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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 1513

March 1, 2007

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The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to energy; requiring phaseout and contingency planning and approval
1.3 of storage at Monticello nuclear power plant; proposing coding for new law
1.4 in Minnesota Statutes, chapter 216B.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [216B.2445] MONTICELLO PHASEOUT, CONTINGENCY
1.7 PLANNING, AND STORAGE APPROVAL.

1.8 Subdivision 1. Intent. It is the intent of the legislature to reduce and phase out the
1.9 risks and liabilities associated with commercial nuclear operations at Monticello and to
1.10 address the issues raised by the long-term or permanent storage of high-level nuclear
1.11 waste at Monticello.

1.12 Subd. 2. Phaseout and contingency planning requirements. The utility operating
1.13 a nuclear facility at Monticello must:

1.14 (1) identify the most cost-effective electric utility system alternative to Monticello;

1.15 (2) produce a phaseout plan for Monticello based on the most cost-effective system
1.16 alternative and the most expeditious timeline;

1.17 (3) produce detailed contingency planning for replacement of Monticello energy and
1.18 capacity in the event of an extended outage of the nuclear facility;

1.19 (4) report on the system alternative, the phaseout plan, and contingency planning
1.20 biannually in the integrated resource planning process, beginning in the next integrated
1.21 resource planning report submitted after the effective date of this act;

1.22 (5) begin implementation of the phaseout plan immediately upon approval of the
1.23 integrated resource plan by the Public Utilities Commission;

2.1 (6) produce a water supply plan that ensures an adequate supply of water for at
2.2 least 72 hours to all communities in Minnesota that rely upon the Mississippi River for
2.3 water, in the event that an incident at Monticello forces the closure of water intake valves
2.4 due to radioactively contaminated river water. The water supply plan shall be submitted
2.5 no later than July 1, 2007, to every affected unit of government in Minnesota and the
2.6 utility shall post a bond of \$..... with the state to cover the potential cost of providing an
2.7 adequate supply of water;

2.8 (7) conduct low-water contingency planning for energy and water management and
2.9 report the low-water contingency plan to the legislature every two years;

2.10 (8) report to the legislature every two years on source groundwater and surface water
2.11 protection planning against adverse impacts caused by nuclear operations at Monticello;

2.12 (9) pay \$500,000 per year per cask at Monticello, to be credited to the renewable
2.13 development account under section 116C.779;

2.14 (10) pay for and conduct emergency planning for all units of government within
2.15 50 miles of Monticello, including evacuation planning, in the event of an incident at
2.16 Monticello;

2.17 (11) monitor, with oversight from the Department of Health, routine radiation
2.18 releases from Monticello to specify where reported radiation releases go; and

2.19 (12) pay for and conduct emergency planning, including evacuation planning, for
2.20 all units of government within a ten-mile radius of the highways and rail lines proposed
2.21 by the federal government to be used to transport high-level radioactive waste from
2.22 Minnesota and other states for storage at the proposed high-level nuclear waste repository
2.23 to be located at Yucca Mountain in Nye County, Nevada, including alternative highway
2.24 routes selected by the state of Minnesota that have become effective through notice of
2.25 receipt from the Federal Motor Carrier Safety Administration, as required under Code of
2.26 Federal Regulations, title 49, section 397.103, paragraph (c).

2.27 Subd. 3. **Legislative approval; dry storage casks.** No dry storage casks needed for
2.28 a refueling cycle at the Monticello nuclear facility may be installed without the approval
2.29 of the legislature. In no case shall dry storage casks be installed at the Monticello nuclear
2.30 facility unless specifically authorized by the legislature within the previous two years.

2.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.