

SENATE BILL REPORT

SB 6223

AS REPORTED BY COMMITTEE ON ENERGY & UTILITIES, FEBRUARY 3, 1994

**Brief Description:** Concerning the disposal of low-level nuclear waste.

**SPONSORS:** Senator Williams

**SENATE COMMITTEE ON ENERGY & UTILITIES**

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Sutherland, Chairman; Ludwig, Vice Chairman; Amondson, Hochstatter, McCaslin, Owen, Roach, A. Smith, Vognild, West and Williams.

**Staff:** Phil Moeller (786-7445)

**Hearing Dates:** February 2, 1994; February 3, 1994

**BACKGROUND:**

In 1964 the state of Washington entered into a 99-year lease with the federal government for a 1,000-acre tract of land within the boundaries of the Hanford Reservation. The lease stipulates that land can be subleased to entities for "nuclear-related" activities. The state has entered only one sublease since the site was leased in 1964. This sublease is for use of a 100-acre portion of the tract for the disposal of commercial low-level radioactive waste by a private firm.

Low-level radioactive waste is mostly produced by medical facilities, some research facilities, some industrial applications and nuclear power reactors. Under federal rules, it requires much less shielding and significantly less-stringent disposal requirements than high-level waste such as spent nuclear fuel rods.

Federal legislation enacted in 1980 and 1986 was an attempt to force and motivate states to develop regional disposal sites for low-level radioactive waste. Although several sites are planned, only two sites are open for disposal: the facility at Hanford and a facility in South Carolina. Because of the scarcity of disposal options, and the requirement that this type of material must be disposed of in dedicated facilities, states have indicated willingness to spend several million dollars annually to avoid developing new disposal facilities.

Washington is the host state of the Northwest Interstate Compact on Low-Level Radioactive Waste Management. The compact also includes Alaska, Hawaii, Idaho, Montana, Oregon and Utah. Current law limits the site to accepting waste from these compact member states, other states that produce less

than 1,000 cubic feet of waste annually and border a compact member state, and several states in the Rocky Mountain region.

The Department of Ecology is charged with the state responsibilities regarding the lease and any subleases. Ecology also provides staff support to the Northwest Interstate Compact on Low-Level Radioactive Waste Management.

**SUMMARY:**

The authority to fulfill the responsibilities of leasing and subleasing the 1,000-acre tract of Hanford land is changed from the Department of Ecology to the Governor or his or her designee. The Governor or his or her designee may operate or contract with public or private entities to operate the low-level radioactive waste disposal site.

The Governor or his or her designee may negotiate with a state for access to the low-level radioactive waste disposal site. Limitations on specific state access to the site are removed. If the federal government executes changes to the 1,000-acre lease, the Governor or his or her designee may terminate or change any sublease of the 1,000 acres.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested January 27, 1994

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**TESTIMONY FOR:**

This legislation would give the Governor the authority that he or she should have to negotiate site access with other states. The bill could allow for millions of dollars of additional annual revenue outside of the constraints of Initiative 601 and help many other states that are faced with a disposal crisis.

**TESTIMONY AGAINST:**

The interstate compact system is working to force other states to find additional disposal options. This bill would send the wrong signal to other states.

**TESTIFIED:** Senator Williams, prime sponsor; Dan Silver, Dept. of Ecology (con); T. R. Strong, Dept. of Health; Barry C. Bede, US Ecology Inc. (pro)