

# Governor Ray Relents, Opens Waste Site

Just as suddenly as she created a crisis in the biomedical research community 6 weeks earlier, Governor Dixy Lee Ray of Washington ended it on 19 November. She issued an executive order reopening the low-level radioactive waste disposal site in her state, the only one willing to accept liquid trash, the kind that is accumulating in the warehouses of eastern research centers and hospitals (*Science*, 26 October). She closed the site on 4 October, charging that the federal government had not lived up to promises made last summer to enforce safety regulations that apply to the packaging and shipping of waste, such as radioisotopes used in nuclear medicine. The gesture was intended to deliver a political message—that Washington and the two other states (Nevada and South Carolina) with radioactive waste dumps do not intend to become the exclusive repositories of the nation's nuclear garbage.

The site in Beatty, Nevada, which ceased operations in October, will remain closed indefinitely. And the one in Barnwell, South Carolina, has begun to scale back its operations so that it will receive half the volume of waste in 1981 that it receives today. Governor Ray's decision thus came as a blessing, but a conditional one. She has formed what one of her aides called a "tri-state pact" with Nevada and South Carolina to "strongly encourage" other states to open new disposal sites. The stick which she wields in this campaign—the threat of denying dumping privileges—has now been proved effective and will serve as a useful tool in future negotiations. As part of their pact, the governors agreed that a decision by one state to lock out a careless waste hauler would be honored by all the states.

Representative Mike McCormack (D-Wash.), chairman of the energy subcommittee of the House Committee on Science and Technology, held some hearings on this problem on 7 November. There are two ways to deal with it over the long haul, he said, but neither will be of much help soon.

The first choice, which McCormack prefers, is to relieve state governments altogether of the task of burying radioactive waste and turn it over to the federal government. In a bill he introduced recently (HR 5819), McCormack proposes that the Department of Energy (DOE) be asked to build and manage 9 to 14 regional dumps, ranged about the country so as to minimize shipping distances. Even if McCormack's approach were attractive to the states, which it is not, federal officials think it would take at least 2 years to get the first DOE dump licensed. With any obstructive litigation at all, it would take longer.

The second choice is to prod the states to develop their own regional dumps—essentially the policy being followed now, with little success. It will presumably take years of pulling and hauling of the kind that has been going on all fall to induce other state governments to accept the logical necessity of opening new sites.

Ray and Governor Richard Riley of South Carolina both appeared at McCormack's hearing; neither embraced his plan for a federal takeover of the waste disposal business. They thought it would relieve the states of control as well as responsibility. Ray, who was once the chairman of the former Atomic Energy Commission, said that since becoming a governor she had turned into "a strong states' right-

er." She doubted that any state would agree not to let the federal government step in and open a radioactive waste dump. She added that she thought that states which produce waste should bear more of the burden of disposing of it: "I believe it is hypocritical to have all the advantages" of nuclear medicine, she said, "and to sweep all the disad-



Dixy Lee Ray

vantages under somebody else's rug." She was referring to the fact that, although most of the waste is generated in the Northeast, no Northeastern state has offered to open a burial site. As for the states that have adopted laws ruling out the disposal of radioactive waste within their borders, Ray said, "Let them close their hospitals." (Biomedical research laboratories and the nuclear medicine departments of hospitals produce about one-third of the nation's low-level radioactive waste.)

Joseph Hendrie, chairman of the Nuclear Regulatory Commission (NRC), also sided with the governors in testimony given that day. He said that 2 years ago he thought the federal government should take over the waste handling system, but now he has changed his mind. He agreed with Riley and Ray that the states should control the program. Hendrie has learned from recent experience in trying to develop a high-level waste disposal program that almost anything proposed by the federal government is likely to stir up resentment. The NRC, Hendrie said, has not even been able to do the preliminary work necessary to determine what kind of land might serve to house a permanent disposal site. Accordingly, he decided that the best approach is to urge the states to take the initiative and let the NRC serve merely as a technical adviser. As a short-term measure, Hendrie suggested that states with excess garbage on their hands should build temporary shelters to house it. All you need, he said, is an industrial warehouse, fire protection, and a modest police force. Although everyone agrees that this is a poor solution, for some producers of waste, it may look like the easiest way out.

—ELIOT MARSHALL