Position Statement #11

Disposal of Low-Level Radioactive Waste

Position Statement
Revised October, 2008

The ANS recommends prompt actions to ensure that adequate LLRW disposal capability continues to be maintained until a path for disposal is provided by the LLRW Policy Act and its amendments or by other means. LLRW is waste produced from the use of radioactive materials in industrial, academic research and medical activities, nuclear power generation and site decontamination. It does not include spent nuclear fuel or any other material considered to be high level radioactive waste.

Safety, security, and cost issues arise when LLRW accumulates at the many sites licensed to possess radioactive material. Currently, disposal capability is limited (more for some waste than others) because no new facilities have been licensed to dispose of Class A, B, and C LLRW, in accordance with the compact system established by the LLRW Act of 1980. As of July 1, 2008, no disposal sites are available for the Class B and C LLRW produced in 36 states, and only one site for Class A LLRW produced in these states[(1)], although there is a site under construction in Texas. Biological LLRW produced in these states also has no clear disposal path. Actions need to be taken soon to provide for adequate LLRW disposal capability. Capability must include both access and capacity. Provisions are available under PL96-573 and 10 CFR 61 for emergency access to disposal capacity, but the lack of permanent disposal capability could stop or impede various research, medical, and industrial activities.

Accordingly, the ANS supports:

1. Prompt Federal government actions to resolve issues regarding state and federal responsibility and control over LLRW disposal, including transportation to disposal sites and facilitating development of such sites. One interim approach is to make some current DOE-managed LLRW disposal sites available for commercial (i.e. non-DOE) LLRW. Until adequate disposal capability is developed (according to the LLWPA or otherwise), the ANS recommends:

> Long-term: The Greater-than-Class C (GTCC) disposal facility that the Department of Energy is mandated to provide for non-DOE ("commercial") GTCC and DOE "GTCC-like" LLRW should also be made available for disposal of other non-DOE low-level radioactive wastes that have no other disposal option.
> Near-term: Until the GTCC disposal facility is provided, some existing DOE disposal facilities should be made available for disposal of non-DOE LLRW. Existing compacts with operating disposal facilities should be allowed to continue to function within the framework established by the current LLRW Policy Act. That framework should continue to be available for compacts or states in the future.

2. Continued minimization of waste generation and assurance that LLRW is packaged, handled and temporarily stored in a safe manner.

3. Federal government actions to investigate reclassification of some Class B and C wastes, and communicate changes in the classification scheme of 10 CFR Part 61.

(1) The Barnwell, South Carolina site was closed July 1, 2008 to waste generated outside the Atlantic Compact. EnergySolutions's Clive, Utah disposal site is now the only site available to LLRW generators in 36 states. This site is not licensed for biological waste, sealed sources, or Class B and C LLRW. States in the Northwest and Rocky Mountain Compact regions have access to a compact operated site (Richland, Washington).