

radioactive waste  
campaign

# rwc Waste Paper

Fall 1987

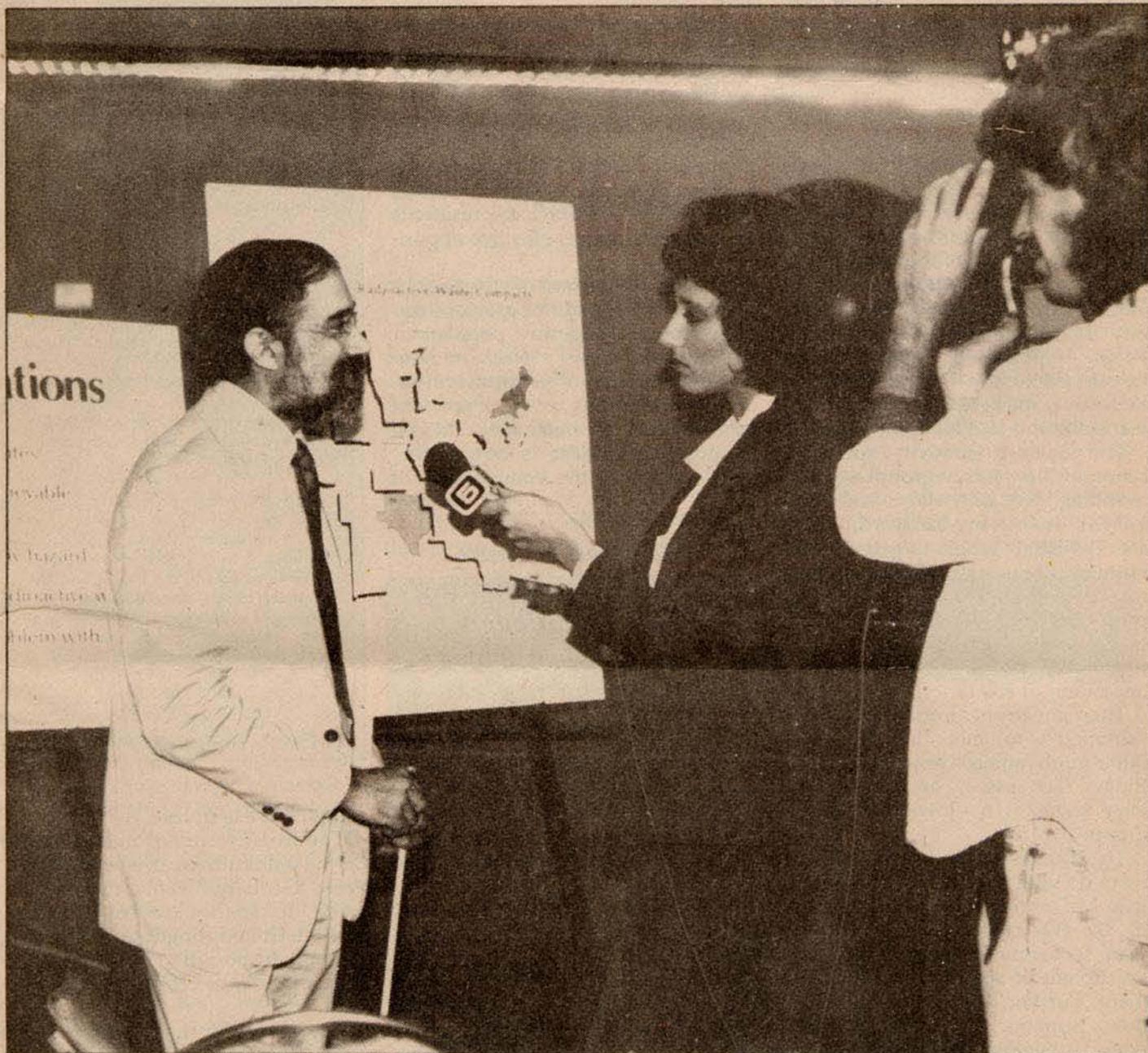


Photo by Chris Nichols

The Radioactive Waste Campaign released its new book *Living Without Landfills* at a Washington, D.C. press conference. Pictured here is Staff Scientist Marvin Resnikoff being interviewed by reporters at the National Press Building. (Story, page 3).

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# Editorial

## The "Tennessee" Solution

By Minard Hamilton

In 1983, citizens in Montclair, N.J. suddenly woke up to a nuclear nightmare. The community was at risk from radium-contaminated soil dumped 60 years before by a watchmaker, U.S. Radium Company. In response to public pressure, the governor declared a public emergency, ordered the contaminated soil dug up and authorized efforts to find a storage site.

So began a search not unlike the garbage barge Mobro's highly publicized saga at sea. Nevada said no to the Montclair soil, as did Washington State. Then community after community in New Jersey nixed the plan. People sponsored huge rallies, threatened to and DID lie down on highways, picketed the governor's mansion, and had all-night vigils.

The vigilance, creativity, and dedication of New Jersey groups was astounding. Not only did citizens say NIMBY—not-in-my-backyard, they also assisted other targeted communities in the state. Citizens in Vernon helped the folks in Montclair, protesters in Montclair aided their neighbors in Ogdensburg. It was a remarkable and commendable demonstration of solidarity.

Then government officials found a "solution"—to mix the dirt with other more radioactive wastes at Oak Ridge, Tennessee, and eventually bury them at a "low-level" waste dump.

The Tennessee "solution" had little to do with science. In fact, as William McDonnell's article in this issue of *The Waste Paper* points out, the plan is seriously flawed from the standpoint of sound waste management. Further, the Tennessee site is not a superior one from the viewpoint of geology or hydrology. The Oak Ridge site (which, supposedly,

is to be only a "temporary" storage area for the waste) is plagued by severe problems.

No, Tennessee got the waste because local citizens were not given enough advance notice to organize effectively.

All along the tendency by government entities faced with enormously unpopular nuclear waste decisions has been to dump the stuff in remote, rural regions where local residents are unable to muster effective opposition.

Sometimes, the lack of effective opposition is the result of grievous unemployment, or a tiny population, sometimes there is a weak or non-existent tradition of political protest, or the community is so dependent upon military contracts that criticism of anything nuclear is beyond the pale. Whatever the combination of

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***We need to start  
rigorously questioning  
whether alleged  
benefits of nuclear  
power and nuclear  
weapons are worth the  
eternal waste burden.***

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factors, government officials have been happy to take advantage of the situation.

In the U.S., the search for the most politically vulnerable populations has meant that Native Americans have borne a disproportionate share of the nuclear waste burden. For example, huge piles of uranium mill tailings sit on or adjacent to many reservations. It has also meant that the South has received far more than its share of nuclear poisons—the Savannah River complex in South Carolina and the Oak Ridge plant in Tennessee being

## rwc Waste Paper

Vol. 9, No. 3

Fall 1987

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*The rwc Waste Paper* is published quarterly by The Radioactive Waste Campaign, 625 Broadway, 2nd Floor, New York, NY 10012, (212) 473-7390. Typesetting was done at Your Type, NYC; printing by Vanguard Printers, Hillside, NJ; distribution by Mailcraft, Hillside, NJ.

Subscriptions are \$8 a year, \$14 for 2 years, and \$15 a year to international addresses.

Back issues are available for \$1 each. Bulk orders available at a discount.

Letters to the editor are welcome. These and inquiries or copy from guest writers should be sent to the Editor at the New York office.

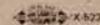
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The Radioactive Waste Campaign promotes greater public awareness of the dangers to human health and the biosphere from the generation of radioactive waste. The Campaign's programs include research, information dissemination and public education.

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ISSN No. 0738-7695



prominent examples.

The trend to dump nuclear waste on the politically weak is world-wide. West Germany wants to send its waste to apartheid-ruled Namibia, and the United Kingdom is scheming to dump its poison in the Hebrides or Shetland islands off the coast of Scotland.

The mentality that promotes such behavior is always colonial, usually racist, and invariably involves an ambitious politician saving his or her political skin. The dump-on-the-

*continued on page 8*

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*Minard Hamilton is director of the Radioactive Waste Campaign.*

## New Survey

# "Low-Level" Waste Poses Serious Threat

By Steven Becker

A comprehensive national survey released by the Radioactive Waste Campaign charges that some "low-level" waste is intensely radioactive and will remain hazardous for over 100,000 years.

The survey, *Living Without Landfills*, calls for federal action to reclassify a significant portion of "low-level" waste as high-level. The 109-page report also calls for an immediate halt to the search for new "low-level" waste dumpsites, and recommends instead that wastes be stored at reactor sites, where most radioactivity is generated.

The survey was released on September 29th at a press conference in the National Press Building in Washington, D.C. The press conference was attended by several dozen reporters representing Associated Press Television, Associated Press Radio, the AP wire service, the New York Times, ABC Radio, Evening News Broadcasting, Potomac News Service, Fisher Broadcasting, Science Magazine and McGraw-Hill World News, among others.

At the press conference, Campaign Director Minard Hamilton and Research Director Marvin Resnikoff each made brief statements which were followed by questions. In her statement, Hamilton highlighted the urgency of the "low-level" waste problem, describing it as a national crisis. "Throughout the country, states are rushing to meet a federally-mandated deadline. By January 1988, individual states must have a siting plan in place for new dump sites. States in regional groupings, or compacts, must have selected a host state for disposal of their 'low-level' waste, in addition to having a siting plan."

Hamilton strongly criticized the nuclear industry for deceiving the public about the nature and severity of the "low-level" waste problem. "Citizens and legislators alike . . . are

the victims of a sophisticated and deliberate disinformation campaign." She noted that the industry has fostered the idea that most "low-level"

***"Citizens and legislators alike . . . are the victims of a sophisticated and deliberate disinformation campaign."***

**Minard Hamilton**

radioactivity is contained in relatively harmless trash generated by medical and research institutions and by other industries. The reality, according to *Living Without Landfills*, is that nuclear power plants account for the vast majority of the radioactivity in "low-level" waste.

Hamilton also assailed the undemocratic nature of decision-making on "low-level" waste issues. Noting that compact commissions are com-

posed of unaccountable appointees, she said: "New dump sites must not be selected by a handful of gubernatorial appointees. Plans that will leave a nuclear legacy to our grandchildren and their grandchildren must be decided upon in an open democratic process."

In his statement, Marvin Resnikoff pointed out that the "low-level" waste category currently includes many nuclear reactor byproducts which are highly radioactive and incredibly long-lived. "Citizens who live near potential 'low-level' waste facilities need to know that this is not a 100-year commitment, but a 100,000-year commitment."

Dr. Resnikoff called for the reclassification of significant segments of the "low-level" waste stream into high-level waste. "Long-lived, highly concentrated 'low-level' waste should be reclassified as high-level waste, a waste category that will require greater care."

Resnikoff also explained that when decommissioning is taken into consideration, nuclear power reactors ac-

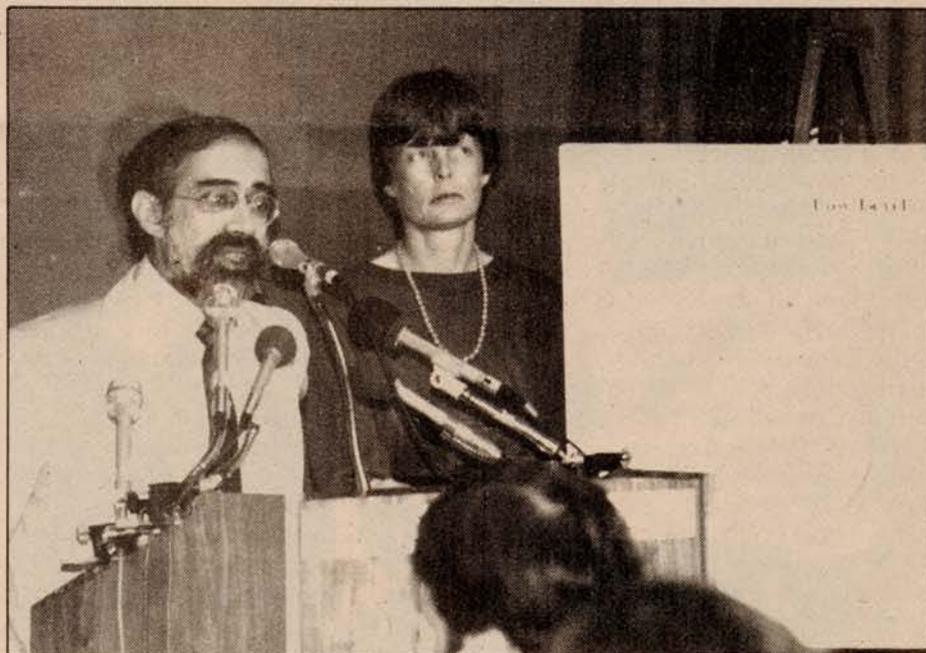


Photo by Chris Nichols

**Steven Becker** is senior editor at the Campaign.

Campaign Staff Scientist Marvin Resnikoff and Director Minard Hamilton during the September 29 press conference in Washington, D.C.

count for a staggering 99 percent of the radioactivity in "low-level" waste. "Only one percent of the radioactivity in 'low-level' waste is produced by industry, and a mere 0.008 percent is produced by hospitals and research institutions," he noted.

Resnikoff indicated that plans by some states to landfill wastes are misguided. "Radioactive landfills have a proven record—a proven record of failure." Further, he continued, there is actually no need for new

**"Radioactive landfills have a proven record—a proven record of failure."**

**Marvin Resnikoff**

dumpsites. "Because 99 percent of the radioactivity already resides at nuclear reactors, we have called for a halt to the further siting of new waste facilities. Why move 99 percent of the radioactivity to new waste facilities, when 1 percent of the total radioactivity generated in 'low-level' waste can be moved to nuclear reactors?"

*Living Without Landfills* urges that the production of radioactive wastes be minimized. The study calls for increased energy conservation and a phase-out of nuclear reactors (with monies allocated for worker retraining). The report also recom-

## Campaign Computer Swiped THEFT!

On Monday, September 14, the Campaign's office was broken into and, our trusty Kaypro 10-X computer and Epson printer were stolen. The news was devastating. The Campaign staff was hard at work preparing for our press conference in Washington, D.C. And the entire press list was on the hard disk in the computer! The press conference was only fifteen days away.

Amidst the flurry of sending out over 500 copies of *Living Without Landfills*, preparing press packs, writing press releases and helping

mends the launching of a major federal scientific effort to develop environmentally sound proposals for managing nuclear waste. This program, the study emphasizes, must be open, accessible and independent of those agencies involved in promoting nuclear power or weapons.

*Living Without Landfills* was written by Dr. Marvin Resnikoff and edited by Steven Becker. The report was designed and produced by Ed Hedemann. Copies are available for \$11 each from The Radioactive Waste Campaign, 625 Broadway, 2nd floor, New York, N.Y. 10012. For information on bulk rates, contact the Campaign at (212) 473-7390.

folk in the field with the nine regional press conferences, our hearts sank at the prospect of having to re-type our carefully developed press list of 600. We started making plans for a marathon typing session that we estimated would take 24 hours. Lo and behold we discovered that one of former staff members had made back-up copies of the press list. Brava to geologist Dana Coyle for her meticulousness!

Meanwhile, rumors flew on the second floor at 625 Broadway. Why were none of the other more expensive computers on the floor stolen? Computers that were closer to the point of entry of the burglars? Why, in fact, in the Campaign office was the older, less valuable computer which was located immediately adjacent to the more expensive computer—our Wells AT compatible—taken? Had somebody known about all that valuable data on the hard disk?

Much as we do not like to be paranoid, we couldn't help wondering whether this was a political, "dirty tricks" theft. The press conference was days away and an important new survey was about to make the life of the average nuclear utility very difficult. We will never know the answer to this question, but we took the theft as a compliment to the importance of our work.



Photo by Chris Nichols

Campaign Director Minard Hamilton speaking in the Edward R. Murrow Room of the National Press Club in Washington, D.C. on September 29.

Campaign supporters please dig into your pockets now and help us replace our Kaypro 10-X. Putting out *Living Without Landfills* has strained our financial resources. We are facing a huge printing bill, our phone bill has quadrupled, and citizens all over the country are clamoring for our services. Send us \$10, \$50, \$100 to help replace this valuable tool. Make checks payable to the Radioactive Waste Campaign for a tax-deductible contribution.

## Living Without Landfills

# A Welcome Tool for Citizen Activists

By Carol Mongerson

**N**uclear engineers and bureaucrats often have the attitude that non-specialists can't possibly understand what the nuclear waste problem is all about. They feel that to understand the problem, you must be familiar with a lot of the scientific and technical details.

So what are concerned citizens to do? Trust the experts to make all the decisions? Considering the mess we got into by blindly trusting the experts in the past, this seems a poor move.

A better alternative is to educate and inform ourselves, but that's hardly an easy task, as anyone who has ever tried to wade through a government document knows. Professional jargon, uncooperative experts who feel threatened when lay people invade their territory, and the lateness of the hours during which most of us must read these materials, all discourage activists, even the most ardent ones.

This is exactly the problem *Living Without Landfills* solves. This comprehensive study brings together all the most important facts about "low-level" waste for the very first time.

**The study brings together all the most important facts about LLW for very first time.**

Drawing on a wide range of sources, it addresses the key issues: the history of landfill failure; what "low-level" radioactive waste is, where it comes from and why it isn't really low-level at all; what legislation and regulations have attempted to cope with the problem; and what alternatives to landfills have been proposed.

All this and you don't have to read

a single government document. What a deal! Physicist Marvin Resnikoff has pored over the data, studied the tables and flow charts and skillfully condensed it all for us.

Especially useful are the book's stunning graphics. Clear and understandable pie charts, graphs and tables abound. High praise should go to Ed Hedemann, who designed and produced the book.

*Living Without Landfills* is also well organized and easy to read. Un-

like many other studies dealing with technical subjects, this book can be understood by the layperson. Hats off to editor Steven Becker for making complicated scientific information remarkably comprehensible.

Beyond presenting the basic facts, *Living Without Landfills* grapples with difficult policy questions and reaches important conclusions. These were the result of careful, searching thought on the part of the Radioactive Waste Campaign's staff

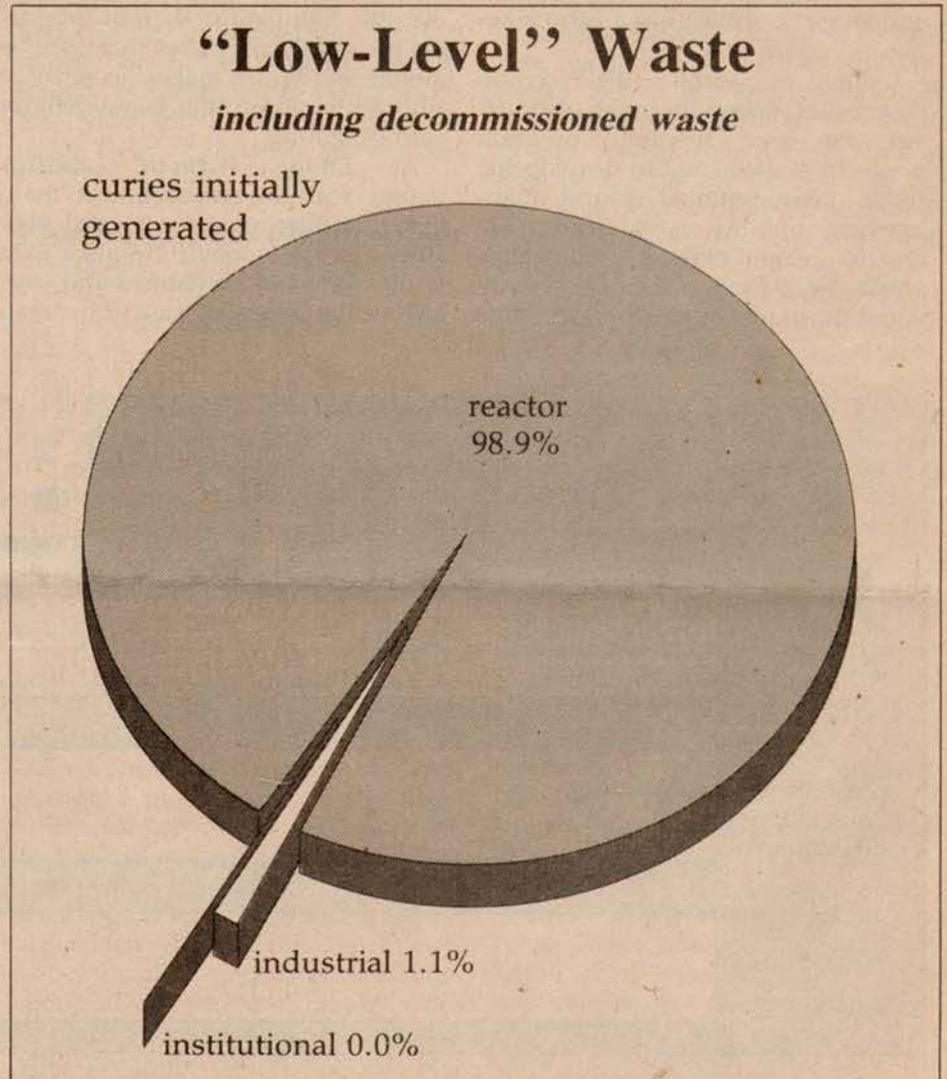


Figure 1-20 from page 27 of *Living Without Landfills*

**Carol Mongerson** is a founder of the Coalition on West Valley Nuclear Wastes.

When waste from decommissioned reactors is included in projections of total waste generation through 2020, nuclear power plants will generate almost 99% of the total commercial radioactivity. Institutions will generate a mere 0.008%.

**"Dump the Loved Ones?"**

"Let's just dump the loved ones who may be suffering from cancer."

No, this is not the U.S. Department of Health's new solution to the rising costs of cancer care.

This sentence inexplicably appeared in the preface to the Radioactive Waste Campaign's recently released book, *Living Without Landfills*. Apparently,

a computer glitch combined the first part of one sentence, "Let's just dump the essentially benign refuse in an 'engineered' landfill . . ." with the end of another, ". . . puts in jeopardy medical care for any loved ones who may be suffering from cancer."

Fortunately, this error was caught in time by proof readers. We can only hope the proofers did not miss other major gaffes.

and Board of Directors.

The book makes it clear that there is no permanent solution to the problem of what to do with waste which will be radioactive for thousands of years. There are just less dangerous, and more sensible, ways of managing the waste.

Once we admit this, certain courses of action become obvious. An extensive research program needs to be launched to develop the most environmentally-sound management options. And clearly, we should stop making radioactive waste. Since most of the radioactivity comes from power reactors, we must

look for other sources for our electricity. In other words, reactors must be phased out."

"Low-level" waste should be stored at the shut-down reactors, rather than opening new sites all over the country and thereby increasing the number of places that must be monitored. It also makes no sense to site additional landfills given their record of failure.

As *Living Without Landfills* makes clear, the bottom line on managing nuclear waste is eternal vigilance. "Waste remains in sight and in mind. As waste containers and storage vaults degrade, future generat-

ions will need to retrieve, repair and replace them. Waste must be stored in ways accessible to future generations. We can no longer produce waste, place it in the ground and hope that the earth stands still. Unless . . . spectacular advances in technology in the 21st century provide far better containment than we now have, each generation from now on will have to deal with repackaging some of the wastes our generation is leaving for them . . . There can be no Hollywood ending to this story. To pretend otherwise is to invite tragedy."

Sobering, yes. Hopeless, no. Not as long as there are books like *Living Without Landfills* and people like you who will fight to protect health and the environment. This is a fight that can be won.

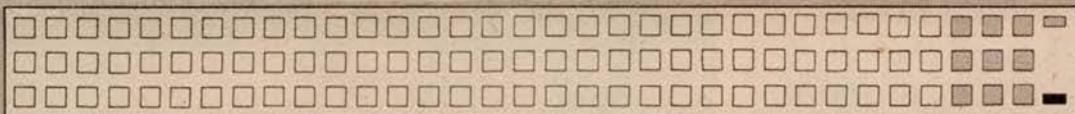
**Does Your Library Have *Living Without Landfills*?**

Radioactive Waste Campaign supporters should encourage their local public and school libraries to order a copy of *Living Without Landfills* available for \$11 (\$10 plus \$1 shipping).

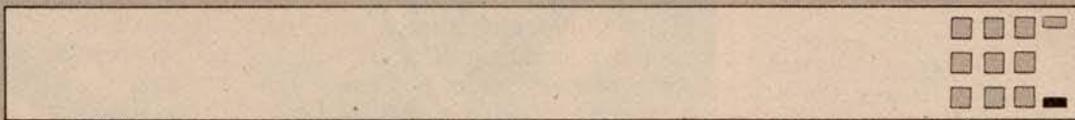
**"Low-Level" Waste**

- waste hazardous for about 100 years
- waste hazardous for about 300 years
- waste hazardous for over 10,000 years

waste initially generated



waste remaining after 100 years



waste remaining after 300 years

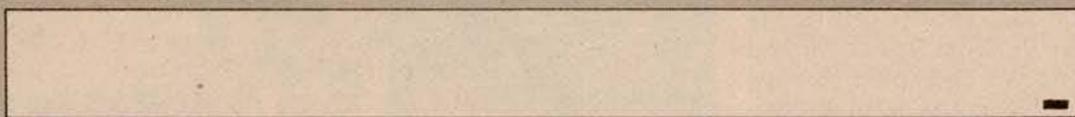


Figure 4-2 from page 63 of *Living Without Landfills*

Waste should be segregated into waste streams according to longevity. If "low-level" waste were segregated according to half-lives, a decreasing volume of waste would need to be maintained with time. After 300 years, 0.5% of the original waste volume would still be hazardous. On the other hand, if all "low-level" waste were mixed, the entire volume would have to be maintained for greater than 10,000 years.

## An Update

# Nuclear Legislation

By Jennifer Tichenor

**H**igh on the agenda of environmental issues facing Congress this fall are proposals to amend the 1982 Nuclear Waste Policy Act. Over 60 such bills have been introduced since last spring, ranging from efforts to accelerate the law's implementation to calls for a moratorium on the search for a high-level waste site.

In the five-year period since passage of the original Act, the Department of Energy has been looking for a place to store the nation's commercial and military high-level nuclear waste. The federal government's plan has been to find, develop and operate one, and perhaps two, deep geological repositories.

Meanwhile, the Energy Department is also supporting nuclear industry attempts to persuade Congress to authorize a Monitored Retrievable Storage facility. This facility is proposed as an interim storage site for high-level waste until the geological repositories are ready. (The 1982 legislation mandates that the first facility be operational by 1998, a deadline which the Department of Energy now admits it cannot meet.)

Safe energy activists see the Monitored Retrievable Storage strategy as one of "divide and conquer." They see this move as the Department's way of avoiding pressure to select a final repository, and of deluding states targeted for a possible high-level site that a solution to the nuclear waste problem has been found and the pressure is off.

In the Senate, a bill to push the Nuclear Waste Policy Act forward has been introduced by Senators Johnston of Louisiana and McClure of Idaho. It is in the form of an amendment to the Energy and Water Appropriations bill, and would

- Direct the Department of Energy to choose one of the three current west-

ern dump sites (Deaf Smith County, Texas; Yucca Mountain, Nevada; or Hanford, Washington) for testing by January 1, 1989;

- Direct the Department to design and build a Monitored Retrievable Storage facility;

- Pay the dump state \$50 million per year during repository construction and \$100 million per year during waste shipments; pay each Storage facility state \$20 million per year during construction and \$50 million per year of facility operation; and

- Cancel the second-round site selection process until the year 2007, at which time the Department of Energy would report to Congress on the need for a second high-level waste site. This last feature has

### *The Sasser amendment is the best legislation in Congress.*

gained Johnston his greatest support, as it relieves the present Congress of the enormous responsibility of finding the second site.

Environmentalists are strongly opposing the bill, arguing that it speeds an already hopelessly flawed and dangerous process and bribes poor communities to take the waste. Several Senators have also vowed to filibuster the bill when it reaches the Senate floor.

Environmental groups are supporting a moratorium on the high-level waste repository process as the best course of action. Senators Sasser of Tennessee and Adams of Washington have introduced legislation which would do just that. Specifically, the bill would suspend all site-specific Department of Energy work on the permanent repository and MRS programs for 18 months, and establish a 13-member Nuclear Waste Policy Commission, with state, Native American and public interest community representation to review

the Act and the performance of the Energy Department.

A bill similar to the Sasser-Adams bill has been proposed in the House by Representative Udall of Arizona. House Resolution 2888 would halt the Department of Energy's high-level waste site search for 18 months and set up an independent three-person commission to evaluate the Department's performance and suggest changes in the program. Representative Hucaby of Louisiana, however, probably will introduce a House version of Senator Johnston's bill.

Another major controversy this session is the 30-year-old Price-Anderson Act, which limited liability of commercial reactors to \$500 million. In July, the House of Representatives approved a 10-year extension of the Act, and defeated three key amendments supported by safe energy advocates.

The House bill limits public liability of nuclear utilities to about \$7 billion and allows utilities' legal costs to be paid from this fund before accident victims are compensated. It also exempts commercial and Department of Energy contractors from liability for accidents caused by negligence or intentional misconduct.

Fortunately, recent developments may have significantly improved the chances to secure a good Price-Anderson renewal bill in the Senate and to revisit the close votes lost in the House in late July. Two Senate committees have reached a major roadblock in their attempt to reconcile their differing Price-Anderson legislation, and this delay may work to the advantage of safe energy advocates.

Environmentalists are looking to create Price-Anderson renewal legislation which would hold the Department of Energy and commercial contractors liable for accidents they cause. Safe-energy advocates will also press for full victim compensation, taxpayer protection and a limit on extension of the legislation to no more than ten years.

*Jennifer Tichenor is assistant director of the Radioactive Waste Campaign and President of the National Nurses Alliance for the Prevention of Nuclear War.*

# Blending Is Forever

By William McDonnell

The New Jersey Department of Environmental Protection has finally found a solution to getting rid of the Montclair radioactive dirt.

Their plan is to ship the barrels to Oak Ridge, Tennessee, where the contents will be mixed with other wastes of higher radioactive levels, and then shipped off to final disposal at a "low-level" dumpsite. A trial shipment of 84 barrels already has been made.

On first glance, the plan has merit. Unlike previous plans, it does not involve putting the contaminated soil into a clean area (Vernon, Ogdensburg, or Jackson Township, New Jersey, for example). Further, from the Department of Environmental Protection's standpoint, the solution avoids public community outcry because there is no local community to complain (unless, of course, Oak Ridge should take up the cry).

When the Department wanted to blend clean soil with the Montclair contaminated dirt at Vernon, we objected. Blending, or dilution, is not a viable way of solving radioactive waste problems. Blending increases the volume, is irreversible, does not reduce the total amount of radioactivity and potentially increases trans-

port and re-entry into the biosphere.

The current plan not only has the same drawbacks, but others as well. The higher level wastes will increase the total number of different kinds of radionuclides in the soil, making monitoring more complex.

Further, if the reason to mix the Montclair dirt with higher waste is to lower the activity level sufficiently so that the higher level material can fit into a lower level category, then the dilution may be nothing less than a ruse to get rid of high-level waste.

We suggest that the Environmental Protection Agency, as well as the Nuclear Regulatory Commission, take a look at exactly what waste is being diluted and where such waste is being put (does this blending mix military and non-military waste, transuranic waste with "low-level", and are the disposal facilities licensed to accept such conglomerations?).

Finally, we ask the question that we have asked before: What about the residents of Montclair? There is an estimated 120,000 cubic yards of contaminated dirt under homes in Montclair—homes in which people are living. The Center for Disease Control warned of the health risk in 1983. Four years later, the Department of Environmental Protection has perhaps found a questionable way of disposing of contaminated dirt from a pilot project. But what has the Department done to safeguard the health of the people of Montclair?

*William McDonnell is an activist in Warwick Against Radioactive Dump, and is a researcher for the Radioactive Waste Campaign.*

## Editorial/continued

weak scenario is also devastatingly shortsighted and perpetuates the myth that the nuclear waste problem can be "solved."

This myth victimizes us all no matter where we live. Because the problem can be solved, will be solved, is about to be solved, society can continue producing nuclear waste in remarkably vast quantities. Utilities can continue building nuclear power plants, and governments can continue building more and more nuclear bombs. Meanwhile, in reality, we all remain nuclear hostages.

Citizens everywhere need to come to grips with a fundamental issue—whether the production of radioac-

tive waste in the first place makes sense. At every level of society, in every community, we need to start rigorously questioning whether the alleged benefits of nuclear power and nuclear weapons are worth the virtually eternal nuclear waste burden. And we need to assert our democratic right to make decisions about these fundamental matters.

Meanwhile, we also need to extend the principle of solidarity between citizens groups. Not only should organizations in one state work together—we need solidarity throughout the country and even across national borders. We need to start thinking of complete strangers in other communities, distant regions and foreign countries as neighbors,

## News Conferences on "Low-Level" Waste Held Across the U.S.

While *Living Without Landfills* was being released in Washington, D.C. on September 29, citizens groups from coast to coast held press conferences to call attention to the nation's "low-level" waste crisis.

In all, over two dozen grass roots organizations participated in the nine press conferences. Sponsors included conservation, environmental and safe energy groups, as well as organizations focusing on water quality and toxic chemicals.

Activists distributed copies of *Living Without Landfills* in connection with the press conferences, using the book to highlight problems in their areas. In some places, such as Michigan, copies were also handed out to legislators and policymakers.

Media coverage of the press conferences was excellent, and included television, radio and newspaper articles.

News conferences were conducted in the following locations (contacts listed in parentheses): Seattle, Washington (Tom Buchanan, 206-329-3839); 29 Palms, California (David Sabol, 619-367-2491); Toledo, Ohio (Mike Ferner, 419-729-7273); St. Louis, Missouri (R. Roger Pryor, 314-727-0600); Lansing, Michigan (Mary Sinclair, 517-835-1303, and Jennifer Puntenney, 313-477-2214); Lincoln, Nebraska (Sam Welsch, 308-432-3407); Albany, New York (Lawrence Shapiro, 518-462-5526); Winston-Salem, North Carolina (Janet Hoyle, 919-982-2691, and Lisa Finaldi, 919-832-7491); and Concord, New Hampshire (Cia Iselin, 603-847-9026).

as brothers and sisters, as equal members of the global community.

Working together, we can deny the bureaucrats and politicians the opportunity to dump their "solutions" on the weak, and instead we can move toward real solutions that will enhance and protect life on our fragile planet.

# Vials Can Be Vile

By Marvin Resnikoff

Everything must go somewhere. It's a fundamental law of nature. But, where do millions of radioactive-filled test tubes used by medical and research institutions across the country annually go?

Over 70 percent of these radioactive test tubes, called liquid scintillation vials, go to the Quadrex plant in Gainesville, Florida. The news became clear last year to Lee and December McSherry, local cattle farmers, when they smelled toxic chemicals emanating from the local landfills.

Waste generators, prevented from incinerating radioactive waste at numerous communities across the country, send liquid scintillation vials to Quadrex in Gainesville for "processing." Research and medical institutions in New York City, for example, send vials to Gainesville.

Quadrex crushes and shreds glass and plastic liquid scintillation vials, draining off the liquid xylene and toluene, contaminated with radioactivity. The solvents, contaminated with iodine-125, tritium and carbon-14, are used by Oldover Corporation of Glen Cove Springs, Florida as a supplementary fuel in two rotary kilns. The crushed vials are sent to the Alachua County Southwest Landfill near Gainesville. Medical and research institutions use liquid scintillation vials as radiation detectors. When beta radiation is emitted from tritium or carbon-14, the liquid scintillation fluid flashes light.

Because of the large number of vials processed in Gainesville, the environmental ramifications quickly became apparent.

In April, 1986, soil samples at the Alachua County Southwest Landfill showed toluene and xylene levels on the order of 1.7 to 2.8 percent total solvent by weight. These concentrations are millions of times greater than hazardous waste standards, usually measured in parts per billion.

Because of the high levels, on April 25, 1986, the County Department of Environmental Services courageously refused to accept further vial

shipments in the landfill. As Lee McSherry pointed out to *the Waste Paper*, "use of the landfill is not a right, but a privilege." According to Lee, Quadrex abused that privilege.

Two County concerns underlined this refusal to accept Quadrex waste: accepting toxic chemical hazardous waste without the proper permit, and accepting a potential hazard to the environment and potential liability to the County.

Correspondence between the County and Quadrex continued through June, 1986, when a County consultant reported sampling results from the landfill. The independent sampling results reinforced the initial dump ban by the County.

Despite the noxious odors and high reported concentrations of toluene, the Florida State Department of Environmental Regulation inexplicably determined in June that "crushed vials are empty containers and are not hazardous waste." But the County, not the State, controlled use of the landfill.

Quadrex also attempted to call the waste purely radioactive and therefore under the regulation of the Nuclear Regulatory Commission. But a successful court case by LEAF, an environmental legal foundation in Knoxville, Tennessee, established the legal precedent that mixed radioactive and toxic chemical waste are also under the jurisdiction of the Environmental Protection Agency.

Under changes in Commission regulations adopted in 1981, liquid scintillation fluids with less than 0.05 microCuries per gram of tritium or carbon-14 were deregulated, but regulation of the chemical hazard remained under the jurisdiction of the Environmental Protection Agency. It is noteworthy that up to June, 1986, the Agency never inspected and had little knowledge of the Gainesville facility.

Now that the Alachua County Landfill is closed to Quadrex, where are the millions of scintillation vials now being dumped? Lee McSherry didn't have the answer. But they must be going somewhere.

Methods are available to re-use the toluene and xylene fluids, and to

## "Cleansing Radium?"

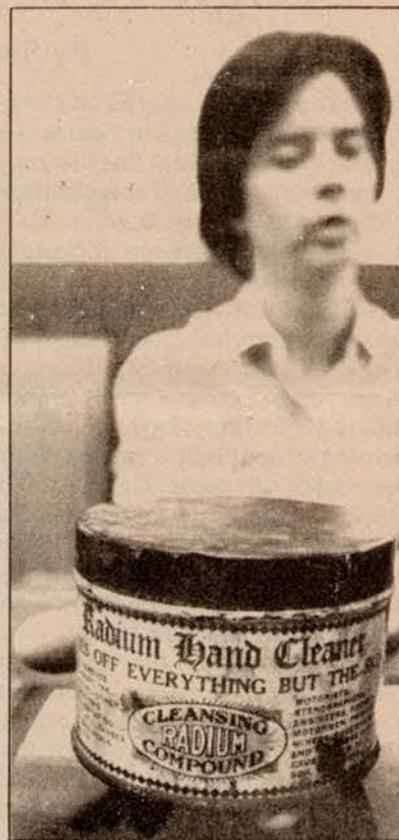


Photo by Ed Hedemann

This old "Radium Hand Cleaner" can was found by staff scientist Marvin Resnikoff on an Upper West Side corner of New York City last summer. Front label reads "takes off everything but the skin." Back label reads "radium cleans the house . . . Horsemen and dairymen will find this cleaner to be great value not only as a cleaner, but as a deoderizer[sic]." Assistant director Jennie Tichenor keeps her distance while inspecting the now empty container.

clean and re-use liquid scintillation vials more efficiently, provided glass rather than plastic is employed. Replacements for toluene and xylene are being used more frequently by research institutions, and a shorter lived radionuclide, phosphorus-32, is replacing tritium and carbon-14.

Since the radioactivity levels in liquid scintillation vials are below regulatory concern for the Nuclear Regulatory Commission, presumably no one is monitoring radioactivity at the Oldover Corporation's two rotary

continued on page 12

*Marvin Resnikoff is staff scientist for the Radioactive Waste Campaign.*

# Court Rejects Federal High-Level Waste Rules

By Steven Becker

In a key ruling, the First Circuit U.S. Court of Appeals in Boston has struck down the federal Environmental Protection Agency's regulations for disposing of high-level radioactive waste. The decision represents yet another setback for government efforts to site a deep underground waste repository.

The Environmental Protection Agency regulations set limits on how much radiation may be released into the environment by permanent high-level waste disposal facilities. The regulations were intended to provide the basis for the Energy Department's repository siting guidelines and for the Nuclear Regulatory Commission's licensing guidelines.

The court ruled on July 17 that the Agency's regulations for protecting groundwater near disposal facilities were inexplicably less stringent than the criteria established by the Safe Drinking Water Act. By allowing higher levels of contamination near disposal sites, the EPA regulations

would, in effect, have permitted higher radiation exposure levels for people living near a repository than are permitted for other people.

The court decision is particularly significant since some of the locations currently under consideration as repository sites are quite close to major water supplies. For example, the proposed Deaf Smith, Texas site is located above a major aquifer, while another potential site in Washington State is close to the Columbia River.

The suit challenging the Environmental Protection Agency's rules was filed by the Natural Resources Defense Council, as well as two other environmental groups and the states of Maine and Vermont.

"We took a novel approach in our challenge," noted attorney Dan Reicher, who represented NRDC. "We argued, and the First Circuit agreed, that disposal of wastes in a deep geologic repository constitutes 'underground injection' as that term is broadly defined in the Safe Drink-

ing Water Act (SDWA), implementing regulations and legislative history." Thus, high-level waste repositories are subject to the act's limits on contamination of groundwater by underground injection. Since EPA's regulations allow higher levels of contamination than are permitted by the Act, the Agency's rules are contrary to law.

The appeals court ruling could have a substantial impact on the federal government's high-level waste repository selection process. According to Reicher, the decision will "force EPA to set stricter standards," and this, in turn, may put some of the Energy Department's potential repository sites "in jeopardy."

## Namibia Update

In a small victory for anti-apartheid groups and Namibian independence, the U.S. Department of Treasury has tightened regulations pertaining to Namibian uranium. An Interim Treasury rule which allowed for the importation of Namibian uranium ore and oxide—if the importer guaranteed the re-export of the uranium after processing, has been rescinded.

This change in Treasury regulations will prevent the re-export of Namibian uranium—*only* if the material is in uranium ore or uranium oxide form. Both the import and re-export of Namibian uranium in hexafluoride form is still allowed by current regulations.

Meanwhile, an important legal attack has been launched against the international traffic in Namibian ore. In the summer of 1987, the United Nations Council for Namibia initiated legal action against the Dutch uranium enrichment plant Urengo.

In its suit, the Council is seeking to prevent Urengo from processing Namibian ore. Urengo is an enrichment plant which has among its largest clients German and British firms known to have substantial contracts for Namibian ore.

On the political front, opposition to handling of Namibian uranium is also building internationally. Dockers in Liverpool, United Kingdom, are boycotting the import and re-import of South African and Namibian uranium.



# Japanese Plutonium To Hop Through Alaska?

By Jennifer Tichenor

Japan wants a lot of plutonium for its nuclear reactors. The Japanese actually have the plutonium, but it is contained within spent reactor fuel currently being stored in Europe. After extracting the plutonium from the fuel in French and English plants, the Japanese want to fly it to Japan over Canada with the transport planes refueling in Alaska.

This plan has raised several key questions, the first and foremost being the health threat it presents. Plutonium is fiendishly toxic, and just one pound of plutonium, if inhaled, could cause billions of lung cancers. The planned semi-monthly shipments would carry 498 pounds of plutonium each, and the Alaska Attorney General has estimated that this would bring 11,000 pounds of plutonium through Alaska by the year 2000.

The plan also raises critical political questions. On March 3 of this year, the Nuclear Control Institute, a non-profit Washington-based group which researches nuclear proliferation issues, published a special report on this proposed nuclear cooperation agreement between Japan and the United States. The report outlined many aspects of the new plan which merit concern. Among these was the fact that although prior treaty arrangement had given the U.S. total control over this waste (as most of the radioactive elements in it came from fuel originating in the United States), the Reagan Administration is now proposing to give Japan control over the material, including all aspects of storage, transport, security and use, for a 30-year period.

Other disturbing facts were that Canada was not consulted on this arrangement, nor were Japan and the United States obliged by international law to do so. The transport planes would refuel in Alaska, yet the possible environmental implications and consequences of an air transport accident have not been as-

sessed. U.S. State Department officials even told an Alaskan Senator's aide that specifics about how the material would be shipped would not be finalized until after this agreement is signed.

Another critical detail is the design of the transport cask. On behalf of Japanese utilities, Batelle-Columbus Laboratories want to develop a cask for large-scale plutonium shipments (the so-called PAT-3) which would weigh 5,000 pounds and hold 13-14 pounds of plutonium oxide. But the NRC has certified only one type of cask for plutonium transport, the PAT-1, which can carry only 4.5 pounds of the material and then only on single-cask flights. The PAT-3 failed its only high-velocity impact test thus far, which was held at Sandia National Laboratories last summer.

The Nuclear Regulatory Commission and Batelle-Columbus could not comment on the failed test when questioned by Waste Paper staff. The Radioactive Waste Campaign has filed a Freedom Of Information Act request to obtain the test data.

On September 30, the Alaska Attorney General and Alaska Governor Steve Cowper sued the federal agencies and President Ronald Reagan. In briefs before the Federal District Court in Anchorage, the Attorney General demanded an Environmental Impact Statement on the projected shipments and preferable alternatives.

The Radioactive Waste Campaign will follow the progress of this lawsuit, and will report on its status in the next *Waste Paper*.

## "Dump" Protests in Spanish Countryside



Photo by Cesar Padilla

In the Spanish province of Salamanca it's not uncommon to see life-sized dummies dressed in business suits and hats, hanging from trees and lamp posts with signs around their necks saying, "He was a representative of ENRESA who tried to build a waste dump here." This is a form of protest against the Spanish radioactive waste agency ENRESA. The villages are also filled with billboards and street paintings declaring the area "a nuclear free zone." Apparently the tactics are working. Government officials have admitted off the record that they are considering withdrawing the project and moving it southward to the mountains of Sierra de Francia. (Source: WISE, 6/12/87)

**Jennifer Tichenor** is assistant director of the Radioactive Waste Campaign and President of the National Nurses Alliance for the Prevention of Nuclear War.

# Letters

Dear Ms. Hamilton:

In your Summer, 1987, edition of *the Waste Paper*, your editorial entitled "The Rise of the Super State" contained an error regarding the Midwest Compact. The editorial stated that the Compact's 90-day withdrawal provision was deleted by the Compact Commission, without advance public notice to citizens and members of the legislatures.

The Midwest Compact has a 90-day withdrawal provision which follows designation of a Host State. The provision was intended to allow a Host State that did not want to proceed with development of a disposal facility to leave the Compact at any time after expiration of the 90 days; however, the Commission may seek to recover any Compact financial costs incurred as a result of a later withdrawal.

The Midwest Commission cannot delete a provision of the Compact. Deletion of any Compact provision would constitute an amendment that would require the ratification of our seven states. Furthermore, the Midwest Commission did not delete the 90-day withdrawal period. In June of 1986, the Commission unanimously approved a resolution indicating its intent to commence the 90-day period at the time the four Host States were chosen. The 90-day withdrawal period commenced on February 28, 1987, with formal designation of the States of Michigan, Minnesota, Ohio, and Wisconsin as Host States, and ended on May 28.

Finally, all Commission meetings and agendas are noticed at least 20 days in advance, and minute summaries are mailed with the next meeting notice. We also have reported to the legislatures in our seven states in December of each year. In the case of the implementation of the 90-day withdrawal provision, the Commission's June, 1986, resolution followed discussion at previous meetings and preceded commencement of the withdrawal period by 8 months. It also was included in our 1986 Annual Report, which was sent to legislators two months before the Host States were designated.

We would appreciate your publica-

tion of this letter in the RWC Waste Paper. If you have any questions regarding it, please do not hesitate to call me at (612) 293-0126.

Gregg Larson

Executive Director of Midwest Interstate Low-Level Radioactive Waste Commission, St. Paul, Minn.

#### EDITORIAL REPLY:

*Thank you for your letter of August 24. As stated in your third paragraph, "The Midwest Commission cannot delete a provision of the Compact. Deletion of any Compact provision would constitute an amendment that would require the ratification of our seven states."*

*The Midwest Compact as approved by the U.S. Congress made it absolutely explicit that the start of the 90-day withdrawal clock would be upon notification in writing of the Governor of a state that his or her state had been formally designated as host. The language makes no mention of a multiplicity of hosts, no mention of several candidate states being under consideration.*

*The wording of the Compact as included in Public Law 99-240, Title 11 Omnibus Low Level Radioactive Waste Interstate Compact Consent Act, is as follows: "A state which has been designated by the Commission to be a host state has 90 days from receipt by the Governor of written notice of designation to withdraw from the compact without any right to receive refund of any funds already paid pursuant to this compact, and without any further payment. Withdrawal becomes effective immediately upon notice as provided in section e. of this article."*

*It is clear that the Commission decision to have the clock start ticking when four candidate states, none of which were yet designated as a host, were under consideration was a deliberate sleight of hand designed to mute the expected political protests the designation of a single host state invariably generates.*

*We endorse the position of Mary Sinclair of the Great Lakes Energy Alliance who says that the change from one host state to four candidate states at the beginning of the 90-day clock is an amendment to the Midwest Compact and requires ratification by the seven member states.*

Minard Hamilton, Director of the Radioactive Waste Campaign

Dear Editor:

Exhuming 11 million pounds of uranium waste at Fernald and storing it above ground is a simple, feasible solution. But the DOE does not want perpetual care. Perpetual care means perpetual responsibility. The DOE has always avoided responsibility.

In Schenectady, New York, the DOE has dismantled its silos and buried the wastes in the ground, in its out-of-public-sight-out-of-public-mind strategy. Visible wastes are headline-catchers. Besides, once in the ground, radon from waste cannot be separated from radon from natural sources.

Can't we be more sensible about wastes? We can use the space above DOE landfills for DOE office space . . . the buildings will shelter the radwastes from the elements. And if it's any problem, the DOE can sit on it, as it always has.

Bud Hoekstra  
Cincinnati, OH

#### MOVING?

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#### Vials/continued

kilns near Green Cove Springs, where toluene and xylene are used as supplementary fuels. They should. Green Cove Springs is located within 20 miles of downtown Jacksonville.

Quadrex has been in business in Gainesville since 1977, growing from 12 employees and \$1 million in sales in 1980 to 140 employees and \$20 million in sales in 1986. The rise in business correlates with the closure of three northern radioactive landfills in the latter 1970's and the subsequent rise in waste burial costs. Research and medical institutions found it less expensive to incinerate, rather than bury, liquid scintillation vials.

Having disposed of the landfill pollution threat, Gainesville has another on the horizon. The Florida Department of Agriculture wants to open a food irradiation plant, hoping that irradiation will extend the shelf life of tomatoes by one week. Provided anyone will buy the tomatoes.

# Radscope

## Rocky Flats Test Burn

### Incinerator Test Postponed Indefinitely

Just four days before the scheduled August 17 "test burn" of plutonium-contaminated waste, the Rocky Flats incinerator was shut down until problems with fuel leaks could be solved.

During the summer, three small fires from leaking diesel fuel occurred as a result of testing parts of the incinerator.

Consequently, a test of the incinerator on chemical and radioactive materials was postponed indefinitely by plant officials.

Before such a test will proceed, Rocky Flats officials plan to analyze the fuel leaks, then do a test burn on non-hazardous, non-radioactive materials.

Furthermore, plant officials for the first time acknowledged in August they are open to considering other methods of "disposing" of the wastes. It is hoped that with Rockwell and the government agreeing at least to study the alternatives, a way may be open for resolution of



Photo courtesy of Shutdown

More than 320 people were arrested on August 9 blockading the Rocky Flats Plant. Production was stopped for more than five hours in the protest which included about 1000 people.

the controversy.

In July, the Department of Energy temporarily settled the lawsuit against it by agreeing that they would not proceed with the test burn of radioactive waste without state and federal approval. The suit was brought by the Sierra Club Legal Defense Fund and Citizens Against Contamination at Rocky Flats.

The city council of Arvada, one of the cities near Rocky Flats, is expected to pass a resolution in September calling for all plutonium-related activities to be removed from Rocky Flats. If approved, the Arvada council would become the first government body officially to call for the end of nuclear weapons manufacturing and reprocessing at Rocky Flats.

## Government Accountability Project

In early August, the Government Accountability Project in Washington, D.C., was sued by the Justice Department on behalf of the U.S. Nuclear Regulatory Commission. The suit seeks a court order to compel the Government Accountability Project to release the names of 54 corporate and government workers at the South Texas nuclear power plant project who have contacted the Project with information about safety violations and construction defects at the plant.

The Government Accountability Project, known colloquially as GAP, has for ten years played a key role in reactor safety. Using whistleblowers who have contacted the organization's ten lawyers, GAP's work has led to the cancellation of the Zimmer nuclear power plant, major re-work at the Midland plant, and substantial safety improvements at Diablo Canyon.

In a statement commenting on the Nuclear Regulatory Commission maneuver, GAP stated "Never before has a government agency attempted to subpoena the confidential records of a public interest organization that are protected by the attorney/client privilege. We view this

move as the NRC's latest and most serious effort to destroy GAP's effectiveness at forcing the NRC and the nuclear industry to address serious safety problems. If we lose, it will threaten the ability of any nuclear worker to consult his or her attorney to seek legal advice or to disclose safety problems."

GAP also stated that 90 percent of the workers who have contacted GAP first brought their safety concerns either to the utility or to the Nuclear Regulatory Commission—but no action was taken regarding the concerns.

## DOE Reopens Search for Second HLW Repository

On September 30, 1986, the Department of Energy resumed the site-selection process for a second high-level waste repository.

In May of 1987 the Energy Department had postponed until the mid-1990's "site-specific work" related to a second repository. They stated the suspension was "based on the progress in siting the first repository and projections which showed that a second repository is not needed until well into the next century." The first repository is destined to be in either Nevada, Washington State, or Texas.

The Department of Energy felt compelled to resume the selection process because Congress had not given authorization to suspend the search which was mandated by the Nuclear Waste Policy Act of 1982.

In an October 1, 1987, letter to governors of 17 states\*, Energy Secretary John Herrington stated that the only work being contemplated

*is the resumption of the preparation of the Area Recommendation Report (ARR) which now involves the review and consideration of the 60,000 comments received on the draft ARR. This process will take approximately 12 to 18 months. Until the ARR has been completed, the Department need not and does not intend*

\*Most of the states in the Northeast, plus Virginia, North Carolina, South Carolina, Georgia, Minnesota, Wisconsin, and Michigan.

to conduct any activities on any of the sites described in the draft ARR.

However, both the House and Senate are considering bills to end the second repository process. Senate bill 1668 includes a prohibition on further site-specific work on a second repository and calls for a report on the need for a second repository. This bill is expected to be dealt with by early November.

## Vacant County Created To Fight Dump

On June 18, the Nevada Legislature created Bullfrog County around Yucca Mountain, formerly part of Nye County. Yucca Mountain is one of the three sites being considered as a high-level radioactive waste repository (the other two are in the Texas panhandle and in the Hanford reservation of Washington State).

Bullfrog County—with a population of zero—has property taxes at the highest rate allowable under the state constitution, \$5 per \$100 of assessed valuation. This is more than triple the rate in Nye County. The

legislator's logic was that with property taxes this high, the Federal government wouldn't want to pay the price to use this land as a dump.

According to *the New York Times* (August 30, 1987), "Nevada filed five lawsuits against the Department of Energy contending that the process of choosing a repository site is unfair and that the Department had singled out Yucca Mountain."

Half of the 144-square-mile county lies within the Nevada Test Site, a quarter is on the Nellis Air Force Bombing and Gunnery Range, and the remainder is owned by the U.S. Bureau of Land Management.

On September 1, the Nevada Legislature appointed three commissioners for Bullfrog County. Mike Melner, acting commission chairman, said the panel's first job would be to pass a resolution opposing the dump, according to a *New York Times* article (September 2, 1987).

## Nuclear Reactor "Events" in 1986

U.S. nuclear power plants admitted to more than 150 public safety endangering "events" during 1986, ac-

ording to a the 1986 edition of Critical Mass Energy Project's Annual Nuclear Power Safety report.

In all, the industry reported 2,957 unusual incidents during the year, including 11 accidents so serious that they were legally required to be reported to Congress.

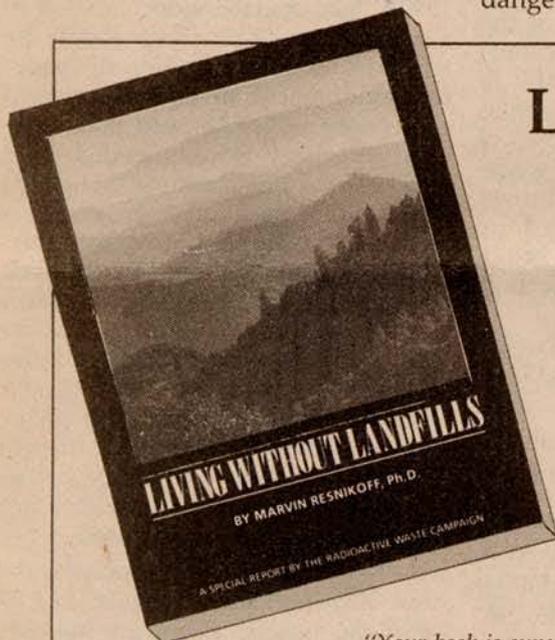
"In 1986, plant mishaps daily threatened the safety of the 96 million Americans who live within 50 miles of one of the nation's nuclear reactors," said Ken Bossong, project director.

Critical Mass is a project of Public Citizen, a non-profit research and advocacy organization founded in 1971 by Ralph Nader. Statistics cited in the study came from reports filed by power generators with the Nuclear Regulatory Commission.

More than 150 accidents were classified by the commission as severity level 1 or 2, potentially the most dangerous to the public.

Those included the leak of 141,000 gallons of radioactive water from the spent fuel storage facility at a Georgia reactor. In a Virginia accident, four workers were scalded to death when a corroded steam pipe burst. At least four other worker deaths were reported.

The report cited 678 emergency



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plant shutdowns, six per plant, on the average. One of the most serious occurred when an Illinois plant failed to shut down in response to signals that cooling water levels were dangerously low.

Other problems reported by the industry included increased drug use among workers, workers carrying weapons on the job, vandalism and sabotage.

Copies of the Report are available from Critical Mass Energy Project, 215 Pennsylvania Ave., SE, Washington, DC, 20003, for \$15 apiece (with discounts given to citizens' groups).

## SRP Tanks May Explode

Tanks containing radioactive waste at the Savannah River Plant (near Augusta, Georgia) have a yearly probability perhaps as high as one in 50 of exploding, according to a report issued on September 17 by the Environmental Policy Institute, a public interest group.

More than 75% of the country's military radioactive waste is held in 51 tanks at the Savannah River Plant. This is about 50 million gallons.

# NC Stays in SE Compact

By Lisa Finaldi

In one of the longest legislative sessions in history, the North Carolina General Assembly debated "low-level" radioactive waste through the last day. Unfortunately, environmental concerns did not fare that well.

Three issues were of concern to

*Lisa Finaldi is Chair of the Campaign's Board, and former Campaign Co-director. She lives in Raleigh, North Carolina, where she works on "low-level" radioactive waste issues for the Clean Water Fund.*

Plant officials acknowledge that an explosion could occur from a build-up of hydrogen gas or organic vapors in the tanks. Though such an explosion would not be nuclear, the surrounding area would receive considerable radioactive contamination.

The Environmental Policy Institute report, titled "Evading the Deadly Issues: Corporate Mismanagement of America's Nuclear Weapons Production," can be obtained from EPI, 218 D Street, SE, 2nd Floor, Washington, DC 20003.

citizens in North Carolina: that state withdraw from the Southeast Compact, that shallow land burial be banned and, that a fair siting process that included the consideration of on-site storage be implemented.

The shallow land burial of "low-level" waste is officially banned by statute and rule in North Carolina. In addition, if burial is used for "low-level" waste isolation, then engineered barriers must be used. Engineered barriers are clearly defined and cannot be construed as the waste containers themselves. The barriers must be designed to facilitate retrieval and prevent migration to and from them.

Early in the session, compact repeal advocates made their concerns and intentions known. Not only were they interested in a single state facility in North Carolina, but they were also interested in having large generators store waste on site. In North Carolina, three generators produce the lion's share of the "low-level" waste: 97 percent by radioactivity and 87 percent by volume. The bill turned into a LLRW Management Authority bill where the volunteer for the site, the three counties where the reactors are located in North Carolina would be selected. The plan was simple: convince 97 of NC's 100 counties' state legislators that if they supported this bill, they would virtually never have to worry about a "low-level" waste facility in their area.

At that point, the industry lobbyists brought in the brass. They brought out the chairs of the utility board, the presidents, former legislators and some of the top good old boy lobbyists in the state. In the end, the LLRW Management Authority was a commission that would choose and possibly operate a site. No provisions for the consideration of at-reactor storage and no repeal. Of course, repeal amendments were brought forth in both houses on the floor debate and defeated. Also defeated were amendments to have a statewide referendum on the issue and an amendment that would force the Southeast Compact to choose the state that would host the dump after North Carolina.

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# US Ecology Wins Contract for Central Interstate Compact

By Dick Russell

The lead to the story in the Wichita, Kansas newspaper said it all: "US Ecology, a firm that has been, at different times, banned from disposing of nuclear waste in North Carolina, Kentucky, Illinois and Nevada, will build and operate a nuclear disposal site for Kansas and four other Midwestern states."

By next January, the controversial Louisville company is to have selected a site for the Central Interstate Compact waste facility somewhere in Kansas, Nebraska, Oklahoma, Arkansas or Louisiana. Already the governors of three of those states (Kansas' Mike Hayden, Nebraska's Kay Orr and Arkansas' Bill Clinton) have met behind closed doors and emerged to announce their solidarity for remaining in the compact and letting the federally-mandated process go ahead.

Citizen activists in the region, however, are marshalling forces through their own combined "task force" to try to stop it, and force the Congress to take another look at the whole compact set-up. They weren't the only ones outraged by the way US Ecology was chosen at a Compact Commission meeting in Oklahoma City on June 29.

When neither US Ecology or its bidding rival, Westinghouse,

brought lawyers to the meeting to address such critical issues as liability, Commission executive director Raymond Peery commented, "It's amazing. You have all the lawyers in the world, and you didn't bring them with you." Stanley Grant, Kansas' voting member on the Commission and Secretary of the State Department of Health and Environment, added, "It's an embarrassment that we were not able to get any answers when we were assured that we would."

Yet, when the vote was taken and deadlocked 2-2 with Kansas undecided, a telephone call from Grant to Governor Hayden resulted in the state opting for US Ecology. This left unresolved the question of who would pay in the event of contamination either during operation or after the facility is closed. Contract negotiations to work out details between the states and US Ecology are now proceeding in Atlanta.

Meantime, the Kansas Governor sought to placate aroused citizens in western Kansas by announcing that state geologists had located an appropriate site of impermeable shale, within 40 to 50 miles of the state's lone nuclear power plant at Wolf Creek in southeast Kansas, should the state be selected. The "discovery" came, according to Hayden, in the course of searching for a site for the Federal government's plum \$4.5

billion super-collider, which Kansas is bidding to get.

But Hayden's move has only served to inspire further uproar in yet another area. Grassroots activists, led by Laura Menhusen of the Kansas Coalition on Nuclear Waste, are now planning a huge anti-dump rally on the Capitol steps in Topeka when the State Legislature reconvenes briefly this fall.

Elsewhere, in Arkansas and Nebraska, petition drives are commencing to place the issue of compact membership on the 1988 election ballot. US Ecology is simultaneously hoping to win a few friends with a "public participation" process. The firm revealed at the Central Compact meeting that it gave \$50,000 to the League of Women Voters in California, with which to organize seminars and community discussions about "low-level" wastes and help determine criteria for the site it's been contracted to build there.

US Ecology is aided in its "public participation" plans by its new technical consultant partner, Bechtel National. Bechtel, which holds 40 percent of all engineering and design contracts with the nuclear industry, has agreed to bail out US Ecology should the company lose a court fight where it's being sued for \$97 million by the state of Illinois for building a now-leaking radioactive dump.

*Dick Russell is a journalist based in Kansas.*

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