

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: S.077 Name of Bill: An act relating to authorizing the Vermont Department of Health to charge fees necessary to support Vermont's status as a Nuclear Regulatory Commission Agreement State

Agency/Dept: DPS/DEMHS Author of Bill: Erica Bornemann
Review: _____

Date of Bill Review: 2.10.15 Related Bills and Key Players: H.135

Status of Bill: (check one)

Upon Introduction As passed by 1st body As passed by both bodies

Recommended Position:

Support Oppose Remain Neutral Support with modifications identified in # 8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*
There are many states which are referred to as "agreement states" where they have an agreement with the NRC to assume their regulatory authority to oversee certain holders to radioactive material. There are only a few states that are not agreement states. It appears this bill is the first step in establishing the needed statutory authority for Vermont to become an agreement state.

2. **Is there a need for this bill?** *Please explain why or why not.*
It appears VDH is pursuing this route since VY is going out of the picture and the other radiation control activities in the state could come into the workflow of the Radiological and Toxicological Section there. It's not clear to me as to whether this applies to VY or not- I wasn't immediately able to find out if agreement states maintain authority over operating reactors (I'm assuming no). This may mean the state would retain the NRC authority over VY once they reach a certain point in their storage status. In any case, it would make sense for VT to become an agreement state in order to retain closer regulatory authority over those who would normally achieve licensing requirements through a federal entity. It provides the state with the ability to make changes as necessary instead of being held hostage to the federal processes.

3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?**
None for DPS.

4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**
VDH stands to supplement their funding with a fee structure in order to carry out the licensing activities. They will make the case that they can handle the additional work load especially with the funding support. There is a benefit and the costs could potentially not be shifted onto the General Fund.

5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** (for example, public, municipalities, organizations, business, regulated entities, etc)

Unsure.

6. **Other Stakeholders:**

6.1 **Who else is likely to support the proposal and why?** Perhaps Public Service.

6.2 **Who else is likely to oppose the proposal and why?** Unsure

7. **Rationale for recommendation:** *Justify recommendation stated above.*

N/A

8. **Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

N/A

9. **Gubernatorial appointments to board or commission?**

N/A

Secretary/Commissioner has reviewed this document

A handwritten signature in black ink, appearing to be 'Laura Gray', written over a faint rectangular stamp.

Date: 02/17/15