

Low-Level Radioactive Waste Compacts:

IF AT FIRST YOU DON'T SUCCEED . . .

The 99th Congress of the United States will "try, try again" to do what its predecessors have failed to do since the Low-Level Radioactive Waste Policy Act was passed in 1980—legislate regional interstate compacts to manage the disposal problem. Since a new Congress convenes this year, all bills that didn't pass in the last session must be re-introduced.

The nuclear medicine community could find itself in dire straits if more progress is not made this year. Since the law allows ratified compacts to exclude waste from other states as of January 1, 1986, leaders in nuclear medicine plan to concentrate their efforts on Congressional lobbying over the next several months.

If these compacts are not organized soon, the rest of the medical community will also face difficulties, although most of its members do not yet realize it. Capt. William H. Briner, chairman of the Society's Government Relations Committee, noted that 90 percent or more of all prescription drugs, for example, went through an approval process at the FDA that included metabolism and biodistribution studies done with radiotracer methodology. Failure to designate sites for radioactive waste, therefore, would indirectly curtail pharmaceutical development in general.

The first compact introduced this year, the Southeast Interstate Low-Level Radioactive Waste Management Compact (Senate bill S.44), includes Alabama, Georgia, Florida, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. Introduced on January 3 by Senator Strom Thurmond (R-SC), the bill provides for these states to use the disposal site currently in operation at

Barnwell, SC.

Sen. Thurmond, who is chairman of the Senate Judiciary Committee which held four hearings on compacts in the last Congress, warned other states that they must act quickly to form their own compacts because South Carolina officials are prepared to protect the Barnwell site from overuse.

Senator Ernest Hollings (D-SC), a co-sponsor of the bill, said that "during the last session of Congress, some members from states without their own compacts blocked congressional consent. These states have had four years to find a way to take care of their own waste. But they have delayed, and now want South Carolina to keep taking their garbage."

Two other bills have been submitted so far: Senate bill S.356, introduced by Senator Slade Gorton (R-WA), and House bill H.R.862, introduced by Representative Daniel K. Akaka (D-HA), for the Northwestern compact. Submitted on January 31, the bills cover Alaska, Hawaii, Idaho, Montana, Oregon, Utah, and Washington, which has a commercial site in Hanford.

More are expected to be introduced soon, although several states have not yet negotiated agreements between their own legislatures, a necessary step before introducing a Congressional bill to ratify the compact. The most troublesome region, which produces about 30 percent of the nation's low-level waste, is the northeastern area (see *Newsline*, Jan. 1985, pp.2-6).

On January 2, the *New York Times* reported that Pennsylvania Governor Dick Thornburgh announced that he had reached an agreement with the governors of Delaware and Maryland for them to join to the Appalachian

Compact, and abandon Connecticut and New Jersey in the Northeast Compact.

"New Jersey is not worried at this time," Cindy Gordon, spokesperson for the New Jersey Dept. of Environmental Protection, told *Newsline*. "It took us a long time to form the Northeast Compact, and it will take Pennsylvania just as long to form the Appalachian Compact. They could even have problems passing it in their own legislature because they'll be taking on everyone else's waste."

Actually, Delaware and Maryland seem to be flirting with both compacts. Dr. Harry Otto, Delaware's commissioner of low-level radioactive waste, said that "contrary to regional papers, there are no agreements between Pennsylvania and Delaware. We are committed to the Northeast Compact." He added, though, that Delaware is seeking its best option. Ronald Nelson, director of waste management administration in Maryland, said that the Appalachian Compact is attractive to his state because "you never have to be a host." However, he added that Maryland is still an active participant in the Northeast Compact.

Some representatives of the northeastern states told *Newsline* that they are not worried about the 1986 deadline for ratifying compacts. Although they have not designated locations for their own disposal sites, they have shown good faith in working on organizing their compacts, and they have also taken measures to decrease the amount of low-level waste produced in their states. These measures, they said, will allow them to continue to dispose of their waste at other sites because of a "good faith clause" in consent legislation. ■