

# STATE OF NEW YORK

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1774

2017-2018 Regular Sessions

## IN SENATE

January 10, 2017

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Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

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:

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

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

12 (i) the severity of the nuclear power plant disaster

13 (ii) the population residing in such area

14 (iii) existing transportation networks

15 (iv) any other considerations that are deemed relevant;

16 (b) the amount of area that should be evacuated with consideration of:

17 (i) the severity of the nuclear power plant disaster

18 (ii) the population residing in such area

19 (iii) existing transportation networks

20 (iv) any other considerations that are deemed relevant;

21 (c) the locations where people may be evacuated to in the event of a  
22 disaster;

23 (d) the feasibility of evacuating areas near the power plant;

24 (e) the role of public safety and school personnel in safely returning  
25 school children with their parents;

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

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- 1 (f) the protection of food and water from contamination;  
2 (g) the evacuation of people from hospitals and other institutions;  
3 (h) the evacuation of individuals with special needs or those who  
4 require special attention;  
5 (i) the length of time that an area should be evacuated for;  
6 (j) the opportunities where state and local agencies and the private  
7 sector can coordinate and cooperate in a nuclear power plant disaster;  
8 (k) the availability and distribution of potassium iodine to individ-  
9 uals in areas affected by a nuclear power plant disaster;  
10 (l) the use of technology in disaster preparedness;  
11 (m) the overall effectiveness of the nuclear power plant disaster  
12 preparedness plans; and  
13 (n) the ability to communicate between relevant federal entities,  
14 state and local entities and power plant operators and the general  
15 public.

16 2. Such study shall be submitted to the governor, the temporary presi-  
17 dent of the senate, and the speaker of the assembly by December 31, 2017  
18 and shall be publicly posted on the Division of Homeland Security and  
19 Emergency Services' website.

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

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

30 § 2. This act shall take effect immediately.