

26:2D-37 to 26:2D-58

LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:2D-37 to 26:2D-58

("Radiation Accident Response Act" --
protective measures)

LAWS OF: 1981

CHAPTER: 302

Bill No: A966

Sponsor(s): Stewart and Herman

Date Introduced: February 21, 1980

Committee: Assembly: Agriculture and Environment

Senate: Energy and Environment; Revenue, Finance &
Appropriations

Amended during passage: Yes Amendments during passage denoted
by asterisks

Date of Passage: Assembly: June 16, 1980

Senate: February 9, 1981

Date of Approval: October 27, 1981

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes 11-10-80 & 12-11-80

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

(over)

RECEIVED
LEGISLATIVE COUNCIL
NOV 10 1980

Sponsors' statement:

The purpose of this bill is to establish comprehensive plans and procedures for implementing protective action to abate any radiological threats to the health and welfare of the people of the State of New Jersey in the event of a radiation accident during the transportation of radioactive material or at a nuclear facility.

974.90 New Jersey. Legislature. Assembly. Agriculture and Environment
A881 Committee.
1980 Public hearing, held 4-8-80. Trenton, 1980.

PIPAG (referred to in 19 of act):

974.90 New Jersey. Division of State Police.
A881 Radiological emergency response plan for nuclear power plants...
1981 interim, 1981. Trenton, 1981.

Emergency Response Plan mandated by this law:

974.90 State of New Jersey radiological emergency response plan for nuclear
A881 power plants.. 1981. Trenton, 1981.
1981

10-27-81

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 966

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 21, 1980

By Assemblymen STEWART and HERMAN

Referred to Committee on Agriculture and Environment

AN ACT concerning the establishment of procedures for implementing protective action in the event of certain radiation accidents, requiring the preparation and implementation of a State Radiation Emergency Response Plan, providing for the assessment of certain electric utilities, providing penalties for violations, supplementing the "Radiation Protection Act," approved July 8, 1958 (P. L. 1958, c. 116, C. 26:2D-1 et seq.), and making an appropriation.

1 BE IT ENACTED by the Senate and General Assembly of the State
2 of New Jersey:

1 1. This act shall be known and may be cited as "The Radiation
2 Accident Response Act."

1 2. The Legislature hereby finds and determines that the citizens
2 of the State of New Jersey are entitled to the maximum protection
3 possible from any and all threats to their health and welfare which
4 may result from a radiation accident at a nuclear facility or during
5 the transportation of radioactive material; that existing emergency
6 response capabilities to abate these threats are dispersed among
7 various State and local agencies and private organizations and
8 limited in geographic scope; and that the dangers posed by these
9 accidents can best be minimized by the development and imple-
10 mentation of a comprehensive and coherent response plan to co-
11 ordinate and guide all necessary and appropriate resources and
12 personnel into a unified course of action.

1 3. As used in this act:
2 a. "Department" means the Department of Environmental
3 Protection;

4 b. "Division" means the Division of State Police in the Depart-
5 ment of Law and Public Safety;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

6 c. "Nuclear facility" means any facility which would pose a
7 threat to the health and welfare of the public in the event of a
8 radiation accident, including but not limited to, atomic fission or
9 fusion electric generating facilities, nuclear fuel fabrication plants,
10 nuclear fuel reprocessing plants, nuclear waste handling and
11 disposal facilities, and any other facility requiring a certificate of
12 handling pursuant to P. L. 1977, c. 233.

13 d. "Plan" means the State Radiation Emergency Response Plan
14 mandated by section 4 of this act;

15 c. "Radiation accident" means any occurrence or event during
16 the operation and maintenance of any nuclear facility or during
17 the transportation of radioactive material which results in the
18 release of unnecessary radiation **as defined in section 1 of P. L.*
19 *1958, c. 116 (C. 26:2D-1)*.*

1 4. The department and the division, after consultation with
2 the Departments of Health, Energy, and Transportation **and after*
3 *careful review of all relevant guidelines established by the Federal*
4 *Emergency Management Agency**, shall, within 18 months of the
5 effective date of this act, jointly prepare or cause to be prepared
6 and adopt a State Radiation Emergency Response Plan. The plan
7 shall be based upon planning criteria, objectives, requirements,
8 responsibilities and concepts of operation for the implementation
9 of all necessary and appropriate protective or remedial measures
10 to be taken with respect to a radiation accident, or threatened
11 radiation accident, at a nuclear facility or during the transportation
12 of radioactive material, including but not limited to, the designation
13 of all counties and municipalities which shall prepare radiation
14 emergency response plans, the establishment and implementation
15 of appropriate training programs for all personnel who may be
16 involved in any aspect of radiation emergency planning and re-
17 sponse, **the establishment of an emergency operations headquarters*
18 *proximate to the site of each nuclear facility from which emergency*
19 *response operations can be coordinated efficiently and effectively,*
20 *the development and installation of a mechanism to monitor all*
21 *temporary circumstances or conditions such as road repairs, utility*
22 *activities, and floods, which may impede or preclude implementation*
23 *of the emergency response plan and apprise all relevant emergency*
24 *response personnel thereof, the preparation and updating of an*
25 *inventory of temporary housing facilities which may be required*
26 *in the event of a radiation accident,** the development and admin-
27 istration of a communications system to efficiently and effectively
28 discharge all responsibilities and duties in the event of a radiation
29 accident, the preparation of a public emergency response plan for

30 residents of the affected area, **the establishment of procedures*
 31 *and practices to review and monitor potential threats from nuclear*
 32 *facilities in neighboring states and to coordinate emergency re-*
 33 *sponse plans with any such plans established for such out-of-State-*
 34 *facilities,** and a public emergency notification and public informa-
 35 tion and educational program to furnish all citizens who may be
 36 affected with information as they may require to act safely and
 37 prudently. The plan shall be revised and updated at least bi-
 38 annually; provided, however, that a thorough revision and updating
 39 shall be undertaken and completed at least 6 months prior to the
 40 projected commencement of operations of any new nuclear facility.
 41 The criteria, objectives, requirements, concepts of operation, and
 42 designations shall be published by the department and division
 43 within 3 months of the effective date of this act.

1 5. Every municipality **in each county** wherein is located one or
 2 more nuclear facilities or which is designated as an affected munici-
 3 pality within 6 months of the adoption of the designation and in
 4 conformity with the criteria and objectives, requirements, respon-
 5 sibilities, and concepts of operation established, shall prepare and
 6 submit to the county wherein it is located, a local radiation emer-
 7 gency response plan. The local radiation emergency response plans
 8 shall be submitted through the county for approval by the division
 9 and the department. The local plans shall be reviewed at least
 10 ****once every**** 18 months and revised, subject to county approval.
 11 **Any municipality required to prepare an emergency response plan*
 12 *pursuant to this section may apply to the department for financial*
 13 *and technical assistance therefor.**

1 6. Every county wherein is located one or more nuclear facilities
 2 or which is designated as an affected county, shall, within 6 months
 3 of the designation and in conformity with criteria and guidelines
 4 established, prepare and submit to the department **and the di-*
 5 *vision** a county radiation emergency response plan which coordi-
 6 nates and supplements and, if necessary, replaces radiation
 7 emergency response plans of municipalities within its jurisdiction.
 8 The county emergency response plan shall, after initial approval,
 9 be updated at least every 18 months.

1 7. The department is authorized and directed to:

- 2 a. Carry out all duties and responsibilities established by any
- 3 memoranda of understanding between the department and the
- 4 division necessary or incident to the implementation of the plan;
- 5 b. Assess any danger attendant to a radiation accident, provide
- 6 immediate public health and safety and other technical guidance,
- 7 and coordinate on-site radiation emergency abatement procedures;

8 c. Provide public health and safety and other technical advice
9 and guidance as it may deem appropriate with respect to the
10 preparation and implementation of the plan;

11 d. Review, approve or modify, in cooperation with the division,
12 all radiation emergency response plans and procedures developed
13 or modified pursuant to this act;

14 e. Conduct, in cooperation with the division, public hearings
15 annually in each designated county to determine the adequacy and
16 effectiveness of the plan;

17 f. Direct, in cooperation with the division, the testing and evalua-
18 tion of all plans developed pursuant to this act upon their adoption,
19 and annually thereafter, to assure that all personnel with emer-
20 gency response duties and responsibilities effectively carry out
21 their assigned tasks.

22 **g. Develop and implement a comprehensive monitoring strategy*
23 *which shall include, but not necessarily be limited to, the daily*
24 *monitoring of levels of radioactivity in the environment; and*

25 *h. Seek and apply for funds, grants, and other forms of financial*
26 *assistance from the Federal Emergency Management Agency and*
27 *any other public and private success to support the purposes and*
28 *provisions of this act.**

1 8. The division is authorized and directed to:

2 a. Carry out all duties and responsibilities established by any
3 memoranda of understanding between the department and the
4 division necessary or incident to the implementation of the plan;

5 b. Exercise operational control during any threatened or actual
6 radiation emergency;

7 c. Review, approve or modify, in cooperation with the depart-
8 ment, all radiation emergency response plans and procedures de-
9 veloped or modified pursuant to this act;

10 d. Direct, in cooperation with the department, the testing and
11 evaluation of all emergency response plans developed pursuant to
12 this act upon their adoption, and annually thereafter, to assure that
13 all personnel with emergency response duties and responsibilities
14 effectively carry out their assigned tasks.

1 9. The Department of Health shall, within 1 year of the effec-
2 tive date of this act:

3 a. Complete and update annually a study of the public health
4 aspects of nuclear emergency response planning, which study shall
5 include, but not necessarily be limited to, an evaluation of existing
6 medical facilities and personnel to determine the State's present
7 capacity to respond to any radiation threat to public health; an
8 evaluation of the evacuation plans of hospitals and other health

9 care facilities and alternate sources of care for patients; and an
 10 inventory of the standby plans, capacity, and distribution of all
 11 prophylactic or preventive supplies and equipment deemed medi-
 12 cally advisable for use**, *as well as an evaluation of the feasibility*
 13 *and desirability of the State purchase and distribution of potassium*
 14 *iodide in order to minimize the adverse effects of the radiation*
 14A *accident***. The results of the study, and any recommendations,
 14B shall be submitted to the department and the division for their use
 14C in preparing the plan **and relevant portions of such study shall be*
 14D *submitted by the department to the municipalities charged with*
 14E *developing local emergency response plans to assist them in the*
 14F *preparation of such plans**;

15 b. Establish standards and criteria to identify those persons
 16 at greatest health risk in the event of radiation exposure so that
 17 they may be afforded maximum protection;

18 c. Develop a plan for medical services to evacuees enroute and
 19 at the sites of temporary shelter, and submit such plan to the
 20 department and the division for incorporation into the plan;

21 d. Develop and implement appropriate training programs for
 22 emergency medical personnel, health facility managers, and health
 23 officers;

24 e. Develop and implement, in cooperation with the division and
 25 the department, public educational programs concerning the effects
 26 and hazards of radiation.

1 10. The Department of Transportation shall, within 1 year of
 2 the effective date of this act:

3 a. Complete a study evaluating all means of transportation serv-
 4 ing affected counties and municipalities and, in conjunction with
 5 the Department of Health, develop an inventory of emergency
 6 transport vehicles*. *Such study shall be submitted to the depart-*
 6A *ment and the division, and relevant portions thereof shall be sub-*
 6B *mitted by the department to municipalities charged with developing*
 6C *local emergency response plan for their use in preparing emergency*
 6D *response plans**;

7 b. Prepare and submit to the department and the division for
 8 inclusion in the plan, and annually update, a radiation emergency
 9 transportation plan, which plan shall include, but not be limited to,
 10 the designation, construction, and maintenance of primary and
 11 secondary routes to be used by radiation emergency response
 12 personnel and the general public in the event of a radiation accident
 13 or threatened radiation accident, and the development of traffic
 14 management procedures sufficient to assure rapid access to and
 15 from any affected county or municipality.

1 11. The Department of Energy shall, within 1 year of the effec-
2 tive date of this act:

3 a. Complete a study and evaluation of all existing emergency
4 energy supplies available to the State and accessible to affected
5 counties and municipalities in the event of a radiation accident or
6 threatened radiation accident, and **submit such study to the depart-*
6A *ment and the division, and relevant portions shall be submitted by*
6B *the department thereof to municipalities charged with developing*
6C *local emergency response plans for their use in preparing emer-*
6D *gency response plans, and**;

7 b. Develop and submit to the department and the division, for
8 inclusion in the plan, and update annually, an emergency energy
9 supply plan to assure that any area affected by a radiation accident
10 or threatened radiation accident, will have access to sufficient
11 energy supplies to implement any emergency response plans or
12 procedures.

1 12. a. In order to defray the expenses of local, county and State
2 agencies in discharging their responsibilities under this act, in-
3 cluding those costs associated with the development, testing and
4 updating of the Emergency Radiation Response Plans and for the
5 acquisition and maintenance of any equipment necessary to carry
6 out their responsibilities, the State Treasurer shall annually make
7 an assessment against each electric utility which has an ownership
8 or operating interest in a nuclear facility located in New Jersey;

9 b. The assessment shall be equal to a percentage of the gross
10 *****[operating revenue]*** ****receipts reported pursuant to P. L.***
11 ***1940, c. 5 (C. 54:30A-49 et seq.)****** of the public utilities derived
12 from intrastate **electric** operations during the preceding calendar
13 year at a rate to be determined annually by the State Treasurer on
13A or before June 30 in the following manner:

14 The total amount appropriated to the various local, county and
15 State agencies by law for the purpose of discharging their re-
16 sponsibilities under this act for the next fiscal year shall be divided
17 by the total amount of the ***** said***** gross **electric** *****[operat-**
18 **ing revenues]*** ****receipts****** of all affected electric utilities de-
19 rived from intrastate **electric** operations during the preceding
20 calendar year. The quotient resulting shall constitute the percentage
21 rate of the assessment for the calendar year which such computation
22 is made. The total amount so assessed to any particular utility shall
23 not exceed $\frac{1}{10}$ of 1% of the *****said***** gross **electric** *****[operat-**
24 **ing revenue]*** ****receipts****** subject to assessment hereunder of
24A that utility derived from its intrastate **electric** operations during
24B the preceding calendar year.

25 The assessment prescribed above shall be levied by the State
 26 Treasurer not later than July 1, and shall be paid within 30 days
 27 after mailing by first class mail to the affected electric utility
 28 notice thereof and a statement of the amount***[.]*** ***,***

29 ***[Each affected utility shall, on or before June 1, file with the
 30 State Treasurer, under oath, an affidavit showing its gross operat-
 31 ing revenues derived from intrastate operations during the preced-
 32 ing calendar year;]***

33 c. The assessments shall be appropriated through the regular
 34 appropriation process in accordance with a joint budget to be
 35 submitted by the division and the department.

1 13. Within 15 days after the date of mailing a statement as
 2 provided in this act, the electric utility against which the statement
 3 is rendered may file with the State Treasurer its objections thereto.
 4 Not less than 30 nor more than 60 days after giving notice thereof
 5 to the objecting utility, the State Treasurer shall hold a hearing
 6 on the objections.

1 14. If, after the hearing, the State Treasurer finds that any part
 2 of the charge against the objecting utility is excessive, erroneous,
 3 or invalid, he shall transmit to the utility, by registered mail,
 4 an amended statement in accordance with the findings, which shall
 5 have the same force and effect as an original statement. If the
 6 State Treasurer finds the entire statement invalid, he shall notify
 7 the objecting utility, by registered mail, of the determination, and
 8 the original statement shall be null and void. If the State Treasurer
 9 finds that the statement as rendered is neither excessive, erroneous,
 10 unlawful nor invalid, in whole or in part, he shall transmit notice
 11 thereof to the objecting utility by registered mail.

1 15. No action or proceeding shall be maintained in any court
 2 for the purpose of restraining or delaying the collection or payment
 3 of a statement rendered in compliance with the provisions of this
 4 act. A utility against which a statement is rendered shall pay the
 5 amount thereof, and after the payment may, in the manner pro-
 6 vided by this act, at any time within 2 years from the date of the
 7 payment, bring against the State an action at law to recover the
 8 amount paid, with legal interest thereon from the date of payment,
 9 upon the ground that the assessment was excessive, erroneous, or
 10 invalid in whole or in part.

1 16. If any affected electric utility, to which a statement for the
 2 amount assessed against it as provided in this act has been ren-
 3 dered, fails to pay the amount within 15 days, or fails to file with
 4 the State Treasurer objections to the statement as provided
 5 herein, the State Treasurer shall proceed to collect the amount

6 stated to be due, with legal interest, by seizure and sale of any
7 goods or chattels, including stocks, securities, bank accounts, evi-
8 dences of debt and accounts receivable belonging to the affected
9 electric utility anywhere within the State.

1 17. The department and the division are authorized in accordance
2 with the provisions of the "Administrative Procedure Act," P. L.
3 1968, c. 410 (C. 52:14B-1 et seq.), to jointly promulgate, adopt,
4 and enforce any rules and regulations necessary or appropriate
5 to carry out the purposes and intent of this act.

1 18. The department and the division shall have the authority
2 to enter and inspect any building or place for the purpose of
3 determining compliance or noncompliance with the provisions of
4 this act, any rules or regulations adopted pursuant thereto, or the
5 plan.

1 19. The existing State Radiation Emergency Plan, as contained
2 in the PIPAG Manual (Procedures for Implementing Protective
3 Action Guides), shall continue in full force and effect until all
4 ****[energy]**** ****emergency**** response plans required by this act
5 are adopted, after which it shall expire.

1 20. If any section, part, phrase, or provision of this act or the
2 application thereof to any person be adjudged invalid by any court
3 of competent jurisdiction, the judgment shall be confined in its
4 operation to the section, part, phrase, provision, or application
5 directly involved in the controversy in which the judgment shall
6 have been rendered and it shall not affect or impair the validity
7 of the remainder of this act or the application thereof to other
8 persons.

1 21. Any person who **willfully** violates this act or any rule, or
2 regulation promulgated pursuant hereto, including the State Radia-
3 tion Emergency Response Plan, shall be liable to a penalty of not
4 more than \$2,500.00 for each offense, to be collected by the depart-
5 ment and the division in a summary proceeding under "the penalty
6 enforcement law" (N. J. S. 2A:58-1 et seq.) or in any case before a
7 court of competent jurisdiction wherein injunctive relief is re-
8 quested. If the violation is of a continuing nature, each day during
9 which it continues shall constitute an additional, separate and
10 distinct offense. The department and the division are authorized
11 to compromise and settle any claim for penalty under this section
12 in an amount in their discretion as may appear appropriate in all
13 these circumstances.

1 22. In implementing the provisions of this act, the department
2 and the division shall seek the advice of the Governor's Advisory
3 Council for Emergency Services established pursuant to P. L. 1972,
4 c. 133.

- 1 23. a. There is appropriated from the General Fund ***[the sum
2 of \$500,000.00]*** to the Department of Environmental Protection
3 ****such sums as are necessary, but not to exceed \$250,000.00,**** to
4 ****immediately**** implement the provisions of this act.
- 5 b. There is appropriated from the General Fund ***[the sum of
6 \$350,000.00]*** to the Department of Law and Public Safety, Divi-
7 sion of State Police ****such sums as are necessary, but not to exceed*
8 *\$350,000.00**** to ****immediately**** implement the provisions of
9 this act.
- 10 c. The appropriations made pursuant to this section shall be
11 repaid to the General Fund as soon as practicable from the assess-
12 ments made pursuant to section 12 of this act.
- 1 24. This act shall take effect immediately.
-

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 966

with Assembly committee amendments

—•—
STATE OF NEW JERSEY
—•—

DATED: MAY 22, 1980

The purpose of this bill is to establish comprehensive plans and procedures for implementing protective action to abate any radiological threat to the health and welfare of the people of the State of New Jersey in the event of a radiation accident during the transportation of radioactive material or at a nuclear facility.

The committee amended the legislation to:

(1) Require that all municipalities in each county wherein is located a nuclear facility prepare a local emergency response plan;

(2) Require that the State emergency response plan contain an inventory of temporary housing facilities that may be available if needed, provide for the establishment of a near-site emergency headquarters, and implement procedures to review and coordinate out-of-state plans with ours; and,

(3) Require the department to implement a comprehensive monitoring strategy.

The committee made other technical changes.

SENATE REVENUE, FINANCE AND APPROPRIATIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 966

[OFFICIAL COPY REPRINT]

[SENATE REPRINT]

with committee amendments adopted November 10, 1980
with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 1980

This bill would establish a statutory framework for coordinated and comprehensive emergency response measures in the event of a radiation accident. This would be accomplished by providing for the preparation and implementation of State, county and municipal emergency response plans, and by specifying the respective functions of the Departments of Environmental Protection, Health, Energy, and Transportation, and the Division of State Police in the Department of Law and Public Safety.

State, county and municipal emergency response plans would be funded by an assessment of up to 1/10 of 1% of the gross intrastate electric operating revenue of each public utility which has an ownership or operating interest in a nuclear facility located in New Jersey.

COMMITTEE AMENDMENTS:

Committee amendments make technical amendments to the terminology in Section 12 establishing the tax program and further amend the appropriation provisions of this bill in Section 23.

The tax base to which the maximum 1/10 of 1% rate would apply is modified to reflect the gross receipts base of the Public Utilities Gross Receipt Tax (P. L. 1940, c. 5). This differs, albeit slightly, from the gross operating revenue base originally established. This facilitates administration of the tax provisions and eliminates the need for an additional statement to be filed by the affected utilities.

The appropriation section is modified so that the total appropriation available is reduced from a line 1 item \$850,000.00 to an amount not to exceed \$600,000.00.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 966

[OFFICIAL COPY REPRINT]

with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 10, 1980

This bill would establish a statutory framework for coordinated and comprehensive emergency response measures in the event of a radiation accident. This would be accomplished by providing for the preparation and implementation of State, county and municipal emergency response plans, and by specifying the respective functions of the Departments of Environmental Protection, Health, Energy, and Transportation, and the Division of State Police in the Department of Law and Public Safety.

State, county and municipal emergency response plans would be funded by an assessment of up to 1/10 of 1% of the gross intrastate electric operating revenue of each public utility which has an ownership or operating interest in a nuclear facility located in New Jersey.

The bill further appropriates \$500,000.00 to the Department of Environmental Protection and \$350,000.00 to the Division of State Police in the Department of Law and Public Safety to implement the provisions hereof. A proposed amendment to appropriate \$300,000.00 to the Department of Health to purchase and distribute potassium iodide, to be utilized in the event of a radiation accident, was rejected by the committee. In lieu thereof, an amendment directing the department to evaluate the feasibility and desirability of such purchase and distribution was adopted.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION:

OCTOBER 27, 1981

KATHRYN FORSYTH

Governor Brendan Byrne today signed the "Radiation Action Response Act," (A-966), sponsored by Assemblyman H. Donald Stewart.

Byrne signed the measure at a public ceremony at the Old Salem County Court House in Salem County.

The bill requires the Department of Environmental Protection, in consultation with the Departments of Health, Energy and Transportation, to prepare and adopt a State Radiation Emergency Response Plan.

Although this measure was drafted after the Three Mile Island incident, the Presidential Commission on Three Mile Island also recommended that each state prepare such a plan in accordance with federal guidelines.

A memoranda of agreement among power companies, municipalities and State agencies has already been signed formulating plans in the event of accidents at the Salem and Oyster Creek Power stations. This bill gives those plans legal formality and enforceability and allows the State to comply with new federal regulations mandating changes and the updating of the plans.

Under this statute, any emergency response plan would include:

0 formal designation of all counties and municipalities which, because of their location, must prepare emergency response plans;

0 establishment and implementation of appropriate training programs for people who would be involved in any aspect of either the planning or response;

0 establishment of an emergency operations headquarters near each nuclear facility and the development and installation of a system to monitor any temporary circumstances or conditions (like floods, road repairs or utility problems) that may impede the emergency personnel from carrying out the response plan;

0 preparation and updating of temporary housing facilities that may be required in the event of a radiation accident.

-more-

① development and administration of an efficient and effective communications system to discharge responsibilities and duties in the event of a radiation accident;

② preparation of a public emergency response plan for residents of the affected area;

③ establishment of procedures and practices to review and monitor potential problems from nuclear facilities in neighboring states and to coordinate New Jersey's emergency response plans with similar plans established for out-of-state facilities;

④ establishment of a public emergency notification plan and public information and educational program to furnish all citizens who may be affected with the information they would require to act prudently and safely.

The bill appropriates \$500,000 to the Department of Environmental Protection and \$350,000 to the Department of Law and Public Safety.

These appropriations, as well as costs incurred by the municipal and county governments required to prepare plans, will be repaid by an assessment by the State Treasurer against each electric utility which has ownership in a nuclear facility not to exceed .1 of 1% of the intrastate gross electric receipts of any utility.

#