

Bill as Introduced

HB 496-FN - AS INTRODUCED

2011 SESSION

11-0731
09/04

HOUSE BILL **496-FN**

AN ACT relative to radiological monitoring in nuclear emergency planning zones.

SPONSORS: Rep. Sheffert, Rock 15

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill requires radiological monitoring in nuclear emergency planning zones.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 496-FN - AS INTRODUCED

11-0731
09/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT relative to radiological monitoring in nuclear emergency planning zones.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Nuclear Response Program; Radiological Monitoring. Amend RSA 107-B by
2 inserting after section 6 the following new section:

3 107-B:7 Radiological Monitoring. The director of fire safety and emergency management shall
4 implement a continuous real-time environmental radiological monitoring program. The program
5 shall include installation of radiation monitors in each municipality located in an emergency
6 planning zone, as that term is used in 10 C.F.R. part 50.

7 2 Effective Date. This act shall take effect 60 days after its passage.

LBAO
11-0731
01/19/11

HB 496-FN - FISCAL NOTE

AN ACT relative to radiological monitoring in nuclear emergency planning zones.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of Health and Human Services. When completed, the fiscal note will be forwarded to the House Clerk's Office.

HB 496 FISCAL NOTE

AN ACT relative to radiological monitoring in nuclear emergency planning zones.

FISCAL IMPACT:

The Department of Safety and the Department of Health and Human Services state this bill will increase state restricted expenditures and revenues by an indeterminable amount in FY 2012 and each year thereafter. There will be no fiscal impact on county and local revenues or expenditures.

METHODOLOGY:

This bill requires radiological monitoring in nuclear emergency planning zones. The Department of Health and Human Services and the Department of Safety note although the proposed legislation requires the director of Fire Safety and Emergency Management to establish and implement radiological monitoring in nuclear emergency planning zones, it is assumed that the responsibility for carrying out this program would fall under the Department of Health and Human Services' Radiological Health Section within the Division of Public Health Services. This Division is currently responsible for the environmental surveillance program that assesses the radiological impact of activities associated with the nuclear power plants. The Departments state in accordance with RSA 107-B:1, I, all costs associated with the implementation of the proposed legislation would be borne by the nuclear power plants through fees assessed by the Director of Fire Safety and Emergency Management and recorded as restricted state revenue.

The Department of Health and Human Services states the proposed legislation will increase state restricted expenditures and restricted revenues by the costs associated with an initial design study followed by the purchase, set up, and calibration of the necessary equipment, system monitoring costs, and maintenance and upkeep costs. The Department of Health and Human Services states the costs related to planning and development are indeterminable but believes they are likely to be material. In addition, the Department estimates a cost of between \$20,000 and \$25,000 per radiation monitor with a minimum of one monitor required for each municipality within the emergency planning zones (EPZ) surrounding the power plants. The Department states there are 17 municipalities in the Seabrook EPZ and 5 municipalities within the Vermont Yankee EPZ. This equates to a cost estimate of \$440,000 $((17+5) \times \$20,000)$ to \$550,000 $((17+5) \times \$25,000)$ for radiation monitors. The Department estimates ongoing

HB 496-FN - AS INTRODUCED
- Page 3 -

maintenance and calibration costs to be between \$4,000 and \$5,000 per year resulting in an annual increase in state restricted expenditures of between \$88,000 (22 units x \$4,000) and \$110,000 (22 units x \$5,000).

Although this bill does not establish positions, based on information obtained from the Massachusetts Radiation Control Program, the Department estimates it will require one radiation health physicist II (labor grade 23, beginning at step 1) to provide radiation monitoring readings, analyses and interpretation, troubleshoot operational issues, investigate unusual readings, coordinate servicing and maintenance needs, and provide periodic and annual reports. The Department estimates the total cost of employment of the radiation health physicist, including salary, benefits, and associated expenses such as rent, equipment, and travel costs to be \$86,560 in FY 2012, \$86,875 in FY 2013, \$91,106 in FY 2014 and \$95,601 in FY 2015.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

PUBLIC HEARING ON HB 496-FN

BILL TITLE: relative to radiological monitoring in nuclear emergency planning zones.

DATE: 2-22-11

LOB ROOM: 304 **Time Public Hearing Called to Order:** 1040

Time Adjourned: 1149

(please circle if present)

Committee Members: Reps. Garrity, Holden, Introne, Cataldo, Devine, Remick, Rappaport, Cox, MacMahon, Connor, Pane, Parison, Summers, Kaen, Cali-Pitts, Read, Levasseur and Pastor.

Bill Sponsors: Rep. Sheffert

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Ken Sheffert, sponsor – Introduced HB 496 as more of a scientific learning for school children in the area and communication with the school district and the nuclear plants. Also include amendment as noted.

Q: Rep. William Remick – How many schools have monitors?

A: None.

Q: Rep. Laurence Rappaport – What schools will be involved?

A: Seabrook Elementary, Hampton High School and South Hampton.

Q: Chairman Jim Garrity – When will we see?

Q: Rep. Jacqueline Cali-Pitts – Are you interested in total air quality?

A: Yes, and we want schools to be involved in field trips to school.

Q: There is a monitor in Portsmouth to set up a field trip with already existing programs.

A: Yes, and with time and age, and the Middle East problems one may have a class room that is within ½ hour drive to Seabrook.

Q: Rep. Robin Read – The fiscal note explain?

A: Cost of 4K dollars to show radiation detector; i.e. and a lot of other monitors. I'd like to see more hands on projects in schools. Will be awaiting amendment to this bill.

Honorable Richard Morris - Supports the bill. Have air quality monitored like Massachusetts. Attached monitors in polls at present and adjacent and have no access to emergency plans. Resident of Seabrook and have no air monitoring? Consider all data from 5-7 towns and test sites. Cost \$3500-\$4500.

Q: Can you supply this committee the data i.e. the nuclear facilities that say it is available.

A: Yes, we can supply to the subcommittee.

Rep. Cali-Pitts – Cost us calibration - can you explain?

A: Only eye balling – the numbers and will supply data as requested to Rep. Cataldo. 3-7 substations and no monitors for air quality. Not consistent that the air they are breathing is safe.

Q: **Chairman Garrity** – Would you be willing to gather information to subcommittee. And Rep. Cataldo will chair that subcommittee.

Doug Bogen, Director, Seacoast Anti-Pollution League – Supports the bill. Looking for a more comprehensive program with the state. All plants release radiation every day; it's a fact that all radiation levels cause cancer. Public has a right to know. Evidence is available and evidence of childhood concerns and around nuclear plants using C & D records and a study done at Seabrook and found cases of cancer. It's not policy and would like to see a baseline of data and we are concerned that re-licensing is coming for the next 40 years. Supports as written. State has dollars and RTW of our environmental risks.

Q: **Rep. Read** – Allocation of fees how are they all activated?

A: Other speakers can assist in that data.

Q: **Rep. James Parison** – Funds established should be used as described in the bill; would the dollars be included?

A: I don't believe that the dollars are only 5 to 10%.

Q: **Rep. William O'Connor** – Volunteers taking data?

A: The 6-10 groups can better answer.

Q: **Rep. Cali-Pitts** – Do you have concerns about Portsmouth nuke bans?

A: Believe Navy does a better job and so does the government.

Q: Any information on other countries?

A: Don't know much about other countries.

Sandra Gavatis and Debbie Crinnell, C-10 Foundation – Support the bill. C-10 Foundation been monitoring for over 20 years; 15 sites were founded and now under contract. Three monitoring

sites. Exeter-Brentwood feels strongly the people need to know. We are the only ones that have real time data. Any studies we collect will be viewing the data (i.e. Doctor from BU and one from the University of Lowell) will be viewing the data and where the radiation is going. Can supply information in alpha and beta and all computerized and we have data for 24 hours a day and levels of radiation.

Q: Rep. Cali-Pitts – Over 20 years has data shown any dangerous levels?

A: In 1996 there was an incident 17 times background levels. The radiation did not come from Seabrook. We know radiation is set by standards and we do not know the results and it's a real problem for schools First responders and the cases about 3 mile Island and its problems.

Q: Rep. Rappaport -- Do you publish air data?

A: Will supply to committee.

Q: Rep. Remick – And data?

A: Because Seabrook is reapplying and no place for the waste to go. Environmental monitoring is essential. Good data of beta Oct. 2009 we picked up 2 times greater than background data. We notified FEMA at the time and Seabrook. They were refueling and probably a burst i.e. cloud burst this is a for profit business and the levels will only be areas within the plant that can escape. The air samples were taken after not during. We do not have feelings that they are doing their job and the public needs to know.

Q: Is trend going up or down?

A: See variations and we do not know long term effects at low levels and cancer incidents.

Bob Bactus of Manchester representing self – Was involved with the work at Seabrook. Plant operations will give you-locations in the concerns –evacuation and Seabrook offers no substantial and prompt early warnings. If we have the monitoring gives us the time we need to evacuate.

Q: Rep. Parison – Do you believe the plant?

A: I believe we should get that assistance.

Dick Winn, Seabrook Station – Will come to subcommittee with data and points to make. School situation – we have Science & Information Center with an educational director that applies this data to the students. NRC has reviewed and we don't agree to the complaints. 1 – We have extensive radiation monitoring.

2- Can't reduce monitoring in our site, over 100 locations and is checked by the NRC/Mass and nuclear staff at the station. We do not believe that the cost I applicable our staff would not jeopardize their families within 20 miles. Issue of monitoring and no real time monitoring has been presented. And over monetary system could not be applicable. We believe bill is redundant full time system.

Rep. Beatriz Pastor – Impressed that 20 years of these expressed? Couldn't Seabrook foot the bill of measuring – would they be open to this?

A: General terms over 20 years the participation and schools that may want to work with the schools. And we do publish the results and not prepared at this time.

Q: Rep. Read – Do you know what will be the dollar amount?

A: No, we look at fiscal note. A monitoring system is already being processed

Q: Chairman Garrity – In your years of experience do you believe there are groups that do not like nuclear power?

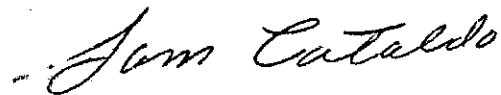
A: Yes.

Q: Rep. Cali-Pitts – Where is your air quality data?

A: Will bring information to the subcommittee.

Subcommittee chair Rep. Sam Cataldo with Reps. Cox, Pastor, Read, Rappaport and Cali-Pitts.

Respectfully Submitted:

A handwritten signature in cursive script that reads "Sam Cataldo".

Sam Cataldo, Clerk

1

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

PUBLIC HEARING ON HB 496-FN

BILL TITLE: relative to radiological monitoring in nuclear emergency planning zones.

DATE: 2-22-11

LOB ROOM: 304

Time Public Hearing Called to Order: 1040

Time Adjourned: 1149

(please circle if present)

Committee Members: Reps. Garrity, Holden, Introne, Cataldo, Devine, Remick, Rappaport, Cox, MacMahon, O'Connor, Panek, Parison, Summers, Kaen, Cali-Pitts, Read, Lévasseur and Pastor

Bill Sponsors: Rep. Sheffert

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Sheffert - introduced HB 496 as more of a scientific learning for school children in the area + communication with the school district + the nuclear plant. Also include amendments as noted.

Rep Remick Q) How many schools have monitor in A) not none

Rep Rappaport - what schools will be involved
Seabrook Union
Hampton H.S
So. Hampton

Rip Inter

Q)

A) ~~mass~~ has set up

Rip Gravity? Q) who will we see

Rip Cali N.H. Q) are you interested
in total air quality

A) yes & want to school

Q) this is a month in
partments to set up
a field trip w/ already
existing programs -

A) with time & age
make best problems
that you may have
in a class room than
give 1/2 hour to school

Rip Reed

Q) the fiscal note explain?

A) cost of 4K dollars to show
radiation detectors. I see and a
lot of other monitors
I like to see more hands on
projects in schools.

HB 496

(2)

Smithy has to give
- will be quality amendment to
the Bill.

Rep Richard Morris - Morris

Supports Bill → have air quality monitors
like Massachusetts. Attached
monitors in polls at
present - and adjacent and
have no access to
emergency plans. Resident
of Seabrook and has no
air monitoring?

- consider all data from 5-7
towns + test sites
- cost 3500 - 4500 \$

can you supply this committee the data from
when feasible that says it is available

→ A) can you supply to sub committee

Calif - Potts Q) cost no calibration can you explain
R) only eye balling the numbers &
will supply data as requested
to Rep Catalano

UMA: 3-7 sub station

and no monitors for air quality

not consistent that the air they are breathing is safe.

Rep. Herty - would you be willing to gather information to sub-committee.
& Rep. Cataldo will chair that sub-committee

Mr. Bogen - Director of Seacoast Anti-pollution League - looking for a more comprehensive program with the state - all plants release radiation every day - it's a fact - N. H. of Science that all radiation levels cause Cancer - public has a right to know. Evidence is available and evidence of child hood Cancer & around nuclear plants using C & D records + a study done @ Dabobuck and found cases of Cancer - it's not policy + would like to see a baseline of data and we are concerned that releasing is coming for the next 40 yrs - support as written, State has \$5 + RTU of our environmental risks

Rep Reed

- Q) allocation of fees: how are they allocated
- A) other speakers can assist in that data

Rep Parnis

- A) funds established should be used as described in the Bill - would the \$B be included
- Q) I don't believe believe that the \$B is only 5 to 10%

Rep O'Connor

- Q) Volunteers taking data
- A) the C-10 group can better answer

Rep Calu Pitts

- Q) do you have concerns about Portsmouth nuclear base
- A) believe that Navy does a better job + so does the Government
- Q) any info on other countries
- A) don't know much about the countries

Spady
Savatin

+

D. Shis
Crimnell

- C10 foundation has monitor 4
for over 20 yrs 12 sites

+ were funded + now
under contract

3-monitoring sets

ET ET ER - Brentwood +

feels strongly the people need
to know - we are the only have
real time data - Any studies

a Dr from BU + Uni of York
will be monitoring the data

- we need more data +

where the radiation is going

- can supply info on alpha
+ beta and all computerage

and ~~to~~ we have data for
24 hrs a day + levels

ei

Coli - Pitt's

Q over the 20 yrs our data
show and dangerous levels

A) in 1996 incident 17 Time
background levels. The
radiation did not come from

Seabrook - we know

that radiation is set by
standards + we do not

know the results +

it's a real test for schools

first responder - and the cases about 3-mile Island & its problems.

Rep. Ruppert Q Do you public on-line

A) will supply

Rep. Ruppert Q And data?

A) because Seabrook is re-applying & no place for the waste to go. Environmental monitoring is essential.

good data of Beta Oct 2009 in I picked up 27 percent than background data.

We met with FEHA - @ the time @ Seabrook - they were refueling - and probable a burst - we could burst This is a for profit business and the level will only rise within the plant that can escape. The air samples were taken after not during.

We do not have feeling that they are doing this for & the public needs to know

followup

Q is trend going up or down

A) see variations - and we do not know long term effects at low levels & cancer incidents

Bob Bortner - ... no marked in the work at seabrook

1- plant operators will give you - location in the concerns - evacuation & seabrook offers no substantial and prompt early warnings. If we have the monetary give us the time we need to evacuate

VP Parisier - Q do you believe the plant

A) I believe we should get that assistance

Diels Weiss - Seabrook Station - will come to sub committee w/ data & pts to make. School situation we have Science & info center w/ an educational director that

Apply this data to the students.

NRC has reviewed + we don't agree to the compliance

1 - external radology - monitor

2 - Cont radology monitoring in our site - over 100 locations +

is checked by the NRC/MASS/ & nuclear staff at the station

- we do not believe that the cost is applicable - our

our staff would not provide this service - within 20 miles

- issues of monitoring + no real time monitoring has

been presented. And our monitoring system could

not be applicable -

We believe Bill is redundant full time system

Rep Pastore

- Q inquired that 20 yrs of these expenses? couldn't

seabrook foot the Bill of measuring - would they

be open to this.

A) General terms over 20 yrs the preparation + schools that MAY want to work with the schools

and we do publish the results &
not prepared at this time

Rep Beck: Q do you know
Q \$3 will be the amount
A) no we look @ fiscal
note.

A meeting system is
already being processed

Rep Garcia Q your years of experience
do you believe there are gross
A) no

Rep Cali Pitts Q where is your Air
Quality data
A) will bring this info
to the sub center.

Rep Rappaport ✓ Q) can you notify
Chair Catalano
Cov
Pastor
Reed
Rappaport
Cali Pitts

Sub-Committee Actions

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

SUBCOMMITTEE WORK SESSION ON HB 496-FN

BILL TITLE: relative to radiological monitoring in nuclear emergency planning zones.

DATE: 3-3-11

Subcommittee Members: Reps. Catlado, Holden Rappaport, Read, Panek, Cox, Cali-Pitts, Devine, Introne, Garrity.

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Cali-Pitts

Seconded by Rep. Garrity

Vote: 8-2

Respectfully submitted,

Rep. Sam Cataldo
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

SUBCOMMITTEE WORK SESSION ON HB 496-FN

START-1005
CLOSE-1215

BILL TITLE: relative to radiological monitoring in nuclear emergency planning zones.

DATE: 3-3-11

Subcommittee Members: Reps. CATALDO, HOLBEN, RAPPAPORT, READ
PAREK, COX, CALI-PITTS, DEVINE

Comments and Recommendations: INTROTC, GARRITY

Amendments:

| | |
|---------------|-----------------|
| Sponsor: Rep. | OLS Document #: |
| Sponsor: Rep. | OLS Document #: |
| Sponsor: Rep. | OLS Document #: |

Motions: R2 OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. CALI-PITTS

Seconded by Rep. GARRITY

Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

SAM CATALDO

Rep. {Type NAME}
Subcommittee Chairman/Clerk

Testimony

Handout

**NextEra Energy Seabrook Station Testimony in Opposition to HB496
New Hampshire House Science, Technology and Energy Committee**

*Dick Winn – Senior Manager of Communications and Government Relations
February 22, 2011*

Thank you, Mr. Chairman and members of the committee.

I am Dick Winn, senior manager of Government Relations and Communications for NextEra Energy Seabrook Station.

I appreciate the opportunity to present our testimony in opposition to HB496. By way of brief background, NextEra Energy Resources is a subsidiary of NextEra Energy which is the top-ranking electric and gas company in *Fortune* magazine's annual list of America's most-admired companies.

Our company has facilities in 26 states across the nation. We are North America's largest producer of wind-generated electricity, and lead the nation in solar generation.

Here in New England, we have a strong presence in hydro-electric generation in Maine, as well as fossil-fuel generation in Maine, Massachusetts and Rhode Island. Our Seabrook Nuclear plant is part of an eight-unit nuclear Fleet, the third largest in the U.S. Seabrook safely and reliably generates electricity for the benefit of 1.3 million families and businesses. We employ about 1,100 highly qualified professionals at Seabrook, and pay more than \$20 million annually in state and local property taxes. We have a long-standing commitment to environmental excellence, and are very proud to be certified by the International Standards Organization for the quality of our environmental programs.

NextEra Energy Seabrook opposes HB496 for the following 5 reasons:

1. Extensive radiological monitoring is already occurring in the emergency planning zone around Seabrook – and has been occurring since 1982, eight years before Seabrook began commercial operation.
2. More importantly, continuous radiation monitoring is also occurring at more than 100 locations within the plant, and on our property.
3. Our monitoring is checked by the Nuclear Regulatory Commission and the State of New Hampshire.
4. Seabrook has a professional staff of more than 30 highly trained radiological professionals, with individuals on-duty 24-hours a day, 365 days a year.
5. Radiation protection has always been the top priority of Seabrook Station, and there has never been a radiological incident associated with Seabrook operations.

For these reasons, we firmly believe that the system proposed by the legislation before you would not in any way increase the protection of the health and safety of the public, and would create a costly and redundant addition to New Hampshire state government.

Our onsite radiation monitoring program of more than 100 real-time, continuous monitors provide independent radiation readings throughout our entire plant. Even the slightest change in radiation would be identified and reported immediately to our operators in the plant control room. So, in addition to our Radiation Protection staff on-duty 24/7, plant monitors continually feed information to our control room where the operating crew always consists of at least 4 operators licensed by the U.S. Nuclear Regulatory Commission.

Our radiation monitors have extremely low alarm thresholds, and if a radiation monitor generates an alarm, our professional staff would know about it immediately and would take immediate action in response to the signal. By the way, one of the questions we get is "What happens if a monitor malfunctions?" The answer is simple. The Control Room staff would know immediately if a monitor is not working properly, and they would take the necessary actions to compensate for that condition. And those actions could include sending a radiation specialist to the monitor area to begin taking samples manually until the monitor is returned to service.

One other question we get has to do with the suggestion that someone might decide not to report an indication of increased radiation. With radiation protection specialists always on duty, several control room operators continuously monitoring instruments, extensive computer logs automatically generating and saving information, and in-plant oversight by resident inspectors from the Nuclear Regulatory Commission and our independent Quality Assurance Program, any radiation anomaly would be identified and action would always be taken. And there's another thing I remind people of when they ask this question. Our operations staff members live with their families in the Seacoast area, it is inconceivable that these highly trained professionals – many of whom are veterans of the Navy nuclear submarine program – would jeopardize the safety of their families and friends by not reporting any questions they may have about radiation protection. We're proud to say that Seabrook Station is recognized by our industry as one of the top plants in the world for our radiation protection program and record.

Turning to off-site monitoring, I mentioned earlier that our program has been in place since 1982 – 8 years before our plant began operating. We did that deliberately to ensure that we had solid baseline data to compare each year's readings against. In more than 20 years of operation since 1990, we have not detected any change in radiation conditions offsite.

Our offsite monitoring system consists of more than 100 monitors at locations out to a distance of 20 miles. Our external monitoring program is more extensive than required by federal regulations. In summary, it consists of:

- Continuous Air Sampling
- Direct Radiation Monitoring
- Ground Water Sampling
- Sea Water Sampling
- Milk Sampling
- Fish and Invertebrate Sampling
- Aquatic Plant Monitoring
- Food Crops and Vegetation Sampling
- Broad-leaf vegetation Sampling

As you can tell, Seabrook Station's offsite monitoring program is extensive and covers a wide range of sampling sources to ensure that we are able to verify that Seabrook is not adversely affecting the environment. And I want to add that our sampling is verified by the Nuclear Regulatory Commission, and we participate in split-sampling programs with both New Hampshire and Massachusetts.

Another question we get is "You have an extensive offsite monitoring program, but these monitors don't seem to provide real-time monitoring information, why not?" Perhaps the best way to explain this is to put it in terms we all commonly experience. When we take our cars in for emissions monitoring to make sure we're not polluting the atmosphere, where do the technicians monitor the emissions? Right at the tail pipe where they place the probe to monitor emissions at the source. That's where they can be certain that they are getting the full picture of how our car is performing. They don't measure emissions at the end of the driveway, or across the street where the readings could be affected by any number of other sources. It's the same thing with smoke detectors. Following the fire code, you install them on each floor of your home and in sleeping areas – they are not placed outside your home, or on your neighbor's fence. You place them to ensure the earliest and most sensitive detection will occur.

We know what's going on at our plant at all times, and radiation is being monitored continuously by experienced professionals. And we also have an extensive offsite monitoring program in place as required by federal law that is designed to detect any radiation that could accumulate over a period of time. This accumulation process allows for extremely sensitive environmental monitoring so we can be absolutely certain that our operations are not having any adverse affect on the environment surrounding Seabrook. These offsite monitors are not designed to register a "spike" of radiation, because any such spike would have already been immediately detected and addressed at the source by our operators.

Seabrook is proud of its environmental record. We are certified by the International Standards Organization as an ISO 14001 plant for the excellence of our environmental system and programs. We have played an important role in restoration of the marsh and estuary environment around Seabrook, working with a number of environmental organizations. Our Science & Nature Center is a major educational resource for schools throughout the region. In short, Seabrook Station has always put safety and the environment first since the days of our construction. That commitment continues today, and it especially applies to our responsibilities associated with radiation monitoring.

In summary, radiation associated with Seabrook operations is already being monitored continuously at the source. Any questions about radiation levels would be immediately addressed by trained operators and radiation protection experts. The system in place at Seabrook right now exceeds the Federal requirements for radiation monitoring, and our program is subject to both federal and state government oversight. An offsite network of monitors such as proposed would be susceptible to alarm from a variety of non-Seabrook-related sources, including transportation of radioactive waste from a hospital, weather anomalies, voltage spikes, a worker returning to work following a test that used a radioactive isotope, and even the dumping of sand and gravel that might have high levels of naturally occurring radiation. These non-Seabrook-related alarms would have the potential to generate considerable additional work for state departments as well as for officials in local jurisdictions.

Because the existing radiation monitoring system for Seabrook Station is comprehensive, robust, and operated by highly trained professionals, we believe that an additional offsite, continuous monitoring system such as proposed by this legislation would not increase public health and safety for the residents of New Hampshire. We urge you not to support this proposed legislation.

CHAPTER 107-B
NUCLEAR PLANNING AND RESPONSE PROGRAM

107-B:1 Nuclear Emergency Response Plan. –

I. The director of fire safety and emergency management shall, in cooperation with affected local units of government, initiate and carry out a nuclear emergency response plan as specified in the licensing regulations of each nuclear electrical generating plant. The commissioner of safety shall assess a fee, as necessary, to pay for the cost of preparing, maintaining, and operating each plan and providing equipment and materials to implement it.

II. The director of fire safety and emergency management shall conduct an annual review of each nuclear emergency response plan for those municipalities located in an emergency planning zone, as defined in Nuclear Regulatory Commission regulation Title 10, Code of Federal Regulations, Part 50.

Source. 1981, 549:2. 1987, 162:2, eff. July 11, 1987. 2003, 11:2, eff. June 21, 2003.

107-B:1-a Definition. – In this chapter, "assessed entity" means the entity or entities which have applied to the Nuclear Regulatory Commission for a license to operate or are licensed to operate a nuclear electrical generating facility which affects municipalities under RSA 107-B:1, II.

Source. 2003, 11:2, eff. June 21, 2003.

107-B:2 Annual Emergency Response Budget. – The municipalities in each emergency planning zone shall submit annually their emergency response budget to the director of fire safety and emergency management who shall provide a reasonable opportunity for public comment and consideration. The director shall also receive and review the appropriateness of any budget request from any other state agency necessary for radiological emergency preparedness as outlined in the relevant plan. The director shall then submit an approved total annual budget to the commissioner of safety for assessment under RSA 107-B:3 and RSA 107-B:4. Prior to assessing the annual budget, the commissioner shall consult with the assessed entity and obtain its input into the budget.

Source. 1981, 549:2. 1987, 162:2, eff. July 11, 1987. 2003, 11:2, eff. June 21, 2003.

107-B:3 Assessment and Reporting. –

I. The cost of preparing, maintaining, and operating a nuclear emergency response plan shall be assessed against each assessed entity in such proportions as the commissioner of safety determines to be fair and equitable.

II. The commissioner of safety shall enter into a memorandum of understanding with each assessed entity that contains mechanisms to address budget compliance and periodic reporting, performance standards to ensure compliance with federal emergency preparedness requirements, and other topics as the parties deem appropriate.

III. Within 60 days after the close of the fiscal year, the commissioner of safety shall cause a report to be prepared and provided to the assessed entity detailing the use of the fees assessed during the prior fiscal year.

Source. 1981, 549:2, eff. June 30, 1981. 2003, 11:2, eff. June 21, 2003.

107-B:4 Collection of Assessment. – The department of safety shall bill each assessed entity for the amount assessed against it. The bill shall be sent by registered mail, and shall constitute notice of assessment and demand for payment. Payment shall be made to the department of

For Use With HB 496

safety within 30 days after the receipt of the bill. If any assessed entity shall fail or refuse to pay the assessed fee within 30 days, the commissioner shall add to the fee a late penalty fee and certify the amount of the delinquent fee and penalty to the attorney general for collection.

Source. 1981, 549:2. 1997, 208:12, eff. Aug. 17, 1997. 2003, 11:2, eff. June 21, 2003.

107-B:5 Fund Established. – All funds collected under this chapter shall be deposited in the state treasury as "restricted revenues." The full amount shall be credited to the New Hampshire nuclear planning and response fund and shall be used exclusively for the New Hampshire nuclear planning and response program.

Source. 1981, 549:2, eff. June 30, 1981.

107-B:6 Authority in Radiological Emergency. – In the event of a radiological emergency at a nuclear electric generating facility where the operator is unable to control the situation as necessary to protect public health and safety, the governor shall regulate the facility under RSA 4:45-4:47.

Source. 1981, 549:2, eff. June 30, 1981. 2003, 11:3, eff. June 21, 2003.

Voting Sheets

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

EXECUTIVE SESSION on HB 496-FN

BILL TITLE: relative to radiological monitoring in nuclear emergency planning zones.

DATE: 3-10-11

LOB ROOM: 304

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Cataldo

Seconded by Rep. Cali-Pitts

Vote: 13-2 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent or Regular (circle one)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Sam Cataldo, Clerk

HOUSE COMMITTEE ON SCIENCE, TECHNOLOGY AND ENERGY

EXECUTIVE SESSION on HB 496-FN

BILL TITLE: relative to radiological monitoring in nuclear emergency planning zones.

DATE: 3-10-11

LOB ROOM: 304

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL Interim Study (Please circle one.)

Moved by Rep. CATALDO
Seconded by Rep. CATALDO - PITTS
Vote: 13-2 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.
Seconded by Rep.
Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent or Regular (circle one)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,
Rep. Sam Cataldo, Clerk

SCIENCE, TECHNOLOGY AND ENERGY

Bill #: HB 496-FN Title: _____

PH Date: ____/____/____

Exec Session Date: ____/____/____

Motion: IT

Amendment #: _____

| MEMBER | YEAS | NAYS |
|-----------------------------|------|------|
| Garrity, James M, Chairman | Y | |
| Holden, Frank R, V Chairman | Y | |
| Introne, Robert E | | |
| Cataldo, Sam A | Y | |
| Devine, James E | ABS | |
| Remick, William J | Y | |
| Rappaport, Laurence M | Y | |
| Cox, Sean C | Y | |
| MacMahon, Bruce A | ABS | |
| O'Connor, William H | Y | |
| Panek, William D | Y | |
| Parison, James A | Y | |
| Summers, James D | Y | |
| Kaen, Naida L | Y | |
| Cali-Pitts, Jacqueline A | | |
| Read, Robin P | | N |
| Levasseur, Nickolas J | | |
| Pastor, Beatriz | | N |
| <u>OBER</u> | Y | |
| <u>HOPPER</u> | Y | |

TOTAL VOTE:
Printed: 1/4/2011

13

2

Committee Report

REGULAR CALENDAR

March 16, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on SCIENCE,

TECHNOLOGY AND ENERGY to which was referred

HB496-FN,

AN ACT relative to radiological monitoring in nuclear

emergency planning zones. Having considered the

same, report the same with the following Resolution:

RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. Sam A Cataldo

FOR THE MAJORITY OF THE COMMITTEE

Original: House Clerk

Cc: Committee Bill File

**MAJORITY
COMMITTEE REPORT**

Committee: **SCIENCE, TECHNOLOGY AND ENERGY**
Bill Number: **HB496-FN**
Title: **relative to radiological monitoring in nuclear
emergency planning zones.**
Date: **March 10, 2011**
Consent Calendar: **NO**
Recommendation: **INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

In its years of operation, the Seabrook Station has not had any problems in its real time monitoring, on the property or in the surrounding communities. The Seabrook Station's monitoring systems are appropriate and in compliance with Nuclear Regulatory Commission (NRC) regulations. Many of the plant's families live in the surrounding area, and since no significant data was presented to warrant the State Director of Fire Safety and Emergency Management to implement an expensive continuous real-time environmental radiological monitoring program, the committee feels that this bill is not needed. Similar bills have been introduced in two past sessions and have been found inexpedient to legislate. In addition, the committee expressed its desire to the owners of Seabrook that they voluntarily work with an institution of higher learning to possibly install a single monitor as part of a cooperative scientific research project.

Vote 13-2

Rep. Sam A Cataldo
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

SCIENCE, TECHNOLOGY AND ENERGY

HB496-FN, relative to radiological monitoring in nuclear emergency planning zones.

INEXPEDIENT TO LEGISLATE.

Rep. Sam A Cataldo for the **Majority** of SCIENCE, TECHNOLOGY AND ENERGY. In its years of operation, the Seabrook Station has not had any problems in its real time monitoring, on the property or in the surrounding communities. The Seabrook Station's monitoring systems are appropriate and in compliance with Nuclear Regulatory Commission (NRC) regulations. Many of the plant's families live in the surrounding area, and since no significant data was presented to warrant the State Director of Fire Safety and Emergency Management to implement an expensive continuous real-time environmental radiological monitoring program, the committee feels that this bill is not needed. Similar bills have been introduced in two past sessions and have been found inexpedient to legislate. In addition, the committee expressed its desire to the owners of Seabrook that they voluntarily work with an institution of higher learning to possibly install a single monitor as part of a cooperative scientific research project.

Vote 13-2.

Original: House Clerk
Cc: Committee Bill File

Stapler, Carol

From: Garrity, Jim
Sent: Thursday, March 10, 2011 12:16 PM
To: Stapler, Carol; Stapler, Carol
Subject: HB-496 Majority Blurb
Attachments: HB 496 Majority Blurb.doc
Majority Burb for HB-496

HB496 – ITL - Rep. Sam Cataldo, ST&E

Majority Blurb

In its years of operation, the Seabrook Station has not had any problems in its real time monitoring, on the property or in the surrounding communities. The Seabrook Station's monitoring systems are appropriate and in compliance with Nuclear Regulatory Commission (NRC) regulations. Many of the plant's families live in the surrounding area, and since no significant data was presented to warrant the State Director of Fire Safety and Emergency Management to implement an expensive continuous real-time environmental radiological monitoring program, the committee feels that this bill is not needed. Similar bills have been introduced in two past sessions and have been found inexpedient to legislate. In addition, the committee expressed its desire to the owners of Seabrook that they voluntarily work with an institution of higher learning to possibly install a single monitor as part of a cooperative scientific research project.

Approved by...

James M. Garrity
Chairman
House Science, Technology and Energy Committee
State Representative (Rockingham District 6 - Atkinson)
Office: 603-362-9416
Home: 603-362-8250
Email: Jim.Garrity@Leg.state.nh.us

REGULAR CALENDAR

March 16, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on SCIENCE,

TECHNOLOGY AND ENERGY to which was referred

HB496-FN,

**AN ACT relative to radiological monitoring in nuclear
emergency planning zones. Having considered the
same, and being unable to agree with the Majority,
report with the recommendation that the bill OUGHT
TO PASS.**

Rep. Robin P Read

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee: **SCIENCE, TECHNOLOGY AND ENERGY**
Bill Number: **HB496-FN**
Title: **relative to radiological monitoring in nuclear
emergency planning zones.**
Date: **March 10, 2011**
Consent Calendar: **NO**
Recommendation: **OUGHT TO PASS**

STATEMENT OF INTENT

The minority believes the bill is worthy of further study and should be retained by the committee. The committee heard testimony that placing radiation monitors in only a few towns within the 10 mile evacuation zone around the Seabrook Nuclear Plant would be an inexpensive and important complement to the current radiation monitoring being done by the State of Massachusetts in the Massachusetts communities within the Seabrook evacuation zone. If retained, the committee would also consider whether radiation monitors should be installed in the New Hampshire communities within the evacuation zone around the Vermont Yankee Nuclear Plant in Vernon, Vermont. The committee could also study the possibility of coordinating radiation monitoring programs with local educational institutions.

Rep. Robin P Read
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

SCIENCE, TECHNOLOGY AND ENERGY

HB496-FN, relative to radiological monitoring in nuclear emergency planning zones. **OUGHT TO PASS.**

Rep. Robin P Read for the **Minority** of SCIENCE, TECHNOLOGY AND ENERGY. The minority believes the bill is worthy of further study and should be retained by the committee. The committee heard testimony that placing radiation monitors in only a few towns within the 10 mile evacuation zone around the Seabrook Nuclear Plant would be an inexpensive and important complement to the current radiation monitoring being done by the State of Massachusetts in the Massachusetts communities within the Seabrook evacuation zone. If retained, the committee would also consider whether radiation monitors should be installed in the New Hampshire communities within the evacuation zone around the Vermont Yankee Nuclear Plant in Vernon, Vermont. The committee could also study the possibility of coordinating radiation monitoring programs with local educational institutions.

Original: House Clerk
Cc: Committee Bill File

OT P

HB 496

MINORITY REPORT

The minority believes the Bill is worthy of further study and should be retained by the committee. The committee heard testimony that ^{RADIATION} MONITORS IN ONLY A FEW TOWNS ~~SITUATED ARE~~ WITHIN ~~SEABROOK NUCLEAR~~ THE 10 MILE EVACUATION ZONE ~~AROUND~~ THE SEABROOK NUCLEAR PLANT WOULD ~~BE AN INEXPENSIVE AND~~

IMPORTANT
~~REPORT~~

COMPLIMENT TO THE CURRENT MONITORING ~~BE DONE BY THE~~ RADIATION MONITORING BEING DONE BY THE STATE OF MASSACHUSETTS IN THE MASSACHUSETTS COMMUNITIES WITHIN THE ^{SEABROOK} EVACUATION ZONE. ~~THE BOARD THAT THE MASSACHUSETTS~~ IF RETAINED, THE COMMITTEE WOULD ALSO ~~STAY~~ CONSIDER ~~THE~~ WHETHER RADIATION MONITORS SHOULD BE INSTALLED ~~IN THE~~ NEW HAMPSHIRE COMMUNITIES WITHIN THE EVACUATION ZONE ~~SURROUNDING~~ AROUND THE VERMONT YAWKEE NUCLEAR PLANT IN DEDDOW, VERMONT. ~~THE OWNERS OF THE NUCLEAR PLANTS COULD~~

~~REP. ROBIN READ~~ REP. ROBIN READ

~~SO REQUIRED TO~~ ~~REP. ROBIN READ~~

THE COMMITTEE COULD ALSO STUDY THE POSSIBILITY OF COORDINATING RADIATION MONITORING WITH LOCAL EDUCATIONAL INSTITUTIONS. PROGRAMS WITH LOCAL EDUCATIONAL INSTITUTIONS.

REP. ROBIN READ

James J. Jarmy
Polunkev

HB 496 Minority Report

The minority believes the bill is worthy of further study and should be retained by the committee. The committee heard testimony that radiation monitors in only a few towns within the 10 mile evacuation zone around the Seabrook Nuclear Plant would be an inexpensive and important complement to the current radiation monitoring being done by the State of Massachusetts in the Massachusetts communities within the Seabrook evacuation zone. If retained, the committee would also consider whether radiation monitors should be installed in the New Hampshire communities within the evacuation zone around the Vermont Yankee Nuclear Plant in Vernon, Vermont. The committee could also study the possibility of coordinating radiation monitoring programs with local educational institutions.

placing

Rep. Robin Read

Stapler, Carol

From: Garrity, Jim
Sent: Thursday, March 10, 2011 12:26 PM
To: Stapler, Carol
Subject: HB 496 minority blub approved with small correction
HB 496 Minority Report

The minority believes the bill is worthy of further study and should be retained by the committee. The committee heard testimony that **placing** radiation monitors in only a few towns within the 10 mile evacuation zone around the Seabrook Nuclear Plant would be an inexpensive and important complement to the current radiation monitoring being done by the State of Massachusetts in the Massachusetts communities within the Seabrook evacuation zone. If retained, the committee would also consider whether radiation monitors should be installed in the New Hampshire communities within the evacuation zone around the Vermont Yankee Nuclear Plant in Vernon, Vermont. The committee could also study the possibility of coordinating radiation monitoring programs with local educational institutions.

Rep. Robin Read

Approved with correction...

James M. Garrity
Chairman
House Science, Technology and Energy Committee
State Representative (Rockingham District 6 - Atkinson)
Office: 603-362-9416
Home: 603-362-8250
Email: Jim.Garrity@Leg.state.nh.us

From: Stapler, Carol
Sent: Thu 3/10/2011 12:20 PM
To: Garrity, Jim
Subject: Emailing: HB 496 Minority Report.doc

<<HB 496 Minority Report.doc>>
The message is ready to be sent with the following file or link attachments:

HB 496 Minority Report.doc

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.