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

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I N A S S E M B L Y

May 4, 2011

Introduced by M. of A. N. RIVERA, GALEF, STEVENSON, JEFFRIES, M. MILLER, JAFFEE, WEPRIN, CRESPO, ROSENTHAL -- Multi-Sponsored by -- M. of A. ARROYO, AUBRY, BARRON, BOYLAND, BROOK-KRASNY, CAMARA, CASTELLI, CASTRO, CLARK, COLTON, COOK, CUSICK, DenDEKKER, GIBSON, KAVANAGH, KELLNER, LINARES, V. LOPEZ, MARKEY, MENG, MOYA, ORTIZ, PERRY, RAMOS, J. RIVERA, P. RIVERA, ROBERTS, RODRIGUEZ, SCARBOROUGH, SIMOTAS, TITUS -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT establishing the nuclear power plant preparedness plans study

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

Section 1. Nuclear power plant disaster preparedness plans study. 1. The Commissioner of the Division of Homeland Security and Emergency Services, in consultation with the disaster preparedness commission and any other entity the Commissioner of the Division of Homeland Security and Emergency Services deems appropriate, shall study and review disaster preparedness plans as they relate to nuclear power plants for effectiveness. The study of such disaster preparedness plans shall include, but not be limited to, the following:

(a) the time necessary to evacuate the area within a fifty mile radius of the plant, in addition to any other determined radius, with consideration of:

(i) the severity of the nuclear power plant disaster

(ii) the population residing in such area

(iii) existing transportation networks

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

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(iv) any other considerations that are deemed relevant;
(b) the amount of area that should be evacuated with consideration of:
(i) the severity of the nuclear power plant disaster
(ii) the population residing in such area
(iii) existing transportation networks
(iv) any other considerations that are deemed relevant;
(c) the locations where people may be evacuated to in the event of a disaster;
(d) the feasibility of evacuating areas near the power plant;
(e) the role of public safety and school personnel in safely returning school children with their parents;
(f) the protection of food and water from contamination;
(g) the evacuation of people from hospitals and other institutions;
(h) the evacuation of individuals with special needs or those who require special attention;
(i) the length of time that an area should be evacuated for;
(j) the opportunities where state and local agencies and the private sector can coordinate and cooperate in a nuclear power plant disaster;
(k) the availability and distribution of potassium iodine to individuals in areas affected by a nuclear power plant disaster;
(l) the use of technology in disaster preparedness;
(m) the overall effectiveness of the nuclear power plant disaster preparedness plans; and
(n) the ability to communicate between relevant federal entities, state and local entities and power plant operators and the general public.

2. Such study shall be submitted to the governor, the temporary president of the senate, and the speaker of the assembly by December 31, 2014 and shall be publicly posted on the Division of Homeland Security and Emergency Services' website.

3. The Commissioner of the Division of Homeland Security and Emergency Services may request, and is authorized to receive, any information from any state agencies that is relevant and material to the completion of such study. Such information received by the Commissioner of the Division of Homeland Security and Emergency Services shall be subject to the same requirements for confidentiality and limitations on use, if any, as are applicable to such state agency's use of such information.

4. The Commissioner of the Division of Homeland Security and Emergency Services is authorized to use existing Division of Homeland Security and Emergency Services' funds to carry out the provisions of this section.

S 2. This act shall take effect immediately.