

SOUTHWESTERN LOW-LEVEL RADIOACTIVE WASTE COMMISSION

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May 12, 2006

Governor Arnold Schwarzenegger
State Capitol
Sacramento CA 95814

Dear Governor Schwarzenegger:

This follows the several letters I sent you since you took office, expressing concern about the need for low-level radioactive waste disposal for the medical, industrial, academic, utility, and government agency users of vital radioactive materials in the states which are members of the Southwestern Low-Level Radioactive Waste Disposal Compact: California, Arizona, North Dakota and South Dakota. To date, we have received no reply to any of the letters. The Southwestern Low-Level Radioactive Waste Commission (Commission) is concerned about the gravity of the crisis the State of California, and the other Compact states, is facing because California has not yet fulfilled its obligations under Federal and State law to provide for disposal of all classes of low-level radioactive waste. There will be severe economic impacts on the research institutions, medical facilities, industries, and others that use radioactive materials if waste disposal is not available to them.

As pointed out in the earlier letters, after mid-2008, generators of Classes B and C low-level radioactive waste, the low-level radioactive waste which presents the greater risk due to higher radioactivity, will have no place to dispose of their waste. Currently, those classes of waste may be disposed of at a facility at Barnwell, South Carolina, but it will close its doors to our waste at that time. After that, there will be no assurance that Classes B and C waste produced within our region can be disposed of safely.

The Commission surveyed generators of low-level radioactive waste in the four party states. Projected amounts of waste to be produced in the future are anticipated to be close to the amounts produced when California was in the process of licensing a disposal facility, which was never built because of political problems at the federal level. Generators were asked to assess their ability to store waste until such time as California meets its obligation to provide for disposal. Only 25% of those responding indicated that they are capable of storing Classes B and C waste; only 50% said that they can store the less-hazardous Class A waste. Generally, the larger generators are better equipped for storage than are the small producers of low-level radioactive waste. Most generators would support a state-operated storage facility.

Many generators expressed hope that another disposal facility would become available. California has not met its statutory obligations to provide a disposal facility for generators in Arizona, North Dakota, and South Dakota as well as California. The State issued a license to build a disposal facility in the Ward Valley, but subsequent political machinations stopped the development process. 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.

The Commission's officers have, in the past, requested to meet with you, and the appropriate representatives of your administration, to jointly develop with the State of California a plan to meet the needs of all users of vital radioactive materials. We hereby repeat our offer to meet with you and look forward to your affirmative response to the request. Please contact me via the Commission office. Thank you.

Sincerely,

/s/

Kathy A. Davis, Chair

cc: Governors of Arizona, North Dakota and South Dakota
Southwestern Low-Level Radioactive Waste Commissioners