

News and Commentary

Maine Policy Review (1993). Volume 2, Number 2

Regulatory Updates: Maine Low-Level Radioactive Waste Authority

Maine Policy Review

Maine Low-Level Radioactive Waste Authority

Maine voters will be asked this fall to endorse the transporting of low-level radioactive waste generated in the state to a yet-to-be-constructed disposal facility in Texas. The likely alternative to this proposal is to continue the search for a suitable and acceptable site in Maine. The siting process was suspended this summer after the Texas legislature approved a plan to allow Maine and Vermont to ship low-level radioactive waste to Texas for disposal beginning in 1996.

The Texas agreement came as a great relief to many state officials, who, under a federal mandate, had been searching for five years for a suitable disposal site in Maine. The list of sites was pared to a half-dozen prior to the Texas agreement, including one adjacent to Maine Yankee Atomic Power Plant in Wiscasset. As the siting process evolved, it appeared increasingly unlikely that it could be brought to a successful conclusion because, among other things, every site had or would generate opposition. The state law governing the site process make the odds even longer because it requires a 60 percent approval vote from the residents of the municipality or territory in which the facility would be located.

Low-level radioactive waste is radioactive material resulting from the process of handling and using radioactive substances. In Maine, low-level radioactive waste is generated by Maine Yankee (this does not include cover spent fuel which is high-level waste), by hospitals and laboratories, by the Portsmouth Naval Shipyard, and by some forms of research at the state's universities and colleges. According to the Authority, more than 16,500 cubic feet of low-level waste that required disposal in a licensed facility was generated in 1989.

The so-called Texas Compact is expected to run 30 years but is limited by a volume stipulation. In addition to a disposal fee paid by generators, Maine and Vermont will each pay \$25 million to Texas, as well as \$2.5 million each to the county in which the waste disposal facility will be located. Once disposal is initiated, the disposal fee will be assessed on a cubic foot basis.

Given the unpopularity of the alternative course of action (*i.e.*, siting a waste facility in Maine), conventional wisdom suggests easy passage for the referendum. But some who favor the referendum are only cautiously optimistic because the idea is not without its critics. Any public opposition to the referendum initiative is expected to come largely from those who see the Texas

Compact as avoiding the more difficult issue of whether Maine should tolerate the generation of radioactive wastes in the first instance, particularly if the source is the nuclear power industry.

Still unresolved is the fate of the LLRWA. The authority presently has only five staffers, down from 10 in June prior to the Texas Compact. It is likely to lose two more members in the near future, leaving only the positions of executive director, financial director and administrative director intact. There is an expectation that the LLRWA will be abolished if the referendum initiative is approved. However, some agency will have to provide oversight of waste handling and transporting activities and that function might fall to the LLRWA. At any rate, the LLRWA was created by the legislature in 1987, so the legislature will have to act to abolish it.

Full cite: Maine Policy Review. 1993. *Regulatory Updates: Maine Low-Level Radioactive Waste Authority*. Vol. 2(2): 103-104.