to the fiscal year in which this  
7           section becomes effective, the department is authorized to make assessments in the amount of not more  
8           than \$250,000 with respect to each of such nuclear power plants. With respect to subsequent fiscal years,  
9           the department is authorized to make assessments in amounts that, in the aggregate, are equal to the costs  
10          incurred in the prior fiscal year by the department's radiation control program in the performance of its  
11          duties under this section. The department is hereby further authorized to make a collection, based on such  
12          assessments, of monies from said operators of nuclear power plants to defray the cost of such activities.  
13          The department shall send notice of its assessment to each individual company against which an  
14          assessment is made, and said company shall pay such assessment within 30 days of the notice of the  
15          assessment; provided, however, that such company shall have a reasonable opportunity to submit  
16          objections concerning said assessment to the department for review. If, after completion of such review,  
17          the department determines the assessment is valid, the department shall issue a demand for such  
18          assessment, and the company against which such assessment is made shall pay such assessment  
19          immediately. If a company subject to assessment under this section fails to pay the assessment within 30

20 days of the notice of the assessment, or fails to pay the demand for assessment upon completion of the  
21 final review, whichever occurs later, the department may refer such matter to the department of revenue  
22 for the collection of the assessment in accordance with applicable enforcement provisions pursuant to  
23 chapter 62C. The amount so collected shall be deposited into the General Fund and credited to the  
24 department.

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