

LLW Forum

Meeting Report

Wednesday, Thursday, Friday
June 2-4, 1999
Jackson, Wyoming

The Low-Level Radioactive Waste Forum met in Jackson, Wyoming, on June 2-4, 1999. Twenty-four Forum Participants, Alternate Forum Participants, and meeting designees representing 19 compacts, host states, and unaffiliated states participated.

Additional information was provided by 14 resource people from, variously, the States of California, South Carolina, and Utah; the U.S. Army Corps of Engineers; DOE; NRC; the National Academies; the Conference of Radiation Control Program Directors; the Nuclear Energy Institute; and Safety-Kleen Corporation and Waste Control Specialists, L.L.C.

Also in attendance, as observers, were three other state and compact officials; one official from the U.S. Department of the Army; a staff member from DOE/Idaho and a staff member from DOE's National Low-Level Waste Management Program; and eight representatives of other interested parties, including a regional generators' organization, one generator, three disposal facility operators, and one private company.

A report on the meeting follows.

New Developments in States and Compacts

Due to the high degree of interest in recent developments in South Carolina and Texas, the representatives from those states gave extended reports.

John Clark, the Forum Participant for South Carolina, recognized Virgil Autry of the South Carolina Department of Health and Environmental Control, who announced a reduced estimate of the potential remaining capacity at the low-level radioactive waste disposal facility in Barnwell, South Carolina. After explaining the basis for the revised estimate, Autry presented information on waste volumes shipped to the facility and discussed the disposal of large components. Clark then reported on state legislative activity concerning the facility. He also outlined the goals of South Carolina Governor Jim Hodges with respect to low-level radioactive waste management and described a potential process for achievement of those objectives.

Lee Mathews of the Texas Low-Level Radioactive Waste Disposal Authority summarized the progress of proposed state legislation regarding the Authority's functions and explained the circumstances surrounding passage of a bill that provides for the Authority to be merged into the Texas Natural Resource Conservation Commission.

Other Forum Participants reported on matters including

- budget developments in California that could affect both the state's low-level radioactive waste program and the operations of the Southwestern Low-Level Radioactive Waste Commission;

continued on page 3

Low-Level Radioactive Waste Forum Meeting Report

Low-Level Radioactive Waste Forum Meeting Report

Wednesday, Thursday, Friday—June 2-4, 1999

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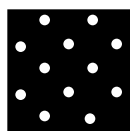
As a result of a decision made unanimously by LLW Forum Participants in May 1997, the *Low-Level Radioactive Waste Forum Meeting Report* for each meeting is now printed in a single version and distributed as a document accompanying *LLWNotes*. The meeting report includes a condensed attendance list. An expanded list including full titles is distributed to the Executive Committee and the State of Washington contract officer, and is available on request to other Forum Participants.

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The Low-Level Radioactive Waste Forum is an association of state and compact representatives, appointed by governors and compact commissions, established to facilitate state and compact implementation of the Low-Level Radioactive Waste Policy Act of 1980 and the Low-Level Radioactive Waste Policy Amendments Act of 1985 and to promote the objectives of low-level radioactive waste regional compacts. The LLW Forum provides an opportunity for state and compact officials to share information with one another and to exchange views with officials of federal agencies and other interested parties.



**LLW
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Table of Contents

New Developments in States and Compacts	1
Proposed National Academies Study on Commercial LLRW Management	3
Assured Isolation and Related Approaches	3
Working Group on Alternative Isolation Techniques Formed	4
Executive Session	4
LLW Forum Business Session	4
Private Facilities Seeking LLRW Disposal Licenses/Permits	6
Management of Radioactive Waste Under FUSRAP: Role of the Army Corps of Engineers	6
Processing/Disposal of Radioactive Material at the White Mesa Uranium Mill	7
EPA Rulemakings re Storage and Disposal of Mixed Waste	8
National Governors' Association Liaison	8
Planned DOE Record of Decision re LLRW Policy	8
CRCPD Liaison	8
NRC Oversight of DOE Facilities: Changing Agency Views and States' Responses	8
High-Level Waste Policy Initiatives: Effect on LLRW Management	9
NCSL Summit: LLW Forum Perspective	9
LLW Forum October 1999 Agenda Planning	9
Resolutions	5, 7
Resolution to Thank Illinois and Request Continued Work on LLW Forum Funding (Number 99.6.1)	5
Resolution to Thank NGA for its Support (Number 99.6.2)	5
Resolution to Thank Don Womeldorf for His Dedicated Service as a Member of the LLW Forum Executive Committee (Number 99.6.3)	5
Resolution re Consultation with the Army Corps of Engineers (Number 99.6.6)	7
Materials and Publications	10
Attendance	12

Key to Abbreviations

Code of Federal Regulations	CFR
U.S. Department of Energy	DOE
U.S. Department of Transportation	DOT
U.S. Environmental Protection Agency	EPA
U.S. General Accounting Office	GAO
U.S. Nuclear Regulatory Commission	NRC
naturally-occurring and accelerator-produced radioactive materials	NARM
naturally-occurring radioactive materials	NORM

- ongoing work to include in the Manifest Information Management System (MIMS) accurate data on waste acceptance at the Envirocare of Utah facility;
- litigation to enforce the Rocky Mountain Low-Level Radioactive Waste Compact;
- workshops and meetings;
- generator surveys; and
- publications prepared by states and compacts.

A written report was submitted by the Central Interstate Low-Level Radioactive Waste Commission concerning current litigation, legislation enacted in the State of Nebraska to withdraw from the Central Compact, and other developments.

Proposed National Academies' Study on Commercial LLRW Management

Kevin Crowley of the National Research Council's Board on Radioactive Waste Management noted that the council, the National Academies of Sciences and Engineering, and the Institute of Medicine are now known collectively as the National Academies. Crowley then explained the rationale, scope, and preliminary work plan for a proposed study by the Board on Radioactive Waste Management concerning commercial low-level radioactive waste. He concluded his presentation by soliciting comments from states and compacts and asking for their support. In response to a question, Crowley also reported on the status of a separate study currently under way by the National Academies concerning the impacts of low-level radioactive waste management policy on biomedical research.

Assured Isolation and Related Approaches

Connecticut's Draft Legal Study of Assured Isolation

Ronald Gingerich of the Connecticut Hazardous Waste Management Service (CHWMS) provided details on a draft legal study on assured isolation that is being prepared for CHWMS by an independent attorney. In so doing, Gingerich cautioned that he is not an attorney and that his comments do not necessarily reflect the views of the Connecticut Attorney General. Using slides, Gingerich reviewed the history of the CHWMS's interest in the assured isolation concept and outlined

the various studies and reports that have been prepared on assured isolation. He then explained the scope and findings of the draft legal study, briefly explaining the four main issues addressed in the study and the conclusions presented for each issue. (See *LLW Notes*, May 1999, pp. 10–12.) Gingerich also reviewed the schedule for completion of the legal study and explained the process for commenting on the current draft.

Texas Legislation re Assured Isolation Lee Mathews of the Texas Low-Level Radioactive Waste Disposal Authority reported on a legal analysis prepared by the Texas Attorney General's Office which, among other things, addressed whether the development of an assured isolation facility would satisfy the requirements of the Texas Low-Level Radioactive Waste Disposal Compact. (See *LLW Notes*, May 1999, p. 15.) Mathews explained the conclusions reached by the Attorney General, as well as the limitations thereon, and pointed out parallels to the findings in the Connecticut study. He also reported on investigative work on assured isolation that is being done on behalf of the Authority.

North Carolina Authority's Study and Recommendations re Decay in Storage Walter Sturgeon of the North Carolina Low-Level Radioactive Waste Management Authority reported on North Carolina's efforts to develop a low-level radioactive waste disposal facility and the Authority's recommendation that the legislature consider developing a decay in storage (DIS) facility. (See *LLW Notes*, April 1999, pp. 1, 4.) Sturgeon's report included a summary of the events leading to the shutdown of the disposal project, an explanation of the rationale for examining a DIS option, and a review of the elements of the DIS concept.

Questions and Comments Forum Participants engaged in dialogue about

- legal issues likely to be raised in opposition to assured isolation;
- comparative costs for developing an assured isolation facility versus a traditional disposal facility; and
- the ability to exclude out-of-region waste from a DIS facility.

In addition, James Kennedy of the NRC clarified his agency's position on the assured isolation concept, as well as on storage in general.

Working Group on Alternative Isolation Techniques Formed

On June 2, members of the interim working group on assured isolation and related approaches met in conjunction with the LLW Forum meeting. The interim working group was formed as a result of the passage of a motion at the winter LLW Forum meeting that the Forum Executive Committee "consider the possibility of establishing" a working group on the issue. (See *LLW Forum Meeting Report, February 9-12, 1999*, p. 10.)

During the interim working group caucus, attendees discussed the purpose, focus, and scope of a proposed working group. Following discussion, Forum Participants and Alternate Forum Participants prepared a motion requesting that the full LLW Forum establish a formal working group. In addition, attendees decided to change the name of the group to Alternative Isolation Techniques Working Group in order to include the broad range of approaches under consideration in various states for the isolation of low-level radioactive waste.

Seven LLW Forum Participants and Alternate Participants were present at the meeting, as well as one federal liaison, one state representative, and three Afton staff members.

The group plans to meet officially in conjunction with the October LLW Forum meeting.

Working Group Membership The Forum Convenor has appointed the following individuals to serve on the working group:

Carol Amick	Alternate, Massachusetts
Ronald Gingerich	Alternate, Connecticut
Michael Klebe	Alternate, Illinois
Phil Leventis	Alternate, South Carolina
Carl Lischeske	Participant, California
Lee Mathews	Participant, Texas
Mike Mobley	Southeast Compact Commission for Low-Level Radioactive Waste Management
Terrence Tehan	Participant, Rhode Island

Executive Session

First-Quarter 1999 Financial Report M. A. Shaker, Forum Management Advisor, reported that the LLW Forum ended the first quarter on budget. The LLW Forum accepted the report.

Contractor Management Leonard Slosky voiced the opinion of the Executive Committee that the meetings with federal officials arranged for the committee in Washington, D.C., by Afton Associates were well organized.

2000-2002 DOE Grant Application (Forum Participants discussed this matter without LLW Forum staff present.) Marcia Marr reported that a request for funding from DOE was made on January 5, 1999, by the State of Illinois on behalf of the LLW Forum and that DOE had not yet responded to the request. It was noted that a reply is needed soon so that a competitive request for proposal can be let by the State of Illinois. An RFP must be released by early June in order for a contractor to be in place to provide LLW Forum services when the current State of Washington management contract runs out on December 31, 1999.

LLW Forum Business Session

Staff Report M. A. Shaker reported that to date in 1999 LLW Forum staff had

- provided individualized information by phone, fax, mail or e-mail to Forum Participants and Alternate Forum Participants, state and compact officials, state organizations, federal officials, and members of the press;
- e-mailed or faxed information on national and regional news articles, radio and television broadcasts, and Internet postings to Forum Participants and Alternate Forum Participants, state and compact officials, state organizations, and federal officials;
- faxed *News Flashes* and posted them on the Internet, and faxed or e-mailed special memos to alert Forum Participants to urgent matters;
- published four newsletters, one 20-page summary report of state and compact activities, and one meeting report;

- organized briefings by the Forum Executive Committee of the DOE Acting Assistant Secretary for Environmental Management, two individual NRC Commissioners, and Governors' representatives in Washington, D.C.; and
- provided liaison with other groups including the National Governors' Association, the Western Governors' Association, the Host State Technical Coordinating Committee (TCC), the National Conference of State Legislatures, the Environmental Council of the States, the National Environmental Justice Advisory Committee, the Nuclear Energy Institute, the National Academies (which includes the National Academy of Sciences), and the Health Physics Society.

Executive Committee Report Forum Convenor Kathryn Haynes reported on LLW Forum projects and liaison activities including a cost-cutting decision by the Executive Committee to post biographies of Forum Participants on the LLW Forum's world wide web site and distribute copies of the biographies only on request at LLW Forum meetings.

Resolution to Thank Illinois The following resolution was introduced by Edward Ford and seconded by Carol Amick. The resolution was adopted unanimously.

Resolution to Thank Illinois and Request Continued Work on LLW Forum Funding (Number 99.6.1)

Adopted on June 3, 1999

Resolved, That the LLW Forum thanks the State of Illinois for its efforts in applying to the Department of Energy for grant funding of the LLW Forum and regrets that Illinois has experienced so much difficulty in obtaining a response to this request. The LLW Forum asks that the State of Illinois continue to work in consultation with the Forum Convenor and take all actions necessary to obtain the funding for LLW Forum operations during FY 2000-2002.

Resolution to Thank NGA for its Support The following resolution was introduced by Richard Janati, seconded by Terrence Tehan, and adopted unanimously.

Resolution to Thank NGA for its Support (Number 99.6.2)

Adopted on June 3, 1999

Resolved, That the Low-Level Radioactive Forum thank the National Governors' Association for its continuing support of the work of the LLW Forum.

Resolution to Thank Don Womeldorf The following resolution was introduced by Janice Deshais, seconded by Carl Lischeske, and passed unanimously.

Resolution to Thank Don Womeldorf for His Dedicated Service as a Member of the LLW Forum Executive Committee (Number 99.6.3)

Adopted on June 3, 1999

Whereas, Don Womeldorf has served as a member of the LLW Forum Executive Committee since 1992; and

Whereas, he faithfully and willingly has carried out the duties of a committee member and has assisted the Convenor and the LLW Forum staff in a number of special projects; and

Whereas, the Committee has enjoyed the benefits of his experience and expertise, and will miss his wit and wisdom; and

Whereas, the Committee is certain it will call on Don for help in its future endeavors; and

Whereas, the Committee recognizes Don for his considerate action in stepping down from his position in February 1999 so another Forum Participant could join the Committee; therefore, be it

Resolved, That the LLW Forum thanks Don Womeldorf for his dedicated service as a member of the LLW Forum Executive Committee.

Resolved, That the LLW Forum hopes that the Southwestern Compact will protect Don, like a precious desert tortoise, so his services to the LLW Forum and the Executive Committee will not become extinct.

Working Group on Alternative Isolation Techniques

Ronald Gingerich reported to the LLW Forum regarding a meeting of the interim working group. (See related article, p. 5.) He then moved that

the LLW Forum approve the establishment of a working group on Alternative Isolation Techniques.

Janice Deshais seconded the motion, which carried unanimously. The newly named and formalized group will carry on the activities of and retain the membership of the interim working group.

Carol Amick then moved that

the LLW Forum abolish the Working Group on Regulatory Issues, since work having been done by that group has been incorporated into the larger LLW Forum meeting.

Lee Mathews seconded the motion, which carried unanimously.

Private Facilities Seeking LLRW Disposal Licenses/Permits

Safety-Kleen's "Grassy Mountain" Facility in Tooele County, Utah

Maggie Wilde of Safety-Kleen provided background on the company's extensive operations, which include facilities in all states except Wyoming and Montana. She then described the status of and reasons for the company's efforts to convert an existing hazardous waste cell at its "Grassy Mountain" facility into a cell that could accept low-level radioactive waste and NORM.

Waste Control Specialists' Facility in Andrews County, Texas

William Dornsife of Waste Control Specialists (WCS) reviewed recent legislative developments in Texas, focusing on an unsuccessful initiative to establish an option for private companies to be licensed to provide low-level radioactive waste disposal. Dornsife noted that should a future such initiative prevail, WCS is prepared to apply for a disposal license and has already signed contingent long-term contracts with utilities to provide disposal. Dornsife then described recent contract awards and regulatory approvals that are anticipated to favorably impact WCS' business in the meantime.

Management of Radioactive Waste Under FUSRAP: Role of the Army Corps of Engineers

Types of Waste Managed Under FUSRAP, Regulatory History, and Concerns re FUSRAP Management Paul Merges of the Conference of Radiation Control Program Directors (CRCPD) discussed origins of the Formerly Utilized Sites Remedial Action Program (FUSRAP) and explained the types of waste that it covers. He also detailed regulatory issues associated with the program, including the recent transfer of authority from DOE to the U.S Army Corps of Engineers. Merges gave an overview of a Memorandum of Understanding on FUSRAP that was recently entered into between DOE and the Corps and discussed some of his concerns about management of the program.

Characterizations of FUSRAP Waste, Corps Perspective on FUSRAP Regulation and Disposal Requirements

Julie Peterson of the U.S. Army Corps of Engineers explained the basis for the Corps' authority to characterize waste and the methods by which the characterization is performed. She gave examples of how the Corps analyzes its waste disposal options and makes a final determination. Peterson also provided an overview of interaction between the Corps and the NRC re regulatory authority over FUSRAP.

NRC's Views re Limits on Regulatory Authority, NRDC Petition and NRC Response

Joseph Holonich of NRC presented the agency's views on regulatory authority over FUSRAP. Holonich discussed a petition by the Natural Resources Defense Council asking NRC to exercise regulatory authority over the program and the agency's response.

U.S. Army Corps of Engineers' FUSRAP Authority

Kip Huston of the Corps reviewed the Corps' authority to regulate FUSRAP under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). He described the regulatory structure and detailed the Corps' disposal policy and discussed a request for proposals on disposal options.

Case Study: Buttonwillow Facility Edgar Bailey gave a brief report on the disposal of FUSRAP material containing residual radiological contamination at a hazardous waste disposal facility in California that the state argues is not licensed to accept such waste. Bailey explained his department's position on the matter and reported on communications between California state agencies, the Corps, and Safety-Kleen, which operates

the Buttonwillow hazardous waste disposal facility. Bailey explained that the state is currently investigating the matter, and he outlined possible courses of action at the completion of the investigation. He also compared his department's characterization of the waste to that of the Corps and Safety-Kleen. (See *LLW Notes*, May 1999, pp. 1, 31-32.)

Discussion Forum Facilitator Holmes Brown and Forum Participants discussed

- the primacy of federal regulation or state regulation;
- proper methods for characterization of waste;
- interaction and consultation with states and compacts prior to shipment of FUSRAP waste by the Corps;
- the extent of the Corps' obligations and the potential impacts of the Corps' decisions;
- risk and the potential for a threat to public health and safety; and
- interaction between the Corps and DOE.

Processing/Disposal of Radioactive Material at the White Mesa Uranium Mill

NRC Decision to Allow Acceptance of FUSRAP Waste as Feed Material Joseph Holonich of NRC gave a brief report on a recent decision concerning a license amendment granted to International Uranium Corporation (IUC). Holonich explained the rationale for authorizing the company to accept waste from the Formerly Utilized Sites Remedial Action Program (FUSRAP) at the company's White Mesa Uranium Mill in Utah. He briefly referenced the state's opposition to the decision and outlined the appeals process that is currently under way. (See *LLW Notes*, May 1999, p. 30.)

Utah's Regulatory Concerns William Sinclair outlined the State of Utah's regulatory concerns over NRC's decision and the state's interest in obtaining clarification of what constitutes legitimate processing. In addition, Sinclair briefly discussed the state's concerns regarding proper characterization of the waste.

Discussion Forum Participants discussed methods of determining the difference between legitimate

processing and sham disposal, as well as the importance of consultation with states and compacts. During the discussion, an IUC official provided the company's perspective on various issues related to the disposal of FUSRAP waste at White Mesa.

Resolution re Consultation with the Army Corps of Engineers The following resolution was introduced by Leonard Slosky and seconded by Don Womeldorf. The resolution was tabled until Friday, June 4, when it was adopted unanimously.

**Resolution re Consultation
with the Army Corps of Engineers
(Number 99.6.6)**

Adopted on June 4, 1999

Whereas, the export, import and disposal of FUSRAP waste may be subject to regulation by state agencies and low-level radioactive waste compacts; and

Whereas, various states and compacts have differing regulatory approaches and limits; therefore, be it

Resolved, That the Low-Level Radioactive Waste Forum recommends that the U.S. Army Corps of Engineers consult with all affected states and obtain written approval from the following agencies prior to authorizing the disposal of FUSRAP waste:

- **the low-level radioactive waste compact in which the waste originates,**
- **the low-level radioactive waste compact into which the waste would be imported (if applicable), and**
- **the radiation control agency and waste management agency of the state in which the waste would be disposed.**

Resolved, That the U.S. Army Corps of Engineers continue to consult with the Low-Level Radioactive Waste Forum on this matter.

EPA Rulemakings re Storage and Disposal of Mixed Waste

Proposed Rulemaking re Storage of Mixed Waste Behram Shroff gave a slide presentation on EPA's proposed rulemaking on mixed waste storage, including:

- a historical analysis of the issue and explanation of the rationale behind the proposed rulemaking;
- a summary of the elements of the proposed rule-making;
- a review of comments received on the advanced notice of proposed rulemaking;
- an analysis of which wastes might be eligible for a storage exemption; and
- a discussion of potential storage conditions.

Status of Current Rulemaking Efforts Related to Mixed Waste Disposal Shroff reviewed two rulemaking efforts being undertaken by different divisions within EPA related to the disposal of mixed waste. For each rulemaking effort, Shroff

- gave a historical analysis of the issues and an explanation of the reasoning behind the rulemakings;
- reviewed conditions under which an exemption may be granted;
- discussed potential disposal provisions and wastes that may be eligible for such exemptions; and
- gave a tentative schedule for publication of the rules.

Discussion Forum Participants addressed

- public reaction to the proposed rulemakings;
- responsibility of the states to adopt all or part of the rules once finalized;
- the role of Agreement States under the proposed rulemakings;
- concentration limits at which the rule is expected to apply; and
- the interrelationship between state and federal regulations that are deemed mutually inconsistent.

National Governors' Association Liaison

Federal Facilities Compliance Act Task Force Jack Spath of New York, who serves as the LLW Forum's liaison to the Federal Facilities Compliance Act (FFCA) Task Force, reported on the task force's background as well as its current focus. Spath also provided a fact sheet about the task force's activities.

State/DOE Workgroup John Clark of South Carolina explained the impetus for the creation earlier this year of the workgroup, which has a narrower membership than the task force. He then described the workgroup's projects, including a primer on waste issues and a proposed summit for the DOE Secretary and the Governors of the workgroup's eight member states.

Planned DOE Record of Decision re LLRW Policy

Jay Rhoderick of DOE gave a brief report on the agency's planned Record of Decision concerning its low-level radioactive waste policy. Rhoderick discussed the process and schedule for development of the Record of Decision, as well as the scope of the decision.

CRCPD Liaison

Kevin McCarthy, the LLW Forum's liaison with the Conference of Radiation Control Program Directors (CRCPD) reported on recent CRCPD activities. McCarthy described the organization and its membership and explained the organization's purpose and objectives. He also gave an overview of CRCPD's various committees and the work being done by each committee. In addition, McCarthy reported on CRCPD's recent annual meeting, as well as the recent meeting of the E-5 Committee.

NRC Oversight of DOE Facilities: Changing Agency Views and States' Responses

DOE Perspective Jay Rhoderick of DOE reviewed the status of the pilot program for NRC oversight of DOE facilities. He identified issues that arose during the program, including what criteria to apply, financial concerns, safeguards and securities, and costs versus benefits. Rhoderick then presented the department's perspective on whether external regulation is a viable option and an overview of future work on this issue.

NRC Perspective Charlie Haughney provided NRC's perspective on the success of the pilot program and the merits and drawbacks of external regulation, including

- objectives of the pilot program;
- DOE's perspective and preparation of an independent report by NRC;
- historical overview;
- potential legislative and regulatory changes; and
- detailed findings.

State Perspectives Forum Participants inquired about

- reimbursement mechanisms to cover the costs of external regulation;
- involvement of the Defense Nuclear Facilities Safety Board;
- the role that Agreement States might play in the external regulation scheme; and
- congressional response to DOE's recommendation to discontinue the pilot program.

High-Level Waste Policy Initiatives: Effect on LLRW Management

Holmes Brown provided an overview of the issues and their potential impact on low-level radioactive waste management and disposal.

On-Site Storage Jay Rhoderick of DOE gave an overview of DOE's recent proposal for spent fuel storage and management pending the opening of a permanent high-level radioactive waste repository. Rhoderick explained the basis for the proposal and described industry's response. Paul Genoa reported on the status and content of legislation pending before Congress concerning on-site storage of spent fuel. In addition, he explained the administration's position on the issue, as well as that of the nuclear industry.

Centralized Storage at Yucca Mountain Jay Rhoderick reviewed DOE's opposition to the storage of spent fuel at Yucca Mountain and explained the associated concerns. Paul Genoa reported on the status and content of legislation pending before Congress

concerning centralized storage at Yucca Mountain. Genoa also explained the administration's positions on the issue, as well as that of the nuclear industry.

Transmutation Paul Genoa briefly explained the concept of transmutation and the industry's view regarding it. (See *LLWNotes*, May 1999, p. 40.)

Implications for LLW Management Forum Participants addressed

- the need for consultation with states on the proposal;
- whether non-fuel bearing components are covered by the terms of the standard contract;
- responsibility for security and maintenance of spent fuel storage at nuclear power plants; and
- implications of storage proposals on efforts to site low-level radioactive waste disposal facilities.

NCSL Summit: LLW Forum Perspective

April Meeting Holmes Brown, reported on the agenda items and attendance at the Low-Level Radioactive Waste Summit held by the National Conference of State Legislatures (NCSL) on April 9. (See *LLWNotes*, May 1999, pp. 18–19.) Forum Participants who had attended the summit then conveyed their impressions.

Related Activities Cynthia Norris, the Forum State/Compact Liaison, relayed information provided by NCSL staff concerning the status of a report compiling the views expressed at the summit. Ken Henry of DOE's National Low-Level Waste Management Program, which provides support for the working group, answered questions and supplied additional information concerning the content and review process for the report.

Norris reported that NCSL staff anticipate that there may be a second summit, potentially in conjunction with NCSL's joint winter meeting of the Assemblies on Federal and State Issues scheduled for December 1–3 in Washington, D.C.

LLW Forum October 1999 Agenda Planning

Cynthia Norris, Forum Program Director, announced the results of the voting on agenda topics for the LLW Forum meeting scheduled for October 25–27 in Annapolis, Maryland.

Meeting Materials

Document Distribution Key	
<p>^P Forum Participants</p> <p>^A Alternate Forum Participants</p> <p>^E Forum Federal Liaisons</p> <p>^L Forum Federal Alternates</p>	<p>^D LLW Forum Document Recipients</p> <p>^N <i>LLW Notes</i> and <i>Meeting Report</i> Recipients</p> <p>^M Meeting Packet Recipients</p>

- ^{DM} ***Meeting Packet:
LLW Forum meeting,
June 2-4, 1999***
- LLW Forum Meeting Agenda.*
Afton Associates, Inc. May 1999.
- LLW Forum Schedule-at-a-Glance*
Afton Associates, Inc. May 1999.
- LLW Forum Meeting Preattendance
List.* Afton Associates, Inc. May
1999.
- Status of Technical Assistance.*
DOE's National Low-Level Waste
Management Program. May 1999.
- Civilian Low-Level Radioactive
Waste Disposal: Challenges and
Opportunities Ahead.* National
Research Council, Board on
Radioactive Waste Management.
April 13, 1999. Announces plans
to study the origins, characteriza-
tion, classification, and current
practices for managing civilian
LLRW; and to assess likely future
trends in LLRW generation, treat-
ment, and disposal and the likely
technical and policy challenges in
the decades ahead.
- Assured Isolation Legal Study.* Pre-
pared by Frank Santoro of Dana-
her, Tedford, Lagnese & Neal, P.C.
for the Connecticut Hazardous
Waste Management Service.
March 10, 1999. Addresses legal
issues surrounding the proposed
development of an assured isola-
tion facility in Connecticut.
- Brief on the Development of an
Assured Isolation Facility in Texas.*
Prepared by Lee Mathews, General
Counsel and Deputy General
Manager of the Texas Low-Level
Radioactive Waste Disposal
Authority. March 24, 1999.
Addresses whether the establish-
ment of an assured isolation facili-
ty would satisfy the state's obliga-
tions as host state under the Texas
Compact.
- An Alternative Means of Low-Level
Radioactive Waste Disposal.* Pre-
pared by Walter Sturgeon, Execu-
tive Director of the North Caroli-
na Low-Level Radioactive Waste
Management Authority, and
Ronald Gaynor, Vice President
and Principal Engineer of Harding
Lawson Associates. April 1999.
Describes the design and opera-
tion of a proposed long-term stor-
age-for-decay facility.
- Illinois Department of Nuclear Safe-
ty Bridges LLRW Compact System
Problems with Unique Storage Solu-
tion.* Prepared by Thomas Ort-
ciger, Director of the Illinois
Department of Nuclear Safety
(IDNS); Michael Klebe, Chief of
the Division of Low-Level Waste
Management of IDNS; and Paul
Corpstein, General Manager of
Chem-Nuclear Systems. March
1999. Discusses preliminary plans
to build and operate a waste man-
agement system that would safely
store Central Midwest Compact
waste until a permanent disposal
facility is in operation.
- Letter from Governor John Evans,
Chair of the National Governors'
Association's Subcommittee on
Nuclear Power, to DOE Secretary
Donald Hodel, requesting DOE's
opinion on the legal classification
of FUSRAP wastes. October 12,
1983.
- Letter from DOE Secretary Don-
ald Hodel to Governor John
Evans, providing DOE's opinion
on the legal classification of FUS-
RAP wastes. December 13, 1983.
- Letter from John Cornyn, Attor-
ney General of Texas, to Gary
Walker, Chair of the Land &
Resource Management Committee
of the Texas House of Representa-
tives, transmitting a legal opinion
on the disposal of low-level
radioactive waste in Texas.
May 18, 1999.
- Letter from Steven Collins, Chair
of the Conference of Radiation
Control Program Directors
(CRCPD), to NRC Chairman
Shirley Ann Jackson expressing
concern about NRC's refusal to
regulate cleanups at Formerly Uti-
lized Sites Remedial Action Pro-
gram (FUSRAP) sites.
April 9, 1999.
- Letter from Rep. Tom Bliley,
Chair of the U.S. House Com-
merce Committee, to Army Lieu-
tenant General Joseph Ballard
expressing concerns with the Army
Corps of Engineers' administration
of FUSRAP. April 21, 1999.

Meeting Materials *continued*

Letter from Army Lieutenant General Joseph Ballard to Rep. Tom Bliley, responding to the Committee's concerns regarding the Corps' administration of FUSRAP. May 21, 1999.

Letter from Edgar Bailey, Chief of the Radiological Health Branch of the California Department of Health Services, to Bill Rose, Director of Regulatory Affairs for the Western Division of Safety-Kleen Services, Inc., regarding the disposal of FUSRAP waste from New York at Safety-Kleen's Buttonwillow Facility in California. March 10, 1999.

Initial Decision. Atomic Safety and Licensing Board, NRC. February 9, 1999. Denies the relief requested by the State of Utah in its opposition to the recently issued license amendment allowing International Uranium Corporation to dispose of FUSRAP at its facility in Utah.

Advanced Notice of Proposed Rulemaking for Options on Mixed Waste Storage. Office of Solid Waste, EPA. EPA 530-F-99-104, March 1999. Describes several options EPA is considering to make its regulations more flexible for generators of mixed LLRW.

List of Members of the NGA/DOE Federal Facilities Compliance Act (FFCA) Task Force. Prepared by the National Governors' Association. May 1999.

List of Members of the State/DOE Workgroup. Prepared by the National Governors' Association. May 1999.

^{PA} *Materials Distributed at the LLW Forum Meeting*

Central Interstate Low-Level Radioactive Waste Compact Report to the LLW Forum. Central Interstate Low-Level Radioactive Waste Commission. May 1999. Discusses current litigation, Nebraska's efforts to withdraw from the Central Compact, and various budgetary matters.

"Governor Davis Not to Appeal Ward Valley District Court Decision." Press release issued by the Office of the Governor of California. June 2, 1999.

Assured Isolation Legal Study. Hard copies of slides presented by Ronald Gingerich, Director of the LLRW Program, Connecticut Hazardous Waste Management Service. June 2, 1999. Addresses whether an assured isolation facility would comply with the LLRW-PAA, and whether the Northeast Compact could exercise exclusionary authority over shipments to an assured isolation facility.

Proposal to Manage Low-Level Radioactive Waste at the Grassy Mountain Facility. Hard copies of slides presented by Maggie Wilde of Safety-Kleen, Inc. June 1999.

Beyond Hogging & Hauling: A Perspective of a FUSRAP Generating State. Paul Merges, New York Department of Environmental Conservation. May 10, 1999. Provides a state regulator's perspective on the Corps' administration of the FUSRAP program.

Letter from NRC Chairman Shirley Ann Jackson to Steven Collins, Chair of the Conference on Radiation Control Program Directors, Inc. (CRCPD), clarify-

ing NRC's rationale for refusing to exercise regulatory authority with regard to the Corps' on-site cleanup of FUSRAP material. May 3, 1999.

Formerly Utilized Sites Remedial Action Program (FUSRAP). Hard copies of slides presented by Kip Huston, Chief of the FUSRAP team, Army Corps of Engineers. June 3, 1999. Provides information on the background, program status, and future plans of the FUSRAP program.

Mixed Waste Proposed Rulemaking. Hard copies of slides presented by Behram Schroff of the EPA. June 3, 1999. Provides background information on EPA's proposed rulemakings concerning the storage and disposal of mixed low-level radioactive waste.

NGA FFCA Task Force: Fact Sheet. Jack Spath, New York Energy Research and Development Authority. June 1999. Discusses the purpose, duties, and future project activities of the task force.

External Regulation of DOE Facilities. Hard copies of slides presented by Charles Haughney, Office of Nuclear Safety and Safeguards, NRC. June 4, 1999. Provides information on efforts to implement NRC oversight of DOE facilities.

^{DM} *Materials Distributed with the LLW Forum Meeting Report, June 2-4, 1999.*

Summary of Current and Proposed Land Use at the Barnwell Disposal Site. Prepared by the South Carolina Department of Health and Environmental Control, Division of Radioactive Waste Management. May 1999.

Low-Level Radioactive Waste Forum Meeting Report Attendance

Low-Level Radioactive Waste Forum Meeting • June 2-4, 1999 • Jackson, Wyoming

Attendance

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Northeast Compact

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Low-Level Radioactive Waste Forum Meeting Report Attendance *continued*

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Maggie Wilde
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Appalachian Compact Users of Radioactive
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LLW Forum Staff

Holmes Brown, Facilitator, LLW Forum

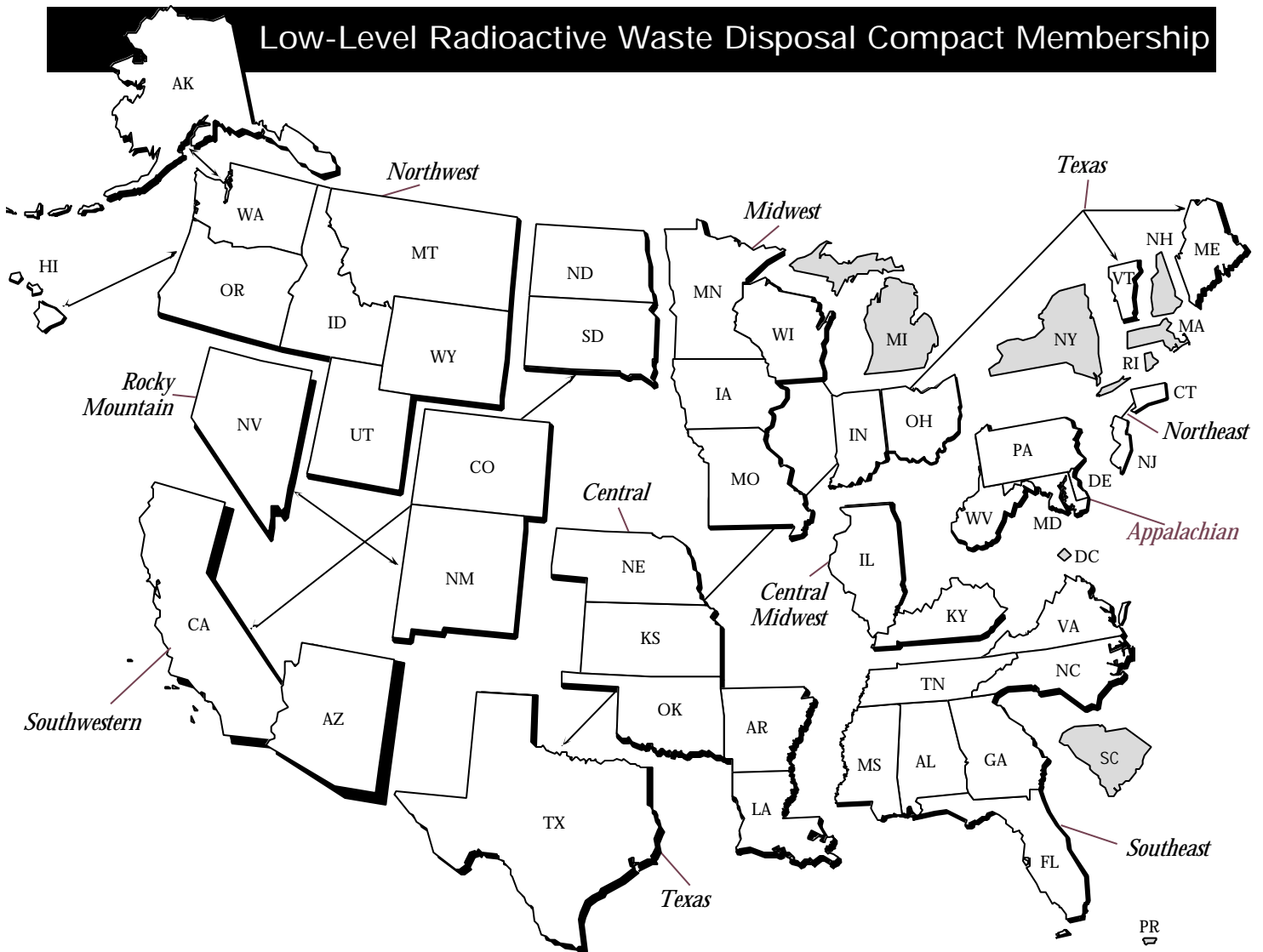
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Todd Lovinger, Legal Clearinghouse Director and
Federal Liaison

Cynthia Norris, State/Compact Liaison and Program
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M. A. Shaker, Management Advisor

Low-Level Radioactive Waste Disposal Compact Membership



Appalachian Compact

Delaware
Maryland
Pennsylvania *
West Virginia

Central Compact

Arkansas
Kansas
Louisiana
Nebraska *
Oklahoma

Central Midwest Compact

Illinois *
Kentucky

Midwest Compact

Indiana
Iowa
Minnesota
Missouri
Ohio
Wisconsin

Northwest Compact

Alaska
Hawaii
Idaho
Montana
Oregon
Utah
Washington * •
Wyoming

Rocky Mountain Compact

Colorado
Nevada
New Mexico

Northwest accepts Rocky Mountain waste as agreed between compacts.

Northeast Compact

Connecticut *
New Jersey *

Southeast Compact

Alabama
Florida
Georgia
Mississippi
North Carolina *
Tennessee
Virginia

Southwestern Compact

Arizona
California *
North Dakota
South Dakota

Texas Compact

Maine
Texas *
Vermont

Unaffiliated States

District of Columbia
Massachusetts
Michigan
New Hampshire
New York
Puerto Rico
Rhode Island
South Carolina •

The Low-Level Radioactive Waste Forum includes a representative from each regional compact, each designated future host state of a compact *, each state with a currently operating facility •, and each unaffiliated state.

