

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 production of electricity utilizing
9 nuclear energy, the operation of nuclear test and research
10 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.)