

Cal Rad Forum's 2006 Activities

Cal Rad's current efforts are focused in the following areas:

Assuring disposal access for low-level radioactive waste (LLRW) after July 1, 2008. On July 1, 2008, pursuant to South Carolina statute, access to the Barnwell, SC disposal facility will be restricted to the Atlantic Compact (South Carolina, New Jersey, and Connecticut). At that time, unless new, national disposal arrangements are developed, organizations that use radioactive materials in the Southwestern Compact region (Arizona, California, North Dakota, and South Dakota) and thirty-two other states will have no place to dispose of their more radioactive LLRW (Class B and C), and only one facility — Envirocare of Utah, now known as Energy *Solutions* — to which our Class A waste can be sent for disposal. Cal Rad's position is that assuring access to low-level waste disposal facilities, after access to Barnwell is restricted, is a major, unresolved national issue requiring action by the Congress and federal agencies. Cal Rad also supports proposed regulatory changes discussed by the Environmental Protection Agency and NRC's Advisory Committee on Nuclear Waste (ACNW) to expand disposal options for "Very Low Activity" waste.

Almost two years ago, in testimony to the Senate Energy & Natural Resources Committee, Cal Rad urged the Congress to amend the Low-Level Waste Policy Act to provide a role for the federal government in assuring access to disposal facilities for LLRW. Our testimony reflected the changed circumstances since passage of the Policy Act in 1980. (See Cal Rad's web site at www.calradforum.org for this testimony and additional position papers.) Other organizations now supporting a LLRW disposal role for the federal government include the Health Physics Society, the American Nuclear Society, and the Council on Radionuclides and Radiopharmaceuticals (CORAR). The U.S. Nuclear Regulatory Commission is on record (2004, Comments on a General Accounting Office Report) that it is in the "national interest to begin exploring...alternatives...that would potentially provide a better legal and policy framework for new disposal options for commercial generators of LLRW."

However, some oppose any proposal to change reliance on the Policy Act framework. In particular, most of the Compact Commissions want to maintain the status quo but have not recommended any solutions to the problem of lack of assured access to disposal after July 1, 2008. Cal Rad is pleased to note that the Southwestern Compact Commission is the exception. In a letter to Governor Schwarzenegger, The Commission has urged California to support access to federal disposal facilities.

Cal Rad Forum was pleased to be the recipient of the 2006 Richard S. Hodes, M.D. Honor Lecture Award presented by the Chair of the Southeast Compact Commission at the annual Waste Management Symposium in February in Tucson in recognition of the Forum's contributions toward solving LLRW management

problems in the United States. The Award Lecture, presented by our Technical Director, Dr. Alan Pasternak, is on the Cal Rad web site.

In recent months, Cal Rad has participated in numerous conferences, also attended by state and federal officials, to urge a new, national course of action. In early May, we spoke to the New England radioactive materials users group, NELRAD, in Newton, Massachusetts. Later that month, we addressed a workshop on LLRW held in Rockville, Maryland by the NRC's Advisory Committee on Nuclear Waste and participated in a workshop convened by the Southeast Compact Commission to discuss issues related to possible access to federal disposal facilities. In June, we addressed conferences on LLRW disposal in Chicago (organized by Exchange Monitor Publications) and the Electric Power Research Institute's Annual Low-Level Waste Conference in Albuquerque. Cal Rad is helping to organize a panel discussion on low-level waste disposal at the American Nuclear Society's Winter Meeting to be held next November in Albuquerque.

Even though time is short and July 1, 2008 is now less than two years away, persuading the federal government of the need for action will require a concerted effort by all involved.

Facility decommissioning and license termination. California is the only state in the nation without a clear, numerical, dose-based standard for facility cleanup and decommissioning. We continue to urge the Department of Health Services to find the funds required to prepare an Environmental Impact Report, called for by the Sacramento Superior Court in 2004, in support of the Department's proposed 25 mrem/year standard. (This is the same standard used by the U.S. Nuclear Regulatory Commission and in forty-six other states.)

Proposed legislation. Early in the 2005-2006 Legislative Session in Sacramento, Cal Rad actively opposed Assembly Bill 1546 (Hancock) which would move regulatory oversight of clean-up and decommissioning at facilities where radioactive materials have been used from the Department of Health Services to the Department of Toxic Substances Control in Cal EPA. Our objections to the bill were communicated to the Assembly Environmental Safety and Toxic Materials Committee prior to the first scheduled hearing in April 2005. Subsequently, the author withdrew the bill from the Committee calendar. AB 1546 could have been moved early in 2006, but, we are happy to say, the author did not pursue this bill.

California Performance Review. We are also happy to report that there has been no recent action by the California Performance Review Commission (CPR). In August 2004 the staff of the CPR Commission, as part of its report to the Commission, recommended moving most functions of the Radiologic Health Branch out of the Department of Health Services to Cal EPA or a successor environmental agency. Cal Rad vigorously opposed this recommendation, which our Board considers highly disruptive of the State's radiation control program. We will continue to monitor any developments.

Vacancies Filled on the Southwestern Compact Commission. Last August, we were disappointed when the California Senate Rules Committee recommended confirmation for only one of the Governor's two appointees to the Commission, both of whom were highly qualified and supported by Cal Rad. Subsequently, the Governor made additional appointments, so the Commission was brought to full strength for the first time in many years. These new appointees await Senate confirmation. It is important to assure that the Commission has the minimum quorum required to approve petitions to export LLRW to the disposal facilities in Utah and South Carolina as long as those states will accept our waste.