

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 645*
Committee Substitute Favorable 5/6/91

Short Title: S.E. Compact Commissioner/Host County.

(Public)

Sponsors:

Referred to:

April 10, 1991

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT ONE OF THE MEMBERS OF THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION FROM NORTH CAROLINA RESIDE IN A COUNTY IN WHICH THE REGIONAL DISPOSAL FACILITY IS SITED AND TO REQUIRE THAT THE PARTY STATES OF THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT CONSENT TO, AND CONGRESS AMEND, THE COMPACT AGREEMENT SO AS TO DECREASE THE QUANTITY OF LOW-LEVEL RADIOACTIVE WASTE THAT MUST BE DISPOSED OF BY A COMPACT STATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 104F-2 reads as rewritten:

"§ 104F-2. Appointment of members to the Southeast Interstate Low-Level Radioactive Waste Management Commission.

(a) The Governor shall appoint two members to the Southeast Interstate Low-Level Radioactive Waste Management Commission as established by Article IV of the compact. Members shall serve at the pleasure of the Governor. The Governor may appoint an alternate for each member who may serve at and for such time as each regular member shall designate and who shall have the same power and authority as the regular member when so serving. Each member and alternate shall possess technical or professional qualifications based on training and experience in the management or regulation of low-level radioactive waste sufficient to assure informed judgments when acting as a member of the Commission.

1 (b) Of the two members of the Southeast Interstate Low-Level Radioactive
2 Waste Management Commission appointed by the Governor pursuant to this section,
3 one member shall be a resident of a county in which the low-level radioactive waste
4 disposal facility established pursuant to this Chapter and Chapter 104G of the General
5 Statutes is located. A facility shall be considered to be located in a county upon the
6 designation, pursuant to G.S. 104G-9(g), of a site within that county as the preferred
7 site, or as a part of a preferred site which is located in more than one county. The
8 Governor shall make the initial appointment under this subsection within 30 days after
9 the designation of a preferred site."

10 Sec. 2. G.S. 104F-1, Article V, subsection (e) reads as rewritten:

11 "(e) No party state shall be required to operate a regional facility for longer than a
12 20-year period, or to dispose of more than ~~32,000,000~~ 8,000,000 cubic feet of low-level
13 radioactive waste, whichever first occurs."

14 Sec. 3. Unless every party state to the Southeast Interstate Low-Level
15 Radioactive Waste Management Compact (Compact) has enacted legislation to amend
16 the Compact Law in force in that state in substantially the manner set out in Section 2 of
17 this act by 31 December 1993, and unless the Congress of the United States has
18 amended the Low-Level Radioactive Waste Policy Amendments Act of 1985, Pub. L.
19 No. 99-240, 99 Stat. 1842 (1986), as amended by the Southeast Interstate Low-Level
20 Radioactive Waste Compact Amendments Consent Act of 1989, Pub. L. No. 101-171,
21 103 Stat. 1289 (1989), so as to consent to the amendments to the Compact required to
22 be made by this section on or before 31 December 1995, North Carolina shall withdraw
23 from the Compact. The North Carolina Compact Commissioners shall certify to the
24 Governor, the President of the Senate, the Speaker of the House of Representatives, the
25 Attorney General, and the Secretary of State that the requirements of this section have,
26 or have not, been met. In the event that the party states to the Compact have not enacted
27 legislation to amend the Compact as required by this section by 31 December 1993,
28 Chapter 104F of the General Statutes is repealed as of that date. In the event that the
29 Congress has not amended the Low-Level Radioactive Waste Policy Amendments Act
30 so as to consent to the amendments required to be made by this section by 31 December
31 1995, Chapter 104F of the General Statutes is repealed as of that date.

32 Sec. 4. This act is effective upon ratification.