

Texas House OKs taking in more radioactive waste

By BETSY BLANEY

LUBBOCK, TEXAS

Texas House members voted Tuesday to let a remote low-level radioactive waste site in West Texas bury material from dozens of states.

Under the bill approved 108-36, Dallas-based Waste Control Specialists may also set disposal fees for 36 states that were not part of an original deal between Texas and Vermont for the waste dump in Andrews County, near the New Mexico border. Previously, environmental regulators were to determine the rates.

Environmentalists say the bill will bring more radioactive waste to Texas than the state is prepared to handle, and that the liability after the company closes the site will fall to the state. Supporters say the West Texas site can be a secure solution for states to dump radioactive waste.

"This is another significant step forward that could pave the way for disposal operations to begin and for the state to accomplish the mission it started 30 years ago," said Waste Control Specialists spokesman Chuck McDonald. The first low-level radioactive waste could be buried at the site by year's end, he said.

The Senate, which approved the bill last month, must vote on it again because of House amendments. One of those requires the company to get an amendment or a modification to its current disposal license to include acceptance of non-party states' low-level radioactive waste

The Texas Low-Level Radioactive Waste Compact Commission had previously approved rules to accept the waste from the 36 states on a case-by-case basis. One of its commissioners who spoke for himself but not on behalf of the commission said that though some progress was made with the House bill, there is still much to learn.

"It is, and it was, too much, too soon, too fast, if at all, and they answered if at all today," Bob Gregory said.

The low-level waste includes worker clothing, glass, metal and other materials currently stored at nuclear power plants, hospitals, universities and research labs. Federal waste will be disposed at the site but in a separate location on the property.

McDonald said the House bill requires that waste from the non-compact states take up no more than 30 percent of the dump's capacity. It also bans waste from foreign countries. The remaining capacity will be split between Texas (56 percent) and Vermont (14 percent).

Generators from non-party states would pay a 20 percent surcharge for their imported waste, which could add \$32 million to state coffers in a two-year period, McDonald said. Other states can pay \$30 million to join the compact through 2018, before the price increases to \$50 million.

Tom "Smitty" Smith, Texas director of Public Citizen, called the legislation "extremely risky." One amendment that didn't even get to a vote dealt with transportation issues for the thousands of trucks loaded with radioactive waste that will travel along Texas roads.

"The House refused to even study whether we have adequate first responders in place and shame on them for not even wanting to know," he said.

The owner of the company, Harold Simmons, has sunk hundreds of millions of dollars into the site in the past decade or so. The site also stores, processes and manages hazardous wastes.

Lon Burnam, D-Fort Worth, who voted against the measure, said he's seen apartment complexes go up and stick around for a while before they begin to look shoddy and are poorly managed. Then, he said, owners abandon them after maximizing profits.

"Essentially that's what we're going to see 12 or 15 years from now, and the state of Texas is going to absorb all the cost of managing this waste for perpetuity," Burnam said.

He acknowledged the risk Simmons took in funding the site's startup costs. The company will put up tens of millions of dollars in financial assurance that applies as long as the company operates the site.

"Fundamentally, what (the bill) represents is the biggest pork-barrel project in history because we've guaranteed to this monopoly that we set up such a huge rate of return," Burnam said. "We are guaranteeing an incredible rate of return for somebody who is taking the risk on the front end investment but they have none of the risk at the back end."



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