

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. [Bill Number]

Nuclear regulatory agreement state authorization.

Sponsored by: Joint Minerals, Business & Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to environmental quality; authorizing the
2 governor to begin negotiations with the nuclear regulatory
3 commission to seek an agreement for the state to assume
4 regulation of source materials from uranium mining and
5 milling and the wastes associated with the recovery, mining
6 and milling of such source materials, as specified;
7 authorizing the governor to negotiate a final agreement
8 with the nuclear regulatory commission, as specified;
9 providing for the department of environmental quality to
10 administer the program; providing rulemaking authority;
11 authorizing additional positions as specified; directing
12 the department of environmental quality to adopt a fee

1 structure under the program as specified; providing
2 appropriations; and providing for an effective date.

3

4 *Be It Enacted by the Legislature of the State of Wyoming:*

5

6 **Section 1.** W.S. 35-11-2001 is created to read:

7

8 ARTICLE 20 - NUCLEAR REGULATORY AGREEMENT

9

10 **35-11-2001. Authorization to negotiate transfer of**
11 **certain nuclear regulatory functions to the state;**
12 **rulemaking.**

13

14 (a) The governor, on behalf of the state, is
15 authorized to contact the federal nuclear regulatory
16 commission to express the intent of the state of Wyoming to
17 enter into an agreement with the nuclear regulatory
18 commission providing for the assumption by the state of
19 responsibilities relating to the regulation of source
20 materials from uranium mining and milling and the wastes
21 associated with the recovery, mining and milling of such
22 source materials.

23

1 (b) The department of environmental quality shall
2 serve as the lead agency for the regulation of source
3 materials from uranium mining and milling and the wastes
4 associated with the recovery, mining and milling of such
5 source materials in the state of Wyoming under any proposed
6 agreement negotiated under this section.

7

8 (c) The governor, through the department, is
9 authorized to negotiate all aspects of a potential
10 agreement under this section between the state of Wyoming
11 and the federal nuclear regulatory commission. The
12 governor is authorized to enter into a final agreement with
13 the federal nuclear regulatory commission for the
14 regulation of source materials from uranium mining and
15 milling and the wastes associated with the recovery, mining
16 and milling of such source materials in the state of
17 Wyoming pursuant to the requirements of this section. A
18 final agreement under this section shall include all
19 necessary components of a program to regulate source
20 materials from uranium mining and milling and the wastes
21 associated with the recovery of such source materials. A
22 final agreement under this section shall only become
23 effective upon further act of the legislature.

1

2 (d) The department is authorized to promulgate
3 reasonable rules and regulations necessary to effectuate
4 the purposes of this section.

5

6 **Section 2.**

7

8 (a) The department of environmental quality is
9 authorized up to six (6) additional positions to implement
10 the purposes of this act. The department of environmental
11 quality shall include these positions in its 2017-2018
12 standard budget request.

13

14 (b) The office of the attorney general is authorized
15 one (1) additional full-time permanent position to
16 implement the purposes of this act. The office of the
17 attorney general shall include this position in its 2017-
18 2018 standard budget request.

19

20 (c) The department of environmental quality shall
21 adopt a fee structure which accounts for the full cost of a
22 program developed under this act. The fee structure shall
23 also recapture the cost to the state of Wyoming of

1 development and implementation of the program within five
2 (5) years of the enactment of a program authorized under
3 this act.

4

5 **Section 3.**

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7 (a) For the period beginning with the effective date
8 of this act through June 30, 2016, there is appropriated
9 one million two hundred seventeen thousand nine hundred
10 sixty-one dollars (\$1,217,961.00) from the general fund to
11 the department of environmental quality to fund the full-
12 time permanent positions authorized in subsection 2(a) of
13 this act. Notwithstanding any other provision of law, this
14 appropriation shall not be transferred or expended for any
15 other purpose. Any unobligated, unexpended funds shall
16 revert as provided by law on June 30, 2016.

17

18 (b) For the period beginning with the effective date
19 of this act through June 30, 2016, there is appropriated
20 two hundred twelve thousand two hundred fifty-four dollars
21 (\$212,254.00) from the general fund to the office of the
22 attorney general to fund the full-time permanent position
23 authorized in subsection 2(b) of this act. Notwithstanding

1 any other provision of law, this appropriation shall not be
2 transferred or expended for any other purpose. Any
3 unobligated, unexpended funds shall revert as provided by
4 law on June 30, 2016.

5

6 **Section 4.** This act is effective immediately upon
7 completion of all acts necessary for a bill to become law
8 as provided by Article 4, Section 8 of the Wyoming
9 Constitution.

10

11

(END)