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HOUSE JOINT MEMORIAL 2

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

John A. Heaton

FOR THE

RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE

A JOINT MEMORIAL

REQUESTING THE UNITED STATES DEPARTMENT OF ENERGY AND THE UNITED STATES CONGRESS TO ALLOW FOR THE DISPOSAL OF GREATER-THAN-CLASS C LOW-LEVEL RADIOACTIVE WASTE IN THE WASTE ISOLATION PILOT PLANT.

WHEREAS, radioactive materials that qualify as greater-than-class C low-level radioactive waste have no identified path to disposal in the United States; and

WHEREAS, agreement states have generated and will continue to generate greater-than-class C low-level radioactive waste; and

WHEREAS, the Low-Level Radioactive Waste Policy Amendments Act of 1985 stipulates that the department of energy is responsible for ensuring the safe disposal of greater-than-class C low-level radioactive waste; and

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1 WHEREAS, greater-than-class C low-level radioactive waste
2 is similar in form and radioactivity content to transuranic
3 waste that the department of energy is emplacing in the waste
4 isolation pilot plant pursuant to the Waste Isolation Pilot
5 Plant Land Withdrawal Act (1992); and

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

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

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

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

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

25 WHEREAS, disposal of greater-than-class C low-level

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1 radioactive waste in an existing geologic repository such as
2 the Waste Isolation Pilot Plant would be an ideal disposal
3 method for the department of energy;

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

9 BE IT FURTHER RESOLVED that the department of energy be
10 urged to recommend to the United States congress that the Waste
11 Isolation Pilot Plant Land Withdrawal Act (1992) be amended to
12 allow the disposal of greater-than-class C low-level
13 radioactive waste in the waste isolation pilot plant; and

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