

Pilgrim Legislative Advisory Coalition comment for the public record regarding support for S. 1836; petitioners, Senator Julian Cyr, Representatives Sarah Peake, Dylan Fernandes, Denise Provost, Timothy Whelan, Mike Connolly, Thomas Calter, William Crocker

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| S.1836 - Senator Julian Cyr (2017) |
| An Act relative to responsible emergency planning at nuclear power plants |
| Section 5K of chapter 111 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking subpart (E) and replacing with the following: |
| (E) The department is hereby authorized to make assessments against the owners or operators of each existing and proposed nuclear power plant in the commonwealth, or sufficiently near the commonwealth that it could pose potential health risks to the commonwealth's residents in the event of an incident, in an amount equal to the costs incurred in the prior fiscal year by the department's radiation control program in the performance of its duties under this section. Such assessments may be made against active facilities, or inactive facilities that harbor by-product material, special nuclear material, nuclear fuel, spent nuclear fuel, or other nuclear material in a spent fuel pool or other storage structure. The department is hereby further authorized to make a collection, based on that assessment, of monies from said owners or operators of nuclear power plants to defray the cost of such activities. For active facilities, said amount shall not exceed \$180,000 per annum, per facility; for inactive facilities that harbor by-product material, spent nuclear material, nuclear fuel, spent nuclear fuel, or other nuclear material in a spent fuel pool or other storage structure, said amount shall not exceed \$250,000 per annum, per facility. The collection may be expended for any active or inactive facility described above, including, but not be limited to, facilities located in the town of Rowe and in the town of Plymouth, and in Seabrook, New Hampshire. The department shall send notice of its assessment to the individual company against which the assessment is made, and said company shall pay such assessment within 30 days of the notice of the assessment; provided, however, that such company shall have a reasonable opportunity to submit objections concerning said assessment to the department for review. If, after completion of such review, the department determines the assessment is valid, the department shall issue a demand for such assessment, and the company against which such assessment is made shall pay such assessment immediately. If a company subject to assessment under this section fails to pay the assessment within 30 days of the notice of the assessment, or fails to pay the demand for assessment upon completion of the final review, whichever occurs later, the department may refer such matter to the department of revenue for the collection of the assessment in accordance with applicable enforcement provisions pursuant to chapter 62C. The amount so collected shall be deposited into the General Fund and credited to the department. |

I am here today as a representative of the Pilgrim Legislative Advisory Coalition, (PLAC) a grass roots group comprised mainly of Cape and Island residents which advocates to protect the economic, environmental, health and safety interests of Massachusetts citizens through responsible public policy on nuclear energy. We support Senate Bill 1836, sponsored by Senator Julian Cyr, Representatives Sarah Peake, Dylan Fernandes, Will Crocker, Timothy Whelan, Denise Provost and Mike Connolly.

The purpose of this bill and that of Representative Jim Cantwell's H 1133 (which will be discussed by the JT Committee on Public Health in the near future) is similar. S. 1836 is an act relative to responsible emergency planning at nuclear power plants. Both bills authorize assessments by the Massachusetts Department of Public Health to the operators of existing and proposed nuclear power plants in the commonwealth, or sufficiently near the commonwealth that it could pose potential health risks to the commonwealth's residents in the event of an accident, in an amount equal to the costs incurred in the prior fiscal year by the department's radiation control program in the performance of its duties. Such assessments may be made against active facilities, or inactive facilities that harbor by-product material, special nuclear material, nuclear fuel, spent nuclear fuel, or other nuclear material in a spent fuel pool or other storage structure. For active facilities, said amount shall not exceed \$180,000 per annum, per facility; for inactive facilities the amount shall not exceed \$250,000 per annum, per facility. This would be an increase in funding which allows MDPH to perform its required duties of monitoring and surveillance obligations in communities likely-to-be affected by emissions from Pilgrim, Vermont Yankee, and Seabrook- monitoring and emergency response. MDPH is responsible for radiological environmental monitoring and shares responsibility with MEMA for radiological emergency planning.

Presently, Massachusetts has insufficient funds to be able to perform these extremely important responsibilities. Senate bill 1836 addresses this fact. Enactment of this bill is needed to supplement MDPH's budget so that the

department can exercise its obligations. Massachusetts citizens have been rightly assured that their health and safety are protected from the potential harmful effects of ionizing radiation from daily operations and in the event of an accident. Environmental assessment is necessary both during operations and during post operations, that is, decommissioning.

Bottomline, I ask you, should not the responsibility to pay for the state's surveillance and monitoring programs and emergency planning expenses rest properly with the generators - not with the state? These generators of electricity to our grid certainly can afford to satisfy that obligation as evidenced by records showing that Entergy's annual revenues are approximately \$11.5 billion. Next Era, owner of Seabrook, had 2016 revenue of approximately \$17.5 billion.

We have, presently, radiological environmental and real-time radiological air monitoring because there are two operating reactors (Pilgrim and Seabrook) that emit radiation daily into our communities. Just because Vermont Yankee has ceased operations does not mean large numbers of communities are not at risk. Radiological exposure can result from an accident, a fire within its spent fuel pool, from decommissioning activities which will be happening for decades in the future.....until all spent fuel is removed. We must remember that monitoring is important during operations and during decommissioning.

The funding of the monitoring provided, for example, is limited in the number of environmental samples taken and the number of offsite real-time radiation monitors in place due to budget constraints that this bill seeks to address. Though there are 15 radiation detectors that surround Pilgrim that detect gamma radiation, there should be more. Cape Cod citizens recognize that monitors should be placed on Cape Cod and have brought those concerns to Cape legislators. Though spokespersons for the plant want to say that the wind does not blow in our direction, we know for a fact that during all seasons, a very significant number of times that they do blow in our direction. It is important to the hundreds of thousands of year round residents and two to three that number of visitors, that emergency response assessment be available all the time. While Entergy collects samples of environmental radiation sampling on food crops, milk and water, our

state program should have the funds to take additional samples and, in the future, be able to ascertain whether pockets of radiation-linked disease are related to Pilgrim. I do not hesitate to say that I don't trust the fox guarding the hen house there at Pilgrim as I would the scientists at MDPH. At Seabrook, real time air monitoring is also done by the a non profit under contract with our DPH in the Mass communities within the Seabrook EPZ.

I must reiterate, funding as it stands now is insufficient. We must assure that the Massachusetts Department of Public Health, in order to better protect citizens impacted by those nuclear reactors during operations and post closure, do have proper funding. Above all else, we should do the right thing for the citizens of the Commonwealth.

Pilgrim Legislative Advisory Coalition asks that the JT Committee of Telecommunications, Utilities and Energy vote S. 1836 favorably out of committee.

We thank you for the opportunity to make comment for the public record, November 6, 2017.

Respectfully,

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