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## **Bad Radioactive Waste Bill Increases Threats to Texas While Rewarding a Major Perry Donor**

**Austin, TX** A bill that would increase the concentration of radioactive waste to be dumped in Texas is set to be heard on the House floor on Monday, May 20<sup>th</sup>. Waste Control Specialists (WCS) would benefit even more from the hotter radioactive materials going to their radioactive waste dump in West Texas, and would get to bring in the waste sooner, raising the annual cap on imported waste from other states from 120,000 to 275,000 curies. SEED Coalition, Public Citizen, and the Lone Star Sierra Club oppose the bill, which is set to be heard on Monday, May 20<sup>th</sup> on the House floor. SB 791 is authored by Sen. Seliger and Representative Drew Darby.

"This bill fails to protect the public. It fails to ensure that radioactive waste will not be buried when water is present. It lets trucks continue carrying radioactive waste down any highway in our state, without designated routes. We expect WCS to come back to the legislature numerous times demanding to dump ever more radioactive waste on Texas" said Karen Hadden, of SEED Coalition. "The bill fails to require safety audits by the State Auditor. Instead, TCEQ would do occasional audits, which equates to the fox guarding the henhouse. And it lets TCEQ authorize bringing in additional kinds of radioactive waste, such as depleted uranium, without any public hearing, which should be required for such a major license change."

"Every session for the last 10 years, WCS has exerted its high-dollar political influence to press for their own corporate gain, at the risk of public safety. This time they want to require the wastes to be compacted to a third of the original size, increasing the concentration of its radioactivity and increasing risks in order to increase profits. Next session they'll be back, saying they have all this extra room at the dump site, and clamoring to put in more radioactive waste," said Tom "Smitty" Smith of Public Citizen. "The only person who benefits is billionaire Harold Simmons, WCS' owner, whose private gain comes at the expense of public risk. Simmons is known for political attack ads. He's Perry's second largest donor and the second largest donor nationally to the "attack ads" plaguing our elections."

Donations by Simmons and WCS to state legislators in 2012 are documented online at:

[http://info.tpj.org/Lobby\\_Watch/pdf/SimmonsContribsSince2000.pdf](http://info.tpj.org/Lobby_Watch/pdf/SimmonsContribsSince2000.pdf) and

[http://info.tpj.org/Lobby\\_Watch/pdf/DarbySimmons.pdf](http://info.tpj.org/Lobby_Watch/pdf/DarbySimmons.pdf)

"In order to protect our water and public safety, the bill should require that the site be dry before waste is buried, but it doesn't," said Karen Hadden, of SEED Coalition. "Radioactive waste shouldn't be buried when standing water is present at the site, but that's exactly what a recently approved license amendment now lets WCS do. Over 40% of the monitoring wells have shown the presence of water, but radioactive waste is being buried anyway. Scientists at TCEQ rang the alarm about groundwater contamination risks in 2007 when they recommended denial of WCS' license."

“All of the TCEQ scientists working on the license determined the geology of the site to be inadequate because of the possibility of radioactive contamination of our aquifers and groundwater. The groundwater lies only 14 feet below the bottom of the radioactive waste dump trenches. However there was clear political pressure throughout the entire process indicating that WCS would receive the license regardless of how inadequate the site was,” said Glenn Lewis in a previous statement. He was one of three TCEQ employees that resigned in protest of licensing the site.

“I’m going to try to work with the House sponsor to strip out the most egregious aspects of the bill that literally put radioactive waste a few feet away from contaminating our water supplies. I’m sure no one wants to put our aquifers at risk or spend billions on clean-up,” said Representative Lon Burnam, District 90.

The bill would require radioactive waste to be volume reduced by three times, a provision that benefits Studsvik, a radioactive waste processor in Tennessee. The public has seen no studies that show that burying this more concentrated radioactive waste would be safe at the Texas site, and there are questions about whether the material would become too hot to transport safely. Radioactive waste going to the WCS is mainly from nuclear reactors from around the country, and while fuel rods are excluded, very hot materials such as control rod blades are already being shipped to the site. Exposure to radioactivity can lead to cancers, birth defects and even death.

The bill requires the collection of \$25 million in funds for perpetual care, but this is not nearly enough. “All six of the so-called ‘low-level’ nuclear dumps in this country have leaked or are leaking, often costing the states in which they are located millions of dollars,” said Diane D’Arrigo, Radioactive Waste Project Director at Nuclear Information and Resource Service. “One of the now closed nuclear waste dumps with supposedly ‘impermeable clay’ threatens the water supply downstream and is projected to cost in the range of \$5 billion to ‘clean up.’ In fact, if it does get ‘cleaned up’ the waste could end up getting buried again in West Texas at the WCS site.”

“TCEQ rushed into a risky deal when they approved a faulty application to dispose of some of the most dangerous radioactive waste known,” said Cyrus Reed, Conservation Director of Lone Star Sierra Club. “And they did it without giving members of the public who are at risk a chance to prove that the application is faulty. The Lone Star Sierra Club immediately appealed TCEQ’s decision to deny us a contested case hearing to the State District Court and we won, but the state and WCS immediately appealed the decision to the State Court of Appeals, and we’re still waiting for that hearing to happen.”

95% of the radioactive waste being shipped to this site is from nuclear power plants. So-called ‘Low-level’ radioactive waste is defined as everything radioactive in a nuclear power plant except the high-level reactor fuel core. Pipes that carry radioactive water, filters and sludge from the water in the reactor and even the entire reactor itself when it is dismantled – thousands of tons of contaminated concrete and steel can all be dumped in a “low-level” facility. None of the radioactive elements present in high-level waste is prohibited from being included in low-level waste.

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