

# HB1439



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

**HB1439**

by Rep. Michael J. Madigan

### SYNOPSIS AS INTRODUCED:

420 ILCS 5/4

from Ch. 111 1/2, par. 4304

Amends the Illinois Nuclear Safety Preparedness Act. Makes a technical change in a Section relating to fees.

LRB100 03186 MJP 13191 b

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Nuclear Safety Preparedness Act is  
5 amended by changing Section 4 as follows:

6 (420 ILCS 5/4) (from Ch. 111 1/2, par. 4304)

7 Sec. 4. Nuclear accident plans; fees. Persons engaged  
8 within this State in the ~~the~~ production of electricity  
9 utilizing nuclear energy, the operation of nuclear test and  
10 research reactors, the chemical conversion of uranium, or the  
11 transportation, storage or possession of spent nuclear fuel or  
12 high-level radioactive waste shall pay fees to cover the cost  
13 of establishing plans and programs to deal with the possibility  
14 of nuclear accidents. Except as provided below, the fees shall  
15 be used to fund those Agency and local government activities  
16 defined as necessary by the Director to implement and maintain  
17 the plans and programs authorized by this Act. Local  
18 governments incurring expenses attributable to implementation  
19 and maintenance of the plans and programs authorized by this  
20 Act may apply to the Agency for compensation for those  
21 expenses, and upon approval by the Director of applications  
22 submitted by local governments, the Agency shall compensate  
23 local governments from fees collected under this Section.

1 Compensation for local governments shall include \$250,000 in  
2 any year through fiscal year 1993, \$275,000 in fiscal year 1994  
3 and fiscal year 1995, \$300,000 in fiscal year 1996, \$400,000 in  
4 fiscal year 1997, and \$450,000 in fiscal year 1998 and  
5 thereafter. Appropriations to the Department of Nuclear Safety  
6 (of which the Agency is the successor) for compensation to  
7 local governments from the Nuclear Safety Emergency  
8 Preparedness Fund provided for in this Section shall not exceed  
9 \$650,000 per State fiscal year. Expenditures from these  
10 appropriations shall not exceed, in a single State fiscal year,  
11 the annual compensation amount made available to local  
12 governments under this Section, unexpended funds made  
13 available for local government compensation in the previous  
14 fiscal year, and funds recovered under the Illinois Grant Funds  
15 Recovery Act during previous fiscal years. Notwithstanding any  
16 other provision of this Act, the expenditure limitation for  
17 fiscal year 1998 shall include the additional \$100,000 made  
18 available to local governments for fiscal year 1997 under this  
19 amendatory Act of 1997. The Agency shall, by rule, determine  
20 the method for compensating local governments under this  
21 Section. The appropriation shall not exceed \$500,000 in any  
22 year preceding fiscal year 1996; the appropriation shall not  
23 exceed \$625,000 in fiscal year 1996, \$725,000 in fiscal year  
24 1997, and \$775,000 in fiscal year 1998 and thereafter. The fees  
25 shall consist of the following:

- 26 (1) A one-time charge of \$590,000 per nuclear power

1 station in this State to be paid by the owners of the  
2 stations.

3 (2) An additional charge of \$240,000 per nuclear power  
4 station for which a fee under subparagraph (1) was paid  
5 before June 30, 1982.

6 (3) Through June 30, 1982, an annual fee of \$75,000 per  
7 year for each nuclear power reactor for which an operating  
8 license has been issued by the NRC, and after June 30,  
9 1982, and through June 30, 1984 an annual fee of \$180,000  
10 per year for each nuclear power reactor for which an  
11 operating license has been issued by the NRC, and after  
12 June 30, 1984, and through June 30, 1991, an annual fee of  
13 \$400,000 for each nuclear power reactor for which an  
14 operating license has been issued by the NRC, to be paid by  
15 the owners of nuclear power reactors operating in this  
16 State. After June 30, 1991, the owners of nuclear power  
17 reactors in this State for which operating licenses have  
18 been issued by the NRC shall pay the following fees for  
19 each such nuclear power reactor: for State fiscal year  
20 1992, \$925,000; for State fiscal year 1993, \$975,000; for  
21 State fiscal year 1994; \$1,010,000; for State fiscal year  
22 1995, \$1,060,000; for State fiscal years 1996 and 1997,  
23 \$1,110,000; for State fiscal year 1998, \$1,314,000; for  
24 State fiscal year 1999, \$1,368,000; for State fiscal year  
25 2000, \$1,404,000; for State fiscal year 2001, \$1,696,455;  
26 for State fiscal year 2002, \$1,730,636; for State fiscal

1 year 2003 through State fiscal year 2011, \$1,757,727; for  
2 State fiscal year 2012 and subsequent fiscal years,  
3 \$1,903,182.

4 (3.5) The owner of a nuclear power reactor that  
5 notifies the Nuclear Regulatory Commission that the  
6 nuclear power reactor has permanently ceased operations  
7 during State fiscal year 1998 shall pay the following fees  
8 for each such nuclear power reactor: \$1,368,000 for State  
9 fiscal year 1999 and \$1,404,000 for State fiscal year 2000.

10 (4) A capital expenditure surcharge of \$1,400,000 per  
11 nuclear power station in this State, whether operating or  
12 under construction, shall be paid by the owners of the  
13 station.

14 (5) An annual fee of \$25,000 per year for each site for  
15 which a valid operating license has been issued by NRC for  
16 the operation of an away-from-reactor spent nuclear fuel or  
17 high-level radioactive waste storage facility, to be paid  
18 by the owners of facilities for the storage of spent  
19 nuclear fuel or high-level radioactive waste for others in  
20 this State.

21 (6) A one-time charge of \$280,000 for each facility in  
22 this State housing a nuclear test and research reactor, to  
23 be paid by the operator of the facility. However, this  
24 charge shall not be required to be paid by any  
25 tax-supported institution.

26 (7) A one-time charge of \$50,000 for each facility in

1           this State for the chemical conversion of uranium, to be  
2           paid by the owner of the facility.

3           (8) An annual fee of \$150,000 per year for each  
4           facility in this State housing a nuclear test and research  
5           reactor, to be paid by the operator of the facility.  
6           However, this annual fee shall not be required to be paid  
7           by any tax-supported institution.

8           (9) An annual fee of \$15,000 per year for each facility  
9           in this State for the chemical conversion of uranium, to be  
10          paid by the owner of the facility.

11          (10) A fee assessed at the rate of \$2,500 per truck for  
12          each truck shipment and \$4,500 for the first cask and  
13          \$3,000 for each additional cask for each rail shipment of  
14          spent nuclear fuel, high-level radioactive waste,  
15          transuranic waste, or a highway route controlled quantity  
16          of radioactive materials received at or departing from any  
17          nuclear power station or away-from-reactor spent nuclear  
18          fuel, high-level radioactive waste, transuranic waste  
19          storage facility, or other facility in this State to be  
20          paid by the shipper of the spent nuclear fuel, high level  
21          radioactive waste, transuranic waste, or highway route  
22          controlled quantity of radioactive material. Truck  
23          shipments of greater than 250 miles in Illinois are subject  
24          to a surcharge of \$25 per mile over 250 miles for each  
25          truck in the shipment.

26          (11) A fee assessed at the rate of \$2,500 per truck for

1 each truck shipment and \$4,500 for the first cask and  
2 \$3,000 for each additional cask for each rail shipment of  
3 spent nuclear fuel, high-level radioactive waste,  
4 transuranic waste, or a highway route controlled quantity  
5 of radioactive materials traversing the State to be paid by  
6 the shipper of the spent nuclear fuel, high level  
7 radioactive waste, transuranic waste, or highway route  
8 controlled quantity of radioactive material. Truck  
9 shipments of greater than 250 miles in Illinois are subject  
10 to a surcharge of \$25 per mile over 250 miles for each  
11 truck in the shipment. For truck shipments of less than 100  
12 miles in Illinois that consist entirely of cobalt-60 or  
13 other medical isotopes or both, the \$2,500 per truck fee  
14 shall be reduced to \$1,500 for the first truck and \$750 for  
15 each additional truck in the same shipment.

16 (12) In each of the State fiscal years 1988 through  
17 1991, in addition to the annual fee provided for in  
18 subparagraph (3), a fee of \$400,000 for each nuclear power  
19 reactor for which an operating license has been issued by  
20 the NRC, to be paid by the owners of nuclear power reactors  
21 operating in this State. Within 120 days after the end of  
22 the State fiscal years ending June 30, 1988, June 30, 1989,  
23 June 30, 1990, and June 30, 1991, the Agency shall  
24 determine the expenses of the Illinois Nuclear Safety  
25 Preparedness Program paid from funds appropriated for  
26 those fiscal years.

1 (Source: P.A. 97-195, eff. 7-25-11; 97-732, eff. 6-30-12;  
2 98-728, eff. 1-1-15.)