

## **Louisiana Senator Introduces Legislation to Force Transfer Land for California Radioactive Waste Dump Before Completion of Safety Reviews**

California Environmental Groups Blast Action as Unacceptable Intrusion into California's Affairs; Call on Senators Feinstein and Boxer, California Congressional Delegation to Fight It

California environmental groups today criticized Louisiana Senator Bennett Johnston for introducing federal legislation to require the immediate transfer of the proposed Ward Valley radioactive waste site without waiting for completion of pending safety reviews. Johnston, a major recipient of nuclear lobby contributions, wrote to Interior Secretary Bruce Babbitt threatening to move the legislation if the Clinton Administration refuses to break its repeated promise to await final resolution of pending state litigation, a subsequent safety hearing, and an ongoing review by the National Academy of Sciences (NAS) of potential risk of contamination of the nearby Colorado River before making a determination whether to transfer the land. The environmental groups released a letter to Senators Feinstein and Boxer and the California Congressional delegation calling on them to fight Senator Johnston's intrusion into California's affairs.

"It seems that Senator Johnston has determined single handedly that the Ward Valley radioactive waste dump is unequivocally safe," said Michael Dieden, Political Director of Americans for a Safe Future. "At a time when we should be exploring responsible alternatives and protecting the taxpayer's pocketbook, Louisiana's senior Senator has decided to force the nation's radioactive waste down the throats of Californians. If he's so certain of its safety, why doesn't he build the dump in Louisiana?," Dieden said.

"How would Senator Johnston feel if it were proposed to dump plutonium in the bayous of Louisiana?," said Mike Paparian, Senior California Representative for the Sierra Club. "What Johnston proposes to do to California is to put the key water source for California at risk."

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“Senator Johnston’s proposal would undermine critical federal laws intended to protect our environment,” said Joel Reynolds, Senior Staff Attorney of the Natural Resources Defense Council. “In addition, it would predetermine the outcome of ongoing studies, including the National Academy of Sciences’ evaluation, needed to determine the safety of the Ward Valley project.” Secretary Babbitt has requested an evaluation by the science academy of issues raised in a study by three U.S. Geological Survey (USGS) scientists who had identified numerous radionuclide migration pathways between the Ward Valley site and the nearby Colorado River, a main water source for much of the Southwest. The NAS study is not scheduled for completion until December; Johnston’s bill (SB 2151), which was introduced May 25th, would order transfer of the land by November.

Daniel Hirsch, President of the Committee to Bridge the Gap, one of the groups that has successfully sued the Wilson Administration to block the Ward Valley project, remarked, “It is ironic that Johnston’s threat comes just as Los Angeles Superior Court Judge Robert O’Brien issues a writ of mandate in our lawsuit, voiding the Ward Valley license because of the Wilson Administration’s failure to give adequate consideration to the potential risks to the Colorado River.” On June 1, Judge O’Brien issued an order criticizing the state’s failure to address seriously the issues raised in the very USGS study now being evaluated by the NAS. Judge O’Brien wrote that the state was acting in a fashion that “pre-supposes that they will make the same decision after considering the report. That pre-ordained approach undermines the intent of CEQA [California Environmental Quality Act].”

Secretary Babbitt announced last November that he would hold a “comprehensive evidentiary hearing” on risks of radioactive contamination from the proposed facility before making a transfer decision, and that he would await final resolution of the lawsuit by Bridge the Gap and other groups, including Conclusion of appeals, before holding those hearings, as the

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final decision by the courts could impact the issues to be considered in the hearings. That commitment was subsequently repeated in letters by President Clinton and Vice President Gore.

Since then, the nuclear power industry has placed substantial pressure on the Clinton Administration, in part through industry allies in the Congress, to break that commitment. “The Johnston threat of legislation forcing the land transfer before completion of the NAS review, the evidentiary hearings, and the litigation in the state courts, is part of a campaign by the nuclear power industry to use brute force to get Ward Valley up and running prior to resolution of outstanding safety questions,” said Sherry Meddick, Energy and Radioactive Waste Campaigner for Greenpeace. “The nuclear utilities’ attitude appears to be, public safety be damned,” she continued.

“The reactor operators have been hiding behind the skirts of biotech and medical waste generators in the Ward Valley fight,” said Greenpeace’s Meddick. “More than 90% of the radioactivity to go to Ward Valley comes from nuclear power plants, only a fraction of a percent from hospitals and biotech firms.”

“The Ward Valley advocates, claiming once again ‘the sky is falling,’ have tried to hype the upcoming closing of the Barnwell, South Carolina dump as causing a crisis in California,” said Bridge the Gap’s Hirsch. “But what they aren’t telling the public is that most California waste generators chose not to ship waste to South Carolina, because of liability concerns due to the fact that that dump is already leaking radioactive contamination. In fact, all radioactive waste sites in this country using unlined trenches, as proposed for Ward Valley, have leaked. It is precisely that history of contamination that is at the root of the concern about dumping large amounts of nuclear power plant wastes such as plutonium in unlined trenches near the Colorado River.”

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