

FIRST REGULAR SESSION

HOUSE BILL NO. 943

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAKER (25) (Sponsor), WALTON, ROORDA, HARRIS (110),
LOW (39), STORCH, LOWE (44), AULL AND SCHOEMEHL (Co-sponsors).

Read 1st time March 31, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2164L.011

AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating radioactive and transuranic waste.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be
2 known as section 192.1040, to read as follows:

192.1040. 1. As used in this section the following terms shall mean:

2 **(1) "Department", the department of health and senior services of this state;**

3 **(2) "High-level radioactive waste":**

4 **(a) Irradiated reactor fuel;**

5 **(b) Liquid wastes resulting from the operation of the first cycle solvent extraction**
6 **system or equivalent and the concentrated wastes from subsequent extraction cycles or an**
7 **equivalent in a facility for reprocessing irradiated reactor fuel;**

8 **(c) Liquid wastes that have been converted into solids; and**

9 **(d) Any other waste material the United State Nuclear Regulatory Commission**
10 **defines as highly radioactive;**

11 **(3) "Transuranic waste", waste material containing alpha-emitting radioactive**
12 **elements having an atomic number greater than 92 in concentrations grater than ten**
13 **nanocuries per gram.**

14 **2. Before a person may transport high-level radioactive waste or transuranic waste**
15 **in this state, the person responsible for the shipment shall notify the director of the**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 department of the highway or railway route and the date and time of the shipment of high-
17 level radioactive waste or transuranic waste.

18 **3. The Missouri state highway patrol shall have the authority to inspect any truck**
19 **or other motor vehicle shipment of high-level radioactive waste or transuranic waste**
20 **traversing this state and shall escort any such shipment while inside the borders of this**
21 **state.**

22 **4. A fee of three thousand five hundred dollars shall be assessed on each truck or**
23 **other motor vehicle shipment of high-level radioactive waste or transuranic waste**
24 **traversing this state. Truck or other motor vehicle shipments of greater than two hundred**
25 **fifty miles in this state shall be subject to a surcharge of twenty-five dollars per mile for**
26 **every mile over two hundred fifty. A fee of three thousand dollars shall be assessed on each**
27 **cask of high-level radioactive waste or transuranic waste traversing this state by rail.**
28 **Shipments of radioactive waste departing any nuclear reactor in this state shall be assessed**
29 **fees to be determined by the department but which shall be comparable to the other fees**
30 **assessed under this subsection.**

31 **5. Fees assessed under this section shall be paid to the department and shall be used**
32 **for, but not limited to, the following:**

33 **(1) Shipping of high-level radioactive waste or transuranic waste, including, but not**
34 **limited to:**

35 **(a) Inspections;**

36 **(b) Escorts;**

37 **(c) Security for waste shipments;**

38 **(d) Planning; and**

39 **(e) Maintenance;**

40 **(2) Coordination and preparation of emergency response staff;**

41 **(3) Education and training;**

42 **(4) Equipment; and**

43 **(5) Administrative costs related to the shipping of high-level radioactive waste or**
44 **transuranic waste.**

45

46 **Fees collected by the department under this section shall be paid in advance of the**
47 **shipment.**

48 **6. The department shall promulgate rules necessary for the administration of this**
49 **section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
50 **that is created under the authority delegated in this section shall become effective only if**
51 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**

52 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
53 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
54 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
55 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
56 **adopted after August 28, 2005, shall be invalid and void.**