1	HOUSE JOINT MEMORIAL 8
2	48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008
3	INTRODUCED BY
4	John A. Heaton
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8	FOR THE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE
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10	A JOINT MEMORIAL
11	URGING THE UNITED STATES DEPARTMENT OF ENERGY AND THE UNITED
12	STATES CONGRESS TO ALLOW FOR THE DISPOSAL OF GREATER-THAN-CLASS
13	C LOW-LEVEL RADIOACTIVE WASTE IN THE WASTE ISOLATION PILOT
14	PLANT.
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16	WHEREAS, radioactive materials that qualify as greater-
17	than-class C low-level radioactive waste have no identified
18	path to disposal in the United States; and
19	WHEREAS, the nuclear regulatory commission and agreement
20	states have generated and will continue to generate greater-
21	than-class C low-level radioactive waste; and
22	WHEREAS, the federal Low-Level Radioactive Waste Policy
23	Amendments Act of 1985 stipulates that the department of energy
24	is responsible for ensuring the safe disposal of greater-than-
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class C low-level radioactive waste; and

WHEREAS, greater-than-class C low-level radioactive waste is similar in form and radioactivity content to transuranic waste that the department of energy is emplacing in the waste isolation pilot plant pursuant to the Waste Isolation Pilot Plant Land Withdrawal Amendment Act; and

WHEREAS, federal law requires that greater-than-class C low-level radioactive waste be disposed of in a geologic repository unless other approved methods are approved by the nuclear regulatory commission; and

WHEREAS, the department of energy has successfully managed the geologic disposal of over fifty thousand cubic meters of transuranic waste similar to greater-than-class C low-level radioactive waste at the waste isolation pilot plant; and

WHEREAS, the department of energy owns or generates certain low-level waste and transuranic waste with characteristics similar to greater-than-class C low-level radioactive waste that may also not have a disposal path; and

WHEREAS, the department of energy has safely operated the waste isolation pilot plant for nearly nine years with an undeniable safety record; and

WHEREAS, the total estimated volume of greater-than-class C low-level radioactive waste is small in comparison with the required disposal capacity of the waste isolation pilot plant; and

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<u>underscored material = new</u> [bracketed material] = delete WHEREAS, disposal of greater-than-class C low-level radioactive waste in an existing geologic repository such as the waste isolation pilot plant would be an ideal disposal method for the department of energy;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the United States department of energy be urged to determine that greater-than-class C low-level radioactive waste be added to the authorized waste forms eligible for disposal in the waste isolation pilot plant; and

BE IT FURTHER RESOLVED that the department of energy be urged to recommend to the United States congress that the Waste Isolation Pilot Plant Land Withdrawal Amendment Act be amended to allow the disposal of greater-than-class C low-level radioactive waste in the waste isolation pilot plant; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the United States secretary of energy and the New Mexico congressional delegation.

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