

Low-Level Radioactive Waste Update

COMPACT BILLS IN U.S. MOVE ONE STEP AHEAD, POLICY CHANGES IN CANADA AND FRANCE

Low-level radioactive waste interstate compact bills introduced this year in the United States Congress made their first step toward ratification when they moved out of the House Subcommittee on Energy and Environment at the "markup session" on June 27.

The compact bills must now go through the same approval process in the parent Committee on Interior and Insular Affairs, the Subcommittee on Energy Conservation and Power, and its parent Committee on Energy and Commerce before the U.S. House of Representatives will vote on the bills.

The compact bills must also be approved by the Senate Judiciary Committee and then voted on by the Senate. (A markup session is a meeting of committee members to decide on the final language of the bill.)

"These actions must occur within a fairly short timetable since Congress is in recess for much of the summer and South Carolina is threatening to close its site in 1986 if Congress does not act this year," said Michael L. Payne, director of government relations for The Society of Nuclear Medicine (SNM) and the American College of Nuclear Physicians (ACNP). "If consensus is reached on a bill, however, Congress can and no doubt will move it forward quickly," said Mr. Payne.

Under the Low-Level Radioactive Waste Policy Act of 1980, states were required to form regional compacts and establish their own disposal sites by January 1, 1986 (see *Newsline*: Jan. 1985, pp. 1-6; Mar. 1985, p. 224; May 1985 pp. 453-454; June 1985,

p. 563). There are three commercial low-level disposal sites, located in Barnwell, SC, Beatty, NV, and Richland, WA, in the United States.

The Subcommittee on Energy Conservation and Power, chaired by Representative Edward J. Markey (D-MA), held waste compact hearings on June 12. Kenneth A. McKusick, MD, president of the ACNP, and Captain William H. Briner, chairman of the SNM's Government Relations Committee, presented an overview of nuclear medicine and its relationship to the waste disposal issue.

Volume reduction

Dr. McKusick also expressed concern over possible volume reduction laws, pointing out that medical institutions disposed of 4,916 cubic meters of low-level waste in 1983, down from 21,300 cubic meters in 1978. "Further reductions are not reasonable," said Dr. McKusick.

Volume reduction rules make up a key part of the compromise package developed by the governors of South Carolina, Nevada, and Washington to allow access to the disposal sites in those states. These provisions, with an exemption from mandatory reduction formulas for medical institutions and radiopharmaceutical manufacturers, were included in the Low-Level Waste Policy Amendments Act of 1985 (H.R.1083).

Although the three existing sites could legally refuse to accept waste from outside their compacts next year with congressional consent, site operators, members of Congress, and government officials are negotiating rules

for an interim grace period because no other state has developed a low-level disposal site that could start operating in 1986.

Wright H. Andrews, Jr., representing the Southeast Compact Commission and the states of Nevada and Washington, told the subcommittee that "the 1980 Act lacked 'teeth' to ensure states would not delay unnecessarily in meeting their disposal responsibilities."

Mr. Andrews presented the compromise package, which includes three "intermediate milestones" that states must comply with to maintain access to the disposal sites: by July 1, 1986, state legislators must either ratify compacts or pass laws stating their intent to develop a disposal site; by January 1, 1988, host states must develop a siting plan; and by January 1, 1990, complete license applications for new facilities must be filed.

The U.S. Nuclear Regulatory Commission (NRC) also submitted comments to the subcommittee on H.R.1083, suggesting that the bill specify state and federal responsibilities for the disposal of naturally occurring and accelerator-produced radioactive materials (NARM), which are not subject to the Atomic Energy Act.

The agency also recommended that the bill clarify regulatory responsibility for mixed waste, which currently falls under conflicting regulations of the NRC and the U.S. Environmental Protection Agency.

The nuclear medicine community has been educating physicians in

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other fields on the impact of low-level waste disposal on all medical practice. That message has been heard by at least two medical groups, which sent letters to Congress urging passage of the compact bills.

Support from medical groups

James H. Sammons, MD, executive vice president of the American Medical Association, said in a letter dated March 18 to Senator Thurmond and Representative Udall, “The development of low-level waste disposal facilities and sites is important to protect the public health.”

Thomas F. Dutcher, MD, president of the American Society of Clinical Pathologists, sent a letter dated May 21 to Congressman Markey. “We ask that you work to ratify quickly those interstate compacts presently pending before Congress,” said Dr. Dutcher.

Exemptions in Canada

The Atomic Energy Control Board (AECB) of Canada has announced a proposed regulatory policy change which would exempt waste that meets a *de minimis* criterion from licensing.

Announced on May 6, the proposal stated that the AECB “recognizes that, for practical purposes, the disposal of certain contaminated materials should be exempted from AECB licensing control. The AECB will use

a *de minimis* dose of radiation to individuals of 0.05 millisievert [0.005 rem] in a year for deciding such exemptions on a case-by-case basis, provided that the radiologic impact is localized and that the potential for exposures of large populations is small.” The comment period ends on August 6.

New disposal sites in France

The French National Waste Management Agency (ANDRA) is evaluating five new sites for low-level waste disposal facilities, and will choose two by the end of the year, according to an interview with Dr. Yves Marque, head of the ANDRA project division, conducted by the *Radioactive Exchange* newsletter at the recent Waste Management '85 conference in Tucson, AZ.

Last year, the French government, after consultation with the National High Council of Safety, requested that ANDRA qualify two sites for shallow-land burial by the end of 1985. The agency originally had three potential sites under consideration, but two other communities expressed interest in developing a site in their

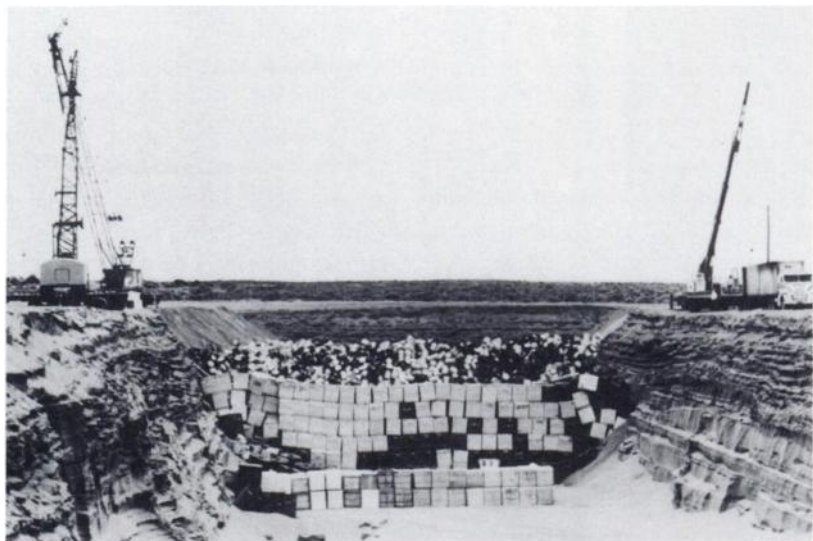
towns for economic reasons.

With construction scheduled to begin in 1988, the new sites will accept low-activity wastes (similar to Class A and B in the United States) and medium-activity wastes (similar to Class C).

In France, the waste producer pays most of the costs of disposal sites. “He must pay for the operation and amortize the development costs. He has to pay for the construction of his disposal facility, and for all the applied research having to do with the construction, and after he has to pay for taking charge of his waste,” said Dr. Marque. The French government pays for basic research on waste management, he added.

Yugoslavia centralizes waste

In Yugoslavia, the government has reached an agreement to coordinate the country's radioactive waste problem at the national level, according to the *Radwaste News* newsletter. The present storage facilities for low-level and intermediate waste, now managed by several republics, will be replaced by one or two permanent storage facilities. ■



Site employees at the low-level radioactive waste site in Richland, WA, stack crates of waste. Barrels are randomly placed in the trench to minimize occupational exposure time. (Courtesy of US Ecology)