

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 6, 1983

The Honorable Jalmar Kerttula
President of the Senate
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. President:

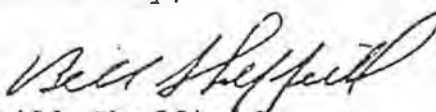
Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill ratifying the Northwest Regional Low-Level Radioactive Waste Compact.

Low-level radioactive waste is generated by medical, research, and industrial activities which use radioisotopes. Low-level waste generated in Alaska is now disposed of at a facility in Hanford, Washington, the only such repository in the Pacific Northwest. Under the Federal Low-Level Radioactive Waste Policy Act of 1980 (P.L. 96-573), a compact for joint disposal of these wastes was negotiated by Alaska, Hawaii, Idaho, Montana, Oregon, Utah, Washington, and Wyoming, all of which rely on the Hanford facility.

Under the terms of that compact and P.L. 96-573, the member states will be authorized to prohibit importation of low-level radioactive wastes from non-member states after July 1, 1983. In short, if Alaska does not become a member of the compact by July 1, 1983, we will be forced to turn to the only alternative -- development of a radioactive waste disposal facility within Alaska.

This compact represents a wise and economical solution to what would otherwise be a major problem for Alaska. I urge its swift ratification by enactment of this bill.

Sincerely,


Bill Sheffield
Governor

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: _____
 Title: Low-Level Radioactive Waste Compact
 Sponsor: Governor
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Environmental Conservation
 Program Category Affected: Solid Waste
 3RU, Program of Subprogram(s) Affected: Environmental Quality Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		--				
200 TRAVEL		8.0	8.0	8.0	8.0	
300 CONTRACTUAL		10.0	--	--	--	
400 COMMODITIES		--	--	--	--	
500 EQUIPMENT		--	--	--	--	
600 LAND & STRUCTURES		--	--	--	--	
700 GRANTS, CLAIMS, ETC		--	--	--	--	
TOTAL OPERATING		18.0	8.0	8.0	8.0	

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		18.0	8.0	8.0	8.0	
FEDERAL FUNDS		--	--	--	--	
OTHER (Specify Source)		--	--	--	--	
		--	--	--	--	

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

No offsetting reduction required

IV. ANALYSIS: Attach a separate page for any Analysis (over)

Prepared By: Stan Hungerford Phone: 465-2666
 Division: Environmental Quality Management Date: 3/22/83
 Approved by Commissioner: Richard Billie Trent for Date: 3/30/83
 Department: Environmental Conservation

Distribution:

Original to Legislative Finance
 Copy to Office of Management and Budget (for Legislature introduced bills)
 Copy to Department (for Governor introduced bills)
 Copy to Sponsor
 Copy to Requestor (if different from Sponsor)

3/8/83

ANALYSIS

It is necessary and cost effective to join the Northwest Compact to avoid the extravagant costs of providing in-state disposal of the small quantity of low-level radioactive waste produced by University of Alaska.

- 1) The department has no staff to assign to this project; thus regulations will be prepared, the inventory, inspection, shipping container specifications and enforcement. \$55/hr x 180 hrs = \$10,000
- 2) Participation in the Compact will be by the Air and Solid Waste Management Supervisor (see attached letter). Travel to meetings in each member state (ID, OR, WA, MT, UT, HI):

6-10 meetings per year at \$800 per trip = \$6,000 to \$8,000 per year

- 3) Routine in-state work will be accomplished by existing staff with existing funds.

This statement has been reviewed by the OMB in the Office of the Governor. It may be considered to represent the policy of the Sheffield Administration and the final estimate of fiscal impact.

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: SB 233
 Title: Compact on Low-Level Radioactive Waste
 Sponsor: _____
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Environ. Conservation
 Program Category Affected: Envir. Cons.
 BRU, Program of Subprogram(s) Affected: _____
 Div. of Envir. Qual. Mgt., Air & Solid Waste Section

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		8.0	8.0	8.0	8.0	8.0
300 CONTRACTUAL		10.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		18.0	8.0	8.0	8.0	8.0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		18.0	8.0	8.0	8.0	8.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

None

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Glenn Miller *GM*
 Division: Environmental Quality Mgmt.

Phone: 465-2666
 Date: 4-13-83

Approved by Commissioner: Richard A. Neve
 Department: Environmental Conservation

Date: 4-14-83

Distribution:

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FISCAL NOTE

IV. ANALYSIS

Travel to meetings of the Northwest Compact; 10 per year at \$800 per trip--
(held in each member state, ID, OR, WA, MT, HI, VT) -----\$ 8000

Contract for legal assistance preparing regulations concerning inventory, inspection,
shipping container specifications and enforcement \$55/hr x 180 hrs -----\$10,000
\$18,000

The department has no staff to assign to this project, thus regulatory preparation will be by contract. Participation in the Compact will be by the Air and Solid Waste Management Supervisor. (See attached letter.) In-state work will be accomplished by existing staff with existing funds.

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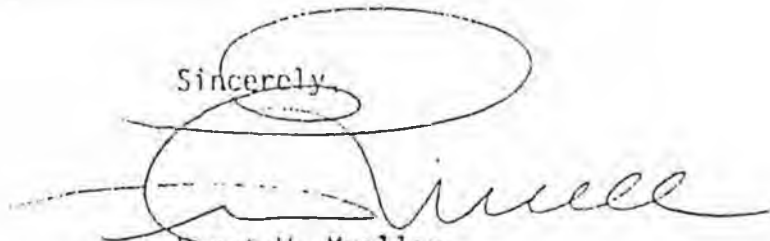
November 24, 1982

The Honorable John Spellman
Governor
State of Washington
Olympia, WA 98504

Dear Governor Spellman:

With reference to Governor Hammond's November 9, 1982 letter concerning the Northwest Interstate Compact for Low-level Waste Management, I have designated Mr. Stanley W. Hungerford to represent the State of Alaska. He is the supervisor of the Air & Solid Waste Management Section, and will be developing the necessary legislation to enable Alaska to become party to the Compact.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ernst W. Mueller". The signature is written in dark ink and is positioned above the printed name and title.

Ernst W. Mueller
Commissioner

FILE#:

SB 233 - "An act enacting the Northwest Interstate Compact on Low-level Radioactive Waste Management; and providing for an effective date."

Alaska Department of Environmental Conservation
Position Paper

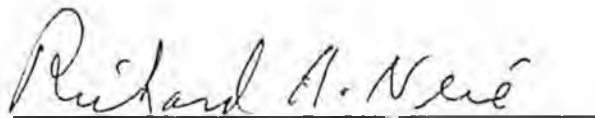
Before the Senate Resources Committee

April 6, 1983

This department supports the addition of the proposed Chapter 45 (Interstate Compacts) to AS 46. The State of Alaska should enter into the compact based on the following:

1. Low-level radioactive waste is generated by medical research and industrial activities which use radioisotopes.
2. Safe disposal of low-level waste cannot be accomplished at any existing or planned site in the State of Alaska.
3. Development of a site would be a vast undertaking, requiring at least one year for construction alone. A suitable location for such a project would be difficult to find.
4. The best present disposal method is shipment to a facility in Hanford, Washington. If the State of Washington enters the compact and the State of Alaska does not, the compact members will have the option of refusing to accept waste from Alaska.

The highly controversial disposal of low-level radioactive waste is an increasingly difficult problem across the country. The low-level waste disposal alternatives are already limited. Entering this compact will ensure a good disposal method for Alaska without the need for a disposal site in the state.



Richard A. Neve
Commissioner

FACT SHEET

NORTHWEST INTERSTATE COMPACT ON LOW-LEVEL WASTE MANAGEMENT

The Northwest Interstate Compact on Low-Level Waste Management is the first compact established in the nation for managing low-level waste on a regional basis, fulfilling the Congressional intent set forth in Public Law 96-573, the Low-Level Radioactive Waste Policy Act. In the spring of 1981, the legislatures of Idaho and Washington formally adopted the Compact. Oregon adopted Compact language in July 1981, Utah passed the necessary legislation in February 1982. Montana has joined by executive order of Governor Schwinden in November 1981. Hawaii passed the Compact language in June 1982. Alaska and Wyoming are also eligible for membership. The Compact must be ratified by Congress before all of its provisions can take effect.

Basically, the purpose of the Compact is to provide for the health and safety of the citizens of member states, with the responsibility for low-level radioactive waste management shared equally by the states. Membership in the Compact requires a party state in which a disposal facility is located (Washington has such a site) to accept waste from other member states. Waste from non-Compact states will not be accepted after Congress ratifies the Compact and authorizes the Compact states to prohibit importation. In addition to low-level waste, participants recognize the principle of reciprocity in accepting hazardous chemical wastes.

Under the Compact provisions, the Governor of each member state has named a representative to the Northwest Low-Level Waste Compact Committee. The Committee meets to consider matters arising under the jurisdiction of the Compact such as the review of low-level waste management regulations and approval of disposal of waste from non-member states. In addition, the Committee functions to enhance and extend communications efforts among the Northwest states and with the other regions.

There is one low-level waste disposal site in the Northwest Interstate Compact located on the U.S. DOE Hanford Reservation near Richland, Washington. The 100 acre site is operated by US Ecology, Inc. under sublease from Washington State. In 1981 1,500,000 cubic feet of low-level waste was disposed at the site, which compromised approximately 50 percent of the low-level waste disposed in the nation.

NORTHWEST INTERSTATE COMPACT COMMITTEE MEMBERS

<u>State</u>	<u>Governor's Representative</u>	<u>Date of Authorizing Legislation</u>
Hawaii	Mr. Melvin Koizumi Deputy Director Environmental Health Department of Health P. O. Box 3378 Honolulu, Hawaii 96801 (801) 548-4139	June 1982
Idaho	Mr. Robert Funderburg Manager of Radiation Control Division of Environment 450 W. State 5th Floor Boise, Idaho 83720 (208) 334-4107	April 1981
Montana	Mr. Larry Lloyd, Chief Occupational Health Bureau Department of Health and Environmental Sciences Room A-113 Cogswell Building Helena, Montana 59601 (406) 449-3671	November 1981*
Oregon	Mr. Donald Godard, Administrator Siting and Regulation Section Department of Energy Labor & Industries Building Room 102 Salem, Oregon 97310 (503) 378-6469	July 1981
Utah	Mr. Darrell Warren, Director Bureau of Radiation Control P. O. Box 2500 150 W. North Temple Salt Lake City, Utah 84110 (801) 533-6734	February 1982
Washington	Mr. David Stevens, Chairman Policy Assistant for Energy and Natural Resources Office of the Governor Legislative Building Mail Stop AS-13 Olympia, Washington 98504 (206) 753-6780	April 1981

rec 4-21-83

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

465-2600

POUCH D - JUNEAU 99811

April 20, 1983

The Honorable Bettye Fahrenkamp
Senator
Chairman, Senate Resources
Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Fahrenkamp:

I am pleased your committee will soon be reviewing Senate Bill 233 concerning the NW Low-Level Radioactive Compact. I consider favorable action on it during the current legislative session essential. The following information should help you understand the implications of your actions on this matter.

Low-level radioactive waste is generated by analytical, medical, and research laboratories, as well as by oil exploration and other industrial activities which use radioisotopes. Each user and potential generator of low-level waste is required to have a license from the Nuclear Regulatory Commission. Most radioactive source material used in Alaska is eventually returned by the user to the manufacturer. The federal government has strict standards for transport and disposal of such wastes. They prohibit interstate transportation of low-level radioactive waste after 1985.

The University of Alaska annually generates about one cubic meter of waste and contaminated protective clothing that requires disposal. Two methods are available to accomplish this. The first would be for the state to join the Northwest Interstate Compact so that wastes can be shipped to the Hanford Washington disposal site. To join, the compact language must be incorporated into state statutes by legislative action during the 1982-83 session.

The second choice is to provide for in-state disposal of low-level radioactive waste. Senate Bill 29 (June 1981), amending AS 46.03.250-260, gives the department authority to establish standards, safeguards, and procedures, and to issue permits for discharge and disposal of low-level radioactive wastes in the state. However, no standards and procedures which conform to federal requirements have been developed.

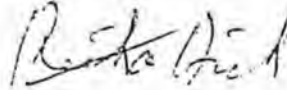
A portion of the waste material generated in Alaska may be incinerated, but the ash and other wastes would have to be landfilled. At present, there is no suitable landfill in the state; the federal requirements for building and operating such a landfill site are extremely rigid. In-state landfilling of radioactive wastes would require a staffing increase of one to three persons

in each of three different departments, identification and development of a suitable site, and a state budget increase of 1.5 to 2 million dollars per year.

The Department of Environmental Conservation urges passage of the proposed legislation so that Alaska can be a party to the Northwest Compact. This alternative is the least costly and can be accomplished in the least amount of time. It would, however, require an increase of \$8-10 thousand in travel expenses to allow DEC representation on the Northwest Compact Committee.

Questions regarding this matter should be directed to Mr. Stan Hungerford, Section Chief for Air and Solid Waste Management (phone 465-2666).

Sincerely,



Richard A. Neve
Commissioner

STATEMENT BY J. R. STRONG

DIVISION OF HEALTH

BEFORE

ALASKA STATE LEGISLATURE
SENATE RESOURCES COMMITTEE

Juneau, Alaska

April 22, 1983

3:00 p.m.

I am T. R. Strong, Head of the Radiatic Control Section for the state of Washington.

Mr. Hungerford has indicated that you are interested in several specific issues associated with the Northwest Interstate Compact on Low-Level Radioactive Waste Management. These include:

- The history of the Northwest Interstate Compact and comments about each of the eligible states.
- Status of consent legislation in Congress with regard to the Northwest Interstate Compact.
- Status of low-level waste compacts in other parts of the United States.
- The consequences of not joining a compact.

Since Governor Dixy Lee Ray closed and later reopened Washington's low-level waste disposal site at Richland in 1979 there has been a steadily increasing sentiment expressed by the citizens of the state of Washington that the volume of waste coming to Washington for disposal should be significantly decreased. The legislature in 1980 adopted two separate compact documents, one in the Senate and one in the House. As a result of the two chambers not being able to agree on a single version, an initiative was presented to the voters which would have banned the importation for disposal of all radioactive waste except medical wastes. The initiative was approved by 75 percent of those voting in the 1980 general election. Because of supremacy and commerce clause problems with the constitution of the United States, the initiative was subsequently held unconstitutional. The 1981 session of the Washington legislature adopted the compact which you are now considering.

There are eight Northwest states eligible for membership. Washington, Oregon and Idaho adopted the compact language at essentially the same time in early 1981. Utah joined by Executive Order in 1981 and obtained legislative approval in February 1982. Montana joined by Executive Order in November 1981 and the 1983 session of the Montana legislature has ratified the compact. Hawaii introduced legislation to join the compact in 1982 and Hawaii's governor signed the authorization in June of 1982. Wyoming has determined that it will join the Rocky Mountain Compact and not the Northwest Compact, although it remains eligible to join the Northwest through June 30, 1983. Alaska remains eligible to join.

Washington's Senator Slade Gorton introduced consent language in Congress in the fall of 1982 and has reintroduced it in the new session in January of this year. A subcommittee hearing was conducted by the Judiciary Committee in Seattle in November 1982 and the full Judiciary Committee heard testimony on the Northwest Interstate Compact consent language in March 1983. Congress has expressed specific interest in the circumstances under which Federal agency wastes generated at any point in the country would be accepted by any compact in the United States; and the conditions under which waste generated in states which are not members of a compact region would continue to be disposed in existing commercial disposal sites after the exclusion date in the Low-Level Waste Policy Act. It is my understanding that Congress is not likely to permit any compacting region to exclude waste generated in other regions until there is a nationwide mechanism with disposal sites available for all of the nation's waste.

From the perspective of the state of Washington the progress made by other regions in negotiating compacts and in states joining those compacts was painfully slow until late in 1982. Almost all states are now members of at least one prospective compact region. After the Northwest with its functioning compact committee, the Southeast region, centered around South Carolina's disposal site, is the best developed. The Rocky Mountain states had a prospective site in Colorado, think they have another site which might work, and are continuing to struggle with their problems. Probably the least developed is the Northeast. California and Texas are not aligned with any compact region; Texas has indicated it will attempt to go it alone and California is unhappy because neither the Northwest nor the Southwest invited it to join. The "go it alone" idea is not consistent with the Low-Level Waste Policy Act but Congress has not indicated what it will do in this situation.

The consequences of Alaska not joining the Northwest Compact or some other existing compact group probably boils down to whether or not Alaskans want a low-level radioactive waste disposal site of their own. The cost of shipping the almost insignificant amount of waste you produce to Richland versus the cost of finding, siting, licensing, operating and maintaining in perpetuity a site of your own would seem to me to make your choice clear.

This concludes my formal remarks. I would be happy to try to answer questions you might have.

1983 SESSION COSTS
 (Estimate as of April 1, 1983 for SB 240)

144 days
 ↑
 82 sess

	<u>Daily Costs</u>		
Personal Services			
226 Session Positions for Legislators	28,400		
Agency Positions - Legal Services, Public Services and Admin. Svcs.	<u>1,119</u>	29,519	22,780
Travel			
Legislators Per Diem	4,740		
Misc. Comm. and Extra Travel by Members	<u>200</u>	4,940	✓
Contractual Services			
Telephone, Equip. Rental, Xeroxing, Misc. Contracts, etc.		15,241	15,000
Television Coverage			
		2,984.44	✓
Commodities			
Paper, and Office and Lounge Supplies		<u>2,000</u>	✓
Total w/o Television (Per Day)		51,700	
Total with Television (Per Day)	<u>2,984.44</u>	54,684.44	
30 Day Extension w/o Television		1,551,000	
30 Day Extension with Television		1,640,533	

Other Considerations

Speaker Hayes is presently funding seven positions from his leadership funds. He is concerned that he may run short before the end of the fiscal year, especially if the session adjourns and he must allocate funds for his committees to function prior to July 1. Therefore he is requesting session funds retroactive to opening of session to pick up the costs of these seven positions.

226.0

1983 Session Costs
Page Two

The cost of the above for 120 days (opening of Session to the 120th Day) is \$113,000.

While reviewing the above with President Kerttula, the Senate President requested that a similar amount be provided for in SB 240 for Senate use if necessary.

Accordingly SB 240 appropriates \$1,866,533 which is the total for a 30 day extension with television coverage plus the amount needed to satisfy the House request and provide parity for the Senate.