§ 1854-a. Nuclear waste repository siting. 1. As used or referred to in this title: a. "Repository for the terminal storage of nuclear waste" shall mean a facility where nuclear waste is disposed of in such a way as to be permanently isolated from the environment for the period of time that is necessary for such wastes to become harmless, even if such facility contains a means for retrieving such wastes. This term shall include deep geological formations and any other disposal technology authorized by the National Waste Terminal Storage Program, but shall not include existing nuclear waste facilities at the Western New York Nuclear Services Center.

b. "Nuclear waste" shall mean high level liquid radioactive wastes, solid high level radioactive wastes, spent nuclear fuel elements, and wastes bearing quantities of transuranic elements which are not authorized for burial in shallow land burial areas pursuant to regulation or license by the United States Nuclear Regulatory Commission or the state of New York pursuant to agreement with the United States Nuclear Regulatory Commission.

2. No repository for the terminal storage of nuclear waste as defined in this section shall be sited, constructed, or operated within the state, unless the legislature and the governor of the state shall be consulted and shall concur by statute in the establishment of such repository.

3. Prior to approval by the legislature the authority shall, upon the request of the governor, review any proposal for a repository for the terminal storage of nuclear waste and, in order to assist the governor and the legislature in their determinations of need and safety, the authority shall:

a. Conduct or cause to be conducted a complete study on all issues involved in the establishment of a repository for the terminal storage of nuclear waste, including but not limited to, all long and short term health and safety aspects, the reliability of long-term isolation, the relationship between federal and state responsibility, and the potential state fiscal responsibility both one time and recurring.

b. Solicit and evaluate reports and recommendations from the state energy office, department of environmental conservation, department of public service, department of transportation, department of commerce, department of health and any other state agencies that are deemed appropriate.

c. Prepare and submit to the legislature an environmental impact statement pursuant to article eight of the environmental conservation law.

d. Determine whether the proposed technology and proposed site can be utilized for the safe and permanent disposal of nuclear waste and will not result in a significant environmental hazard or other threat to the public health, safety or welfare.

e. Conduct public hearings in various parts of the state in such a way as to insure the widest possible input from residents of the state including but not limited to residents who live in close proximity to a proposed site or sites.

f. Prepare a detailed estimate of the anticipated costs to construct and operate such a repository for the terminal storage of nuclear waste, the extent to which such costs will be borne by the state and the time period of probable continued costs.