

December 2013

ECA Bulletin

Local Concerns. National Impact



Visit our website: <http://www.energyca.org>

DOE CLARIFIES LAND TRANSFER REGULATION CHANGES IN LETTERS TO ECA

On November 13, DOE released what ECA believes are significant changes to 10 C.F.R. Part 770 without any opportunity for public comment, after the Rule was in place for 13 years as an Interim Final Rule. The Rule went into effect on December 13. (see story in November ECA Bulletin).

On December 20th, DOE sent two letters to ECA explaining that recent changes to 10 C.F.R. Part 770, "Transfer of Real Property at Defense Nuclear Facilities for Economic Development" (F.R. 67925) will have no impact on the way the Rule is currently applied by DOE. The letters also stated "we are proud of our efforts to support local economic growth as the Department's mission evolves and will continue to work closely with local governments in the process." ECA members are appreciative of DOE's quick response and clarification letters, however some ECA members remain concerned about the way the Rule could be interpreted in future.

(Continued on page 6)

Special 2013 Year-End Bulletin

This end-of-year ECA Bulletin contains a mix of new stories and our most significant stories from the past year. The retrospective stories begin on page 13 and include highlights such as:

- Energy Communities in the 21st Century: ECA Peer Exchange
- ECA Activities—Project Update
- ECA's Vice Chair, Chuck Smith, Highlights Role for Local Governments at Senate Hearing on Nuclear Waste Bill
- DOE Reorganizes, Moving EM to new Under Secretary for Management and Performance
- Local Governments Meet To Discuss Defining

ECA Peer Exchange: DOE Moving Forward February 27, 2014



ECA Board of Directors Meeting February 28, 2014

See page 4 for more information

Executive Committee

Chair

Mayor Tom Beehan
City of Oak Ridge, Tennessee

Treasurer

Councilor Fran Berting
Incorporated County of
Los Alamos, New Mexico

Vice Chair

Councilmember Chuck Smith
Aiken County, South Carolina

Secretary

Mayor Steve Young
City of Kennewick, WA

Immediate Past Chair

Councilmember Robert Thompson
City of Richland, Washington



Energy
Communities
Alliance



D.C. Update

Congress passed two major pieces of legislation this month: the Fiscal Year 2014–2015 Budget Resolution and the FY 2014 National Defense Authorization Act. The Budget Resolution sets topline spending levels for FY 2014 and FY 2015, enabling a smoother process to pass the 12 annual appropriations bills that make up the budget. The Defense Authorization Act authorizes appropriations for DOE national security programs, among other defense programs, and has been enacted each year for the past 51 years.

Budget Deal Clears Way for Appropriations

Congress has passed, and the president is poised to sign into law, a budget deal (H. J. Res. 59) that sets topline spending levels for FY 2014 and 2015. Lawmakers still must pass the 12 annual appropriations bills that fund the government, however, that job will be much easier with an agreement on topline spending in place. The bill also rolls back sequestration for two years, setting a topline of \$1.012 trillion for FY 2014 compared to the continuing resolution level of \$986 billion and the sequestration cap of \$967 billion.

The 2014 Continuing Appropriations Resolution, which now funds the government at previous fiscal year levels, will expire on January 15, 2014. With the two-year budget resolution in place, House and Senate appropriators have already begun work on an omnibus spending package, which will include new versions of the 12 annual spending bills (or at least some of them). Controversial appropriations bills, such as Labor-HHS, may be included in the omnibus but only receive simple continuing resolutions for the remainder of FY 2014.

Details on DOE program funding will become available as the appropriations process develops. See funding tables on page 9 for more information.

Defense Authorization Passes under Expedited Process—Manhattan Project Park Not Included But Will Return in 2014

Running out of time to pass the National Defense Authorization Act for FY 2014 (H.R. 3304), the House and Senate Armed Services Committees used an expedited process to negotiate a compromise version of the bill, which passed each chamber without amendment.

This legislation is substantially based on the House version (H.R. 1960), which passed the House in June, and the Senate version (S. 1197), which the Senate Armed Services Committee adopted in June. Regarding the expedited process, House Armed Services Committee Chairman Buck McKeon (R-CA) said, “Because passing this legislation before the end of the calendar year is vital, these two products were merged through a series of negotiations at all levels of the House and Senate.”

Notably, the bill does not contain a Manhattan Project National Historic Park provision. The House bill contained a section that would establish as a unit of the National Park System a series of historical sites associated with the Manhattan Project at facilities administered by DOE, however, the Senate committee-reported bill contained no such provision. While the provision stood a good chance of being adopted into the final Defense Authorization, it seems the expedited negotiation process may have created a higher than normal bar for including items considered by just one chamber.

Congressman Doc Hastings (R-WA), said “I’m disappointed, but not deterred. To all the advocates for this Park: you’ve given great energy, enthusiasm and expertise to this effort to date, and I know that will continue until our goal is accomplished, which I am confident it will ultimately be.” The Manhattan Project National Historic Park Act has built bipartisan support within Congress and will be considered again next year.

(Continued from page 2)

D.C. Update

The compromise bill also dropped a House provision that would convey in fee simple, excess land from the Hanford Reservation to the Hanford Community Re-Use Organization.

Similarly, the bill does not contain a House provision to permit government owned non-defense transuranic waste to be disposed of in the Waste Isolation Pilot Plant subject to meeting the waste acceptance criteria outlined in “Transuranic Waste Acceptance Criteria for the Waste Isolation Pilot Plant.”

See a list of provisions adopted in the bill on page 9.

No Nuclear Waste Bill This Year

The Nuclear Waste Administration Act of 2013 (S. 1240), which was introduced in July 2013, will not

be considered again until 2014. Senators Dianne Feinstein (D-CA), Lamar Alexander (R-TN), Lisa Murkowski (R-AK), and Ron Wyden (D-OR) sponsored the legislation, which takes into account over 2,500 comments received on a discussion draft of the legislation originally released in April 2013 (see page 6 of the [April 2013 Bulletin](#) for more information on the bill).

CQ Roll Call reports that Murkowski said the Senate Energy and Natural Resources Committee won’t have time to report the bill out this year, as planned, although she hopes they will renew focus on energy legislation in January.

See page 18 to read the August 2013 *Bulletin* article, “ECA’S Vice Chair, Chuck Smith, Highlights Role for Local Governments at Senate Hearing on Nuclear Waste Bill.”

DOE/NNSA PROVISIONS ADOPTED IN THE FY 2014 NATIONAL DEFENSE AUTHORIZATION ACT

The following highlights some of the provisions adopted as part of the Fiscal Year 2014 National Defense Authorization Act. See page 2 for background information and page 9 for funding information.

Cost estimation and program evaluation by National Nuclear Security Administration

This provision amends the National Nuclear Security Administration Act (50 U.S.C. 2401 et. Seq.) to establish an Office of Cost Estimating and Program Evaluation within NNSA.

“The credibility of the NNSA with Congress and other agencies of the Executive Branch has been hurt by high-profile failures in cost estimation and program evaluation. We expect the NNSA to embrace this new Cost Estimation and Program

Evaluation office as a means to help regain its credibility.”

Plan for improvement and integration of financial management of nuclear security enterprise

This provision requires the Administrator of NNSA to submit a plan for improving and integrating financial management of the nuclear security enterprise to the congressional defense committees not later than 1 year after the date of enactment of this Act. The Comptroller General of the United States is also directed to review the plan submitted by the Administrator and brief the congressional defense committees within 60 days of submission of such plan by the Administrator on the adequacy of this plan in meeting the objectives set forth in this

(Continued on page 10)

ECA Peer Exchange: DOE Moving Forward February 27-28, 2014 Liaison Hotel, Washington, D.C



Registration is now open for the ECA Peer Exchange on February 27th at the Liaison Hotel. Join the communities and local governments around DOE sites as we discuss key issues. DOE Officials, administration officials and Washington insiders will discuss important issues and provide you with their insights.

Invited Speakers:

- *Congressman Mike Simpson*
- *Secretary of Energy Ernie Moniz*
- *David Klaus, Deputy Under Secretary for Management and Performance, DOE*
- *Betsy Connell, Senior Advisor, Office of the Secretary, DOE*
- *Dave Huizenga, Senior Advisor for Environmental Management, DOE*
- *Pete Lyons, Assistant Secretary for Nuclear Energy, DOE*
- *Bruce Held, Acting Under Secretary for Nuclear Security, DOE*
- *Mary Louise Wagner, Senior Advisor, Office of the Secretary, DOE*
- *and more!*

Topics will include:

- *FY 2015 Budget*
- *DOE Priorities for 2014-15*
- *Facilitating More Efficient DOE/NNSA Sites*
- *Modernization and the Future of the NNSA Complex*
- *Role of Local Government at DOE/NNSA sites*
- *Nuclear Energy*

Meeting Reservations

Participant's must register online at our Eventbrite page. The link to register is [here](#).

ECA Members, Government and Public Sector Participants—\$200.00
Private Sector Participants—\$495.00

Reservations Procedures for Liaison Hotel

To make your reservations call (866) 233-4642 and reference yourself as part of the Energy Communities Alliance group or provide the **reservation ID: ECA221**.

We have secured a group rate of \$219.00 per night. The cut-off date for your reservation is **Friday, February 14, 2014**

Please make your reservations early

Reimbursement information

ECA will pay for the travel and the per diem of two people per ECA local government member community and one person per affiliate member. Please note that all reimbursement claims must adhere to GSA regulations. In addition, ECA may be able to assist other local government officials interested in attending the meeting on a case by case basis. Although ECA will only reimburse two individuals from each member community, each community is free to send as many delegates as they want to the meeting.

If you are requesting reimbursement, please send the names and titles of the individuals from your community that will be attending to allison@energyca.org. ECA is not able to reimburse you for the registration fee for the conference.

All flights over \$600.00 must be approved by ECA Staff. ECA is not able to reimburse you for rental cars for this meeting.

ECA will reimburse hotel expenses for Wednesday and Thursday evenings only.

Contacts

Allison Doman
Executive Deputy Director
Phone: 202-828-2423
Fax: 202-828-2488
E-mail: allison@energyca.org

Sharon Worley
ECA Staff Member
Phone: 202-828-2313
Fax: 202-828-2488
Email: sharon.worley@energyca.org

ECA 2014 BOARD OF DIRECTORS MEETING

Liaison Hotel
415 New Jersey Avenue, NW
Washington, DC 20001

Below is a draft agenda for the 2014 ECA Board of Directors Meeting, to be held the day after the Conference. ECA Members: please review and contact Allison Doman with any other topics for inclusion.

Draft Agenda

- **Breakfast**
- **Introductory Remarks**
- **ECA Policies Review**
- **Update from Board Members on Top Priorities**
- **Preview of 2014 Peer Exchanges**
- **ECA Executive Committee Election**
- **Treasury Report**
- **Adjourn**

Contact Allison Doman at 202.828.2423 or bulletin@energyca.org with any questions or comments.

If you are interested in sponsoring the meeting please contact **Allison at 202-828-2423** for more information

(Continued from page 1)

DOE Clarifies Land Transfer Regulation Changes in Letters to ECA

In a December 2 letter to Secretary Moniz, ECA requested that DOE withdraw the Rule and allow for public comment and discussion before the Rule became effective. ECA outlined its concern that the Final Rule changes the definition of sites that are eligible for using the regulation, eliminates the 90 day deadline for DOE to respond to land transfer requests from local governments and Community Reuse Organizations (CROs), and removes environmental indemnification protections for communities. In the letter, ECA also requested that DOE act more quickly on land requests that have already been submitted to the Department. Transferring land to communities for reuse helps to create new economic opportunities in DOE communities.

After ECA sent the December 2 letter, DOE quickly set up a meeting between ECA and the Deputy Under Secretary for Management and Performance, The Principal Deputy Assistant Secretary for Intergovernmental Affairs, the Senior Advisor for Environmental Management, the Office of Management (OM) the Office of General Counsel (GC) and other DOE officials to discuss the new Final Rule. At the meeting DOE explained that they believed the changes to the Rule were non-substantive in nature. ECA requested that DOE issue a letter explaining that the changes would have no impact on how the Rule is applied.

After ECA met with DOE, several members of Congress also sent a letter to Secretary Moniz expressing concern over the changes to 10 C.F.R. Part 770. In the December 11 letter Representatives Doc Hastings (WA-04) Chuck Fleischmann (TN-03), Joe Wilson (SC-02), John J. Duncan, Jr. (TN-02), Ed Whitfield (KY-01), and Ben Ray Lujan (NM-03) called on the Department of Energy (DOE) to seek input from impacted communities before moving forward with changes. The letter

requested the following information: 1) the purpose of the Department modifications to 10 CFR 770 issued on November 13, 2013, 2) a description and timeline of the process used by the Department to develop and finalize the modifications, 3) the reason why the 90 day deadline to respond to land transfer requests from local government entities and Community Reuse Organizations was eliminated and the Department's new schedule for considering requests, 4) the reason for altering language regarding indemnification 5) a list of the sites that are impacted by the modifications as well as a list of sites not impacted, and 6) the Department's definitions of "downsized site" and "closed site." DOE has not yet responded to this letter. A copy of the House letter can be found [here](#).

On December 19, ECA received two letters in response to their letter and meeting. In the first letter to ECA Chair Mayor Thomas Beehan, Deputy Under Secretary for Management and Performance David Klaus explained that the Final Rule cannot be withdrawn without initiating a new rulemaking procedure. He referred to a letter from the Deputy General Counsel to ECA Executive Director Seth Kirshenber ("GC Letter") which explains that the changes to 10 C.F.R. 770 are "considered non-substantive and will therefore not alter the way in which land transfer request are processed or which land is eligible under the Rule." Klaus went on to explain that the Department values its working relationship with ECA and will continue to work closely with local governments. He also addressed land transfer requests that have already been submitted to DOE and said "The Department is taking steps to improve the timeliness of our review process and we are committed to working with each requestor to approve mutually beneficial land transfer requests, and we continue to strive to improve our process."

The GC Letter stated "the revised rule will not change the way in which land transfer requests will be processed by the Department or which sites will be eligible for land transfers." It went on to say that

(Continued on page 7)

(Continued from page 6)

DOE Clarifies Land Transfer Regulation Changes in Letters to ECA

“the addition of the terms ‘closed or downsized’ simply reflects that if a defense nuclear site has land that is unneeded, temporarily underutilized, or underutilized and the Department determines to consider transferring or conveying the land, this would be considered ‘downsizing.’ If there is land that is located on a defense nuclear facility, and it is not subject to a land withdrawal order issued by the Department of the Interior, then that property can be considered for transfer and reuse.” A copy of the letters sent to ECA is available [here](#).

What Does this All Mean to Local Communities?

ECA appreciated the quick response of DOE to the Congressional inquiries and the concern of local governments to discuss the issuance of the Final Rule. Moving forward DOE and local governments will need to continue to focus on some key items:

1. **Local government role in decision-making:** Clearly DOE leadership have acknowledged that local government involvement is important and that all offices (not just the ones that have been doing it for years) need to understand that the working relationship can benefit both DOE and local governments. Some ECA members remain concerned that the Final Rule was issued without an opportunity for public comment, however, it will hopefully be a reminder of the need for local government and public comment in the future.
2. **Changes included in the Final Rule** In the end DOE clarified what confused many in the Final Rule. DOE clarified that there should be no impact on the application of 10 CFR 770 as it relates to which sites can use the rule. The clarifications, if interpreted by future DOE General Counsel’s the way the current acting General Counsel interprets the Final Rule will

(hopefully mean) that no “nuclear defense facility” communities are impacted by the changes. ECA is always cautious about the change in legal interpretations and will need to stay on-top of future DOE leadership.

3. **Timeliness of their land transfer request review process.** Before ECA and DOE started discussing the Final Rule, DOE did not understand why any local communities were frustrated with the land transfer process. However, ECA believes that the DOE will move the land transfer process forward in communities that have requested land. The interesting issue is that some offices in DOE always pointed to other offices in DOE as the hold-up in the land transfer process. Hopefully the CROs and local governments that have requested land will have the opportunity to push the process forward and senior level DOE officials will understand importance of the land transfer to the economies of the local communities. (As a side note the issue over whether DOE will charge money to communities for land remains unsettled and will continue to slow up the transfer of at least one site - an issue that must be addressed by DOE leadership)
4. **Timing of DOE Response to a land transfer request**– Timing of DOE’s response still remains an interesting issue. The original rule identified DOE would respond with 90 days. The Final Rule removed the requirement. DOE tells ECA that it will respond in timely manner. We will have to watch this issue.
5. **Applications** – The Final Rule changed the information that is required in the 10 CFR 770 applications. A key issue that remains open is DOE’s request for end users list. When it takes over 3 years to acquire property (in a fast transfer) listing end users with certainty can be

(Continued on page 16)

DOD GIVES ECONOMIC ADJUSTMENT GRANTS TO DOWNSIZING COMMUNITIES; DOE SHOULD DO SAME

DOE should support communities that host its missions in the same way the Department of Defense does, particularly when mission reductions affect local economies. DoD showed how it's done, on December 19, by announcing its latest round of economic adjustment grants to communities affected by reductions in defense expenditures:

- The East Central Wisconsin Regional Planning Commission was awarded an \$837,315 grant to assist the region's response to the loss of 1,200 positions at the Oshkosh Corporation's Defense Division. These federal funds are part of a larger \$937,316 project to: align local economic development plans and update them with diversification strategies; promote the growth of new and existing businesses in targeted industries through workforce and supply chain initiatives; map the regional defense industry supply chain; and, provide technical assistance to Oshkosh suppliers and affected workers.
- Workforce Solutions Northeast Texas was awarded a \$456,722 grant to respond to the reduction of 1,225 civilian employees at the Red River Army Depot. These federal funds are part of a larger \$517,469 project to study reemployment opportunities for the displaced

workforce, identify the region's comparative advantages, and develop opportunities to diversify local economic activity.

These grants are awarded under OEA's Defense Industry Adjustment Program to assist states and communities that have been significantly impacted by reductions or cancellations in DoD spending. States and communities can request OEA assistance to organize representatives to respond on behalf of affected communities, workers, and businesses; plan local community and economic adjustment activities to lessen local economic impacts; and carry out plans to replace lost economic activity. OEA project managers work with impacted areas to coordinate a broader program of assistance from across the Federal Government when necessary. Strategic regional initiatives will leverage cutting edge skills and technology to attract new investments, helping to preserve industrial base capacity even as DoD spending declines. Proposals are considered for funding on a rolling basis, subject to the availability of appropriations.

For more on this topic, read the editorial, "DOE Should Follow DoD'S Lead and Provide Planning Support to Communities Affected by Cutbacks" on page 3 of the [July 2013 Bulletin](#).

IN MEMORY OF ALEX THROWER



Alex Thrower

Alex Thrower, a colleague in nuclear policy, passed away suddenly on December 11. Alex has long been an advocate of safe and secure nuclear material/waste storage and transportation. He worked on many of the policies that are being implemented at WIPP regarding transportation.

Below is a message from his colleague at the United States Nuclear Infrastructure Council (NIC), David Blee:

Colleagues,

As most of you have heard by now, Alex Thrower -- our dear friend, valued colleague and devoted husband of Meredith and father of two young sons, John and George -- passed away unexpectedly in his sleep yesterday morning. Alex's versatile talents, passionate dedication and joie de vivre are irreplaceable. In key assignments with the U.S. Department of Energy, Blue Ribbon Commission on America's Nuclear Future and most recently as a NIC Senior Fellow, Alex always made a difference and left an indelible impact on all. We already miss him enormously.

EM BUDGET: OMNIBUS APPROPRIATIONS BILL WOULD SET FUNDING FOR REMAINDER OF FY 2014

Current EM Funding under the Continuing Resolution

Program / Subprogram / Activity	FY 2012 Enacted	FY 2013 Enacted w/ Reprogramming	FY 2014 Annualized Rate	FY 2014 Funds thru Jan. 15, 2014
Brookhaven	12,535	7,471	6,621	1,941
Carlsbad	218,179	202,293	202,327	59,312
ETEC	6,279	8,868	7,860	2,304
Idaho	389,800	360,629	359,275	105,322
Los Alamos	188,161	192,033	173,063	50,733
Lawrence Livermore	2,173	1,998	1,999	586
Moab	30,625	31,452	26,088	7,648
Nevada	65,145	60,275	60,286	17,673
Oak Ridge	419,758	402,680	387,018	113,455
Richland	1,021,824	943,327	905,066	265,321
River Protection	1,182,010	1,097,441	1,084,406	317,894
Paducah	141,582	149,533	134,556	39,445
Portsmouth	256,027	217,437	155,745	45,657
Savannah River	1,316,922	1,214,284	1,085,956	318,349
SPRU	23,700	21,795	21,798	6,390
SLAC	2,935	3,793	3,362	986
Sandia	2,814	2,588	2,588	759
West Valley	66,300	61,077	48,480	14,212
Other Sites	14,703	14,421	4,703	1,379
Program Direction	321,628	295,770	280,831	82,325
Headquarters	20,380	18,741	17,982	5,271
Program Support	[20,380]	[10,646]	[10,881]	[5,271]
HBCU	[-]	[8,095]	[7,101]	[-]
TDD	10,309	9,808	10,002	2,932
Subtotal, EM	5,713,789	5,317,714	4,980,012	1,459,894
Def. Prior Yr. Offset	(3,381)	(19,000)	-	-
Grand Total, EM	5,710,408	5,298,714	4,980,012	1,459,894

(Continued on page 10)

Potential EM Funding Under New Omnibus Appropriations (select sites)

Congress is working on an omnibus appropriations bill to pick up funding once the continuing resolution expires on January 15. Funding levels in the omnibus will be determined by negotiations between the House and Senate, with each chamber using their version of FY 2014 appropriations bills as a starting point.

Account	FY14 Request	Agreement Authorization	Senate Appropriations	House Appropriations	Omnibus Appropriations
Hanford	\$921.79 million	\$936.79 million	\$961.79 million	\$876.61 million	unknown
Office of River Protection	\$1.21 billion	\$1.21 billion	\$1.21 billion	\$1.19 billion	unknown
Los Alamos National Laboratory	\$219.79 million	\$234.79 million	\$250 million	\$195 million	Unknown
Oak Ridge Reservation	\$193.94 million	\$193.94 million	\$214.94 million	\$204.03 million	unknown
Savannah River Site	\$1.09 billion	\$1.193 billion	\$1.194 billion	\$1.07 billion	unknown
Waste Isolation Pilot Plant	\$203.39 million	\$219.39 million	\$222.39 million	\$204.54 million	unknown



(Continued from page 3)

DOE/NNSA Provisions Adopted in the FY 2014 National Defense Authorization Act

section and offer recommendations for improvement.

Senses of Congress on ensuring the modernization of the nuclear forces of the United States

This provision states it is the policy of the United States to modernize the nuclear triad and sustain the nuclear stockpile, its production facilities, and science base, and a sense of Congress expressing that Congress is committed to providing the resources needed for this modernization and that

Congress supports the modernization or replacement of the triad of strategic nuclear delivery systems.

Modifications to cost-benefit analyses for competition of management and operating contracts

This provision amends section 3121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to clarify that, if a management and operating contract awarded by the Administrator for Nuclear Security is protested, the report required by such section to be submitted to Congress shall be submitted not later than 30 days after such protest is resolved. This section also requires any report under section 3121 to include a description of the assumptions used and analysis

(Continued on page 11)

(Continued from page 10)

DOE/NNSA Provisions Adopted in the FY 2014 National Defense Authorization Act

conducted to determine cost savings expected from the competition of the contract and exempt contracts for managing and operating facilities of the Naval Reactors Program from the requirements of section 3121.

Limitation on availability of funds for National Nuclear Security Administration

This provision limits the funds authorized to be appropriated by the National Defense Authorization Act or otherwise made available for fiscal year 2014 for NNSA such that \$139.5 million may not be obligated or expended until the Administrator for Nuclear Security submits to the congressional defense committees a detailed plan to achieve certain planned efficiencies and written certification that the planned efficiencies will be achieved.

If the Administrator does not submit the plan or is unable to certify within 60 days of the date of the enactment of this Act that the efficiencies will be achieved, the Administrator would be required to submit a report to the congressional defense committees on the amount of planned efficiencies that will not be realized and any effects caused by planned but unrealized efficiencies in the Directed Stockpile Work and Nuclear Programs accounts.

Annual report and certification on status of security of atomic energy defense facilities

This provision amends section 4506 of the Atomic Energy Defense Act to require that, not later than September 30 of each year, the Administrator of NNSA submits to the Secretary of Energy and to the congressional defense committees, a report detailing and certifying the status of the security of the nuclear security enterprise, including the status of the security of special nuclear material, nuclear weapons, and classified information at each nuclear

weapons production facility and national security laboratory.

Inclusion of integrated plutonium strategy in nuclear weapons stockpile stewardship, management, and infrastructure plan

This provision amends the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) to provide for a long-term plutonium strategy for NNSA as part of its Stockpile Stewardship and Management Plan.

“Plutonium sustainment is at the core of the NNSA stockpile mission. This integrated plan would ensure the NNSA remains focused on its plutonium mission.”

Authorization of modular building strategy as an alternative to the replacement project for the Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico

This provision extends section 3144(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) to permit consideration of a modular building strategy for engineering and design if it meets long term stockpile requirements.

Modification of certain reports on cost containment for uranium capabilities replacement project

This provision amends section 3123(f) of the National Defense Authorization Act for Fiscal Year 2013 (P.L. 112-239) to change the GAO reporting requirement from the end of project life to 1 year after the date of enactment in consultation with the congressional defense committees.

Plan for tank farm waste at Hanford Nuclear Reservation

This provision requires the Secretary of Energy to submit a plan for tank farm waste at Hanford, including the activities necessary to start operations at the Waste Treatment and Immobilization Plant (WTP) and activities necessary to design, construct, and operate the WTP and any related infrastructure facilities.

DOE IG RELEASES AUDIT REPORT OF THE NUCLEAR WASTE FUND

DOE's Office of Inspector General has released an audit report of the Nuclear Waste Fund's Fiscal Year (FY) 2013 balance sheet and the related statements of net cost, changes in net position and combined statements of budgetary resources. The audit, conducted with the independent public accounting firm KPMG, LLP, found that the statements related to the financial position of the Nuclear Waste Fund (NWF) as of September 30, 2013 and 2012 are fairly presented. In addition, the audit review of the Fund's internal control structure and compliance with certain laws and regulations "disclosed no deficiencies or instances of noncompliance."

When the President's FY 2011 budget was released, no funds were requested for DOE's Office of Civilian Radioactive Waste Management (OCRWM) – the office created under the NWPA to manage and dispose of the Nation's spent nuclear fuel and high-level waste – and the responsibilities of OCRWM were shifted to other DOE program offices. Similarly, no funds were requested in the FY 2012 or FY 2013 budget requests.

Funds remaining from OCRWM have been used between October 1, 2010 and September 30, 2013, to continue the management of the NWF, litigation activities, and for additional closure activities. DOE's Office of Nuclear Energy now manages the funds.

Specific findings and financial statements related to DOE's delay in beginning disposal of spent nuclear fuel – which under the Nuclear Waste Policy Act of 1982 was to begin by January 31, 1998 – are outlined in the report. They include:

- Under the terms of the settlements, the Judgment Fund (31 U.S.C. 1304), paid \$2.7 billion as of September 30, 2013, to the settling utilities for damages they have incurred.
- The Fund has recorded liabilities for likely damages of \$21.4 billion, and \$19.7 billion as of September 30, 2013 and 2012, respectively.
- To date, 33 suits have been settled involving utilities that collectively produce 82 percent of the nuclear-generated electricity in the U.S.
- 26 cases have been resolved by final judgments – eight resulted in an award of no damages by trial court and the remaining 18 resulted in a total of \$991 million in damages paid by the Judgment Fund as of September 30, 2013.
- 21 cases remain pending either in the Court of Federal Claims or in the Court of Appeals for the Federal Circuit. In many of these cases, orders have already been entered establishing the government's liability and the only outstanding issue to be litigated is the amount of damage to be awarded.
- The report states that the industry is reported to estimate that damages for all utilities with which DOE has contracts will be at least \$50 billion. However, based on cases that have been settled or subject to judgment in trial court, DOE believes that estimate is highly inflated. DOE puts the total liability estimate as of September 30, 2013, was \$25.1 billion.

DOE's Nuclear Waste Fund's Fiscal Year 2013 Financial Statement Audit is available [here](#).

NRC TESTIFIES ON YUCCA MOUNTAIN AND WASTE CONFIDENCE

This month, Nuclear Regulatory Commission (NRC) Chairman Allison Macfarlane and NRC Commissioners Kristine Svinicki, George Apostolakis, William Magwood, and William Ostendorff appeared at a joint hearing hosted by the House Energy and Commerce Subcommittees on Environment and the Economy and Energy and Power.

Yucca Mountain

In her prepared remarks, Chairman Macfarlane asserted that the Commission has worked to act “expeditiously” to comply with the US Court of Appeals decision that the NRC continue the licensing process for the repository at Yucca Mountain – a contention questioned by Environment and the Economy Subcommittee Chairman John Shimkus (R-IL): “I question why it took so long and why some key budget and schedule information is still missing.” However, Shimkus said he largely agreed with the Commission’s Order on November 18, 2013, directing NRC staff to complete the safety evaluation report on DOE’s construction authorization application.

Macfarlane also noted that the NRC has asked DOE to prepare a supplemental environmental impact statement (EIS) needed by NRC staff to complete its environmental review of the application. NRC staff was also directed to load documents used as references in the safety evaluation report and supplemental EIS into an online database, although the public release of those documents will depend on whether there is sufficient funding.

Waste Confidence

On June 8, 2012, the US Court of Appeals for the DC Circuit found that some aspects of the 2010 Waste Confidence Rule did not satisfy the NRC’s NEPA obligations and vacated the rulemaking. Chairman Macfarlane provided an update on NRC activities, stating that the public comment period on the proposed Waste Confidence Rule and draft generic environmental impact statement is open

until December 20, 2013. To help ensure public involvement, she noted the Commission has held 13 public meetings across the country and a teleconference meeting. She explained that during this process, the NRC has continued to review all affected license applications but it will not issue any final licenses (combined licenses or license renewals) until the court remand is fully addressed.

Fukushima

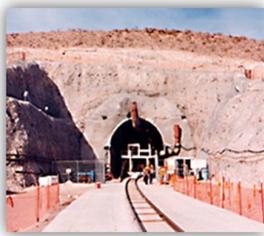
Since Fukushima, Macfarlane explained that extensive inspections have been completed at each nuclear power plant in the US and the NRC is confident the fleet is operating safely. But after the accident, reactor licensees have been required to submit reports or plans to the NRC on specific capabilities including:

- Protecting against seismic and flooding events;
- Mitigating beyond-design-basis accidents by procuring additional systems to maintain or restore core cooling, containment, and spent fuel pool cooling for all units at a site simultaneously following an extreme natural disaster;
- Emergency preparedness and response capacity;
- Installation of enhanced spent fuel pool instrumentation to ensure water levels and conditions during an extreme event can continuously monitored; and
- Installation of hardened vents in order to relieve high pressure in reactor containment.

In addition, the NRC looked at whether to require expedited transfer of spent fuel to a dry cask storage (decision pending); and the Commission is working with the National Academy of Science on a study assessing lessons learned from Fukushima for improving the safety and security of nuclear plants in the US. That study is expected to be complete in mid-2014.

See Chairman Macfarlane’s full written testimony [here](#).

YUCCA MOUNTAIN UPDATE: NEW PETITION FILED REGARDING REQUEST FOR MACFARLANE'S RECUSAL



This month, Nye County, Nevada; Aiken County, South Carolina; and the State of South Carolina filed a petition with the US Court of Appeals for the District of Columbia, asking the court to reverse its decision that

Nuclear Regulatory Commission (NRC) Chairman Allison Macfarlane does not have to recuse herself

from commission decisions regarding the proposed Yucca Mountain repository.

The petition states, "Macfarlane's refusal to recuse herself violates NRC's rules for mandatory recusal under the 'disinterested observer' standard and was an abuse of discretion." The petitioners point to work Macfarlane did as an academic and private consultant prior to joining the NRC in which she was critical of aspects of the project.

The NRC has not filed a response to the petition.

ANNUAL DOE IG MANAGEMENT REPORT REPEATS CALL TO SAVE MONEY BY CLOSING DOE FACILITIES AND RE-EXAMINING FEDERAL FACILITY AGREEMENTS

The DOE Inspector General issued the fiscal year 2014 version of its annual management report, *Management Challenges at the Department of Energy*, on November 26, 2013. The report repeats its recommendation from FY 2012 and 2013 to implement major structural and mission realignment in order to create cost savings.

"Beginning with our Management Challenges Report for Fiscal Year (FY) 2012, we concluded that the current economic climate and associated Federal budgetary concerns dictated that finding ways to improve efficiency and reduce the cost of agency operations was the preeminent management challenge facing the Department... Recent Department of Energy budget constraints, along with the implementation of sequestration, have only exacerbated our concerns." The FY 2014 report is available [here](#).

DOE IG Recommendations include:

- Establishing a "BRAC-style" commission to analyze the Department's laboratory and technology complex;
- Reprioritizing the Department's environmental remediation efforts; and

- Eliminating duplicative NNSA functions.

For additional information on these recommendations, see the [FY 2012 report](#).

The FY 2014 Management Challenges list is the same as in FY 2013, except for the omission of "Energy Supply" from FY 2014 list:

- Operational Efficiency and Cost Savings
- Contract and Financial Assistance Award Management
- Cyber Security
- Environmental Cleanup
- Human Capital Management
- Nuclear Waste Disposal
- Safeguards and Security
- Stockpile Stewardship

The FY 2014 Watch List is identical to the FY 2013 list:

- Infrastructure Modernization
- Loan Guarantee Program
- Worker and Community Safety

JIM OWENDOFF AND JACK CRAIG TO TAKE EM LEADERSHIP POSITIONS

Office of Environmental Management Senior Advisor Dave Huizenga announced, on December 19, leadership changes within the office. The changes relate to the previously announced retirement of Tracy Mustin, Principal Deputy Assistant Secretary for EM, and Alice Williams, Associate Principal Deputy Assistant Secretary for EM. Jim Owendoff will step in as acting Principal Deputy Assistant Secretary and Jack Craig will become acting Associate Principal Deputy Assistant Secretary.

Huizenga said:

“Jim Owendoff came to the Department of Energy in 1995 and held a number of senior management positions since that time. The majority of his service in the Department of Energy has been focused on the EM program. Jim has a thorough understanding of every aspect of EM, both at headquarters and the field. As the acting Principal Deputy Assistant

Secretary, Jim will be responsible for all of EM's sites and Mission Support Units, effective January 12.

Jack Craig has served in various technical, management and executive leadership positions at field sites across EM over the last 25 years. As the acting Associate Principal Deputy Assistant Secretary, Jack will be responsible for the three EM Mission Units at Headquarters, effective January 6. The Mission Units will greatly benefit from Jack's extensive knowledge of field operations as they continue to work with the sites to ensure we are delivering value to the American taxpayer through our ongoing cleanup efforts across the United States.

It has been an honor to lead the EM organization with Tracy and Alice. I am confident that we will continue our success with Jim and Jack in their new roles.”

U.S. DOE AWARDS FUNDING FOR NUSCALE POWER'S SMR TECHNOLOGY

Award Includes up to Five Years and \$226 Million in Funding



Article by: Lane Allgood, Executive Director of Partnership for Science and Technology

On December 12th the U.S. Department of Energy announced that it selected NuScale Power as the winner of the second round of the cost-sharing program to develop nuclear small modular reactor (SMR) technology. As part of the award, NuScale will receive funding that will support the accelerated development of its NuScale Power Module™ SMR technology.

An independent team of industry experts convened by DOE conducted a rigorous evaluation of multiple SMR technologies before selecting NuScale Power for this award. NuScale will be required to match the Federal funds, which it will use to design, engineer, test, and pursue U.S. Nuclear Regulatory Commission design certification of its technology.

The NuScale design was initially developed in 2000, and has been demonstrated in testing programs since 2003 in a fully-instrumented one-third scale electrically-heated test facility in Corvallis, OR. In addition, NuScale commissioned a full-scale multi-module control-room simulator in May 2012. Both facilities were U.S. SMR industry firsts.

In June of 2012, at the Western Governors Association meeting in Park City, Utah NuScale

NuScale and DOE will now negotiate a cooperative agreement that formalizes the public-private relationship and establishes milestones for the five-year funding program.

(Continued on page 16)

(Continued from page 15)

U.S. DOE Awards Funding for NuScale Power's SMR Technology

Power announced the launch of the Western Initiative for Nuclear Project (WIN).

As part of Project WIN, NuScale has signed teaming agreements with Energy Northwest in Washington State and the Utah Association of Municipal Power Systems.

The first NuScale project will most likely be developed and owned by a consortium of regional utilities like Project WIN. According to a DOE press release the project will support suppliers and

operations in Idaho, California, Washington, Pennsylvania, South Carolina, Virginia, Kansas, Texas and Maryland.

Several western governors have voice support for the project including Idaho Governor C.L. "Butch" Otter: "The technology of small modular reactors holds real promise for cleanly and safely addressing long-term energy needs in the west. I'm pleased that western governors are engaging with industry to realize that promise."

NuScale and its partners are exploring a 6 to 12 module (270MW-540ME) plant to be located at a site like the Idaho National Laboratory. It's hoped that the plant will become operational in the 2023-2024 timeframe.



(Continued from page 7)

DOE Clarifies Land Transfer Regulation Changes in Letters to ECA

difficult. This is an issue that will need to be addressed moving forward.

ECA staff appreciated the support of so many people within DOE from the people we regularly work with on issues in EM, NE, NNSA, LM, etc to the new people in the Secretary's office, Deputy Secretary's office, MA and GC. The work of the people to meet with ECA and coordinate issues that were raised by ECA members is the reason why ECA works so closely with DOE. ECA especially

wants to thank Deputy Undersecretary Klaus and Ingrid Kolb, Director of MA.

Finally, the House Cleanup Caucus should be thanked for immediately assisting local governments on the issues. The Chairman Doc Hastings and his staff along with all the members that signed the letter (Chuck Fleischmann (TN-03), Joe Wilson (SC-02), John J. Duncan, Jr. (TN-02), Ed Whitfield (KY-01), and Ben Ray Lujan (NM-03)), and Congressman Simpson's office led a lot of coordination and discussion with DOE. ECA members should thank their members for taking the lead on these issues.

From the October 2013 ECA Bulletin

ENERGY COMMUNITIES IN THE 21ST CENTURY: ECA PEER EXCHANGE

On September 18-19, ECA Members, DOE officials and other local government officials met in Oak Ridge, Tennessee for the Energy Communities in the 21st Century Peer Exchange. The meeting began with an extensive tour of the Oak Ridge Reservation on September 18. Meeting participants visited the Y-12 National Security Complex, the Spallation Neutron Source, the Oak Ridge National Laboratory, the Graphite Reactor, TVA's Clinch River Site where a Small Modular Reactor (SMR) will be built, the Heritage Center and finally the Carbon Fiber Technology Facility. The tour gave meeting participants a first-hand view of the variety of cutting-edge activities that are currently underway in the Oak Ridge area.

The meeting continued on September 19 with presentations from local officials, ECA members and others. Sessions covered topics including: Providing municipal services to DOE; Oak Ridge's Cleanup and Revitalization Initiative: Addressing Downsizing and Diversification; the Advanced Manufacturing Initiative; The Community College Consortium Concept; and ended with a discussion by participants on ECA Member priorities and policies.

The Roundtable session on providing municipal services to DOE featured presentations from Los Alamos County Administrator Harry Burgess, City of Oak Ridge Public Works Director Gary Cinder, City of Oak Ridge Government and Information Services Director Amy Fitzgerald, City of Oak Ridge Fire Chief Darryl Kerley and City of Oak Ridge Police Chief Jim Akagi. Presentations focused on the benefits and challenges for a community providing local services to a DOE community. Panelists described how they interact with DOE and how their particular contracts or cooperative agreements are set up. All panelists emphasized the importance of strong relationships and communication between local and federal officials. They also described the need to continually re-educate federal and local officials because of turnover at DOE and at the site. Police Chief Akagi also touched on the Y-12 security breach and described how the situation was a game changer for Oak Ridge. He described how this incident has served to improve overall security at the site.

Community Reuse Organization of East Tennessee (CROET) President Lawrence Young and Savannah River Community Reuse Organization (SRSCRO) Executive Director Rick McLeod addressed the group as part of the "Revitalization Initiative:



Meeting participants visit the Oak Ridge Leadership Computing Facility



ECA Chair, Mayor Tom Beehan, addresses Peer Exchange participants



ECA meeting participants visit the Spallation Neutron Source

(Continued on page 18)

(Continued from page 17)

Energy Communities in the 21st Century: ECA Peer Exchange

Addressing Downsizing and Diversification” session. Mr. Young described the success that CROET has had in acquiring property from DOE for reuse. He also described some recent challenges that CROET has faced and cited the need for local advocates and champions within DOE. Mr. McLeod described how SRSCRO acquires personal property from DOE and sells it online. He also discussed the need to recognize that each site is unique and has different needs, but that DOE should also try to take advantage of the similarities at the sites. All of the participants identified that DOE leadership needs to begin making decisions on property disposition.

Next, Buzz Patrick gave a presentation on the Advanced Manufacturing Initiative in the East Tennessee region. Mr. Patrick’s group received grant funding to develop an advanced

manufacturing and prototyping center. The goal is to grow manufacturing in the region and to utilize existing federal facilities and resources to encourage small businesses to locate in the region. Their group also focuses on workforce reediness issues, industrial preparation and small business development.

The final presentation of the day was from Dr. Lou Rabinowitz, regarding his “Community College Consortium Concept.” Dr. Rabinowitz discussed the importance of community colleges for workforce development for DOE sites. He then described the potential for community colleges from across the complex to work together to share lessons learned, other resources and possibly even curricula. The meeting ended with a discussion of ECA Policies and member priorities. ECA members reviewed a new draft of proposed ECA Policies and formed subcommittees to finalize policies that the ECA Board plans to vote on this year.

ECA would like to thank the City of Oak Ridge for hosting the peer exchange and coordinating the Oak Ridge site tour.

From the August 2013 ECA Bulletin

ECA’S VICE CHAIR, CHUCK SMITH, HIGHLIGHTS ROLE FOR LOCAL GOVERNMENTS AT SENATE HEARING ON NUCLEAR WASTE BILL



ECA Vice Chair and Aiken County Council Member, Chuck Smith

On June 30, ECA Vice Chair and Council Member for Aiken County, South Carolina, Chuck Smith, testified before the Senate Energy and Natural Resources Committee on the Nuclear Waste

Administration Act of 2013 (S. 1240). He offered six key recommendations to the Committee:

1. **Local governments that are or may become hosts must be included throughout the entire decision-making process.**
2. **A consent agreement between a local government, state and a federal entity must be legally enforceable and reflect the terms and conditions under which a community will agree to host a nuclear waste facility.**
3. **On governance, local communities need to better understand how a new comprehensive**

(Continued on page 19)

(Continued from page 18)

ECA's Vice Chair, Chuck Smith, Highlights Role for Local Governments at Senate Hearing on Nuclear Waste Bill

nuclear waste policy will be implemented and by whom.

- 4. Disposition of defense waste must be considered a priority.**
- 5. Resources, especially funding, must be provided for educating local communities on the technical, health and safety, and other issues related to nuclear waste.**
- 6. Legislation must consider and address the impacts of transportation on local governments.**

A number of other concerns shared by ECA were raised during the hearing. David Boyd, commissioner from the Minnesota Public Utilities Commission and representative for the National Association of Regulatory Commissioners (NARUC), remarked it was unclear how “non-priority waste” is defined in the legislation. Marv Fertel, Chairman and CEO of the Nuclear Energy Industry, advised that successful consent-based siting will require credibility that the Federal Government will do what it says. Joe Garcia from the National Conference of American Indians (NCAI) underscored the importance of collaboration.

Senate Energy and Natural Resources Chairman, Ron Wyden (D-OR), asked about the safety and cost effectiveness of making payments to utilities for continuing onsite storage rather than paying to move waste to interim storage and then again to a permanent geologic repository. In response, witnesses expressed concern about spent fuel pools already being full (or over-filled) and needing to strike a balance between safety and using resources

wisely. Senator Murkowski (R-AK) focused on what is needed to develop a successful consent-based siting process.

After the hearing, ECA received follow-on questions for the record. Chairman Wyden asked how to assure communities that sites chosen through a consent-based process would be safe as well as politically supported. ECA responded that education; meaningful engagement with local communities, states and tribes and technical feasibility are key to providing assurance that a site is safe.

Senator Murkowski's questions addressed governance issues, co-location of storage and disposal facilities and geographically distributing waste facilities. In response, ECA stated that co-location, while ideal, is not required given that safe transportation has already been demonstrated. Regarding geographic distribution, ECA referred to how the Nuclear Waste Policy Act included an agreement that no one state would have to take all the waste. On governance, ECA replied that a single administrator-type structure or a board of directors/CEO structure could work if managed properly. ECA urged that representatives of the local government and state hosting a nuclear waste facility should have a position on any oversight or advisory board.

Finally, ECA also submitted to the Committee a letter highlighting the need to provide funding for potential host communities to begin outreach and education efforts. ECA noted that these efforts must start as soon as possible in order for a community to determine whether there is sufficient support to volunteer as a potential host in a consent-based siting process.

A copy of Chuck Smith's written testimony submitted to the Senate Energy and Natural Resources Committee regarding the Nuclear Waste Administration Act of 2013 is available [here](#).

From the July 2013 ECA Bulletin

DOE REORGANIZES, MOVING EM TO NEW UNDER SECRETARY FOR MANAGEMENT AND PERFORMANCE



Secretary Moniz announced details of a DOE reorganization on July 18. The Office of Environmental Management (EM) will no longer report to the Under Secretary for Nuclear Security (also the Administrator of NNSA).

President Obama plans to nominate former NASA Chief Financial Officer, Beth Robinson, to serve as Under Secretary for Management and Performance, a newly created position that will oversee EM. Elizabeth Connell will serve as a senior advisor for EM.

The Office of the Under Secretary for Management and Performance has been established to manage:

- **Office of Environmental Management (EM)**
- **Office of Legacy Management (LM)**
- Office of Management and Administration (MA)
- Office of Chief Human Capital Officer (HC)
- Office of Chief Information Officer (CIO)
- Office of Economic Impact and Diversity (ED)
- Office of Hearings and Appeals (OHA)

The Office of the Under Secretary for Science and Energy will now manage:

- Office of Science (SC)

- Office of Fossil Energy (FE)
- Office of Energy Efficiency and Renewable Energy (EERE)
- **Office of Nuclear Energy (NE)**
- Office of Electricity Delivery and Energy Reliability (OE)
- Office of Indian Energy (IE)
- Office of Technology Transfer Coordinator

The Under Secretary for Nuclear Security continues to be a dual-hatted position as **Administrator of NNSA**.

ECA never understood the previous structure, where EM and NNSA reported to the person that operated NNSA. For example, it was not helpful that meetings on environmental cleanup could turn into NNSA-led meetings. The new structure makes sense and will hopefully assist various offices within DOE to better coordinate.

On the Asset Revitalization Initiative (ARI) front, having EM, LM and MA report to the same leadership may finally help DOE move forward with ARI under unified leadership.

ECA also hopes the reorganization will help DOE finally have a Senate-confirmed and “permanent” head of EM, NNSA and other offices. ECA continues to call on the White House to nominate people to lead these important organizations now that the Secretary is in place and the undersecretaries have been nominated.



Bulletin Ideas?

Would you like to have stories featured in the next Bulletin?
Send your ideas and photos to Allison@energyca.org

*From the June 2013 ECA Bulletin***LOCAL GOVERNMENTS MEET TO DISCUSS DEFINING A CONSENT-BASED PROCESS**

In June, representatives from 15 energy communities, states, the nuclear industry, U.S. Department of Energy, national laboratories, the Shoshone-Bannock tribe and economic development entities met to discuss the role for local communities in advancing new nuclear waste storage and disposal plans. Participants at ECA's *Shaping a Nuclear Future* Peer Exchange, held in Idaho Falls, ID, with support from DOE's Office of Nuclear Energy, focused on defining a consent-based process for siting nuclear facilities, and identifying what communities need as potential hosts.

Key messages presented by local governments at the meeting included:

- **Energy communities support a consent-based process for siting and several communities are interested in potentially hosting interim storage facilities.**
- **Potential host communities need resources to begin public education campaigns now on nuclear energy and waste issues in order to achieve consent for future nuclear storage and disposal facilities.**
- **Local governments should identify the kinds of incentives they want to include in a consent agreement.**
- **Local governments must have oversight and be represented on any oversight board that is established in new legislation.**
- **To the extent possible, political factors must be limited in a consent-based siting process and balanced with scientific factors.**

At the outset of the meeting, Assistant Secretary for Nuclear Energy, Dr. Pete Lyons, joined meeting participants in an interactive discussion of community priorities and the implementation of DOE's nuclear waste management strategy. Dr. Lyons stated his commitment to work with national organizations to provide education to communities and states. He also underscored the need to see how Congress will address nuclear waste management through legislation before funding any site-specific activities. Dr. Ron Faibish from Argonne National Laboratory provided an overview of the discussion draft legislation recently released by the Senate, and solicited input from meeting participants on the challenges and opportunities that decision-makers need to understand.

Vice Admiral John Grossenbacher, Director of the Idaho National Laboratory – DOE's lead nuclear energy research lab – highlighted the importance of nuclear energy, the need for greater transparency, public information, education on nuclear issues, and most importantly, engagement in the public discourse. Jeff Sayer, Chairman of Idaho Governor Butch Otter's Leadership in Nuclear Energy Commission (LINE Commission) provided a keynote address outlining the importance of developing nuclear energy opportunities for the future.

The meeting also included a tour of the Idaho National Laboratory, with stops to view dry cask storage facilities, spent nuclear fuel pools, new nuclear research and development facilities, and the Experimental Breeder Reactor I (EBR-I) the world's first nuclear power plant to generate electricity.

From the May ECA Bulletin

ECA ASKS NEW SECRETARY OF ENERGY MONIZ TO FOCUS ON COMMUNITY INVOLVEMENT; ECA PRIORITIES

On May 16, Ernest Moniz was confirmed as Secretary of Energy. ECA highlighted its priorities and the need to work with local governments in a letter to Secretary Moniz on May 30.

Path to Confirmation

Moniz served as DOE Under Secretary from 1997 until 2001 and as Associate Director for Science in the Office of Science and Technology Policy in the Executive Office of the President from 1995 to 1997.

ECA Letter

ECA asked the newly confirmed Secretary to focus on issues that are important to local governments, including involvement in the decision-making process, funding for sites and pursuing the Asset Revitalization Initiative. A copy of the letter starts below. 4

ENERGY COMMUNITIES ALLIANCE

SUITE 1000
1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036-4374
(202) 828-2400
FACSIMILE (202) 828-2488
www.energyca.org

May 30, 2013

Secretary Ernie Moniz
U.S. Department of Energy
1000 Independence Ave. SW
Washington, DC 20585

Dear Secretary Moniz,

Congratulations on your confirmation as Secretary of Energy. On behalf of the Energy Communities Alliance (ECA), I would like to welcome you to your new position and re-introduce you to our organization. ECA is the national association of local communities that host or surround DOE facilities. Founded in 1992, our organization has been working to support the Department of Energy (DOE) and facilitate communication between DOE and local governments for over 20 years. Our communities play a vital role in supporting the activities of DOE and we believe that by coordinating with ECA and the local government officials you can ensure the success of the entire Department.

During your first months in office, you will have the opportunity to shape the direction of the DOE including the National Nuclear Security Administration (NNSA). As you develop new programs and maintain the progress of past initiatives, we would like to offer you the following recommendations and priorities that our organization believes are critical to the success of DOE:

1. **Work with ECA and Local Governments to ensure DOE's Success**--ECA members want to work with DOE to ensure the success of its programs. To ensure success DOE should:
 - o Outline a long-term plan for DOE programs and initiatives including plans for cleanup, research and new missions;
 - o Ensure that there is communication between local government officials and field/site office officials; and
 - o Ensure that DOE develops plans to assist communities with downsizing related to any budget cuts.
2. **Include local governments in DOE decision-making**—DOE should continue efforts to work collectively with local governments and ECA, including:
 - o Maintain the requirement for local government input in DOE decision making; and

(Continued from page 12)

ECA Letter

- Involve communities in Integrated Priority List (IPL) development and other risk discussions.
3. **Funding for Environmental Management**—Work with Congress to adequately fund the DOE Environmental Management (EM) program, and ensure there is adequate funding to meet cleanup milestones contained in regulatory agreements and court-driven orders at EM sites. DOE should also:
 - Communicate with communities on regulatory-driven cleanup milestones that are missed or projected to be missed;
 - Ensure that DOE integrates long-term stewardship and risk reduction in cleanup decision-making;
 - Provide support for communities to pursue potential new missions and economic opportunities at cleanup and closure sites; and
 - Make cleanup a DOE priority at the Secretary level.
 4. **Asset Revitalization Initiative**--Enable DOE program offices and the Asset Revitalization Initiative (ARI) to promote economic diversification and energy independence (including small modular reactors (SMRs) and renewable energy) at the national laboratories and defense environmental cleanup sites by transferring assets to communities including Community Reuse Organization's (CROs) and by encouraging the use of these sites for local economic development.
 - ARI can be used to create jobs and economic opportunities at sites, as DOE has laid off thousands of workers in recent years.
 - DOE leadership should provide direction to program offices to convey surplus property at no cost, and lease property at no cost that is not currently needed by the Department, to permit the community to create jobs and potentially develop new energy projects on that land.
 5. **Nuclear Waste Disposal**—DOE must work with communities and move forward with a consent-based pathway for our country to address its nuclear waste disposal needs.
 - Recognize existing law, including the Nuclear Waste Policy Act (NWPA).
 - Fully provide the resources necessary at the state, local and regional level to create momentum for development of a repository program that includes interim storage and consent-based siting.
 - Determine disposition timeline and path for government-owned and generated high-level waste and spent nuclear fuel.
 6. **New Nuclear Technologies**--Continue to support development of SMRs and other new nuclear research and development efforts. Work with interested communities to leverage their support for nuclear energy and their nuclear expertise by involving them in demonstration projects.
 7. **Honor Commitments**--DOE must honor commitments made to local governments and communities.

(Continued on page 14)

(Continued from page 13)

ECA Letter

Our communities and organization are ready to work with you to ensure the success of DOE’s programs. By working with our communities and organization you will develop a foundation to tackle the tough issues that DOE and the communities are sure to face in the upcoming years of uncertain budgets.

As you contemplate the points that we recommend above, we ask that you also consider an overarching DOE issue that transcends the various program offices – the integration and coordination of missions and responsibilities to achieve the Department’s comprehensive mission statement. We look forward to working with you and would welcome an opportunity to further discuss the recommendations in this letter further. Please contact me or Seth Kirshenberg, ECA Executive Director, with any questions.

Sincerely,

Mayor Thomas Beehan
City of Oak Ridge, Tennessee
Chair, Energy Communities Alliance

- Cc: ECA Board of Directors
- Deputy Secretary Poneman
- Acting-Undersecretary Neile Miller
- Assistant Secretary Pete Lyons
- Senior Advisor David Huizenga
- Deputy Administrator for Defense Programs Don Cook

Free
Subscription to the
ECA Bulletin



Please visit our website:
<http://www.energyca.org>
to be added to our mailing list

From the April 2013 ECA Bulletin

ECA NEW LEADERSHIP PEER EXCHANGE SUMMARY



ECA members and other participants met in Washington, DC on April 11–12, 2013 to discuss the future of DOE and its new leadership. Congressman Doc Hastings (R-WA), DOE officials from Environmental Management (EM),

Nuclear Energy (NE), and National Nuclear Security Administration (NNSA) Bob DeGrasse and other industry representatives addressed the group.

Meeting presentation slides are available [here](#).

Senior Advisor Dave Huizenga, Office of Environmental Management

Senior Advisor Huizenga described DOE's FY 2014 budget rollout, which occurred just the day before the meeting, saying it is an unusual budget year in terms of process.



David G. Huizenga

The FY 2014 EM budget is “basically flat” and supports EM’s ability to “meet compliance agreements and regulatory milestones,” Huizenga said.

EM baselines the cost of its activities at \$6 billion, however, the amount of the FY 2014 request is only \$5.62 billion (not taking sequestration into account). Huizenga hopes EM does not, in the future, find its baseline at \$5.6 billion.

At the time of the meeting, Huizenga said DOE hoped to get its reprogramming request (to reallocate FY 2013 funds within EM) to the Office of Management and Budget (OMB) in mid-April. He emphasized the importance of reprogramming to continue work at sites and mitigate the impact of

furloughs and contractor layoffs. As of print time OMB had not released the reprogramming request numbers.

DOE Budget Overview and Environmental Management Initiatives

Terry Tyborowski, Deputy Assistant Secretary, Program Planning and Budget for Environmental Management



Terry Tyborowski

Deputy Assistant Secretary Tyborowski gave a presentation on EM’s FY 2014 budget proposal, saying it was the same presentation given to Congress the day before. Key slides from

Tyborowski’s budget presentation can be seen on page 16.

The largest program in EM, she said, is radioactive liquid waste, followed by facility decommissioning, nuclear materials and spent fuel, TRU waste, soil and groundwater and technology development.

Letters from communities to Congress about the impacts of reprogramming are helpful, she said.

Tyborowski mentioned the need to constantly educate Congress on the importance of EM and the “difficulty of the missions we have” because of turnover among members of Congress and because of other priorities competing for their attention.

Neile Miller, Acting Under Secretary for Nuclear Security and Acting Administrator of the National Nuclear Security Administration



Neile Miller

Acting Administrator Miller started her presentation by

(Continued on page 26)

(Continued from page 25)

ECA New Leadership Peer Exchange Summary

noting how much has happened since she last addressed ECA, citing the enactment of the Continuing Resolution, the implementation of sequestration, the FY 2014 budget rollout and the hearing to consider the nomination of Dr. Moniz as Secretary of Energy.

NNSA sites “cannot succeed without support from Regarding the NNSA complex, Miller said, “It’s an aging infrastructure... it’s downright old in places.” In response, “NNSA is modernizing right now in every way imaginable.” This includes infrastructure, the nuclear stockpile and management. Modernizing how NNSA functions is also a “top priority of mine,” Miller said.

Regarding the management of major construction projects, she said it is important to have project management that is independent of people that set the facility requirements. This is because change orders to construction projects add significant cost and delay.

She is also interested in trying to bridge the feeling of disconnect between HQ and the field. Speaking of sites, there is also a need to drive consistency and accountability of site security management, while also recognizing the unique properties of each site.

What Changes are in Store for Energy Communities?

A roundtable discussion with Tim Smith, President, Government Strategies, Inc.; Martin Schneider, Chief Executive Officer, ExchangeMonitor Publications and Forums; and Tyler Przybylek, General Counsel, Universities Research Association, Inc.

Smith discussed the current Congress and how it may or may not be similar to the previous Congress. The same parties control each house, he noted, however, party ratio (which determines representation on committees) is slightly more

favorable to Democrats. Partisanship remains high, and it is difficult to find common ground, he added.

Energy communities benefit from having some well positioned champions, such as Congressman Doc Hastings (R-WA), chairman of the House Natural Resources Committee, Smith said.

Martin Schneider said this is an important time for communities to get involved as decisions are made, he said. “Now is the time to start talking about [FY] 15, 16 and 17,” he told communities.

Tyler Przybylek said the new normal for DOE is going to be “pretty rocky.” Regarding the impact of sequestration, he noted most attention is focused on large contractor employment. The largest impact will be on small sized contractors, however, because many subcontractors are being eliminated from prime contracts. The impact on medium sized contractors will also be sizeable due to the slowdown of procurement.

EM Focusing on the Future

Paul Seidler, Director of External Affairs, DOE-EM



Paul Seidler

Paul Seidler noted that ECA recognized EM as the “gold standard” for government and community outreach this year. EM is always looking to improve, he said, and would be particularly interested to receive feedback about how local

governments communicate with sites.

Seidler agreed with a comment from a participant that EM can do more public outreach with the average citizen, and said these efforts support that goal.

Regarding the possible renegotiation of cleanup regulatory agreements between states and DOE, Seidler agreed with a participant that, due to fiscal issues, DOE should reevaluate how such decisions are made with stakeholders.

(Continued on page 27)

(Continued from page 26)

ECA New Leadership Peer Exchange Summary

Seidler emphasized that solutions on big policy issues “have to come from the local communities” and that is why he focuses on communication and collaboration at the local level.



Dave Trimble

Dave Trimble, Director, Natural Resources and Environment, Government Accountability Office

GAO Natural Resources and Environment Director Trimble discussed a number of recent and upcoming GAO products regarding energy communities.

Upcoming reports may cover Y-12 consolidation, cost efficiency across the complex, Work for Others, an examination of indirect costs, the Uranium Processing Facility (UPF), the MOX facility, nuclear weapons modernization, nuclear weapons dismantlement, nonproliferation, Fukushima and leaking Hanford tanks.

He noted the trend of delays and cost overruns with major constructions projects, saying it is difficult for appropriators to work effectively if they can't trust construction project budget estimates.



Pete Lyons

Pete Lyons, Assistant Secretary, Office of Nuclear Energy

Assistant Secretary Lyons testified before the House Appropriations Energy and Water Subcommittee on nuclear waste programs and strategies before addressing ECA. He noted that the panel

has very strong feelings on the subject. He added that it is important to “move on to options beyond Yucca Mountain.”

Near-term plans for a nuclear waste strategy include construction of a pilot interim storage facility and progress on both a full-scale interim storage facility and a long-term permanent geologic disposal facility.

In response to a participant question, Lyons said DOE has authority to start working on consolidated waste storage. However, he is concerned, if DOE moved ahead with site specific activities, it would complicate the legislative process to address the issue. He is hopeful the bill being worked on by Senator Wyden and his colleagues will help.

Lyons agreed with a participant that it could take a lot of time and education to get buy-in from states and local governments to host a site, saying that is why he is now doing outreach with groups like ECA.

Lyons discussed several other notable items from the FY 2014 budget rollout.

He said the President has repeatedly talked about the importance of nuclear power. In particular, the Administration has “very strong enthusiasm” for small modular reactors.

Nuclear Roundtable: Consolidated Storage Facility: Community Needs

A roundtable discussion with Eric Knox, Operations Manager, URS and Everett Redmond, Senior Director, Nonproliferation and Fuel Cycle Policy, NEI

Eric Knox said DOE needs to provide clarity on the next steps for a nuclear waste strategy. The Administration has adopted the BRC recommendations, but what is next?

Knox added that a pilot interim storage facility is not needed because each energy community is a sort of pilot project.

Knox believes it would be helpful if more communities took an active position to define and present the funding and support required for them to host a facility. He encouraged communities to not

(Continued on page 28)

(Continued from page 27)

ECA New Leadership Peer Exchange Summary

be shy in communicating with DOE and Congress. Forums such as the ECA Peer Exchange are very important to communicating and pushing for action, he noted.

Communities are not in competition with each other, Knox added, because there can be more than one facility. “Redundancy is the hallmark of safety” in the nuclear industry, he said.

Redmond agreed with many of Knox’s comments, adding that it will be difficult to move forward in Congress because of conflict between the House and Senate over Yucca Mountain.

Redmond noted that he supports Yucca Mountain, however, multiple facilities are needed and there is no progress on Yucca Mountain at present.

Communities need to tell Congress and DOE that implementation of a nuclear waste strategy should begin, he said. Some in Congress believe no one is willing to hose a site, and that notion needs to be dispelled. “Pressure needs to be applied.”

ECA Executive Director Seth Kirshenbergh noted that these issues will be discussed in detail at the next Peer Exchange meeting, in Idaho Falls, Idaho on June 3–4, 2013. Contact Kara Colton for more information about this peer exchange.

Congressman Doc Hastings



Congressman Doc Hastings

Congressman Doc Hastings discussed the challenges and opportunities facing nuclear cleanup communities like the Tri-Cities. Hastings focused on strategies to strengthen cleanup and his priorities for land use, as cleanup is complete.

He reminded ECA that “we read often misleading reports about exploding tanks and leaks...news about the progress being made at the tank farms where some

of the most challenging cleanup work is ongoing - too often goes unnoticed beyond the Tri-Cities. In fact, just this week tank farm employees have hit and exceeded 7 million hours of work without a notable injury.”

As for the Waste Treatment Plant, Hastings noted, “despite my frustration about the Department’s lack of transparency in their planning, real progress is being made and the project is over 60 percent complete. WTP is not optional – it is in fact the key to cleaning up the vast majority of the tank waste.”

Congressman Hastings also addressed the budget process. He noted the “lack of details that are typically included the budget request for EM” and went on to say “we don’t know much about exactly where and how the proposed funding would be spent. As all of you know, when it comes to cleanup, details matter – and I hope to get more information soon.” Congressman Hastings also noted that he was still waiting for DOE to submit its reprogramming package to Congress.

Congressman Hastings also outlined steps that can help strengthen the EM program including 1) Congress and the White House must get back to a regular budget and appropriations process 2) The federal government must get optional spending under control 3) Department of Energy must increase transparency and be prepared to answer basic questions if cleanup investments are to be sustained 4) Yucca Mountain must move forward and 5) an Assistant Secretary for Environmental Management should be nominated

Finally, Congressman Hastings discussed future opportunities for energy communities after cleanup activities are completed. Hastings said “The fact is sites are being cleaned up and land is being freed up. This land is no longer needed by the government and should be turned back over to the communities for economic development, recreation and other activities. With a 74 percent footprint reduction the expectation is that this turnover could and should happen sooner rather than later in some areas...When I spoke to you in 2011, I noted my

(Continued on page 29)

(Continued from page 28)

ECA New Leadership Peer Exchange Summary

encouragement that DOE was prepared to begin taking the steps required to transfer land based on a request from TRIDEC. Two years later, that transfer is still pending. There is no reason why proposals to make good use of land no longer

needed by the federal government should be held up in Washington, D.C. for years.” Hastings noted that “a fair and timely process will be required to ensure that land” can be used for other purposes and that communities must have input and real authority over these decisions.

Congressman Hastings also shared his support for establishing the Manhattan Project National Historical Park in Hanford, Washington, Oak Ridge, Tennessee, and Los Alamos, New Mexico.

From the April 2013 ECA Bulletin

ECA MEMBERS TESTIFY BEFORE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON PUBLIC LANDS AND ENVIRONMENTAL REGULATION IN SUPPORT OF MANHATTAN PROJECT NATIONAL HISTORICAL PARK



Councilor Fran Berting (*ECA Treasurer, Los Alamos, NM*), Mayor Tom Beehan, (*ECA Chair, Oak Ridge, TN*), Mayor Steve Young, (*ECA Secretary, Kennewick, WA*), Victor Knox, (*Associate Director for Park Planning, Facilities and Lands, National Park Service, DOI*)

Three ECA Executive Board members, ECA Chair and Mayor of Oak Ridge Tom Beehan, ECA Secretary and Mayor of Kennewick Steve Young and ECA Treasurer and Los Alamos County Councilor Fran Berting, provided witness testimony this morning at a House panel hearing to consider the establishment of the Manhattan Project National Historical Park.

On April 12 The House Natural Resources Subcommittee on Public Lands and Environmental

Regulation held a legislative hearing on H.R. 1208, the “Manhattan Project National Historical Park Act” - bipartisan legislation by Natural Resources Committee Chairman Doc Hastings (WA-04), Congressman Chuck Fleischmann (TN-03), and Congressman Ben Luján (NM-03) that would establish a Manhattan Project National Historical Park and include facilities in Hanford, Washington, Oak Ridge, Tennessee, and Los Alamos, New Mexico.

The Manhattan Project was a top secret program during World War II to produce an atomic bomb, which played an integral part in ending World War II. This legislation would preserve these historic sites as national parks and ensure public access for future generations.

Witnesses at the hearing, including local community leaders, ECA Chair and Mayor of Oak Ridge Tom Beehan, ECA Secretary and Mayor of Kennewick Steve Young and ECA Treasurer and Los Alamos County Councilor Fran Berting, and the National Park Service, all spoke in favor of the bill.

The establishment of the Manhattan Project National Historical Park is supported by the

(Continued on page 30)

(Continued from page 29)

ECA Members Testify Before House Natural Resources Subcommittee

Department of the Interior, Department of Energy, and the National Park Service. Victor Knox, Associate Director for Park Planning, Facilities and Lands, National Park Service, U.S. Department of the Interior agreed that this legislation should move forward especially noting the importance of the Manhattan Project. “The development of the atomic bomb through the Manhattan Project was one of the most transformative events in our nation's history. If this legislation is enacted, we look forward to building a stronger partnership that will enable us to meet the challenges ahead.”

Steve Young, Mayor of the City of Kennewick, Washington noted positive economic impacts of this project. “The Manhattan Project National Historical Park will create jobs and provide an economic development benefit for all three communities.” Young also noted that the Manhattan Project National Park is an important way to honor America's veterans saying, “We have unanimity with our sister communities in Oak Ridge and Los Alamos that the Park should be established in the near term in order to honor our Manhattan Project and Cold War veterans.” Fran Berting, County Councilor for the Incorporated County of Los Alamos, offered broad support for this important project saying, “The park has tremendous support in our community. We are heartened to see the Department of Energy willing to work with the Department of Interior and other partners to make this world-changing history accessible.” Berting also noted the positive job and economic impacts of this legislation, “The region will need workers not only in tourism and service industries but in construction and other related industries to support the Park. We believe it will have economic benefit to northern New Mexico.”

Tom Beehan, the Mayor of the City of Oak Ridge, Tennessee and Chairman of the Energy Communities Alliance (ECA), agreed that the establishment of this new national park is important to honor those who made such an important impact on world history. “I would like to stress that all three of our communities are united in our support for the passage of this bill. We should work to open this park while some of the Manhattan Project Veterans are still alive and able to see their work recognized by our nation.”



From the February 2013 ECA Bulletin

**ECA RATES DOE’S INTER-GOVERNMENTAL OUTREACH EFFORTS:
2013 COMMUNITY OUTREACH SCORECARD**

EM IS THE “GOLD STANDARD” WHILE SOME OFFICES NEED IMPROVEMENT

Since 2008, ECA has prepared a Community Outreach Scorecard (Scorecard) to rate DOE’s Intergovernmental outreach efforts. The ECA Board has continually highlighted to Administration officials that one of their top priorities should be engaging local communities and governments in the decision making process. ECA has recommended that DOE and NNSA continue to interface with local governments when developing programmatic proposals in order to educate interested parties and avoid mistrust and potential controversy. Further, during emergency incidents, the community and DOE must have a good relationship to address these emergency situations. ECA has also recommended that DOE proactively engage local governments and seek their input on important issues regarding DOE activities.

ECA has used this Scorecard to rate DOE’s outreach to local governments. Overall, DOE’s program offices continue their strong record of outreach to communities. Almost every local government official in ECA’s poll identified that they regularly meet with DOE officials both in Washington, DC and in their communities. In the past, many communities cited meetings with the Secretary and Deputy Secretary as critical to the success of their programs and the ability to resolve issues and understand the direction of the Department.

DOE OUTREACH SCORE CARD	
DOE Office	Grade
DOE Secretary’s Office	B
Environmental Management (EM)	A+
EM Sites Offices	A
Nuclear Energy (NE)	A
National Nuclear Security Administration (NNSA) Headquarters	B
NNSA Site Offices	B-
Under Secretary for Nuclear Security	Incomplete
Legacy Management	A
Office of Science	C+

Unfortunately, since our last poll, these meetings have not been consistent for all communities.

It is important to recognize the diversity among ECA communities and their varied interactions with DOE. Experiences of a community can depend on the mission and DOE or NNSA landlord of each site. Further, experiences of individual local government officials differ, and some have stronger relationships than others. Nevertheless, the Scorecard gives each DOE offices that ECA communities are involved with a grade that rates their overall local government outreach efforts and compares the 2008, 2010 and current outreach efforts.

From the January 2013 ECA Bulletin

DOE RELEASES RESPONSE TO BRC, *STRATEGY FOR THE MANAGEMENT AND DISPOSAL OF USED NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE*

On January 11, 2013, the U.S. Department of Energy (DOE) released the *Strategy for the Management and Disposal of Used Nuclear Fuel and High-Level Radioactive Waste* (“Strategy”). The Strategy provides “a framework for moving toward a sustainable program to deploy an integrated system capable of transporting, storing, and disposing of used nuclear fuel (UNF) and high-level radioactive waste (HLW) from civilian nuclear power generation, defense, national security and other activities.” It is also the Administration’s response to the Blue Ribbon Commission on America’s Nuclear Future’s (BRC) final report and recommendations, and the starting point for discussions between DOE, Congress and stakeholders.

The Strategy addresses the BRC’s recommendations and lays out a timeline for a new waste management system:

1. A **pilot interim storage facility** to be sited, designed, licensed, constructed and operating by 2021.
2. A **larger interim storage facility** to be sited, licensed and available by 2025.
3. A **geologic repository** to be opened by 2048.

However, the Administration only provides a broad outline for implementing the strategy, leaving the specifics to be worked out primarily by Congress. Thus the consent-based process is still to be defined, as is how to reform funding the waste management mission, and how a new waste management organization should be structured. Alternatives to consider are provided on issues, but overall, the Administration’s strategy does not convey the same sense of urgency as the BRC’s final report.

How the Strategy Impacts Local Governments and Energy Communities

The Strategy outlines activities the Administration believes are necessary to undertake in the next 10 years to fulfill its waste management mission. The Administration recognizes that new legislation is necessary to fully implement the Strategy, but states that until then it will move forward with various components pursuant to current law and in coordination with Congress. The Strategy specifically notes that the Administration must work closely with potential host states, tribes and communities whose engagement will be “essential” for success.

The Strategy prioritizes management and disposal of commercial UNF. Throughout the document, there is a focus on reducing government liabilities for its failure to meet its obligation for UNF disposal in

How the Strategy Impacts Local Governments and Energy Communities

The Strategy outlines activities the Administration believes are necessary to undertake in the next 10 years to fulfill its waste management mission. The Administration recognizes that new legislation is necessary to fully implement the Strategy, but states that until then it will move forward with various components pursuant to current law and in coordination with Congress. The Strategy specifically notes that the Administration must work closely with potential host states, tribes and communities whose engagement will be “essential” for success.

The Strategy prioritizes management and disposal of commercial UNF. Throughout the document,

(Continued on page 33)

(Continued from page 32)

DOE Releases Response to BRC

there is a focus on reducing government liabilities for its failure to meet its obligation for UNF disposal in order to ease the burden on taxpayers. The Administration aims initially to move the commercial UNF at shutdown reactors and then UNF at operating commercial reactors. The impact of the prioritization on defense nuclear waste is not addressed.

The elements and activities in the Strategy that are most likely to impact local governments and energy communities include:

- A recognized need for a phased, adaptive and consent-based approach to siting and implementing management and disposal system.
- While DOE is developing plans for initiating a consent-based siting process, the Strategy itself does not provide specific details. The Administration will work with Congress to define the process and hopefully, consider incentives for potential host states and communities.
- The Strategy prioritizes the acceptance of fuel from shut-down commercial reactors. Following that, the Strategy outlines a need to develop capacity to accept and transport UNF at rates greater than that at which utilities are currently discharging it.
- The Strategy asserts that potential hosts for interim storage at the state and local level must be assured that efforts to open a repository will continue and they will not become *de facto* permanent storage facilities without consent.
- The Administration will move ahead with initial planning for engagement and technical assistance for transportation operations with states and local governments.
- The Strategy states that the once-through fuel cycle is likely to continue for “next few decades” although DOE will continue research on advanced fuel cycles.
- The Strategy acknowledges that prospective host jurisdictions must be recognized as partners. In addition, public perceptions of the waste management program in regards to protecting public health, safety and security must be addressed.
- The Strategy recognizes the need for a new waste management and disposal organization (MDO), and charges it with managing and disposing of commercial UNF and the associated interface with utilities.
- Under the Strategy, the federal government will maintain management of its own HLW and UNF until they are transferred to a new waste management organization for storage and/or disposal.
- DOE’s Office of Fuel Cycle Technology has initiated a planning project with activities that fall within the constraints of the Nuclear Waste Policy Act (NWPA) including development of an interim storage facility; geologic repository, and the supporting transportation infrastructure. These activities can be transferred to an MDO when it is established and will not limit the options for consideration.

ECA has prepared a more detailed summary of DOE’s Strategy, outlining the main points from each “element” of the report. That summary can be found at the [ECA website](#).



**To sign up for the ECA email server
please visit our website:**

www.energyca.org

2014 Congressional Calendar

January

SUN	MON	TUES	WED	THUR	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February

SUN	MON	TUES	WED	THUR	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March

SUN	MON	TUES	WED	THUR	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April

SUN	MON	TUES	WED	THUR	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May

SUN	MON	TUES	WED	THUR	FRI	SAT
1				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June

SUN	MON	TUES	WED	THUR	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July

SUN	MON	TUES	WED	THUR	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August

SUN	MON	TUES	WED	THUR	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September

SUN	MON	TUES	WED	THUR	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October

SUN	MON	TUES	WED	THUR	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November

SUN	MON	TUES	WED	THUR	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December

SUN	MON	TUES	WED	THUR	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- House and Senate in Session
- Senate in Session Only
- House in Session Only
- Federal Holiday



Please Note: Congressional schedule is subject to change

2014 Calendar of Events



January	Appropriators continue work on omnibus appropriations to provide funding for the majority of federal agencies through October 31, 2014
January 6	Senate convenes
January 7	House convenes
January 17–26	House recess
January (estimated)	Senate panel consideration of Madelyn Creedon as Principal Deputy Administrator for the National Nuclear Security Administration
January 15,	Continuing Resolution expires, necessitating enactment of a new budget to maintain government funding
February 27,	ECA Peer Exchange: DOE Moving Forward, Washington, D.C.; see page 4 for more information.
February 28	ECA Board Meeting and Elections
May 7–9	National Training Conference on the Toxics Release Inventory (TRI) and Environmental Conditions in Communities; Arlington, VA; for more information, visit here .



1101 Connecticut Avenue, NW
Suite 1000
Washington, D.C. 20036
Phone: 202.828.2423
Fax: 202.828.2488
Email: bulletin@energyca.org

ECA Articles

Allison Doman, Deputy Executive Director
Kara Colton, Director of Nuclear Energy Programs
Eli Persky, Assistant Director

Layout and Design

Sharon M. Worley, ECA Staff Member

Energy Communities Alliance (ECA) Bulletin

1101 Connecticut Avenue, NW, Suite 1000, Washington, DC 20036

All Rights Reserved © 2009 by the Energy Communities Alliance. No portion is to be reproduced without credit and written notification to the Energy Communities Alliance. The Energy Communities Alliance Bulletin is published monthly via a published and electronic version. If you would like to subscribe to the Energy Communities Alliance Bulletin, please send your name and address to the address above or fax it to us at 202-828-2488 or email Bulletin@energyca.org

Thank you to the Department of Energy's Environmental Management Office for their support of the ECA Bulletin through cooperative agreement No. DE—EM002400