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

9239

I N A S S E M B L Y

February 9, 2012

Introduced by M. of A. LENTOL, SIMOTAS -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the storage of radioactive materials in proximity to school grounds

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

Section 1. The environmental conservation law is amended by adding a new section 27-0111 to read as follows:

S 27-0111. STORAGE OF RADIOACTIVE MATERIALS IN PROXIMITY TO SCHOOL GROUNDS.

1. DEFINITIONS.

A. "STORAGE" MEANS THE HOLDING OF WASTE FOR A TEMPORARY PERIOD, AT THE END OF WHICH THE WASTE IS PROCESSED, RECOVERED, DISPOSED OF, OR STORED ELSEWHERE.

B. "RADIOACTIVE MATERIAL" SHALL HAVE THE SAME MEANING AS IT DOES IN SECTION FOUR HUNDRED EIGHTY-ONE OF THE GENERAL BUSINESS LAW.

C. "SCHOOL GROUNDS" MEANS ANY BUILDING, STRUCTURE, AND SURROUNDING GROUNDS WITHIN THE LEGALLY DEFINED BOUNDARIES, AS DETERMINED BY THE APPROPRIATE COUNTY CLERK'S OFFICE, OF A PUBLIC, PRIVATE OR PAROCHIAL PRE-SCHOOL, ELEMENTARY SCHOOL, OR SECONDARY SCHOOL.

2. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE STORAGE OF RADIOACTIVE MATERIAL SHALL NOT BE PERMITTED WITHIN ONE THOUSAND FIVE HUNDRED FEET OF ANY SCHOOL GROUNDS, EXCEPT IN THOSE CASES WHERE THE LEGAL STORAGE OF RADIOACTIVE MATERIAL IS CONDUCTED IN THE ORDINARY COURSE OF BUSINESS BY A PROFESSIONAL PRACTICE, A PUBLIC OR PRIVATE HOSPITAL OR OUTPATIENT HEALTHCARE FACILITY, A PUBLIC OR PRIVATE POST-SECONDARY INSTITUTION; OR AN ENTITY WITH THE PRIMARY FUNCTION OF CONDUCTING MEDICAL OR SCIENTIFIC RESEARCH.

S 2. This act shall take effect immediately.

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

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