

U.S. House of Representatives

Committee on

Merchant Marine and Fisheries

Room 1334, Longworth House Office Building

Washington, D.C. 20515

April 29, 1982

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

Dear Sir:

Enclosed herewith are copies of the captioned bill pending before this Committee.

The Committee on Merchant Marine and Fisheries would appreciate the benefit of your views and recommendations on this proposed legislation. It will further be appreciated if you will furnish the Committee with 50 copies of your report, in accordance with the Rules of the House of Representatives, on this measure as soon as possible.

If, under the terms of the captioned bill, your agency would be authorized to expend funds or would incur any administrative expense, you are requested to furnish the Committee a cost estimate pursuant to Rule 13 of the Rules of the House of Representatives, which states in part:

"The report accompanying each bill . . . shall contain-(1) an estimate . . . of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than five years) . . ."

Sincerely,

Walter B. Jones

WALTER B. JONES
Chairman

H.R.6144 Mr. Clausen (for himself & Mr. Anderson).

Please send reports to the
Attn: Ruth I. Hoffman, Asst. Chief Clerk
1332 L.H.O.B.

97TH CONGRESS
2D SESSION

H. R. 6144

Relating to the disposal of low-level radioactive waste in ocean waters.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1982

Mr. CLAUSEN (for himself and Mr. ANDERSON) introduced the following bill;
which was referred to the Committee on Merchant Marine and Fisheries

A BILL

Relating to the disposal of low-level radioactive waste in ocean
waters.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding any provision of title I of the Marine
4 Protection, Research, and Sanctuaries Act of 1972 to the
5 contrary, during the two-year period beginning on the date of
6 the enactment of this Act, no permit may be issued under
7 such title I that authorizes the dumping of any low-level ra-
8 dioactive waste unless the Administrator of the Environmen-
9 tal Protection Agency (hereinafter referred to in this Act as
10 the "Administrator") determines—

1 (1) that the proposed dumping is necessary to con- 1
2 duct research— 2

3 (A) on new technology related to ocean 3
4 dumping, or 4

5 (B) to determine the degree to which the 5
6 dumping of such substance will degrade the 6
7 marine environment; 7

8 (2) that the scale of the proposed dumping is lim- 8
9 ited to the smallest amount of such material and the 9
10 shortest duration of time that is necessary to fulfill the 10
11 purposes of the research, such that the dumping will 11
12 have minimal adverse impact upon human health, wel- 12
13 fare, and amenities, and the marine environment, eco- 13
14 logical systems, economic potentialities, and other le- 14
15 gitimate uses; 15

16 (3) after consultation with the Secretary of Com- 16
17 merce, that the potential benefits of such research will 17
18 outweigh any such adverse impact; and 18

19 (4) that the proposed dumping will be preceded by 19
20 appropriate baseline monitoring studies of the proposed 20
21 dump site and its surrounding environment. 21

22 Each permit issued pursuant to this section shall be subject 22
23 to such conditions and restrictions as the Administrator de- 23
24 termines to be necessary to minimize possible adverse im- 24
25 pacts of such dumping. 25

1 SEC. 2. (a) After the close of the two-year period re-
2 ferred to in the first section of this Act, the Administrator
3 may not issue a permit under such title I for the disposal of
4 low-level radioactive waste material until the applicant, in
5 addition to complying with all other requirements under such
6 title, prepares, with respect to the site at which the disposal
7 is proposed, a radioactive material disposal impact assess-
8 ment which shall include—

9 (1) a listing of all radioactive materials in each
10 container to be disposed, the number of containers to
11 be dumped, the structural diagrams of each container,
12 the number of curies of each material in each contain-
13 er, and exposure levels in rems at the inside and out-
14 side of each container;

15 (2) an analysis of the environmental impact of the
16 proposed action, at the site at which the applicant de-
17 sires to dispose of the material, upon human health and
18 welfare and marine life;

19 (3) any adverse environmental effects at the site
20 which cannot be avoided should the proposal be imple-
21 mented;

22 (4) an analysis of the resulting environmental and
23 economic conditions if the containers fail to contain the
24 radioactive waste material when initially deposited at
25 this specific site;

1 (5) a plan for the removal or containment of the
2 disposed nuclear material if the container leaks or de-
3 composes;

4 (6) a determination by each affected State wheth-
5 er the proposed action is consistent with its approved
6 Coastal Zone Management Plan;

7 (7) an analysis of the economic impact upon other
8 users of marine resources;

9 (8) alternatives to the proposed action;

10 (9) comments and results of consultation with
11 State officials and public hearings held in the coastal
12 states that are nearest to the affected areas;

13 (10) a comprehensive monitoring plan to be car-
14 ried out by the applicant to determine the full effect of
15 the disposal on the marine environment, living re-
16 sources, or human health, which plan shall include, but
17 not be limited to, the monitoring of exterior container
18 radiation samples, the taking of water and sediment
19 samples, and fish and benthic animal samples, adjacent
20 to the containers, and the acquisition of such other in-
21 formation as the Administrator may require; and

22 (11) such other information which the Administra-
23 tor may require in order to determine the full effects of
24 such disposal.

1
2 w
3 m
4 u
5 a
6 t
7
8 m
9 p
10 c
11 r
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 (b) The Administrator shall include, in any permit to
2 which subsection (a) applies, such terms and conditions as
3 may be necessary to ensure that the monitoring plan required
4 under subsection (a)(10) is fully implemented, including the
5 analysis by the Administrator of the samples required to be
6 taken under the plan.

7 (c) The Administrator shall submit a copy of the assess-
8 ment prepared under subsection (a) with respect to any
9 permit to the Committee on Merchant Marine and Fisheries
10 of the House of Representatives and the Committee on Envi-
11 ronment and Public Works of the Senate.

12 (d)(1) No permit to which this section applies shall take
13 effect before the forty-fifth calendar day of continuous session
14 of the Congress after the day on which the permit was
15 issued, and shall be terminated by the Administrator if before
16 the close of such forty-fifth day either House of Congress by
17 resolution disapproves its taking effect.

18 (2) For purposes of paragraph (1), the continuity of a
19 session of the Congress shall be considered as broken only by
20 an adjournment of the Congress sine die, and the days on
21 which either House is not in session because of an adjourn-
22 ment of more than three days to a day certain shall be ex-
23 cluded in the computation of the forty-five-day period. If a
24 permit subject to this section is issued during any Congress
25 and the last session of such Congress adjourns sine die before

1 the expiration of the forty-five calendar days of continuous
2 session (or a permit is granted after the last session of the
3 Congress adjourns sine die), the permit shall be deemed to
4 have been reissued on the first day of the succeeding Con-
5 gress and the forty-five-day period referred to in paragraph
6 (1) shall commence on the day after such first day.

○