



COMMITTEE ON *DEMOCRATS*
ENERGY & COMMERCE
RANKING MEMBER FRANK PALLONE, JR.

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**Statement of Ranking Member Frank Pallone, Jr., as prepared for delivery
Committee on Energy and Commerce
Subcommittee on Environment and the Economy
Hearing on “Update on Low-Level Radioactive Waste Disposal Issues”**

Thank you Chairman Shimkus and Ranking Member Tonko for holding today’s hearing on low level nuclear waste issues.

Unfortunately, there is a great deal of low level nuclear waste generated in this country from a variety of sources. These sources include –not just activities at commercial nuclear reactors—but also manufacturing plants, academic institutions and medical facilities. And, of course, it also comes from government activities including the cleanup of Department of Energy sites.

So having a number of safe, secure and environmentally sound options for disposing of low level radioactive waste is important to a lot of stakeholders. But it is also critically important for our local communities that once hosted facilities central to our national security, yet continue to live with low level and other radioactive wastes, even after those facilities closed their doors.

The Low-Level Radioactive Waste Policy Amendments Act of 1985 gave each state responsibility for disposing of low-level radioactive waste generated within its borders. In doing so, it encouraged states to enter into interstate compacts so that a group of states could agree to develop a common site to dispose of their waste. To date, ten regional compacts have been formed, while eight states, Puerto Rico, and the District of Columbia remain unaffiliated.

Unfortunately, however, the track record of these sites hasn’t been entirely successful. Environmental justice concerns halted a number of early efforts to site facilities in poor communities that did not desire to have them. So, while numerous compacts were formed, only four are home to disposal facilities. As a result, those facilities have become the defacto sites, now accepting waste from a variety of other compacts and individual states.

While that solution is currently working I believe we need a more rational, predictable policy going forward. And, we need to do that in a way that addresses the concerns of the

communities that are home to radioactive waste generated as a result of activities that benefited all of us.

I am very interested to learn more about DOE's efforts to clean up and dispose of waste generated from its activities, particularly with regard to disposal of the most dangerous low level radioactive waste, "Greater Than Class C" wastes. I understand that the Department is working to complete a final evaluation of the potential environmental impacts associated with the proposed development of a disposal facility or facilities for greater-than-class C and similar wastes.

I'm also interested in hearing about the Nuclear Regulatory Commission's (NRC) recent activities in this area. It's my understanding that NRC is currently in the process of updating its regulations regarding the disposal of low level waste to a more risk-based system that will better align disposal requirements with current health and safety standards.

I also would like to learn more about the July 2015 NRC staff paper recommending that the Commission allow the State of Texas to license the disposal of Greater Than Class C waste.

While I take no position on the Texas issue, I do think that the NRC process is important. If the Commissioners are confident that Texas can license and manage a program that includes the most dangerous low level waste, then this opens up a real potential for benefit to communities around the country. It also would serve as a step on the road to considering the siting of facilities to dispose of materials that pose risks greater than low level waste.

I want to thank our witnesses and I look forward to discussing these matters with them. I yield back.

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