

S T A T E O F N E W Y O R K

5080--A

2011-2012 Regular Sessions

I N A S S E M B L Y

February 11, 2011

Introduced by M. of A. THIELE -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to disaster preparedness plans for nuclear power plants operating within the state or within fifty miles of the state's border

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. The executive law is amended by adding a new section 23-d
2 to read as follows:
3 S 23-D. NUCLEAR POWER PLANT DISASTER PREPAREDNESS PLANS. 1. THE NEW
4 YORK STATE EMERGENCY MANAGEMENT OFFICE, IN CONSULTATION WITH NUCLEAR
5 POWER PLANTS OPERATING WITHIN THIS STATE OR WITHIN FIFTY MILES OF THE
6 STATE BORDER, IS HEREBY AUTHORIZED AND DIRECTED TO COORDINATE A COMPRE-
7 HENSIVE REVIEW OF DISASTER PREPAREDNESS PLANS FOR SUCH POWER PLANTS
8 WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS SECTION AND, UPON
9 COMPLETION OF SUCH REVIEW, DEVELOP INDIVIDUAL SITE SPECIFIC DISASTER
10 PREPAREDNESS PLANS FOR EACH SUCH NUCLEAR POWER PLANT. THE REVIEW AND
11 DEVELOPMENT OF SUCH DISASTER PREPAREDNESS PLANS SHALL INCLUDE, BUT NOT
12 BE LIMITED TO, THE FOLLOWING:
13 (A) THE REASONABLE TIME NECESSARY TO EVACUATE AN AREA WITHIN FIFTY
14 MILES OF THE PLANT GIVEN THE SIZE OF THE POPULATION RESIDING IN SUCH
15 AREA;
16 (B) THE LOCATION TO WHICH PEOPLE MAY BE EVACUATED IN THE EVENT OF A
17 DISASTER;
18 (C) THE FEASIBILITY OF EVACUATING AREAS WITHIN FIFTY MILES OF A POWER
19 PLANT IN THE EVENT OF A SEVERE CORE DAMAGE ACCIDENT;
20 (D) THE ROLE OF PUBLIC SAFETY AND SCHOOL PERSONNEL IN SAFELY RETURNING
21 SCHOOL CHILDREN WITH THEIR PARENTS;
22 (E) THE ISOLATION FROM CONSUMPTION OF CONTAMINATED FOOD AND WATER;

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 (F) THE EVACUATION OF PEOPLE FROM HOSPITALS AND OTHER INSTITUTIONS IN
2 WHICH PATIENTS OR RESIDENTS HAVE SPECIAL NEEDS OR REQUIRE SPECIAL ATTEN-
3 TION; AND
4 (G) THE APPROPRIATENESS AND USEFULNESS OF IMPLEMENTING ANY OTHER
5 DISASTER PREPAREDNESS PLAN OR OTHER PLAN IN THE EVENT OF A NUCLEAR POWER
6 PLANT DISASTER.
7 2. A COPY OF THE REVIEW OF SUCH DISASTER PREPAREDNESS PLANS SHALL BE
8 SUBMITTED TO THE GOVERNOR, THE SENATE MAJORITY LEADER, AND THE SPEAKER
9 OF THE ASSEMBLY. WHERE SUCH REVIEW DETERMINES THAT THERE IS NO FEASIBLE
10 EVACUATION PLAN FOR AREAS WITHIN FIFTY MILES OF SUCH PLANTS, THE GOVER-
11 NOR SHALL TAKE APPROPRIATE ACTION TO SEEK CLOSURE OF SUCH PLANTS.
12 S 2. This act shall take effect immediately.