

HOUSE No. 4541

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 16, 2024.

The committee on Telecommunications, Utilities and Energy, to whom was referred the petition (accompanied by bill, House, No. 3199) of Mathew J. Muratore and others for legislation to update the decommissioning oversight of Pilgrim Nuclear Power Plant, reports recommending that the accompanying bill (House, No. 4541) ought to pass.

For the committee,

JEFFREY N. ROY.

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act updating the decommissioning oversight of Pilgrim Nuclear Power Plant.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Chapter 188, section 14 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by deleting paragraph (a) and replacing paragraph (a) with
3 the following:-

4 SECTION 14. (a) “(a) There shall be created a Pilgrim Decommissioning State Oversight
5 Panel which shall consist of state officials, or their staff designee, scientific and technical
6 experts, local officials, a retiree of Pilgrim Station with technical expertise in environmental
7 areas and/or physical security, one representative of a local environmental group, one
8 representative of the business community, one appointment recommended by the Cape Cod
9 Commission and four at-large appointees as follows:

- 10 i. The Governor of the Commonwealth or staff designee; who shall serve ex officio;
- 11 ii. The Secretary of Energy and Environmental Affairs or staff designee, who shall
- 12 serve ex officio;

- 13 iii. The Secretary of Health and Human Services or staff designee, who shall serve ex
14 officio;
- 15 iv. The Director of the Massachusetts Emergency Management Agency or staff
16 designee, who shall serve ex officio;
- 17 v. The Secretary of Economic Development or staff designee, with who shall serve
18 ex officio;
- 19 vi. The Commissioner of Public Utilities or staff designee;
- 20 vii. One (1) member from Massachusetts Department of Public Health Radiological
21 Control Program appointed by the Bureau of Environmental Health, who shall serve ex officio;
- 22 viii. The Chairman of the Plymouth Select Board or Town of Plymouth staff designee;
- 23 ix. One (1) representative of the local environmental community, selected by the
24 Plymouth Select Board;
- 25 x. One (1) representative of the local community with expertise in demolition and/or
26 decommissioning appointed by the Plymouth Select Board;
- 27 xi. One (1) member of the local community with expertise in public health appointed
28 by the Plymouth Select Board;
- 29 xii. One (1) representative of the Plymouth Regional Economic Development
30 Foundation, appointed by the Plymouth Select Board;
- 31 xiii. One (1) member from the Cape Cod Commission appointed by the Governor;

32 xiv. One (1) member who is a retiree of Pilgrim Station with technical expertise in
33 environmental areas and/or physical security, appointed by the House Minority Leader,
34 recommended by the State Representative representing the community hosting the facility;

35 xv. One (1) member who is an independent technical expert with knowledge of
36 decommissioning and spent nuclear fuel management issues, appointed by the Senate Minority
37 Leader, based on the recommendation of the Senator representing the community hosting the
38 facility;

39 xvi. One (1) at large member from Barnstable County appointed by the Speaker of the
40 House based on the recommendation of the Representative representing the community hosting
41 the facility;

42 xvii. One (1) at large member from Plymouth County appointed by the Speaker of the
43 House based on the recommendation of representative representing the community hosting the
44 facility;

45 xviii. One (1) at large member from Plymouth County appointed by the President of the
46 Senate based on the recommendation of the Senator representing the community hosting the
47 facility; and

48 xix. One (1) at large member from Barnstable County appointed by the Senate
49 President based on the recommendation of the Senator representing the community hosting the
50 facility.

51 (b) Each appointment shall be for a 3-year term. Unless reappointed, an appointee
52 shall serve only for the number of years for which appointed unless they resign. Ex officio

53 members shall serve for the duration of their time in office or until a successor has been
54 appointed.

55 (c) The Secretary of Energy and Environmental Affairs shall serve as the chair until the
56 panel elects a chair or co-chairs under subsection (d).

57 (d) The panel annually shall elect a chair or co-chairs, and a vice chair, for 1-year
58 terms commencing with its first meeting following the effective date of this section.

59 (e) A majority of the panel's members shall constitute a quorum. "The panel shall act
60 only by vote of a majority of members present and voting in either the affirmative or negative at
61 meetings called by the chair or a co-chair or by any 5 of the members.

62 (f) Deleted

63 (g) The executive office of energy and environmental affairs shall:

64 (1) furnish administrative support for the panel, including scheduling meetings and
65 securing meeting locations, providing public notice of meetings, producing minutes of the
66 meetings, and administering the panels' website.

67 (2) keep the Panel informed of the status of matters within the jurisdiction of the Panel;

68 (3) notify members of the Panel in a timely manner upon receipt of information relating
69 to matters within the jurisdiction of the Panel;

70 (4) upon request, provide to all members of the Panel all relevant information within the
71 control of the Department of Public Service relating to subjects within the scope of the duties of
72 the Panel;

73 (5) provide workshops or training for Panel members as may be appropriate; and

74 (6) hire experts, contract for services, and provide for materials and other reasonable and
75 necessary expenses of the Panel as the he Secretary of Energy and Environmental Affairs may
76 consider appropriate on request of the Panel from time to time. Funds for this purpose shall come
77 from the monies appropriated or collected for the purpose of maintaining the Department of
78 Public Service and such other sources as may be or become available.

79 (h) The chair shall: (1) assist the office of energy and environmental affairs in managing
80 the provision of administrative support to the panel, including scheduling meetings and securing
81 meeting locations, providing public notice of meetings, producing minutes of meetings, and
82 assisting in the compilation and production of the panel's report required by section (i) (2) keep
83 the panel informed of the status of matters within the jurisdiction of the panel; (3) notify
84 members of the panel in a timely manner upon receipt of information relating to matters within
85 the jurisdiction of the panel; (4) upon request, provide to all members of the panel all relevant
86 information within the control of the executive office of energy and environmental affairs and
87 the department of public health, relating to subjects within the scope of the duties of the panel;
88 (5) assist the office of energy and environmental health to provide workshops or training for
89 panel members as may be appropriate; and (6) assist the executive office of energy and
90 environmental affairs in hiring experts, contracting for services, and providing for materials and
91 other reasonable and necessary expenses of the panel as the “Secretary of the Executive Office of
92 Energy and Environmental Affairs may consider appropriate on request of the panel from time to
93 time.

94 (i) The Panel shall serve in an advisory capacity only and shall not have authority to
95 direct decommissioning of the PNPS. The duties of the Panel shall be:

96 (1) To hold a minimum of four public meetings each year for the purpose of discussing
97 issues relating to the decommissioning of PNPS. The Panel may hold additional meetings.

98 (2) To advise the governor, the general court, the agencies of the commonwealth, and the
99 public on issues related to the decommissioning of PNPS, and each year to provide to the
100 governor and to the energy committees of the General Court a report with respect to these issues.

101 (3) To serve as a conduit for public information and education on and to encourage
102 community involvement in matters related to the decommissioning of PNPS; to receive and
103 consider public comment with respect to these issues; and to receive written reports and
104 presentations on the decommissioning of the Station.

105 (4) To periodically receive reports on the Decommissioning Trust Fund and other funds
106 associated with decommissioning of or site restoration at the PNPS, including fund balances,
107 expenditures made, and reimbursements received.

108 (5) To receive reports regarding the decommissioning plans for the PNPS, including any
109 site assessments and post-shutdown decommissioning assessment reports; to provide the public
110 forum for receiving public comment on these plans and reports; and to provide comment on
111 these plans and reports as the Panel may consider appropriate to State agencies, the public and
112 the owner of the PNPS and in the report described in section (2) of this paragraph (i).

113 (6) To convey the compliance and status of the Comprehensive Agreement between the
114 Commonwealth of Massachusetts and Holtec Decommissioning International signed on behalf of
115 the Commonwealth by the Office of the Attorney General on June 16, 2020.”