

SENATE BILL NO. 119—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE COMMITTEE ON
HIGH-LEVEL RADIOACTIVE WASTE)

PREFILED FEBRUARY 3, 2011

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing the Agency for Nuclear Projects. (BDR 40-249)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to hazardous materials; revising the scope of the duties and powers of the Executive Director of the Agency for Nuclear Projects; revising the scope of the duties of the Administrators of each Division of the Agency; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes the Agency for Nuclear Projects and imposes on the
2 Executive Director of the Agency and the Administrators of each Division of the
3 Agency certain duties relating to the potential disposal of radioactive waste in this
4 State and the location of a facility for the disposal of radioactive waste in this State.
5 Additionally, existing law vests the Executive Director with certain discretionary
6 powers relating to the potential disposal of radioactive waste in this State. (NRS
7 459.009, 459.0093-459.0098) **Section 1** of this bill revises the definition of
8 "radioactive waste" to include high-level radioactive waste, low-level radioactive
9 waste, transuranic waste, spent nuclear fuel and certain other radioactive materials,
10 thereby expanding the scope of the duties and powers of the Executive Director and
11 the Administrators as such duties and powers relate to the potential disposal of
12 radioactive waste in this State. **Section 2** of this bill preserves the current definition
13 of "radioactive waste" as it relates to provisions governing the Commission on
14 Nuclear Projects.



* S B 1 1 9 *

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 459.009 is hereby amended to read as follows:
459.009 As used in NRS 459.009 to 459.0098, inclusive,
unless the context otherwise requires:

1. "Agency" means the Agency for Nuclear Projects.
2. "Commission" means the Commission on Nuclear Projects.
3. "Executive Director" means the Executive Director of the Agency.

4. "Radioactive waste" ~~is limited to:~~

~~(a) The highly radioactive material resulting from the reprocessing of spent nuclear fuel, including liquid waste and any solid material derived from the liquid waste that contains concentrations of matter produced by nuclear fission sufficient to require permanent isolation, as determined by the Nuclear Regulatory Commission;~~

~~(b)}~~ *means radioactive material, including, without limitation:*

(a) High-level radioactive waste;

(b) Low-level radioactive waste;

(c) Transuranic waste;

~~(d) Spent nuclear fuel [that has been withdrawn from a reactor following irradiation and has not been separated into its constituent elements by reprocessing; and~~

~~(e) Other] ;~~

(e) Any radioactive material resulting from, or a by-product of, the nuclear fuel cycle, the reprocessing of spent nuclear fuel or weapons reprocessing; and

(f) Any other radioactive material that the Nuclear Regulatory Commission determines must be permanently isolated.

↪ The term includes, without limitation, radioactive material that is a solid, semisolid, liquid or contained gas, or any combination thereof.

Sec. 2. NRS 459.0092 is hereby amended to read as follows:

459.0092 **1.** The Commission shall:

~~{1-}~~ *(a)* Be informed on issues and developments relating to the disposal of radioactive waste.

~~{2-}~~ *(b)* Report to the Governor and the Legislature on any matter relating to the disposal of radioactive waste which it deems appropriate and on any such matter requested by the Governor.

~~{3-}~~ *(c)* Advise and make recommendations to the Governor and the Legislature on the policy of this State concerning all projects involving the disposal of radioactive waste.

~~{4-}~~ *(d)* Formulate the administrative policies of the Agency and its divisions.



* S B 1 1 9 *

~~15.1~~ (e) Advise the state and local governments on litigation relating to radioactive waste.

~~16.1~~ (f) Adopt such regulations and perform such other duties as are necessary to carry out the provisions of NRS 459.009 to 459.0098, inclusive.

2. *As used in this section, "radioactive waste" is limited to:*

(a) *The highly radioactive material resulting from the reprocessing of spent nuclear fuel, including liquid waste and any solid material derived from the liquid waste that contains concentrations of matter produced by nuclear fission sufficient to require permanent isolation, as determined by the Nuclear Regulatory Commission;*

(b) *Spent nuclear fuel that has been withdrawn from a reactor following irradiation and has not been separated into its constituent elements by reprocessing; and*

(c) *Other material that the Nuclear Regulatory Commission determines must be permanently isolated.*

Sec. 3. This act becomes effective on July 1, 2011.

