AN ACT concerning State government.

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

Section 5. The Nuclear Safety Law of 2004 is amended by changing Section 40 and by adding Section 40.5 as follows:

(20 ILCS 3310/40)

Sec. 40. Regulation of nuclear safety. The Illinois Emergency Management Agency shall have primary responsibility for the coordination and oversight of all State governmental functions concerning the regulation of nuclear power, including low level waste management, environmental monitoring, <u>environmental radiochemical analysis,</u> and transportation of nuclear waste. Functions performed by the Department of State Police and the Department of Transportation in the area of nuclear safety, on the effective date of this Act, may continue to be performed by these agencies but under the direction of the Illinois Emergency Management Agency. All other governmental functions regulating nuclear safety shall be coordinated by Illinois Emergency Management Agency.

(Source: P.A. 93-1029, eff. 8-25-04.)

(20 ILCS 3310/40.5 new)

Sec. 40.5. Radiochemistry laboratory program. The Illinois Emergency Management Agency shall implement a comprehensive radiochemistry laboratory program. The Director of the Illinois Emergency Management Agency, in accordance with the Personnel Code, shall employ and direct such personnel, and shall provide for such laboratory and other facilities, as may be necessary to carry out the purposes of this Act and the Acts referenced in Section 5.

Section 10. The Illinois Nuclear Safety Preparedness Act is amended by changing Section 8 as follows:

(420 ILCS 5/8) (from Ch. 111 1/2, par. 4308)

Sec. 8. (a) The Illinois Nuclear Safety Preparedness Program shall consist of an assessment of the potential nuclear accidents, their radiological consequences, and the necessary protective actions required to mitigate the effects of such accidents. It shall include, but not necessarily be limited to:

(1) Development of a remote effluent monitoring system capable of reliably detecting and quantifying accidental radioactive releases from nuclear power plants to the environment;

(2) Development of an environmental monitoring program for nuclear facilities other than nuclear power plants;

(3) Development of procedures for radiological

assessment and radiation exposure control for areas surrounding each nuclear facility in Illinois;

(4) Radiological training of state and local emergency response personnel in accordance with the Agency's responsibilities under the program;

(5) Participation in the development of accident scenarios and in the exercising of fixed facility nuclear emergency response plans;

(6) Development of mitigative emergency planning standards including, but not limited to, standards pertaining to evacuations, re-entry into evacuated areas, contaminated foodstuffs and contaminated water supplies;

(7) Provision of specialized response equipment necessary to accomplish this task;

(8) Implementation of the Boiler and Pressure Vessel Safety program at nuclear steam-generating facilities as mandated by Section 2005-35 of the Department of Nuclear Safety Law, or its successor statute;

(9) Development and implementation of a plan for inspecting and escorting all shipments of spent nuclear fuel, high-level radioactive waste, transuranic waste, and highway route controlled quantities of radioactive materials in Illinois; and

(10) Implementation of the program under the Illinois Nuclear Facility Safety Act.

(11) Development and implementation of a

radiochemistry laboratory capable of preparing environmental samples, performing analyses, quantification, and reporting for assessment and radiation exposure control due to accidental radioactive releases from nuclear power plants into the environment.

(b) The Agency may incorporate data collected by the operator of a nuclear facility into the Agency's remote monitoring system.

(c) The owners of each nuclear power reactor in Illinois shall provide the Agency all system status signals which initiate Emergency Action Level Declarations, actuate accident mitigation and provide mitigation verification as directed by the Agency. The Agency shall designate by rule those system status signals that must be provided. Signals providing indication of operating power level shall also be provided. The owners of the nuclear power reactors shall, at their expense, ensure that valid signals will be provided continuously 24 hours a day.

All such signals shall be provided in a manner and at a frequency specified by the Agency for incorporation into and augmentation of the remote effluent monitoring system specified in subsection (a) (1) of this Section. Provision shall be made for assuring that such system status and power level signals shall be available to the Agency during reactor operation as well as throughout accidents and subsequent recovery operations.

For nuclear reactors with operating licenses issued by the Nuclear Regulatory Commission prior to the effective date of this amendatory Act, such system status and power level signals shall be provided to the Department of Nuclear Safety (of which the Agency is the successor) by March 1, 1985. For reactors without such a license on the effective date of this amendatory Act, such signals shall be provided to the Department prior to commencing initial fuel load for such reactor. Nuclear reactors receiving their operating license after the effective date of this amendatory Act, but before July 1, 1985, shall provide such system status and power level signals to the Department of Nuclear Safety (of which the Agency is the successor) by September 1, 1985.

(Source: P.A. 93-1029, eff. 8-25-04.)

Section 99. Effective date. This Act takes effect upon becoming law.