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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

September 20, 1989

The Honorable Kenneth Carr
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555


Dear Mr. Chairman:

I have enclosed a copy of a bill to amend the Southeast Low-Level Radioactive Waste Management Compact, which has been referred to the Senate Judiciary Committee.

Before the committee begins consideration of this bill, the comments of the U.S. Nuclear Regulatory Commission would be appreciated. Because I would like to proceed with committee action on this bill before the end of the year, a timely response is needed.

Thank you for your cooperation on this matter. I look forward to your commission's analysis and comments.

Sincerely,


Joseph R. Biden, Jr.
Chairman

101ST CONGRESS
1ST SESSION

S. 1563

Granting the consent of the Congress to amendments to the Southeast Interstate
Low-Level Radioactive Waste Management Compact.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, (legislative day, JANUARY 3), 1989

Mr. SANFORD (for himself, Mr. HELMS, Mr. THURMOND, Mr. HOLLINGS, Mr. NUNN, Mr. FOWLER, Mr. GRAHAM, Mr. MACK, Mr. HEFLIN, Mr. SHELBY, Mr. COCHRAN, Mr. LOTT, Mr. SASSER, Mr. GORE, Mr. WARNER, and Mr. ROBB) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

Granting the consent of the Congress to amendments to the
Southeast Interstate Low-Level Radioactive Waste Man-
agement Compact.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "Southeast Interstate
5 Low-Level Radioactive Waste Compact Amendments
6 Consent Act of 1989".

1 SEC. 2. CONSENT OF CONGRESS TO AMENDMENTS TO COM-
2 PACT.

3 Congress consents to the amendments to the Southeast
4 Interstate Low-Level Radioactive Waste Management Com-
5 pact made by party states to such Compact. Such amend-
6 ments are substantially as follows:

7 At the end of article 5 add the following new section:

8 "(E) No party State shall be required to op-
9 erate a regional facility for longer than a 20-year
10 period, or to dispose of more than 32,000,000
11 cubic feet of low-level radioactive waste, whichev-
12 er first occurs."

13 Sections (G), (H), and (I) of article 7 are amended to
14 read as follows:

15 "(G) Subject to the provisions of article 7,
16 section (H), any party State may withdraw from
17 the compact by enacting a law repealing the com-
18 pact, provided that if a regional facility is located
19 within such State, such regional facility shall
20 remain available to the region for four years after
21 the date the Commission receives verification in
22 writing from the Governor of such party State of
23 the rescission of the Compact. The Commission,
24 upon receipt of the verification, shall as soon as
25 practicable provide copies of such verification to
26 the Governor, the Presidents of the Senates, and

1 the Speakers of the Houses of Representatives of
2 the party States as well as the chairmen of the
3 appropriate committees of the Congress.

4 "(H) The right of a party State to withdraw
5 pursuant to section (G), shall terminate thirty
6 days following the commencement of operation of
7 the second host State disposal facility. Thereafter
8 a party State may withdraw only with the unani-
9 mous approval of the Commission and with the
10 consent of Congress. For purposes of this section,
11 the low-level radioactive waste disposal facility lo-
12 cated in Barnwell County, South Carolina shall
13 be considered the first host State disposal facility.

14 "(I) This compact may be terminated only by
15 the affirmative action of the Congress or by re-
16 scission of all laws enacting the compact in each
17 party State."

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