

★chron | Houston Chronicle Archives

NEWS SPORTS BUSINESS ENTERTAINMENT LIFE TRAVEL BLOGS JOBS HOMES CARS BUY & SELL

Controversy over a proposed dump in California may determine how the U.S. disposes of nuclear waste/A test in the desert

CHARLES BOISSEAU Staff

SUN 02/27 HOUSTON CHRONICLE, Section Business, Page 1, 2 STAR Edition

Share

- Share
- Del.icio.us
- Twitter
- Facebook
- Digg
- StumbleUpon

NEEDLES, Calif. - Folks swigging coffee at the Denny's near old Route 66 get downright steamed when talk turns to a low-level radioactive dump proposed for a site 22 miles west of town.

Not only are they worried the nuclear waste operation in the Mojave Desert could harm the Colorado River, a major water source for the Southwest, but they also fear it will destroy the image of their community, previously best known as home to Snoopy's brother Spike in the Peanuts comic strip.

Larry Ford, a conductor for the Santa Fe Railroad, noted that boosters in years past handed out spicy candy and touted this desert town, population 5,706, using the slogan "Needles is red hot."

"It should be 'Needles glows in the dark,' " blurted a co-worker on the next stool.

The waste facility, slated for an arid expanse of sand, bursage and creosote bushes called Ward Valley, is being developed by U.S. Ecology, a subsidiary of Houston-based American Ecology Corp. If built, it would be the first such low-level disposal facility to open in this country since 1971.

Low-level radioactive waste includes things such as tools and protective clothing used near nuclear reactors, isotopes used in making drugs and syringes, and animal carcasses used in nuclear medicine and research.

Under development for a decade, the project looked like it might finally go ahead after U.S. Ecology gained a state license in September to operate the facility, but it has again skidded into legal and regulatory roadblocks.

In October, U.S. Sen. Barbara Boxer, D-Calif., accused government officials of withholding information on the dangers of the project and released a report from geologists with the U.S. Geological Survey claiming the site posed a risk to the Colorado River about 20 miles away. Scientists hired by the Metropolitan Water District of Southern California, which supplies 16 million people with water pumped from the Colorado, had raised similar fears earlier and called for more studies.

On Nov. 24, Secretary of the Interior Bruce Babbitt unexpectedly halted the federal government's planned transfer of the 1,000-acre waste site to the state, which plans to sell the site to U.S. Ecology for \$500,000. He wants to hold a formal hearing before any transfer and to wait until a state court hears suits against the project filed by the city of Needles, the Fort Mojave Indians and antinuclear groups in Los Angeles and San Francisco.

Among the litany of concerns percolating from critics is whether it is safe to bury the toxic wastes in unlined trenches dug in the sand, the possible harm to the endangered desert tortoise and U.S. Ecology's track record of operating nuclear waste facilities elsewhere.

Needles Mayor Roy Mills pointed out U.S. Ecology has had problems with contamination at other low-level waste sites it has operated. "So why would this be any different?"

Proponents complain the political morass has been created by critics who use "junk science" and emotional scare tactics to fire up local residents in an effort to derail nuclear energy at any cost.

For now, it is the company that is paying for the delays. U.S. Ecology has already run up a tab of \$47 million, including interest charges, and spends an additional \$300,000 each month the project is held up.

Most significantly, the project is being viewed as a critical test of a 1980 law approved by Congress that requires states to join together in compacts to dispose of low-level radioactive wastes within their region.

The refuse is generated not only by nuclear power plants, but by biotechnology firms, hospitals, research centers and industrial concerns that use radioactive materials for everything from treating cancer patients to exploring for oil.

Despite a Jan. 1, deadline requiring states to join compacts to dispose of their waste, the process is stalled in most states, and the waste threatens to pile up.

The only remaining site still accepting low-level waste from all parts of the United States is a facility in Barnwell, S.C., that is scheduled to close June 30 to waste outside the eight states in the Southeastern Compact.

The Ward Valley site - which would be for use only by California and its Southwestern Compact members, including Arizona and North and South Dakota - is thought to be the farthest along of the new sites under development. Texas, which plans to join in a compact with low waste-producing states Maine and Vermont, has selected a site in Hudspeth County in West Texas, but the site has not yet received a state license.

Thus, Ward Valley is shaping up as the big battleground for how the country will dispose of these wastes.

Search ad

Chron.com Web

[Bodies of two infants found](#)
[Man dies in crash on toll](#)
[Michael Jackson's death](#)
[Melanie Griffith checks in](#)
[Malaysia delays caning of beer](#)

[Obama to health care cri](#)
[claims'\(654\)](#)
[More advertisers ditch B](#)
[Obama racist\(505\)](#)
[Deal on jail, stadium, Don](#)
[Try to envision this: a wo](#)
[gas\(155\)](#)
[County puts more heat o](#)

Get a Nexus S™ 4 for **FREE**.
 Google™ at 4G speeds.

Get it now

4 days only
 Free activation
 Valid for no Restriction

"If we succeed here, it will make everybody else's life easier. If we fail here, it will mean more opposition elsewhere," said Steve Romano of U.S. Ecology.

The battle is joined

Proponents are countering protesters' hyperbole by sending out their own alarmist messages. They claim a greater danger exists from letting wastes accumulate at hospitals and biomedical firms located in urban areas than from opening up waste dumps. Supporters this month launched a statewide advertising campaign focusing attention on this issue.

During a recent visit to the site, John Squibb, a consultant employed by U.S. Ecology, noted the area gets less than 5 inches of rain a year, is at least 650 feet above the water table and is isolated from people and water sources, such as lakes or rivers. The measured evaporation rate is greater than the annual rainfall, he said.

Driving west on Interstate 40 from Needles, Squibb noted you have to travel over the Sacramento Mountains to reach the site. Runoff from the waste site would have to flow over the mountains to get to the Colorado River. "Water does not run uphill. That's the simplest way to explain it," Squibb declared.

Under the company's plan, approved by the state Department of Health Services, the waste would be buried in 55-gallon drums and "high-integrity" containers in five unlined trenches at least 24 feet deep. Monitoring wells are designed to detect any seepages of radioactivity from the solid wastes, the only kind of waste permitted at the site.

But critics charge U.S. Ecology's plan is the least costly method for disposing of waste that will remain hazardous for 500 years, long after the company's 30-year management of the site is over and the cleanup burden falls on taxpayers.

Opponents also raise the issue of U.S. Ecology's record at three other nuclear disposal facilities. At company-operated sites in Illinois and Kentucky that are now closed, leaks required expensive cleanups. The site in Maxey Flats, Ky., was placed on the government's Superfund list in 1986. At a site in Beatty, Nev., company employees once were caught selling and using radioactive-contaminated tools and materials taken from the site.

Mayor Mills and other critics noted that California law wouldn't permit construction of a municipal landfill without a protective liner.

Romano admitted company facilities have had problems in the past, principally at old sites to the east where the ground water is far closer to the surface and site selection was not as thorough. No major problems have occurred at its operations in Beatty, Nev., or a similar facility in Richland, Wash., which the company still operates for use by Northwestern and Rocky Mountain states, he said.

The state Department of Health Services is following Nuclear Regulatory Commission guidelines in not requiring a liner at the Ward Valley site, Romano said. A liner could cause a "bathtub effect," trapping water and creating a greater threat of contamination, he said.

Supporters of the project have encountered a seemingly endless stream of criticism.

Romano admitted he's been resoundingly booed by entertainment industry celebrities at Ward Valley debates, including one at the Malibu home of Olivia Newton-John.

Daniel Hirsch, the president of the Los Angeles-based antinuclear group Committee to Bridge the Gap, stated dramatically at one of these events, "If you build this disposal site, people will die."

Romano and exasperated proponents say that even if there were a leak - and that's only a remote possibility - the water migration would be so slow, it would take thousands of years to reach the river, by which time it would be harmless.

Nuke waste stream

A big debate centers on how much waste from nuclear plants would find its way to the site. Hirsch, who claims to have read U.S. Ecology's entire 11,000-page license application, says up to 97.6 percent of the radioactivity would come from nuclear power plants as these facilities are decommissioned in years to come.

While this waste still must meet the low-level standards, opponents argue it is longer-lived and should be separately disposed of from biomedical waste.

Supporters dispute the claims and say only about one-quarter of the waste disposed of would be from nuclear plants.

Threat to businesses

Already some of California's many biotechnology firms have threatened to exit the state if they don't have economical disposal options.

They can no longer ship to the U.S. Ecology facility in Richland, Wash., which since Jan. 1, 1993, has accepted only low-level radioactive wastes from Northwestern and Rocky Mountain states. The Beatty, Nev., site also is off-limits because it was closed when Nevada joined those states in a compact.

The disposal costs at the only remaining low-level waste site in Barnwell, S.C., which is operated by Chem-Nuclear Systems, have soared to \$300 per cubic foot of waste from about \$60 a little more than a year ago. These charges include government-mandated penalties imposed on customers located in states outside the regional compact.

ICN Biomedicals, a leading supplier of biomedical research and diagnostic products based in Costa Mesa, Calif., this past year ceased production of products made with tritium, a radioactive material used for medical research.

ICN spokesman Jack Sholl said the products were discontinued partly because of high waste-disposal costs. The company is considering opening the operations in another state or abroad, where costs are lower.

"It's simply not economically feasible for us to operate this manufacturing business in California," he said.

Hospitals are concerned about running out of storage space, and some have curtailed research involving longer-lived radioactive materials.

A growing danger is posed by storing these wastes at hospitals, contends Donna Earley, director of radiation and environmental safety at Cedar Sinai Medical Center in Los Angeles.

She said that during the recent Los Angeles earthquake, a hospital disposal facility in a parking garage was so badly damaged it will have to be torn down. Earley, whose existing waste storage room is crowded with dozens of 55-gallon drums of radioactive waste, said she hadn't yet moved materials into the garage facility.

A fire at California State University in Northridge during the earthquake nearly engulfed stored radioactive materials in a waste building.

"If we are going to talk about safety, people ought to be outraged by what is going on. But this is not about safety, it's about nuclear power. We stopped talking about safety two years ago, and it became politicized after that," Earley said.

Earley also is chairwoman of the California Radioactive Materials Management Forum, a pro-Ward Valley group of many of the state's 600 producers of radioactive waste.

Tangling over the tortoise

Another issue is whether the Ward Valley site will harm desert tortoises, which are now on the government's endangered species list.

Surprisingly, the long-lived, burrowing animals have pitted tortoise lovers against antinuclear activists.

Earlier this month, the U.S. Fish and Wildlife Service designated as critical habitat millions of acres of mostly federal lands, including Ward Valley. This means activities must not adversely modify or destroy the tortoises' ecosystem.

U.S. Ecology had expected the ruling and worked up a mediation plan that includes moving the estimated 18 to 20 tortoises living on the site and fencing the adjacent highway where many have met their deaths.

While the agency must do another evaluation to determine if more needs to be done, tortoise experts contend the waste operation won't affect the animals' survival.

"I don't believe in my professional opinion that this project jeopardizes the species," said Tom Dodson, vice president of the Desert Tortoise Preserve Committee, an advocacy group in San Bernardino.

Dodson's opinion has entangled him with antinuclear activists, who he believes want the project stopped at any cost.

Dodson claimed Philip M. Klasky, co-director of the Bay Area Nuclear Waste Coalition "tried to co-opt us, saying we weren't being good tortoise protectors if we didn't support him on this."

"It's a personal ethical thing. You just don't manipulate a situation," he said.

Klasky, who has taken to advising local officials, including the Fort Mojave Indian Tribe, called Dodson an "ignoramus."

The tortoise issue won't be buried anytime soon.

"If the Interior Department tries to transfer the land and accepts the mediation solution, we have already told the government we will sue," Klasky said.

Not in my back yard

Feelings run just as hot in Needles, where not only the City Council but also the chamber of commerce have adopted resolutions opposing the site.

"We don't know if it's safe. We're not experts," explained Billy Bradshaw, president of the chamber. "We do feel very strongly it is already impacting our businesses."

He said a San Diego developer has put on hold plans to build 300 upscale retirement homes in Needles until he can assess what impact Ward Valley might have.

Bradshaw, a real estate agent, said he has felt obligated to add a clause to his sales contracts declaring the buyer is aware of the proposed waste site west of town, which he fears could lower real estate values.

One of the seemingly few residents unopposed to the project is Robert Chesney, developer of a residential subdivision on the river. Chesney, a tall, 68-year-old Kansas native who moved to town 45 years ago, sat on a regional site selection commission for the project in the late 1980s. At that time, "nobody thought it had the slightest relationship to Needles," he said.

Chesney speculated the local opposition arose after the company opened an office in town, linking the community with the site and bringing negative publicity.

So far, in its effort to fight the project, the city has spent about \$350,000 in legal, travel and scientific consulting expenses.

The Fort Mojave Indians, who own large parcels along the river, have spent more than \$150,000 on legal fees and billboards opposing the site, said Steve Lopez, a tribal council member.

Mayor Mills admitted, "even if it were safe, still the negative perception would harm us."

Mills said he plans to seek compensation through surcharges levied on the waste "if we get it jammed down our throat."

Romano characterized the strong local opposition as "not-in-my-back-yard" protests. Nobody wants a radioactive dump. But in the end, he predicts the site will be built, regardless of what the people of Needles think.

Open .CDA (Update)

If Your PC Can't Open .CDA Files
You Need To Download This
.CDA.New estDriver.com/Microsoft

CDA

Search 1000s of jobs. Top
employers. Local & national. Apply
now.
www .JobsOnline net

We Found Archive At

Get Archive At's Address, Phone
Number Background & More!
USSearch.com

chron.com

- [Home](#)
- [Houston & Texas](#)
- [Nation](#)
- [Business](#)
- [Sports](#)
- [Entertainment](#)
- [Life](#)
- [Travel](#)

- [Blogs](#)
- [Chron Commons](#)
- [Weather](#)
- [Traffic](#)

Topics

- [PetsHouston](#)
- [MomHouston](#)
- [HoustonBelief](#)
- [Houston gardening](#)

Marketplace

- [Jobs](#)
- [Homes](#)
- [Cars](#)
- [Shopping](#)
- [Personals](#)
- [Post an ad](#)
- [Contests](#)

Services

- [Help](#)
- [Business Directory](#)
- [Contact us](#)
- [Send us tips](#)
- [Chronicle In Education](#)
- [About the company](#)
- [Home delivery](#)
- [Advertise with us](#)
- [Buy a banner ad](#)

Membership

- [Sign up](#)
- [Already registered? Log](#)
- Other editions**
- [Mobile](#)
- [RSS feeds](#)
- [e-Edition](#)
- [E-mail new sletters](#)

[Privacy statement](#) | [Terms of service](#)
Copyright © 2009 The Houston Chronicle

