

# ENVIRONMENTAL POLICY INSTITUTE

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## NEWS RELEASE

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EPI and a coalition of environmental organizations including the Sierra Club and the National Parks and Conservation Association, announced today that they have filed a lawsuit to block the U.S. Department of Energy's (DOE) plan to select sites for disposal of high level radioactive nuclear waste. The lawsuit was filed yesterday in the U.S. Court of Appeals for the Ninth Circuit.

"DOE is suddenly rushing to solve the nuclear waste problem, but without serious concern for the immediate and long-term public health, economic, and environmental implications which are of immense magnitude and deserve the most careful consideration. Such a thorough approach was required by Congress, but the process followed by DOE makes a mockery of the law," charged David Berick, Director of EPI's Nuclear Waste and Safety Project.

The nine sites DOE is proposing -- in Nevada, Washington, Texas, Utah, Mississippi, and Louisiana -- were chosen on the basis of site selection guidelines published less than two weeks ago, according to Berick. "The site reports being released by DOE today went to the printer before the selection criteria were even released, much less adequately evaluated by the public," Berick asserted, adding that all nine sites have serious problems and raise grave environmental and public health questions.

"We are asking the court to enjoin the Secretary from selecting repository sites on the basis of these invalid guidelines," stated Suellen Keiner, Director of the Environmental Policy Institute's Litigation Project. According to Keiner, EPI has been working with the states, Indian tribes and citizen groups for years to convince DOE to revise the entire site-selection process to conform with the Nuclear Waste Policy Act of 1982 (NWPAA). "DOE has been notably unresponsive to all of these attempts, and there is virtually no possibility that we will be able to convince them to correct these problems unless we take them to court," Keiner stated.

High-level radioactive nuclear wastes are extremely hazardous materials. The U.S. Geological Survey has indicated that it will take approximately twice the amount of all of the fresh water in the world to dilute the concentration of high-level wastes we will have on hand by the year 2020 to levels of public exposure allowed by current Nuclear Regulatory Commission standards.

High-level wastes contain a mixture of different radioactive isotopes, some with half-lives in the millions of years. The accumulation of many critical isotopes such as radium continues to build in radioactive waste over hundreds of thousands of years as a result of the decay of the original inventory of waste. The level of radium, for example, increases until roughly 250,000 years after the repository is closed.

The NWPAA requires DOE to prepare guidelines for nominating nuclear waste repository sites. Detailed environmental assessments and site recommendations are then required, to evaluate the potential sites based on the criteria in the final guidelines.

"Although the guidelines were formally approved by the U.S. Nuclear Regulatory Commission on July 3, 1984, the DOE waited to release them until after they had already made their site decisions," Berick said, "coincidentally after the November elections."

The Nevada repository site is immediately adjacent to the nation's underground nuclear weapons testing center (the Nevada Test Site). The Hanford site is located in a series of fractured basalt flows with highly pressurized aquifers flowing through them into the Columbia River. The Utah site poses an immediate threat to Canyonlands National Park. The Texas site is beneath the main central plains aquifer, the Ogallala, and is located in one of the major agricultural producing regions of the country. The Mississippi and Louisiana sites are in salt domes whose geologic formation are not well understood, and are the most densely populated areas of all nine sites.

In addition to the nine sites addressed in today's DOE announcement, the guidelines will also be applied to sites in seventeen other states: Michigan, Wisconsin, Minnesota, Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Georgia, Maryland, Virginia, North Carolina and South Carolina.