



Senate Energy and Environment Committee,

We write to you today to express our strong concerns over the recently proposed Senate Bills 938 and 1052 that would put restrictions on the disposal of Technologically Enhanced Naturally Occurring Radioactive Material (TENORM), as well as a ban on the construction and expansion of necessary disposal facilities and deep injection wells. This legislation threatens to have significant impacts on our communities and the ability to dispose of waste in a safe and effective manner.

SB 1052 seeks to prohibit the construction, expansion, installation, and any increase of capacity of Class I and Class IV injection wells. Deep injection wells are regulated under the Safe Drinking Water Act and are viewed as a safe and responsible method for managing wastes.

Injection wells are heavily regulated and monitored with permit applications needed from both EGLE and the U.S. EPA. **No aspect of well installation, operation or closure is without regulatory oversight, and regulators can shut down an injection well at any time if permit issues occur.**

Permit approval currently requires that detailed reports of all well construction and testing be submitted for additional review and validation, as well as establishment of financial assurance. The well construction reports include test results that document the well was properly constructed without defects and demonstrate that the well can be safely operated while meeting all regulations and permit conditions. The public is invited to comment on the permit applications and draft permits and permits are reviewed every 10 years.

In addition, and as written, SB 1052 completely bans TENORM above specified concentrations. SB 1052 should retain the option that loads containing TENORM at levels of radium-226 and radium-228 below 50 picocuries per gram and lead-210 below 260 picocuries per gram may be approved for acceptance in Michigan landfills based on the total mass of TENORM and the total activity of radium-226, radium-228 and lead-210. Act 113 of 1978 establishes storage and disposal prohibitions that effectively minimize public health risk and exposure. This will continue to provide cost effective, low hazard options for low volume waste stream disposal. This is consistent with a radioactive waste management plan that considers the location of generators, health and safety, transportation economics, and types of wastes as specified in Sec. 11110. (2)(a) of the bill.

We ask that you consider the widespread impact that SB 1052 would have on Michigan's residents and businesses and oppose this overreaching legislation.