



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3383

Introduced 2/17/2023, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

415 ILCS 5/13.6

Amends the Environmental Protection Act. In provisions concerning the release of radionuclides at nuclear facilities, changes references from nuclear power plants to nuclear facilities. Provides that the Department of Public Health shall be notified in matters of noncommunity water system contamination, and the Environmental Protection Agency shall be notified in matters of community water system contamination. Provides that community water systems designated by the Agency and the Department as utilizing waters contaminated by effluents from nuclear facilities must sample for beta particle and photon radioactivity. Provides that the supplier of water must collect quarterly samples for beta emitters and iodine-131 and annual samples for tritium and strontium-90 at each entry point to the distribution system, or a sampling point, beginning within one quarter after being notified by the Agency or the Department. Provides that systems already designated by the Agency or the Department as systems using waters contaminated by effluents from nuclear facilities must continue to sample until the Agency or the Department reviews and either reaffirms or removes the designation. Makes corresponding changes.

LRB103 29411 CPF 55802 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 Environmental Protection Act is amended by
5 changing Section 13.6 as follows:

6 (415 ILCS 5/13.6)

7 Sec. 13.6. Release of radionuclides at nuclear facilities
8 ~~power plants~~.

9 (a) The purpose of this Section is to require the
10 detection and reporting of unpermitted releases of any
11 radionuclides into groundwater, surface water, or soil at
12 nuclear facilities ~~power plants~~, to the extent that federal
13 law or regulation does not preempt such requirements.

14 (b) No owner or operator of a nuclear facility ~~power plant~~
15 shall violate any rule adopted under this Section.

16 (c) Within 24 hours after an unpermitted release of a
17 radionuclide from a nuclear facility ~~power plant~~, the owner or
18 operator of the nuclear facility ~~power plant~~ where the release
19 occurred shall report the release to the Agency and the
20 Illinois Emergency Management Agency. The Department of Public
21 Health shall be notified in matters of noncommunity water
22 system contamination, and the Agency shall be notified in
23 matters of community water system contamination. For purposes

1 of this Section, "unpermitted release of a radionuclide" means
2 any spilling, leaking, emitting, discharging, escaping,
3 leaching, or disposing of a radionuclide into groundwater,
4 surface water, or soil that is not permitted under State or
5 federal law or regulation.

6 (d) The Agency and the Illinois Emergency Management
7 Agency shall inspect each nuclear facility ~~power plant~~ for
8 compliance with the requirements of this Section and rules
9 adopted pursuant to this Section no less than once each
10 calendar quarter. Nothing in this Section shall limit the
11 Agency's authority to make inspections under Section 4 or any
12 other provision of this Act.

13 (d-5) The owner or operator of each community water system
14 that is designated by the Agency or the Department of Public
15 Health as utilizing waters that are contaminated by effluents
16 from nuclear facilities, including, but not limited to, those
17 systems that use surface water or groundwater as a source,
18 must sample for beta particle and photon radioactivity. Within
19 one quarter after being notified by the Agency or the
20 Department of Public Health, the owner or operator must
21 collect quarterly samples for beta emitters and iodine-131 and
22 annual samples for tritium and strontium-90 at each entry
23 point to the distribution system or at another approved
24 sampling point. Systems already designated by the Agency or
25 the Department of Public Health as systems using waters
26 contaminated by effluents from nuclear facilities must

1 continue to sample until the Agency or the Department of
2 Public Health reviews and either reaffirms or removes the
3 designation.

4 (1) Quarterly monitoring for gross beta particle
5 activity shall be based on the analysis of monthly samples
6 or the analysis of a composite of 3 monthly samples, which
7 is recommended.

8 (2) For iodine-131, a composite of 5 consecutive daily
9 samples shall be analyzed once each quarter. As ordered by
10 the Department of Public Health, more frequent monitoring
11 shall be conducted when iodine-131 is identified in the
12 finished water.

13 (3) Annual monitoring for strontium-90 and tritium
14 shall be conducted by means of the analysis of a composite
15 of 4 consecutive quarterly samples or analysis of 4
16 quarterly samples, which is recommended.

17 (4) For systems in a 5-mile radius of a nuclear
18 facility, the Department of Public Health must monitor at
19 the system's entry point or points to evaluate the level
20 of radionuclide release from a nuclear facility.

21 (5) Community water systems designated by the Agency
22 to monitor for beta particle and photon radioactivity
23 cannot apply to the Department of Public health for a
24 waiver from the monitoring frequencies.

25 (e) No later than one year after the effective date of this
26 amendatory Act of the 94th General Assembly, the Agency, in

1 consultation with the Illinois Emergency Management Agency and
2 the Department of Health, shall propose rules to the Board
3 prescribing standards for detecting and reporting unpermitted
4 releases of radionuclides and contaminants within community
5 and noncommunity water supplies. If the level of any
6 contaminant found in water collected within a distribution
7 system or at a sampling point at the entry to a distribution
8 system, poses an unacceptable health risk to consumers, acting
9 alone or in combination with other contaminants, the supplier
10 of water shall take appropriate actions to reduce the level of
11 contaminant concentrations to levels deemed safe or remove the
12 source of supply from service by the deadline specified by the
13 Agency and the Department of Public Health. The supplier of
14 water shall be required to monitor the source, provide public
15 notification, and notify the Agency and the Department of
16 Public Health. No later than one year after receipt of the
17 Agency's proposal, the Board shall adopt rules prescribing
18 standards for detecting and reporting unpermitted releases of
19 radionuclides.

20 (Source: P.A. 94-849, eff. 6-12-06; 95-66, eff. 8-13-07.)