

**§1482. Requirements to be met by any low-level radioactive waste disposal facility**

**1. State ownership and control.** Any low-level radioactive waste disposal facility developed in the State shall be owned and controlled by the State, but the State may contract for services as necessary. [PL 1985, c. 705, §5 (NEW).]

**1-A. State ownership; exception.** Notwithstanding subsection 1, if a low-level radioactive waste disposal facility is developed at the site of a decommissioned nuclear power plant in the course of or as a result of the decommissioning process, the State is not required to own the facility. [PL 1999, c. 739, §4 (NEW).]

**2. Protection of public health and safety.** Any low-level radioactive waste disposal facility developed in the State shall employ the safest available technology. In order to cope with the humid climate, high water table, cold winters and other geological characteristics of the State, improved engineered disposal methods in addition to geological barriers shall be used rather than conventional shallow land burial. [PL 1985, c. 705, §5 (NEW).]

**3. Financing.** Any low-level radioactive waste disposal facility developed in the State shall be financed by funds collected prior to their expenditure from the generators of that waste within the State. This includes funds for planning, licensing, siting, construction, operation, closure, long-term monitoring and any other necessary functions. [PL 1985, c. 705, §5 (NEW).]

**4. Licensing.** A low-level radioactive waste disposal facility developed in the State must be licensed by the United States Nuclear Regulatory Commission. The facility must be approved by the Legislature in accordance with section 1479 and approved by the voters in accordance with section 1493. [PL 1995, c. 642, §20 (AMD).]

**5. Facility near existing nuclear power plant.**  
[PL 1999, c. 174, §5 (RP).]

**SECTION HISTORY**

PL 1985, c. 705, §5 (NEW). PL 1991, c. 174 (AMD). PL 1995, c. 642, §20 (AMD). PL 1999, c. 174, §5 (AMD). PL 1999, c. 739, §4 (AMD).

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