

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1436

To amend the Atomic Energy Act of 1954 to require a nuclear power facility licensee to notify the Nuclear Regulatory Commission and the State and county in which the facility is located within 24 hours of an unplanned release of radionuclides in excess of allowable limits, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2011

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Atomic Energy Act of 1954 to require a nuclear power facility licensee to notify the Nuclear Regulatory Commission and the State and county in which the facility is located within 24 hours of an unplanned release of radionuclides in excess of allowable limits, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. NOTICE REQUIREMENT FOR RADIONUCLIDES**  
2 **RELEASE.**

3 Section 103 of the Atomic Energy Act of 1954 (42  
4 U.S.C. 2133) is amended by inserting after subsection d.  
5 the following:

6 “e.(1) Each license issued for a production or utiliza-  
7 tion facility under this section or section 104 b. shall re-  
8 quire as a condition of the license that, in the case of an  
9 unplanned release described in paragraph (2), the licensee  
10 notify, not later than 24 hours after such unplanned re-  
11 lease, the Nuclear Regulatory Commission and the govern-  
12 ments of the State and county in which the facility is lo-  
13 cated of such unplanned release.

14 “(2) Paragraph (1) applies to—

15 “(A) any unplanned release of quantities of  
16 radionuclides in excess of allowable limits for normal  
17 operation established by the Commission or other  
18 applicable Federal laws or standards; and

19 “(B) any unplanned release of quantities of  
20 radionuclides within allowable limits for normal op-  
21 eration established by the Commission and other ap-  
22 plicable Federal laws or standards, but that occurs  
23 more than twice within a 2-year period originating  
24 from the same source, process, or equipment at the  
25 facility.

1       “(3) Violation of the condition prescribed by para-  
2 graph (1) of this subsection may, in the Commission’s dis-  
3 cretion, constitute grounds for license revocation.

4       “(4) In accordance with section 187 of this Act, the  
5 Commission shall promptly amend each license for a pro-  
6 duction or utilization facility issued under this section or  
7 section 104 b. which is in effect on the date of enactment  
8 of this subsection to include the provisions required under  
9 this subsection.

10       “(5) Not later than 180 days after the date of enact-  
11 ment of this subsection, the Commission shall establish  
12 and maintain, on the Internet website of the Commission,  
13 a database of all notifications received by the Commission  
14 of unplanned releases described in paragraph (2) and  
15 allow the public to search such database for such notifica-  
16 tions of unplanned releases by licensee.”.

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