

LLW Crisis? What LLW Crisis?

Ever since it became evident that the state of South Carolina was serious about closing the Barnwell low-level waste disposal site this coming June 30, officials from various U.S. and state government agencies and private corporations have been falling all over themselves exclaiming that despite the fact that soon there will be *no* disposal site for most of the nation's Class B and C LLW, there is no "crisis" in low-level waste management.

Dale Klein, chairman of the U.S. Nuclear Regulatory Commission, speaking at the opening plenary session at this year's Waste Management conference in Phoenix, stated flatly that he didn't "foresee any kind of immediate crisis in the disposal of LLW," although he later admitted during the question-and-answer period that "LLW compacts never worked as they were supposed to do." (Really!) At other sessions, other speakers agreed, for the most part, that there is no disposal crisis today. However, it turns out that this optimistic view centers on a very narrow definition of the word "crisis."

What all these people mean is that there will be no immediate *public health and safety impacts* come July 1, 2008, when the Barnwell facility closes to all but Atlantic Compact waste generators. And that's certainly true. After all, hospitals, power plants, research facilities, universities, and other public and private entities that generate LLW are not going to start tossing the stuff into the streets.

But perhaps those who feel that the U.S. is entering crisis mode are thinking a little more broadly than those who confine their definitions to public health and safety. First, there is a *political* crisis in that state governments have blithely chosen to ignore the law of the land. The 1980 Low-Level Radioactive Waste Policy Act, and its 1985 Amendments Act, man-

dated that states, or states acting together in "compacts," find a way to dispose of the LLW generated within their borders. Twenty-eight years later, not a single new disposal facility has opened under the terms of the Act. And none is in the works. Even the Waste Control Specialists facility, which may soon become the Texas Compact's disposal site, was developed outside the compact system; only later did WCS decide to go for the Texas license.

And there is a *business and financial* crisis in that waste-generating entities are now faced with a dilemma of what to do with their Class B and C LLW. They can build storage facilities, if they have that kind of room. They can take advantage of treatment services that can reduce the volume of their waste (and store the resulting lower volumes). They can lobby their state governments or compact commissions to get moving on developing new LLW disposal facilities (good luck with *that* option!). Or they can decide to pay someone a lot of money to take the problem off their hands. The last is probably the most likely option for many generators. Whatever solution is chosen, however, it could cost these waste generators much more money.

Is there a permanent solution in the works? Sadly, the answer is probably not. What with oil prices approaching \$120 a barrel at this writing, gasoline prices in the United States pushing toward \$4.00 a gallon, and food prices doubling or worse around the world, it's true that a few inconvenienced companies, medical facilities, power plants, universities, or research facilities probably won't even make it onto the radar of today's politicians. So government is not set up to solve the problem.

The most likely solution, according to Ralph Anderson, of the Nuclear Energy Institute (speaking at the same



Whether or not there's a crisis depends on how one defines "crisis."

recent WM conference), will come from the commercial sector. "It's a commercial marketplace problem," he said, "within a highly regulated industry." And in his opinion, until the market changes (that is, until there is a whole lot more LLW that needs disposal), no new waste site will be developed. The market will change when the current fleet of 104 operating nuclear power plants begins decommissioning. And *that's* when there really will be a crisis, as defined by just about everyone.—Nancy J. Zacha