

An act to add Section 8303 to the Public Utilities Code, relating to
utilities.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) California has two nuclear facilities representing over 4,000 megawatts of power generation in the state. Diablo Canyon near San Luis Obispo and the San Onofre Nuclear Generating Station between Los Angeles County and San Diego County.

(b) In-state nuclear power generation accounts for over 10 percent of the state's total power supply.

(c) The location of these two facilities places them in seismically active regions of our state.

(d) Current safety planning for emergency workers and the public within a plume exposure pathway Emergency Planning Zone, as defined in Section 50.47(c)(2) of Title 10 of the Code of Federal Regulations, is only required to cover a 10-mile radius.

(e) On March 11, 2011, Japan experienced a 9.0 magnitude earthquake resulting in a devastating tsunami that crippled the Fukushima Daiichi nuclear power plant, resulting in the meltdown of three nuclear reactors.

(f) The evacuation radius soon after the nuclear accident was reset from 10 miles to a 50 mile radius.

(g) After almost a year since this nuclear disaster, Japan is still trying to cope with containment issues and projected cleanup costs of up to two hundred fifty billion dollars (\$250,000,000,000).

(h) In the United States, under the Price-Anderson Act (Chapter 23 (commencing with Section 2210) of Title 42 of the United States Code) all claims for losses arising



from an accident at a nuclear power plant are capped at a total of twelve billion six hundred million dollars (\$12,600,000,000).

SEC. 2. Section 8303 is added to the Public Utilities Code, to read:

8303. (a) This section shall be known and may be cited as the Emergency Planning and Responsibility Act of 2012.

(b) The Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, the California Emergency Management Agency, and investor owned utilities, shall analyze and quantify the costs, risks and vulnerabilities to the state, if the state were to expand its plume exposure pathway Emergency Planning Zone, as defined in Section 50.47(c)(2) of Title 10 of the Code of Federal Regulations, from the 10-mile radius required by the Nuclear Regulatory Commission to a 50-mile radius.

(c) In conducting an analysis pursuant to subdivision (b), the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, the California Emergency Management Agency, and investor owned utilities shall consider the resources, personnel, infrastructure, communications systems, public outreach, and emergency training that would be needed if a nuclear release incident created a 50-mile plume exposure pathway.

(d) The analysis conducted pursuant to subdivision (b) shall be completed by September 1, 2013, and the Public Utilities Commission shall incorporate the analysis into any decisionmaking process regarding the relicensing of California's nuclear power plants.



LEGISLATIVE COUNSEL'S DIGEST

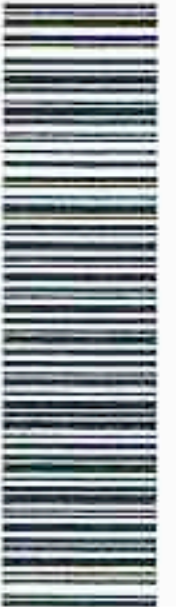
Bill No.

as introduced, _____.

General Subject: Public utilities: emergency planning.

Existing federal regulations provide that, subject to certain exceptions, no initial operating license for a nuclear power reactor will be issued unless a finding is made by the Nuclear Regulatory Commission (NRC) that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. Existing federal regulations require that these adequate protective measures include emergency response plans and a range of protective actions within Emergency Planning Zones (EPZs), including plume exposure pathway EPZs, which existing federal laws requires to consist of an area about 10 miles in radius.

Existing state law requires a public utility generating electricity by means of a nuclear powerplant or a public utility with a nuclear powerplant that is no longer producing electricity but is in the decommissioning process or is still radioactive to disseminate certain information to the public, pursuant to the above federal regulations.



This bill would require the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, the California Emergency Management Agency, and investor owned utilities, to analyze and quantify the costs, risks and vulnerabilities to the state, if the state were to expand its plume exposure pathway EPZ from the 10-mile radius required by the NRC to a 50-mile radius.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

