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NUCLEAR WASTE HIGHLIGHTS

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No. 29, May 23, 1986 DEPARTMENT OF ENERGY & TRANSPORTATION

The U. S. Department of Energy has failed once again to meet its own self imposed deadline by which it was to release the final Environmental Assessments on the five sites to be nominated as a possible high-level Nuclear Waste Repository.

The most recent deadline missed was mid-May and marks the seventh time DOE has missed a deadline for that particular event. They missed the first EA-release deadline of August 1984. Then came the April-May 1985 time frame; followed by June 1985; December 1985; February 20, 1986; April 20, 1986 and now the recent promise of mid-May 1986. Currently, there is no known date for release of the EAs.

Incidentally, slipping right along with the EA deadline is the deadline for recommending three of the five for site characterization. Initially, that deadline was January 1, 1985.

DOE, with its long experience of slipping schedules and missing deadlines is currently caught up with the Chernobyl reactor catastrophe. The Chernobyl reactor, incidentally, is of a similar design to the "N" Reactor on DOE's own Hanford Reservation. Speaking of Hanford, a couple of weeks ago DOE released the Defense Waste Environmental Impact Statement and 19,000 documents on the history of releases at the Hanford site. As if they didn't have enough trouble with the high-level waste repository!

A review of the history of the state's dealings with DOE reveals that one of the very few deadlines met by DOE was the very first one imposed on it by the Nuclear Waste Policy Act of 1982. That deadline was to name candidates for a potential repository within 90 days of the NWPA's enactment. President Ronald Reagan signed it into law on January 7, 1983, and the Secretary of Energy named nine candidates in February 1983, exemplary speed. But somebody forgot to shift gears after that fast start and the agency has been heaving, lugging, and chugging along every since.

Consider, the next deadline, that of developing the general guidelines for recommendations for the sites for repositories. That was to be done in 180 days and no later than July 7, 1983. Would you believe it finally hit the street in December 1984?

When DOE finally sent the guidelines to the Nuclear Regulatory Commission for its concurrence in December 1983 NRC gave its conditional concurrence. The conditions caused a battle to begin between the two agencies. That was finally resolved in July 1984, but still no guidelines. DOE took six months to write the preamble to the guidelines, issuing them in December 1984.

That brings up back to the EAs. DOE used the excuse of not having the guidelines for at least the missed EA deadline. Then they blamed a concerned public that took advantage of a brief 90-day comment period, which the DOE called "gratuitous" to send in more than 21,000 comments. Many of the comments were critical of the agency's Multiattribute Utility Estimation Method for ranking the sites and many expressed concern about how the methodology would be applied. A great many called for peer review of both the methodology and its application.

In 1985, DOE grudgingly asked the Radioactive Waste Review Board of the National Academy of Sciences to review both the methodology and its application. Reportedly, the Board said the methodology was satisfactory for the agency's purpose. With that approval, the Board reportedly had to approve the application of the methodology. Naturally, the review was done in great secrecy with the affected states and tribes not even allowed to observe the review process, much less take part or even comment.

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Now, the folks at the five sites still believed under consideration -- Richton, Mississippi; Yucca Mountain, Nevada; Deaf Smith, Texas; Davis Canyon, Utah and Hanford, Washington -- are left to wonder when, if ever, they will learn their potential fate. The question of when, you see, has had a new twist added to it -- what role is the White House staff playing in this already too long process.

Sen. Paul Laxalt, a Republican from Nevada and close friend and supporter of the President, reportedly has written a letter, or letters, to President Reagan asking that he use the maximum amount of time possible to approve any recommendation from the Secretary of Energy on site characterization. This could use up eight critical months in an election year when the character of Congress could be substantially changed as Americans troop to the polls to elect one-third of their Senators and all of their Representatives.

Laxalt reportedly has further recommended to the President that the timing of the preliminary determination of site suitability, (required by NHPA,) be resolved prior to the release of the Environmental Assessments. While it is not necessary that the nomination of five sites for use as a repository, with the recommendation of which three to characterize, be made at the same time as the EA release, or at least very shortly thereafter, it is expected. An extended time frame could lead only to speculation as to which sites will be nominated and which will be recommended, and to an intensification of the political battle, especially if this is done before the elections.

Rumors regarding the Environmental Assessments have abounded for the past several months. Depending on who you talk to, the Richton site will be technically ranked between 2 and 5. Our DOE sources still content that there will be "no surprises". Those same sources who told us that Mr. Rusche was committed to a mid-May release date are now saying "We don't know" when asked when the EA's are coming out. Some sources outside of DOE speculate that decisions won't be made until after the November general elections. It is possible for the decision on the nation's first nuclear waste repository will be based on political considerations rather than sound scientific facts and figures?

That brings up one more question, then, for the thoughtful among you: Could this mean that now the White House is holding up the Environmental Assessments and thus the processes which must succeed from them?

On another sad note, at least to those of us that know him, Bob Ourlian is leaving The Clarion-Ledger to return to his hometown in Detroit, Michigan, where he will go to work for the Detroit News.

Ourlian, who reported on nuclear waste news and other matters dealing with the Mississippi Department of Energy and Transportation for several years, has developed an expertise on a variety of subjects dealing with nuclear waste and MDET that lent a delightful depth to his stories. Now we have the job of guiding another reporter, who we certainly hope will be as skillful as Ourlian, through the maze of DOE and NRC regulations and issues surrounding nuclear waste and energy matters. We don't know who his replacement will be just yet. Good luck, Bob!

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