
A BILL FOR AN ACT

RELATING TO NUCLEAR ENERGY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that despite the
2 availability of locally based alternative energy sources, Hawaii
3 remains dependent on imported fossil fuels for eighty per cent
4 of its energy generation. As a result, electric rates in Hawaii
5 are one hundred to two hundred per cent higher than the national
6 average and the local economy is highly susceptible to volatile
7 external energy market forces.

8 The legislature finds that nuclear energy is a safe and
9 efficient alternative to fossil fuels and that nuclear power
10 generation facilities already exist in Hawaii in the form of the
11 United States Navy's nuclear-powered vessels berthed at Pearl
12 Harbor. Many areas throughout the continental United States,
13 Europe, and Asia produce electricity with nuclear energy.
14 France, for example, has constructed fifty-eight nuclear power
15 facilities that generate nearly ninety per cent of the country's
16 electricity. Just as in these other areas, the opportunity
17 exists in Hawaii to safely use nuclear energy to generate



1 electricity and substantially reduce the State's dependence on
2 expensive imported fossil fuels.

3 The purpose of this Act is to direct the department of
4 business, economic development, and tourism to develop the
5 proposed legislation and rules necessary to establish an
6 appropriate permitting process to enable the construction and
7 operation of nuclear energy generation facilities in Hawaii.

8 SECTION 2. Chapter 196, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§196- Nuclear energy generation facilities. (a) No
12 later than January 1, 2014, the department shall develop
13 procedures for licensing, siting, and permitting the
14 construction and operation of nuclear energy generation
15 facilities in the State. These procedures shall take into
16 account:

- 17 (1) The requirements of article XI; section 8 of the
18 Constitution of the State of Hawaii;
19 (2) The health and safety of the residents of the State;
20 (3) Compliance with the Energy Reorganization Act of 1974
21 (Public Law 93-438), as amended;



1 (4) Regulations adopted by the Nuclear Regulatory
2 Commission; and

3 (5) The preservation and conservation of the natural
4 environment of the State.

5 (b) The department shall develop procedures for the
6 disposal, storage, or reprocessing of radioactive waste material
7 produced in nuclear energy generation facilities in the State.

8 (c) The department shall seek input and recommendations
9 from other county, state, and federal agencies in the
10 development of procedures under this section.

11 (d) The director shall adopt rules pursuant to chapter 91
12 necessary for the implementation of this section.

13 (e) As used in this section:

14 "Department" means the department of business, economic
15 development, and tourism.

16 "Director" means the director of business, economic
17 development, and tourism.

18 "Nuclear energy generation facility" or "facility" means a
19 new nuclear fission power plant or facility located in the State
20 with the capacity to produce from nuclear fissile material at
21 least two hundred megawatts of electricity. The term includes



1 any of the following associated with the initial permitting and
2 construction of the facility:

3 (1) The land parcel on which the facility is situated;

4 (2) Any nuclear energy production structure or equipment;

5 (3) Any energy transmission line from the facility to a

6 public utility's electricity transmission or

7 distribution system;

8 (4) Any on-site infrastructure; and

9 (5) Any on-site building, structure, other improvement, or

10 equipment necessary for the production of electricity,

11 transmission of the electricity, or any accommodation

12 for employees of the facility."

13 SECTION 3. The department of business, economic
14 development, and tourism shall issue progress reports to the
15 legislature no later than twenty days prior to the convening of
16 the regular sessions of 2012 and 2013, and a final report to the
17 legislature of its findings, recommendations, proposed
18 legislation, and proposed rules no later than twenty days prior
19 to convening of the regular session of 2014.

20 SECTION 4. New statutory material is underscored.



H.B. NO. 57

1 SECTION 5. This Act shall take effect upon its approval.

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Report Title:

Nuclear Energy

Description:

Directs the department of business, economic, development, and tourism to develop a permitting process for nuclear energy generation facilities in Hawaii.

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