



Jim Borgman

# RADIOACTIVE WASTE

by Lloyd Marbet & John Arums

Last year Oregon voters overwhelmingly approved Ballot Measure 9. This amazing feat succeeded in a campaign which pitted twenty thousand dollars against Teledyne Wah Chang's half a million dollars. Despite the great disparity in campaign expenditures, a majority of Oregonians felt it was in their best interests to enact one of the most stringent radioactive waste disposal siting laws in the nation.

Even though the best interests of Oregonians prevailed, Ballot Measure 9 may be thwarted by a recent Oregon Supreme Court decision. The Court ruled that the Energy Facility Siting Council did not have enough evidence to prove that Wah Chang's waste falls within an outdated and inadequate definition of radioactive waste set by the State Legislature in 1979. If the waste is not legally defined as a radioactive waste, even though it is radioactive, it will not be subject to the requirements set by the people in November 1984.

The Court ordered new hearings be held before the Energy Facility Siting Council. The only new evidence that will be considered at these hearings will be an expensive study of radon gas emanations, commissioned and paid for by Teledyne Wah Chang. The Council has steadfastly refused to order its own independent study, choosing to rely exclusively on the technical evidence submitted by Wah Chang.

It is as if a fox commissioned a study on whether foxes eat chickens. Teledyne has an enormous stake in proving its waste is not radioactive enough to come under Siting Council jurisdiction, thereby escaping the requirements set by Ballot Measure 9.

In order to ensure that Teledyne and other producers of radioactive waste do not escape Measure 9, Forelaws On Board is sponsoring an initiative petition which makes the following changes in the state law defining radioactive waste and outlining study procedures.

1. Wah Chang's radioactive waste and uranium mill tailings should be regulated according to Measure 9 disposal standards, as intended by Oregon's voters. Waste which contains more than a small quantity of extremely hazardous radium, which was produced by the manufacture of zirconium, hafnium or niobium (rare metals produced only by Teledyne) should be defined in law as radioactive waste. Uranium mine and mill wastes should also be included in the definition.

2. The Energy Facility Siting Council should have the power to periodically amend its rules defining radioactive waste using the most current scientific data. Presently, the Council cannot change its rules enactment because its rules are referenced in state law. (Only the Legislature or a ballot measure can change state law.) Reference to these rules should be deleted from the law.

3. Any independent study ordered by the Council should be paid for in full by a waste disposal license applicant. Currently, the Council must negotiate an agreement with the waste producer before ordering an independent study. This is one of the reasons there will be no independent study in the new Teledyne Wah Chang hearings. Changing the law could help prevent this from happening in the future.

Recently one of us (Lloyd) took a trip to the Trojan nuclear power plant to visit their "information center." This tourist attraction is operated as a propaganda machine for nuclear power. Civic groups, school children and the general public are ushered through a panoramic display of misinformation. Visitors are told that every year one-third of the fuel elements irradiated in the reactor are removed to the spent fuel pool. Spent fuel allegedly is allowed to decay for a period of months, then placed into shipping casks for transport to a reprocessing plant. We are told that the waste is reprocessed and then converted into a solid glass-like material which ultimately is placed in a salt mine for disposal.

Except for the transfer of the spent fuel into the spent fuel pool, the rest of the above is an outright lie. These lies have been perpetrated on the public at the information center since Trojan started up in 1975.

In fact, the Energy Facility Siting Council has already allowed the re-racking of the spent fuel twice in the last ten years, moving the highly radioactive fuel rods closer and closer together. Now the Council has determined that the waste may have to stay on site after the plant shuts down. The ultimate financial and environmental cost of continued production of high level radioactive waste is unknown. After thirty years of commercial nuclear power production, the nuclear industry has still not successfully disposed of high level waste.

E. F. Schumacher, author of the classic "Small is Beautiful," offered the following analysis of the problem:

"No degree of prosperity could justify the accumulation of large amounts of highly toxic substances which nobody knows how to make safe and which remain an incalculable danger to the whole of creation for historical or even geological ages. To do such a thing is a transgression infinitely more serious than any crime perpetrated by man. The idea that a civilization could sustain itself on such a transgression is an ethical, spiritual and metaphysical monstrosity. It means conducting the economic affairs of man as if people did not matter at all."

For this reason and more, Forelaws on Board sponsors an initiative petition which proposes to shut down all nuclear plants in Oregon (Trojan) until there is a federally license waste repository capable of accepting the waste.

The initiative does not propose a ban, unless the nuclear industry is ready to admit that such a repository may never be built. In fact, Forelaws on Board believes that the only correct response to this problem is a ban. However, federal law would preempt a ban on nuclear power, making such an effort futile. Instead, we have sought to empower the citizens of Oregon by proposing a law which is legally defensible.

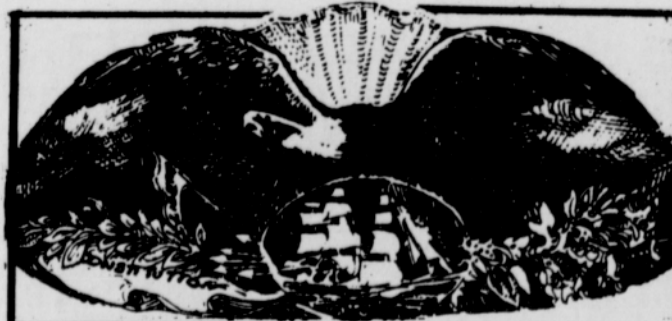
Your power as a voter alone may not seem great, but our power together made Ballot Measure 9 possible. Whatever you can do, from your own signature to hundreds of signatures, will make the difference. The success of our efforts lies in our will to make change.

Lloyd Marbet and John Arums are co-directors of Forelaws on Board, which is an environmental consumer interest organization. For copies of each petition and further information, the organization's address is 19142 S. Bakers Ferry Road, Boring, Oregon 97009 (Phone 637-3549).



## Lazy Susan Cafe

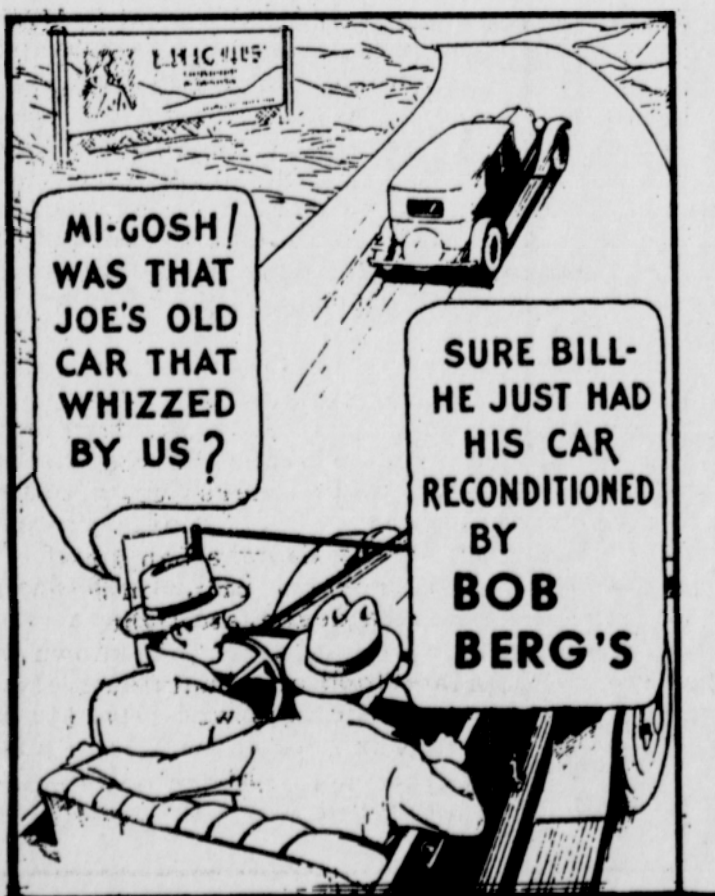
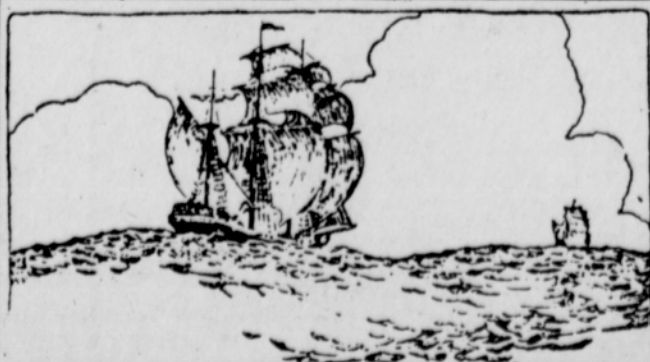
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## The North Coast TIMES EAGLE

A JOURNAL OF ART AND OPINION  
PUBLISHED MONTHLY IN ASTORIA,  
OREGON, 286 BOND STREET (#4),  
97103. 50 CENTS PER ISSUE OVER  
THE COUNTER. SUBSCRIPTIONS  
PENDING.

Michael Paul McCusker  
Editor & Publisher



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