

SENATE BILL NO. 120—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 Committee on High-Level Radioactive Waste. (BDR 40-248)

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

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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 of the Committee on High-Level Radioactive Waste; revising the name of the Committee; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law establishes the Committee on High-Level Radioactive Waste and
2 requires the Committee to study and evaluate the proposed location of a facility for
3 the disposal of high-level radioactive waste at Yucca Mountain. (NRS 459.0085)
4 **Section 1** of this bill expands the scope of the Committee’s duties to include the
5 study and evaluation of other policies relating to the disposal of low-level
6 radioactive waste, transuranic waste, spent nuclear fuel, certain other radioactive
7 materials and hazardous waste. In addition, **section 1** changes the name of the
8 Committee to the Committee on Radioactive Waste and Hazardous Waste to reflect
9 the Committee’s broader authority.

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

- 1 **Section 1.** NRS 459.0085 is hereby amended to read as
2 follows:
3 459.0085 1. There is hereby created a Committee on ~~High-~~
4 ~~Level~~ Radioactive Waste ~~[-]~~ **and Hazardous Waste**. It is a
5 committee of the Legislature composed of:



* S B 1 2 0 *

(a) Four members of the Senate, appointed by the Majority Leader of the Senate.

(b) Four members of the Assembly, appointed by the Speaker.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program. The Legislative Commission shall select a Chair and a Vice Chair from the members of the Committee.

3. Except as otherwise ordered by the Legislative Commission, the Committee shall meet not earlier than November 1 of each odd-numbered year and not later than August 31 of the following even-numbered year at the call of the Chair to study and evaluate:

(a) Information and policies regarding the location in this State of a facility for the disposal of high-level radioactive waste;

(b) Any potentially adverse effects from the construction and operation of a facility and the ways of mitigating those effects; and

(c) Any other policies relating to the disposal of ~~high-level~~ radioactive waste **or hazardous waste.**

4. The Committee shall report the results of its studies and evaluations to the Legislative Commission and the Interim Finance Committee at such times as the Legislative Commission or the Interim Finance Committee may require.

5. The Committee may recommend any appropriate legislation to the Legislature and the Legislative Commission.

6. The Director of the Legislative Counsel Bureau shall provide a Secretary for the Committee on ~~High-Level~~ Radioactive Waste **or Hazardous Waste.** Except during a regular or special session of the Legislature, each member of the Committee is entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session for each day or portion of a day during which the member attends a Committee meeting or is otherwise engaged in the work of the Committee plus the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218A.655. Per diem allowances, salary and travel expenses of members of the Committee must be paid from the Legislative Fund.

7. For the purposes of this section:

(a) "Hazardous waste" has the meaning ascribed to it in NRS 459.430.

(b) "Radioactive waste" means radioactive material, including, without limitation:

(1) High-level radioactive waste;

(2) Low-level radioactive waste;

(3) Transuranic waste;

(4) Spent nuclear fuel;



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

(6) 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 459.0094 is hereby amended to read as follows:

459.0094 The Executive Director shall:

1. Appoint, with the consent of the Commission, an Administrator of each Division of the Agency.

2. Advise the Commission on matters relating to the potential disposal of radioactive waste in this State.

3. Evaluate the potentially adverse effects of a facility for the disposal of radioactive waste in this State.

4. Consult frequently with local governments and state agencies that may be affected by a facility for the disposal of radioactive waste and appropriate legislative committees.

5. Assist local governments in their dealings with the Department of Energy and its contractors on matters relating to radioactive waste.

6. Carry out the duties imposed on the State by 42 U.S.C. §§ 10101 to 10226, inclusive, as those sections existed on July 1, 1995.

7. Cooperate with any governmental agency or other person to carry out the provisions of NRS 459.009 to 459.0098, inclusive.

8. Provide semiannual written reports to the Committee on ~~High-Level~~ Radioactive Waste ~~and~~ **Hazardous Waste**. The reports must contain:

(a) A summary of the status of the activities undertaken by the Agency since the previous report;

(b) A description of all contracts the Agency has with natural persons or organizations, including, but not limited to, the name of the recipient of each contract, the amount of the contract, the duties to be performed under the contract, the manner in which the contract assists the Agency in achieving its goals and responsibilities and the status of the performance of the terms of the contract;

(c) The status of any litigation relating to the goals and responsibilities of the Agency to which the State of Nevada is a party; and

(d) Any other information requested by the Legislative Committee.

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

