

110TH CONGRESS
1ST SESSION

S. 2224

To require a licensee to notify the Nuclear Regulatory Commission, and the State and county in which a facility is located, whenever there is an unplanned release of radioactive substances.

IN THE SENATE OF THE UNITED STATES

OCTOBER 24, 2007

Mr. OBAMA (for himself and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require a licensee to notify the Nuclear Regulatory Commission, and the State and county in which a facility is located, whenever there is an unplanned release of radioactive substances.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nuclear Release Notice
5 Act of 2007”.

1 **SEC. 2. NUCLEAR RELEASE NOTICE REQUIREMENT.**

2 Section 103 of the Atomic Energy Act of 1954 (42
3 U.S.C. 2133) is amended by inserting after subsection d.
4 the following:

5 “e. NOTICE OF UNPLANNED RELEASE OF RADIO-
6 ACTIVE SUBSTANCES.—

7 “(1) REGULATIONS.—

8 “(A) IN GENERAL.—Not later than 2 years
9 after the date of enactment of the Nuclear Re-
10 lease Notice Act of 2007, the Commission shall
11 promulgate regulations that require civilian nu-
12 clear power facilities licensed under this section
13 or section 104b. to provide notice of any release
14 to the environment of quantities of fission prod-
15 ucts or other radioactive substances.

16 “(B) CONSIDERATIONS.—In developing the
17 regulations under subparagraph (A), the Com-
18 mission shall consider requiring licensees of ci-
19 vilian nuclear power facilities to provide notice
20 of the release—

21 “(i) not later than 24 hours after the
22 release;

23 “(ii) to the Commission and the gov-
24 ernments of the State and county in which
25 the civilian nuclear power facility is lo-
26 cated, if the unplanned release—

1 “(I)(aa) exceeds allowable limits
2 for normal operation established by
3 the Commission; and

4 “(bb) is not subject to more
5 stringent reporting requirements es-
6 tablished in existing regulations of the
7 Commission; or

8 “(II)(aa) enters into the environ-
9 ment; and

10 “(bb) may cause drinking water
11 sources to exceed a maximum con-
12 taminant level established by the En-
13 vironmental Protection Agency for fis-
14 sion products or other radioactive sub-
15 stances under the Safe Drinking
16 Water Act (42 U.S.C. 300f et seq.);
17 and

18 “(iii) to the governments of the State
19 and county in which the civilian nuclear
20 power facility is located if the unplanned
21 release reaches the environment by a path
22 otherwise not allowed or recognized by the
23 operating license of the civilian nuclear
24 power facility and falls within the allowable
25 limits specified in clause (ii), including—

1 “(I) considering any rec-
2 ommendations issued by the Liquid
3 Radioactive Release Lessons-Learned
4 Task Force;

5 “(II) the frequency and form of
6 the notice; and

7 “(III) the threshold, volume, and
8 radiation content that trigger the no-
9 tice.

10 “(2) EFFECT.—Nothing in this subsection pro-
11 vides to any State or county that receives a notice
12 under this subsection regulatory jurisdiction over a
13 licensee of a civilian nuclear power facility.”.

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