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Congress of the United States  
House of Representatives  
Washington, D.C. 20515

October 25, 1979

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Honorable Joseph M. Hendrie  
Chairman  
Nuclear Regulatory Commission  
Washington, D. C. 20555

Dear Mr. Chairman:

I am writing to request your immediate attention to a matter of great urgency and national concern: the management of low-level radioactive wastes. As I know you are aware, the recent action by the State of Nevada in closing its low-level burial ground leaves only one site available in the entire country for disposal of low-level radioactive wastes, but even this one is available only for prior users and only for non-liquid materials.

As you know, a large portion of all low-level radioactive wastes originate in medical schools and hospitals. There is an urgent need to maintain disposal sites for waste materials from radiopharmaceutical production, application, and research, located so as to minimize the need for transport of these materials over large distances. An advanced nation that cares for the welfare of its people must assure that this aspect of the healing arts is not impeded.

Less than half the wastes come from nuclear power plants (resins, etc.) and about a quarter from other industrial facilities.

I recently introduced an amendment to the Department of Energy Authorization Bill for Fiscal Year 1980, that would establish about a dozen federally-owned and operated low-level burial grounds distributed throughout the nation. These sites would be operated by the Department of Energy and licensed by the Nuclear Regulatory Commission. However, as further amended by others on the floor of the House, the amendment now requires only that the Department of Energy conduct a study of how this is to be done and report to the Congress by May 1, 1980. Nevertheless, it was agreed in floor debate that the problem is urgent, that hearings should be held as soon as possible and that specific authorizing legislation should be considered early next year.

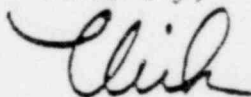
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Since that time, the critical nature of this problem has become apparent; it might be several months before even the requirement of a study becomes law. I feel that a preliminary study should be conducted at once so that the scope of the problem and possible solutions can be assessed without further delay. Accordingly, I am writing to Secretary Duncan requesting the Department of Energy to conduct an assessment at once, and report its findings to all appropriate Members of the Congress as soon as possible, but no later than 60 days from now. It is equally urgent that the Nuclear Regulatory Commission conduct a similar appraisal of the regulatory aspects of this problem, including consideration of all licensing and NEPA-related matters. This appraisal should be coordinated with the Department of Energy. I would be most appreciative if you could conduct this appraisal and report to the Congress within the same time period established for DOE. Congressman Udall and I have agreed that our Subcommittees will work cooperatively and with dispatch on this matter.

We envision about twelve additional sites. Each will be on federal property, be agreed upon by the states, licensed by the Nuclear Regulatory Commission, and operated by the Department of Energy under full cost recovery. Each site will serve a region of the nation. Your recommendations about legislation to enable this will be welcome.

I sincerely believe that providing adequate low-level radioactive waste disposal sites is a need of utmost importance to the nation for both humanitarian and civic reasons. I am confident that your Commission will cooperate with the Congress in serving this need of the people. Please let me know your plans for proceeding on this matter at the earliest time practicable.

Sincerely,



MIKE McCORMACK, Chairman  
Subcommittee on Energy  
Research and Production

Copies:

Hon. Don Fuqua, Chairman  
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Committee on Science and Technology

Hon. Morris Udall, Chairman  
Hon. Don Clausen, Ranking Minority Member  
Committee on Interior and Insular Affairs

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