

# LLWnotes

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## DOE Use of Commercial LLRW Disposal Facilities

### Senators Criticize DOE Use of Envirocare and Molten Metal

#### *DOE Looks to Increase Competition*

Energy Secretary Federico Peña wrote to Senators Richard Shelby (R-AL) and Lauch Faircloth (R-NC) on November 7 announcing the department's plans to increase competition among commercial, privately owned facilities for DOE's waste disposal business. Peña had met with the Senators earlier in November to discuss DOE's low-level and mixed low-level radioactive waste disposal activities. His announcement on November 7 was the latest in a long series of correspondence between the department and Faircloth concerning DOE's continued use of the Envirocare of Utah facility for such disposal. (For a brief review of prior correspondence between DOE officials and Faircloth, see related story, this issue.)

The Senators responded in a strongly worded letter, dated November 12, criticizing the department's contracting practices and pledging to seek oversight hearings and corrective legislation.

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### Officials Express Concern re Implications of WCS Ruling

#### *State Authority, External Regulation, Cleanup Cited*

Several state and federal officials have commented upon the recent decision of the U.S. District Court for the Northern District of Texas in *Waste Control Specialists, LLC v. U.S. Department of Energy*. (See *LLW Notes*, August/September 1997, pp. 15-17.) The following is a brief summary of correspondence from such officials including the National Governors' Association, members of Congress, state legislators, and a citizens' advisory board.

#### **NGA Seeks Congressional Support for State Authority Over DOE**

On November 14, Governors E. Benjamin Nelson (D-NE) and Marc Racicot (R-MT)—Chair and Vice-Chair of the National Governors' Association (NGA) Committee on Natural Resources—wrote on behalf of NGA to the congressional leadership.

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*DOE says it can use AEA authority to self regulate privately owned radioactive waste facilities • Page 11*

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# Low-Level Radioactive Waste Forum

## LLW Notes

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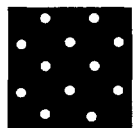
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## Key to Abbreviations

U.S. Department of Energy	DOE
U.S. Department of Transportation	DOT
U.S. Environmental Protection Agency	EPA
U.S. General Accounting Office	GAO
U.S. Nuclear Regulatory Commission	NRC
naturally-occurring and accelerator-produced radioactive materials	NARM
naturally-occurring radioactive materials	NORM
Code of Federal Regulations	CFR

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