

HOST STATE SELECTION IN THE  
SOUTHEAST COMPACT REGION

Robert H. Wolle, Sr. and Kathryn Visocki  
Southeast Compact Commission for Low-Level Radioactive Waste Management  
Raleigh, North Carolina 27609

ABSTRACT

The selection of a state to host the next disposal facility for low-level radioactive waste will be completed by the Southeast Compact Commission by July 22, 1986. This is one of several milestones which was originally delineated in the compact legislation passed by all eight southeastern states in 1983. The authors explain the three-tract process for host state selection and discuss difficulties encountered to date and anticipated in the months ahead.

BACKGROUND AND HISTORICAL OVERVIEW

The Southeast Compact Commission for Low-Level Radioactive Waste Management is composed of sixteen persons, with two Commissioners appointed by the governor of each of eight member states. The eight states are Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee and Virginia. The Commission began meeting on July 22, 1983, after each of the member states enacted identical legislation to join the compact.

The Southeast's compact legislation, developed through a three year negotiation process, outlined several specific tasks which must be accomplished by certain dates.

- MILESTONE #1: Develop data base of waste volumes and projections to determine facility types and capacities required.
- MILESTONE #2: Provide party states with reference guidelines, criteria and procedures for site selection.
- MILESTONE #3: Within one year (i.e. July, 1984), develop and adopt procedures and criteria for identifying the next state(s) to host a disposal facility.
- MILESTONE #4: Within three years (i.e. July, 1986), identify a host state for the development of a second regional disposal facility and seek to ensure that such facility is licensed and ready to operate as required, but in no event later than 1991.

This milestone approach is similar to that recently approved by Congress in the Low-Level Radioactive Waste Policy Amendments Act of 1985.

Milestones 1 and 2 were tackled by the Commission's Technical Advisory Committee, assisted by a private consulting firm, and completed by July, 1985. From this committee's technical recommendations, the

Commission developed and adopted a Regional Management Plan in October, 1985. The Regional Plan states the need for one land-based disposal facility, leaving the host state the prerogative of choosing the specific disposal technology.

During the same time period, 1983-84, the Host State Identification Committee of the Commission was working on Milestone 3, the development of "Procedures for Identifying a Host State".

THE PROCEDURES FOR IDENTIFYING A HOST STATE

The Theory: A Three Tract Process

Adopted in July, 1984, the "Procedures for Identifying a Host State", were designed to maximize fairness and acceptability of the final decision. The document outlines three separate processes to be implemented simultaneously: a volunteer tract, a participation tract, and a designation tract.

Under the volunteer tract, a state may volunteer to host a disposal facility at any time up to July 22, 1986.

Under the participation tract, each state was required to submit a state plan, outlining the terms and conditions under which it would agree to host a facility. No parameters were placed on these conditions and Commissioners were invited to use imagination to find terms which would make hosting a facility more attractive to their citizenry. A state's plan cannot become binding unless one of the Commissioners from that state makes a motion for its adoption and the Commission concurs by a two-thirds vote. In theory, a state which appears to be a strong candidate for designation may prefer to have its plan adopted, thereby receiving the facility on its own terms.

Designation will only occur if the volunteer and participation tracts fail to produce a host state. Under the designation tract, ten technical criteria for host state selection were adopted by the Commission in December, 1985. These criteria are:

1. Amount of Potentially Suitable Area (PSA)
2. Volume of A Waste Generated
3. Volume of B Waste Generated
4. Volume of C Waste Generated
5. Transportation Distances from LLRW Generators for A Waste
6. Transportation Distances from LLRW Generators for B Waste
7. Transportation Distances from LLRW Generators for C Waste
8. Density of Transportation Systems in PSA's
9. Population Density of PSA's
10. Meteorology of PSA's

These criteria were weighted by the Commissioners in a three step balloting exercise, completed February 21, 1986. The Commission contracted with a consulting firm to assign scores to each of the ten criteria for each state. The weights of the criteria will be multiplied by the state scores, thus giving each state a total weighted score. The Commission will thus have a technical ranking of states from 1 to 7, with #1 being the most technically suited to host a disposal facility. This ranking will be announced in late April.

After the technical ranking is announced, public hearings will be conducted in each of the Southeast states except South Carolina. The Commission will consider many factors in addition to the technical ranking. Designation of a host state will require a two-thirds vote of the Commission.

#### The Practice: Implementation of the Three Tract Process

Up to the date of this writing, no state has volunteered to host a facility. Six of the seven states have submitted the mandatory state plans under the participation tract, but no state has moved for the adoption of its plan.

The designation tract is on schedule, targeted toward identifying a host state no later than July 22, 1986. It is this tract of the 3-tract process which has stirred the most controversy among Commissioners. Reaching an agreement on the technical criteria and the specifics of their measurement took several months with repeated efforts to remove certain criteria from the list. The criteria of "amount of potentially suitable area" and "meteorology" were particularly controversial. The designation process was frequently confused with the separate issue of site selection. Political issues further added to the confusion.

It is interesting to note, however, that little public interest has been expressed regarding the designation tract. The Commission has a relatively active public participation program, and public interest groups showed a great deal of concern

regarding the specific disposal technology to be used. This interest has diminished since the adoption of a Regional Management Plan, which leaves the choice of technology to the next host state. The Commission anticipates a new surge of public interest in the coming months when the technical ranking of states is completed and publicized by the news media.

#### THE MONTHS AHEAD: WILL THE SELECTED STATE FULFILL ITS OBLIGATIONS?

Of course, the big question is whether the Southeast will succeed in getting a new disposal facility sited and operating by 1991. Speculation abounds regarding the reaction of a state selected to take responsibility for this task. Each of the states has made a commitment to this responsibility through their state laws passed in 1983. Federal law now reinforces the state's responsibility for low-level waste disposal. Further, it seems clear that any state which withdrew from the Southeast Compact would be violating a serious trust and would not be welcome to another compact.

The Commission is keenly aware of the pressures which will be faced by state officials in the newly appointed host state. They are currently exploring mechanisms for providing the next host state with economic, technical, political and public participation assistance.

#### CONCLUSION

The Southeast Compact Commission has been working under a system of milestones and target dates since July, 1983. The Commission now faces one of the most difficult milestones, that of host state selection. While implementation of their three-tract process for selecting a host state is on schedule, it has not been without controversy.

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