

# CALIFORNIA RADIOACTIVE MATERIALS MANAGEMENT FORUM

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The Honorable Arnold Schwarzenegger  
Governor of California  
State Capitol  
Sacramento, CA 95814

Dear Governor Schwarzenegger,

I am writing to express the support of Cal Rad Forum's Board of Directors for the letter, dated May 12, 2006, sent to you by the Southwestern Low-Level Radioactive Waste Commission. In particular, we respectfully recommend that you pursue the actions proposed to you by the Commission concerning development of a national, federal plan for assuring access to disposal facilities for low-level radioactive waste generated by corporations and utilities; universities, medical and research institutions; and state and federal agencies.

Failure by the states, including California, to implement provisions of the 1980 federal Low-Level Radioactive Waste Policy Act and the state-ratified and Congressionally approved interstate Compact Acts calling for development of new disposal facilities has created the need for a national plan led by the federal government to assure access to vital disposal infrastructure. Today, only one state (Texas) has a program to develop a new disposal facility. As noted in the Commission's letter of May 12, "The Commission is joining with other States and Compacts in meeting with federal government representatives with the objective of having the federal government make its disposal facilities available to the States and Compacts and urges California to assist in that effort." We hope that under your leadership California will support this effort.

California's failure to meet its obligations to organizations that use radioactive materials in California, Arizona, North Dakota, and South Dakota under P.L. 99-240 (Low Level Waste Policy Act, amended

July 10, 2006

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1985) and P.L. 100-712 (Southwestern Compact Consent Act, 1988) can be traced to political interference at the federal level (1993-2000) and the state level (1999-2003). In 2002, the California Legislature passed, and former Governor Davis signed, AB 2214 preventing the development of the Ward Valley disposal facility, licensed by the State in 1993. AB 2214 also includes provisions that make development of any low-level radioactive waste disposal facility in California highly problematical.

Time is of the essence. As noted by the Commission in its letter, we face a deadline of July 1, 2008 when the Atlantic Compact will restrict access to its disposal facility at Barnwell, South Carolina to that Compact's party states. Barnwell is the only facility to which radioactive materials users in the four Southwestern Compact states (as well as thirty-two other states) can now send their more radioactive categories of low-level waste.

Cal Rad Forum and other organizations, including the Health Physics Society, Council on Radionuclides and Radiopharmaceuticals (CORAR), and the American Nuclear Society have written numerous position statements on the LLRW disposal issue outlining the urgency of the situation and viable options for federal action. We would be pleased to share this information with you and your staff if you will indicate to us the appropriate staff individuals.

Sincerely,

Eric Goldin, Ph.D.  
Chair

cc: The Honorable Janet Napolitano, Governor of Arizona,  
The Honorable John Hoeven, Governor of North Dakota  
The Honorable M. Michael Rounds, Governor of South Dakota  
S. Kimberly Belshé, Secretary, Health and Human Services Agency  
Mike Chrisman, Secretary, Resources Agency  
Sunne Wright McPeak, Secretary, Business, Transportation and  
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