



WESTERN DAKOTA ENERGY ASSOCIATION

February 25, 2022

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Radioactive Materials License Comments
ND Department of Environmental Quality
Division of Waste Management
4201 Normandy Street
Bismarck, ND 58503

To whom it may concern:

The Western Dakota Energy Association, at the request of Williams County, commissioned a study in January 2020 to determine the scope of TENORM waste disposal needs in North Dakota, and to attempt to develop a regional, multi-county solution.

The study revealed that North Dakota is the only oil-producing state that does not have a permitted landfill or other disposal facility for handling the material. As of 2019, the state was generating an average of 92,000 tons of TENORM per year, which is the equivalent of about 2,300 truckloads. At the time Williams County requested the WDEA study, it had just rejected a disposal application and imposed a temporary moratorium on future applications. The county was concerned that additional landfills may be needed, and if any facility failed financially, the county would be liable for its long-term maintenance and monitoring.

The material generated in North Dakota is currently hauled by truck, with most of it going to a landfill just across the border near Lindsey, Montana. Legislators in Helena are aware that Montana is, in effect, North Dakota's dumping ground, and there is legitimate concern that transporting the waste to a neighboring state for disposal may someday not be an option.

Because the TENORM is generated in North Dakota, the state has the responsibility to offer facilities for its disposal in the state. The WDEA study indicated there are virtually no public health concerns associated with TENORM's low levels of radioactivity. Workers close to the material need to monitor their exposure, but the radioactive particles travel only a very short distance, and pose no risk to the traveling public passing by a landfill.

The Executive Committee of WDEA recommends the pending application of Secure Energy for a radioactive materials license be approved. We note that DEQ's review found Secure's application meets the requirements of North Dakota Solid Waste Management Rules and is protective of human health and the environment. The application and Secure's operations have also been scrutinized by Williams County Planning and Zoning staff. The application was also the subject of a public hearing, after which the county commission granted Secure a conditional use permit that allows TENORM disposal at Secure's landfill.

Sincerely,

Geoff Simon
Executive Director

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