

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4204-06  
Bill No.: SCS for SB 976  
Subject: Environmental Protection; Fees; Natural Resources Dept.; Waste - Radioactive  
Type: Original  
Date: March 10, 2006

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Hazardous Waste Fund	\$19,309 to \$44,421	\$19,522 to \$45,547	\$20,016 to \$46,707
Environmental Radiation Monitor Fund	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$19,309 to \$44,421</b>	<b>\$19,522 to \$45,547</b>	<b>\$20,016 to \$46,707</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 8 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
Federal Funds	\$19,512 to \$45,533	\$20,010 to \$46,693	\$20,520 to 47,879
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$19,512 to \$45,533</b>	<b>\$20,010 to \$46,693</b>	<b>\$20,520 to 47,879</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Missouri Highway Patrol** and **Department of Transportation** assume no fiscal impact to their agency.

Officials from the **Department of Health and Senior Services (DHSS)** assume under this proposal, DHSS would be responsible for inspection of radioactive material and waste shipments. In addition, DHSS would be involved in the training of emergency responders across the state. Finally, under 1952.510, RSMo., DHSS would respond to all emergencies involving radioactive material.

This proposal will increase revenue coming into the Environmental Radiation Monitoring Fund. This increase is not reflected in this fiscal note because the fund is administered by the Department of Natural Resources; thus, the assumption was made that they would estimate revenue generated by this legislation.

**Oversight** assumes these cost would be included in the costs provided by the Department of Natural Resources

ASSUMPTION (continued)

Officials from the **Department of Natural Resources (DNR)** assume since Missouri does not currently require notification or collect a fee on any low-level radioactive waste shipments, the total number currently transported through the state is unknown. To attempt to predict how many of each type of shipment is reasonable to expect in the upcoming year DNR staff gathered shipment data from Illinois and Iowa, as well as the federal Department of Energy (DOE). Because Illinois does not collect a fee on low-level waste, no data was available on shipments that might enter Missouri from Illinois. Iowa does track low-level shipments due to their fee on this type of waste, but not all shipments go through Missouri prior to entering Iowa. Iowa charges a fee for all types of low-level waste, not just LSA waste, a subcategory of low-level waste. Information obtained from DOE does indicate which shipments are LSA. Information from the DOE indicates that shipments vary based on several factors. Currently, DOE is cleaning up several former nuclear weapons manufacturing facilities. The ultimate disposal site of this waste depends on the outcome of DOE's bidding procedure. Once a disposal facility is selected, DOE selects a shipping company, and the shipping company selects the shipment route. DOE does provide information on an annual basis, with an estimate of what type and number of shipments may come through the various states.

The SCS for SB 976 would establish a fee of \$125 for each truck or train transporting or shipping low-specific activity radioactive material through or within the state. The change from the original bill's definition of low-level radioactive waste to LSA material involved definitions involved definitions of material only. LSA waste is a subcategory of low-level radioactive waste, which includes uniformly distributed radioactive material with a concentration below limits specified in federal regulations, usually dirt, demolition debris, or mining residues. The number of shipments annually is expected to remain in the range projected in the original fiscal note for low-level radioactive waste.

Using these sources of information, DNR estimates between 430 and 1,400 shipments can be anticipated in any given twelve-month period. The level of anticipated revenue as well as the level of effort needed to implement this proposal would be dependent on the number of shipments that came through Missouri. For purposes of this fiscal note, the department has shown the income from fees and the associated costs as a range to more accurately reflect potential fiscal impact to the state.

Option 1 - Income Low End of Range:

High-level: 2 shipments + 3 MURR no fee shipments	\$ 6,100
24 HRCQ shipments 285 miles each	\$ 94,200
400 low-level shipments annually	<u>\$ 50,000</u>
Estimated Annual Fee Income	\$150,000

ASSUMPTION (continued)

Option 1 - Expenses:

Escorts: 2 high-level shipments (MURR direct pay)	\$ 2,960
Radiological inspections: 5 high-level shipments	\$ 1,400
Radiological inspections: 40 low-level shipments	\$ 11,200
DNR Fund Administration	\$ 16,984
Environmental Monitoring	\$ 13,500
Training & Notification of Local Responders	\$ 30,962
Equipment & Supplies for State & Local Responders	<u>\$ 73,294</u>
Total Option 1 Expenses	\$150,000:

Option 2 - Income High End Range

Hihg-level shipments: 2 + 4 MURR no fee shipments	\$ 6,100
45 HRCQ shipments 285 miles each	\$176,625
350 non-DOE Lo-level shipments	\$ 43,750
1000 DOE low-level shipments	<u>\$125,000</u>
Estimated Annual Fee Income	\$351,475

Option 2 - Expenses

Escorts: 2 high-level shipments (MURR direct pay)	\$ 2,960
Escorts: 45 HRCQ shipments	\$ 66,600
Radiological inspections: 6 high-level shipments	\$ 1,680
Radiological inspections: 45 HRCQ shipments	\$ 12,600
Radiological inspections: 135 low-level shipments	\$ 37,800
DNR Fund Administration	\$ 39,800
Environmental Monitoring	\$ 13,500
Training & Notification of Local Responders	\$ 72,404
Equipment & Supplies for State & Local Responders	<u>\$104,214</u>
Total Option 1 Expenses	\$351,475

Monies would be used by DPS, DOH and MDNR for purposes including, but not limited to, inspections, escorts, and security for waste shipment and planning; coordination of emergency response capability; education and training of state, county and local emergency responders; purchase and maintenance of necessary equipment; emergency responses to any transportation incident involving high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel or low-level radioactive waste; oversight of an environmental remediation necessary resulting from an incident; and administrative costs attributable to the state agencies which are incurred through their involvement.

ASSUMPTION (continued)

To meet the staffing needs from this proposal the department would use existing FTE. The department would restructure the duties to the FTE to implement the requirements of this legislation. For purposes of this fiscal note, the costs for the FTE is charged to the Environmental Radiation Monitoring Fund which is a shift from the Hazardous Waste Fund and Federal funds. Therefore, a corresponding savings is shown to the Hazardous Waste and Federal Funds.

County and local emergency responders would receive training, equipment and supplies as funds are available from this proposal.

FISCAL IMPACT - State Government                      FY 2007                      FY 2008                      FY 2009

**HAZARDOUS WASTE FUND**

COST AVOIDANCE (SAVINGS) -  
 Department of Natural Resources

Salaries (.27 FTE to .63 FTE)	\$12,189 to \$28,442	\$12,494 to \$29,152	\$12, 806 to \$29,881
Fringe Benefits	\$5,370 to \$12,531	\$5,505 to \$12,844	\$5,642 to \$13,166
Equipment & Expense	<u>\$1,480 to</u> <u>\$3,448</u>	<u>\$1,523 to</u> <u>\$3,551</u>	<u>\$1,568 to</u> <u>\$3,660</u>
<b>ESTIMATED NET EFFECT ON HAZARDOUS WASTE FUND</b>	<b><u>\$19,039 to</u></b> <b><u>\$44,421</u></b>	<b><u>\$19,522 to</u></b> <b><u>\$45,547</u></b>	<b><u>\$20,016 to</u></b> <b><u>\$46,707</u></b>



## DESCRIPTION

The act directs all entities that ship or transport radioactive waste to be assessed a fee for any such waste transported through or within the state, the only exception being universities who ship nuclear waste which shall reimburse the Missouri Highway Patrol for costs associated with shipment escorts. The fee structure is described in the act and the Department of Natural Resources in coordination with the Departments of Health and Senior Services, Public Safety and Transportation, shall promulgate rules with regard to the collection and administration of such fees.

Any shipper who fails to pay a fee or to provide notice of a shipment to the Department of Natural Resources shall be liable for a civil penalty of an amount not to exceed ten times the amount of the original fee assessed and not paid.

The fees assessed and collected under the act shall be deposited into the environmental radiation monitoring fund, which has been expanded with the act to accommodate the new fees in order to enforce the provisions of the act.

The act exempts radioactive waste being shipped by or for the federal government for military or national defense purposes from the provisions from the fees and notification requirements.

The act directs the Department of Natural Resources to prepare a report for the General Assembly beginning 2007 and every two years thereafter on the environmental radiation monitoring fund.


The act contains an emergency clause.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Department of Natural Resources  
Department of Health and Senior Services  
Department of Public Safety -  
    Missouri Highway Patrol  
Department of Transportation



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