

Introduced by Senator Wright

February 16, 2011

An act to amend Section 25511 of the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 422, as introduced, Wright. Energy: nuclear fission thermal powerplant: seismic safety.

Existing law requires the commission to review factors related to safety and reliability of a proposed thermal powerplant facility at a site, including seismic hazards at the site.

This bill would provide that a determination by the United States Nuclear Regulatory Commission (NRC) that a site and related facility of a nuclear fission thermal powerplant meets the seismic safety standards established by the NRC on or before January 1, 2012, is conclusive and binding on the commission as to its determination of whether the site and related facility are seismically safe.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25511 of the Public Resources Code is
- 2 amended to read:
- 3 25511. (a) The commission shall review the factors related to
- 4 safety and reliability of the facilities at each of the alternative sites
- 5 designated in the notice. In addition to other information requested
- 6 of the applicant, the commission shall, in determining the
- 7 appropriateness of sites and related facilities, require detailed

1 information on proposed emergency systems and safety
2 precautions, plans for transport, handling and storage of wastes
3 and fuels, proposed methods to prevent illegal diversion of nuclear
4 fuels, special design features to account for seismic and other
5 potential hazards, proposed methods to control density of
6 population in areas surrounding nuclear powerplants, and such
7 other information as the commission may determine to be relevant
8 to the reliability and safety of the facility at the proposed sites.
9 The commission shall analyze the information provided by the
10 applicant, supplementing it, where necessary, by onsite
11 investigations and other studies. The commission shall determine
12 the adequacy of measures proposed by the applicant to protect
13 public health and safety, and shall include its findings in the final
14 report required by Section 25514.

15 *(b) Notwithstanding subdivision (a), for the purposes of licensing
16 and certification of a new nuclear fission thermal powerplant or
17 for a relicensing of an existing nuclear fission thermal powerplant,
18 a determination by the United States Regulatory Commission that
19 a site and related facility meets the seismic safety standards
20 established on or before January 1, 2012, by the United States
21 Nuclear Regulatory Commission for licensing or relicensing of a
22 nuclear fission thermal powerplant shall be conclusive and binding
23 on the commission as to its determination of whether the site and
24 related facility are seismically safe.*