SOCIETY INFORMS CONGRESS OF MEDICAL IMPACT OF LOW-LEVEL WASTE DISPOSAL LAWS

Making the case for the medical community, two members of The Society of Nuclear Medicine and the American College of Nuclear Physicians (ACNP) testified in the United States Congress on March 8 on low-level radioactive waste interstate compacts.

Robert E. Henkin, MD, and Capt. William H. Briner issued a joint statement on the impact of low-level waste disposal legislation on health care to the House Committee on Interior and Insular Affairs and the Senate Judiciary Committee, which have jurisdiction over the compacts. The Society/ACNP provided the only medical testimony during the hearings.

"We sincerely believe that failure to develop additional sites and/or any disruption in the availability of existing disposal capacity will have a serious and negative impact on the delivery and cost of health care services in this country—not just in our specialty," said Dr. Henkin, director of nuclear medicine at Loyola University Medical Center in Maywood, IL.

Dr. Henkin informed the committee that an estimated 120 million nuclear medicine procedures are performed annually, and about 30 percent of all biomedical research depends on radioactive tracers.

In addition, the approval of about 95 percent of all prescription drugs used today depended on data from radioactive tracers, noted Capt. Briner, associate professor of radiology at Duke University Medical Center in Durham, NC.


Since the Act was passed, no interstate compacts have been ratified, and no new low-level disposal sites have been created.

Operators of the three existing sites, in Barnwell, SC, Beatty, NV, and Hanford, WA, may close these sites to customers outside their regions even if the compacts are not ratified this year in Congress. The South Carolina state legislature is now considering a bill that would provide for this action.

Udall Amendments Act of 1985


Rep. Udall, chairman of the House Committee on Interior and Insular Affairs, said the amendment serves to rectify the "stalemate" between states with commercial low-level sites and states without such disposal capacity.

The Udall bill requires each compact with an operating disposal site to negotiate agreements with other compacts, and with states that are not yet members of a compact, to use existing sites through January 1, 1993.

The proposed amendment also sets limits on availability—Barnwell and Hanford will not be required to dispose of more than 60 percent, and Beatty will not be required to dispose of more than 150,000 cubic feet, of low-level radioactive waste from outside their compact regions.

In addition, the bill provides for surcharges of up to $5 per cubic foot for waste below the volume limits, and up to $10 per cubic foot for waste in excess of volume limits.

Dr. Henkin and Capt. Briner said that the exclusionary authority that takes effect on January 1, 1986, should be maintained in some fashion. "Based on our experiences (continued on page 454)"
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with the states, however, we do feel the time frame of 1993 is too lenient and should be reduced."

Federally generated biomedical waste, from Veterans Administration facilities and the National Institutes of Health, should be permitted continuing access to sites, added Dr. Henkin and Capt. Briner, who is also chairman of the Society's Government Relations Committee.

Referring to the amendments act in general, which would be added to the language of previously organized compacts, the Society/ACNP speakers said that state legislatures could respond negatively to a requirement to add new language—especially if it appears that the addition would primarily benefit states which have not taken action to form compacts before the 1986 deadline.

Senator Strom Thurmond (R-SC), chairman of the Senate Judiciary Committee, said that any decision to exclude out-of-region waste, and any transition period agreements, should be made by the states. "Accordingly, I would oppose a federally mandated transition period," he said.

Richard W. Riley, governor of South Carolina, told the Udall committee that he wanted to underscore the importance of limits on out-of-region access. "There can not be anything like business as usual after January 1, 1986," he said.

Gov. Riley agreed with the Society/ACNP that the seven-year grace period was too long. He also said that the three host states should allocate the national limit on disposed low-level waste among themselves.

New compacts introduced

On February 7, Senator Alan K. Simpson (R-WY) introduced the Rocky Mountain interstate compact (S.442), which includes Colorado, Nevada, New Mexico, and Wyoming. Arizona and Utah are also eligible to join, he added.

Representative Daniel Glickman (D-KS) introduced the Central interstate compact (H.R.1046), which includes Arkansas, Kansas, Louisiana, Nebraska, and Oklahoma, on February 7 in the House. A companion bill for this region (S.655) was introduced by Senator Robert Dole (R-KS) on March 7.

On February 26, Congressman Butler Derrick (D-SC) introduced the Southeast compact (H.R.1267) in the House for Alabama, Georgia, Florida, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

The Central Midwest compact (S.802) was introduced by Senator Alan J. Dixon (D-IL) for Illinois and Kentucky on March 28.

On April 4, Senator Charles E. Grassley (R-IA) introduced the Midwest interstate compact (S.899), covering Iowa, Indiana, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

Action on the state level

On the state level, Mario Cuomo, governor of New York, submitted on March 2 a bill to the state legislature that calls for the state's Department of Environmental Conservation to select sites and disposal technologies for permanent low-level facilities.

The Dakotas compact passed in the South Dakota state legislature on March 15, and in the North Dakota legislative body on March 20. South Dakota's participation also depends on a voter referendum in the general election this November.

Operators of the Maine Yankee nuclear power plant in Wiscasset, ME, are still awaiting a reply from the state to the company's offer to store medical waste at its proposed on-site storage facility. Maine generates about 100 cubic feet of medical and institutional waste, according to a utility spokesman, which could easily be accommodated at the power plant.