



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3744

Introduced 2/18/2025, by Rep. Matt Hanson

SYNOPSIS AS INTRODUCED:

420 ILCS 40/34

from Ch. 111 1/2, par. 210-34

420 ILCS 40/50 new

Amends the Radiation Protection Act of 1990. Provides that all intrastate and interstate shippers or carriers (rather than intrastate and interstate carriers) of irradiated nuclear reactor fuel are required to notify the Illinois Emergency Management Agency and Office of Homeland Security no less than 7 days (rather than 24 hours) prior to any transportation of irradiated nuclear reactor fuel. Changes the definition of "carrier" and "irradiated reactor fuel". Adds a definition of "shipper". Provides that the Agency may collect, store, and dispose of uncontrolled sources of radiation that have entered the public domain and that the Agency considers to be a threat to public health and safety or the environment. Authorizes the Agency to assess actual costs, as appropriate, for the collection, storage, and disposal of uncontrolled sources of radiation that have entered the public domain and that the Agency considers to be a threat to public health and safety or the environment against any person that owns, owned, possesses, or is responsible for the radioactive material entering the public domain.

LRB104 09466 BDA 19527 b

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 Radiation Protection Act of 1990 is amended
5 by changing Section 34 and by adding Section 50 as follows:

6 (420 ILCS 40/34) (from Ch. 111 1/2, par. 210-34)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 34. Intrastate shippers and carriers of irradiated
9 nuclear reactor fuel.

10 (a) All intrastate and interstate shippers or carriers of
11 irradiated nuclear reactor fuel in the State of Illinois are
12 hereby required to notify the Agency no less than 7 days ~~24~~
13 ~~hours~~ prior to any transportation of irradiated nuclear
14 reactor fuel within this State of the proposed route, the
15 place and time of entry into the State, and the amount and the
16 source of the fuel. The Agency shall immediately notify the
17 Illinois State Police, which shall notify the sheriff of those
18 counties along the route of such shipment.

19 (b) As used in this Section: ~~For the purpose of this~~
20 ~~subsection,~~

21 "Carrier" means a ~~"carrier" is~~ any entity charged with
22 transportation of ~~such~~ irradiated reactor fuel ~~from the~~
23 ~~nuclear steam-generating facility to a storage facility.~~

1 ~~For the purpose of this subsection,~~
2 ~~"irradiated reactor fuel"~~ means fuel that has been withdrawn
3 from a nuclear reactor following irradiation, the constituent
4 elements of which have not been separated by reprocessing ~~is~~
5 ~~any nuclear fuel assembly containing fissile bearing material~~
6 ~~that has been irradiated in and removed from a nuclear reactor~~
7 ~~facility.~~

8 "Shipper" means the entity who offers the irradiated
9 reactor fuel for transportation into commerce or the agent of
10 an entity who offers the irradiated reactor fuel for
11 transportation into commerce.

12 (Source: P.A. 102-538, eff. 8-20-21.)

13 (420 ILCS 40/50 new)

14 Sec. 50. Collection, storage, and disposal of radiation
15 sources; fees. The Agency may collect, store, and dispose of
16 uncontrolled sources of radiation that have entered the public
17 domain and that the Agency considers to be a threat to public
18 health and safety or the environment. The Agency may assess
19 actual costs, as appropriate, for the collection, storage, and
20 disposal of uncontrolled sources of radiation that have
21 entered the public domain and that the Agency considers to be a
22 threat to public health and safety or the environment against
23 any person that owns, owned, possesses, or is responsible for
24 the radioactive material entering the public domain.