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SENATE BILL 259

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO THE ENVIRONMENT; PROHIBITING HIGH-LEVEL RADIOACTIVE WASTE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 74 NMSA 1978 is enacted to read:

"~~[NEW MATERIAL]~~ HIGH-LEVEL RADIOACTIVE WASTE PROHIBITED--PENALTY-- JUDICIAL REVIEW. --

A. No person shall transport high-level radioactive waste or spent nuclear fuel to the waste isolation pilot plant or dispose of high-level radioactive waste or spent nuclear fuel at the waste isolation pilot plant.

B. The environmental improvement board shall adopt regulations pursuant to Section 74-1-9 NMSA 1978 to implement this section.

underscored material = new  
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C. Whenever the secretary of environment determines that a person has violated, is violating or threatens to violate any provision of this section or any rule, regulation or permit condition adopted pursuant to this section, the secretary may suspend or revoke any permit issued to the waste isolation pilot plant.

D. Any person who is or may be affected by any final administrative action of the secretary of environment may appeal to the court of appeals for further relief pursuant to Section 74-4-14 NMSA 1978.