

## CHAPTER 714

(House Bill 336)

AN ACT concerning

## Nuclear Waste Material - Storage

FOR the purpose of increasing the ~~duration of the variance time~~ that the Secretary of Health and Mental Hygiene may grant ~~for~~ temporary storage of nuclear waste material; and postponing the expiration date for this authority.

BY repealing and reenacting, with amendments,

Article 43 - Health  
Section 689B(b)  
Annotated Code of Maryland  
(1971 Replacement Volume and 1978 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

## Article 43 - Health

689B.

(b) It is unlawful to establish any permanent storage facility, burial ground or other installation for the long-term storing of waste nuclear materials or their by-products while awaiting radioactive decay, within the State. This subsection does not prohibit temporary storage of used nuclear plant fuel as ~~necessary incident to its subsequent shipment out of the State except that temporary storage shall not exceed two years. The Secretary may grant a variance from the two year time limitation if he determines that the variance is necessary and in the public interest. However, the variance may not exceed a period of [1 year] 1 YEARS after the 2 year time limitation has become effective. The Secretary's authority as to this variance shall expire on [June 30, 1979] JUNE 30, 1981 UNTIL JUNE 30, 1980, IF THE SECRETARY DETERMINES THAT THE STORAGE IS NECESSARY AND IN THE PUBLIC INTEREST~~

(1) NECESSARY;

(2) IN THE PUBLIC INTEREST;

(3) UNLIKELY TO CAUSE ANY RISK OF LEAKAGE OR RELEASE OF RADIATION WHICH IS HARMFUL TO THE HEALTH OF THE PUBLIC AS DETERMINED BY ALL SCIENTIFIC TESTS ACCEPTED AS RELIABLE BY THE UNITED STATES NUCLEAR REGULATORY COMMISSION; AND