

State of Arkansas

76th General Assembly

Regular Session, 1987

SENATE BILL 77

By: Senator Scott

"AN ACT TO REPEAL ACT 9 OF 1983; TO WITHDRAW THIS STATE FROM PARTICIPATION IN THE CENTRAL INTERSTATE LOW-LEVEL RADIOACTIVE WASTE COMMISSION; TO PROVIDE THAT GENERATORS OF RADIOACTIVE WASTE SHALL HAVE THE RESPONSIBILITY TO PROVIDE STORAGE AND MANAGEMENT FOR THE WASTE WITHIN THE COUNTY IN WHICH IT IS MANUFACTURED OR PRODUCED; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Upon the effective date of this Act, any company or manufacturer which generates low-level radioactive waste shall have the responsibility to provide storage and management for the waste within the county in which the waste is manufactured or produced. Such disposal and management shall be under the guidance and regulation of the Department of Health and Department of Pollution Control and Ecology. All costs associated with the storing and management of such waste shall be borne by the generator of the waste. "Low-level radioactive waste" or "waste" means, as defined in the Low-Level Radioactive Waste Policy Act (Public Law 96-573), radioactive waste not classified as: high-level radioactive waste, transuranic waste, spent nuclear fuel, or byproduct material as defined in Section 11e.2 of the Atomic Energy Act of 1954, as amended through 1978. Any company or manufacturer which generates such waste shall be prohibited from transporting the waste from the county in which it is generated to any other location within this State.

SECTION 2. The Arkansas Department of Health and the Arkansas Department of Pollution Control and Ecology shall jointly be responsible for issuing permits for areas approved as disposal sites. No site shall be approved by the Department of Health or the Department of Pollution Control and Ecology

unless a public hearing has first been afforded interested citizens.

SECTION 3. Act 9 of 1983 is hereby repealed. All other laws and parts of laws in conflict with this Act are also hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the Seventy-Sixth General Assembly that under Act 9 of 1983 this State entered into a Central Interstate Low-Level Radioactive Waste Compact with several states for the purpose of providing a suitable area to dispose of low-level radioactive waste; that it has come to the attention of the Seventy-Sixth General Assembly that four areas in Arkansas are to be targeted as potential dump sites of this massive amount of low-level radioactive waste from other states; that the areas identified by compact engineers are too small to accommodate the waste from the member states and it would be ill-advised to accept and manage such massive amounts of waste in such a small area; that Arkansas is a low-volume generator of low-level radioactive waste and it is in our best interest to dispose of the waste produced in our State ourselves and not accept the waste of other states; and it behooves the Seventy-Sixth General Assembly to remove Arkansas' participation in this compact immediately. Therefore, an emergency is declared to exist and this Act, being necessary for the preservation of the public health, welfare and safety, shall be in full force and effect from and after its passage and approval.

