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Bill seeks to put Yucca Mountain back on the agenda

Las Vegas Review-Journal

January 13, 2015

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WASHINGTON - A bill being prepared in Congress seeks to put Yucca Mountain back on the table as lawmakers try to break a gridlock over managing and disposing the nation's nuclear waste.

Rep. John Shimkus, R-Ill., said Tuesday legislation he is writing could be ready for House floor votes by the summer. He said details still were being formed. Nuclear industry officials familiar with the effort say it could include financial incentives for Nevada to drop its long-held opposition to the once-proposed repository, provisions to complete a site license review and to obtain land needed to advance the project.

Edward Davis, president of the Pegasus Group, a consulting firm, said Monday at a conference sponsored by the Institute of Nuclear Materials Management he was told the Yucca legislation was "one of the top three or four priorities" of the House Energy and Commerce Committee this year.

But at the same conference, Energy Department assistant secretary Peter Lyons said the Obama administration remains opposed to the Yucca site, calling it "unworkable."

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"We need to work toward new solutions," Lyons said, but needs Congress to change the law so alternatives can be explored.

Shimkus, whose state generates the most electricity from nuclear power and holds the most nuclear waste at six power stations, is regarded as the leading proponent of reviving the Yucca Mountain program that was mothballed five years ago by President Barack Obama. He is chairman of the House environment and the economy subcommittee.

The proposed legislation comes as new talks get underway to overcome gridlock that has stymied nuclear waste legislation in recent years. Shimkus said it could become part of a compromise that would advance interim storage of nuclear waste accumulating at power plants around the country, as well as a permanent repository.

When it comes to Yucca Mountain, "we can move almost anything on the House floor and I think have a pretty good vote," Shimkus said. Test votes in recent years showed better than two-to-one support for the project even though it largely exists only on paper after being dismantled.

Shimkus and other Yucca proponents say Obama effectively threw out 30 years of studies and \$15 billion of development work at the Nevada site. Critics charge the project was forced on Nevada and the site is unsafe and risky.

The House and Senate now are controlled by Republicans, and the leading opponent of Yucca Mountain, former Majority Leader Sen. Harry Reid, D-Nev., now is leader of the minority. Sens. Lisa Murkowski, R-Alaska, and James Inhofe, R-Okla., who became chairs of energy-related committees, said last week that nuclear waste was among the issues on their agendas.

In the Senate now, "You don't have a majority leader that obviously kind of bans all discussion," Shimkus said, referring to Reid. "That's the difference, at least there can be some discussion."

Reid was not available on Tuesday but experts say he still wields considerable power as leader of the Senate minority. He repeatedly has vowed that the Yucca project will never become a reality as long as he is senator.

[Request for Information Comment Deadline](#)

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Jan. 26-27, 2015

[Northern New Mexico SSAB Meeting](#)

Jan. 28, 2015

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Feb. 2, 2015

[Hanford Site SSAB Meeting](#)

Feb. 4-5, 2015

DOE uses SNS as role model for project management

Frank Munger's Atomic City Underground

January 13, 2015

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Energy Secretary Ernest Moniz is speaking Thursday at an event hosted by the National Academy of Public Administration, timed with the release of the agency's year-in-the-making report on project management reforms.

The report, of course, acknowledges DOE's bad times with project management, including a long residency on the GAO High-Risk List. There are a number of recommendations for improvement.

Interestingly, the report cites the Spallation Neutron Source at Oak Ridge National Laboratory as a positive "case study" for project management. The \$1.2 billion SNS came in on schedule and under budget. (That project was one reason that then-NNSA Administrator Bruce Held last year asked ORNL Director Thom Mason, who guided the SNS to completion, to head a Red Team to evaluate alternatives for the Uranium Processing Facility at Y-12.)

"The Spallation Neutron Source, a neutron scattering research facility at Oak Ridge National Laboratory, exemplifies a large and complex project that evolved through several leadership teams in its early phases, until the team that ultimately delivered the project came together at the right place and time," the report from DOE's Contract and Project Management Working Group stated. "Success stemmed from proactive and actively managed team composition changes, as well as defined and clearly executed roles. Successful team actions and interactions defined the project's ability to overcome challenges and day-to-day issues.

"DOE can showcase an excellent example of the Spallation Neutron Source."

The report quotes Les Price, the federal project director for SNS, about the use of a small onsite federal team at ORNL to help make the project a successful partnership.

The SNS involved the work and direction of multiple national laboratories around the U.S., and Price -- according to the report -- kept up with their progress through a contact person at each of the DOE sites offices at the laboratories.

"It was what I called a 'soft glove' approach," Price said in the

report. "We wanted to make sure it was clear that the partner lab was working under the direction of Oak Ridge National Laboratory. They were not working under the direction of the DOE site office. That was kind of tricky but we all understood it. The guy at the site office was very careful not to direct them in any way that would conflict with the direction they were getting from ORNL, but the site rep and I would talk frequently, and he would give me his perspective and what the issues were."

The report discusses the coordination of the big project in Oak Ridge through direction Washington, with Price taking his orders from Pat Dehmer, who at the time was associate director of DOE's Office of Basic Energy Sciences, and Program Manager Jeff Hoy.

"Jeff and I were in day-to-day contact," Price said, "and Pat was involved in all major project issues."

The various roles from top to field were "expertly executed" with cohesion, the report said.

"This coordination helped the team resolve issues that required everyone's input, allowing the team to reach consensus on decisions and unwavering support for execution," the report stated. "Trust, alignment, communication, accountability and common goals proved to be a successful formula for project success."

New US NRC chairman says structure, safety, regulation among priorities for 2015

Platts

January 9, 2015

[LINK](#)

In the 33 years he served on the staff of the US Nuclear Regulatory Commission, Stephen Burns says, he never imagined he would be appointed to the commission, let alone become its chairman.

Nonetheless, Burns was sworn in January 1 as the agency's 16th chairman, replacing Allison Macfarlane, who resigned to become a professor at George Washington University.

Burns discussed some of his near-term priorities for NRC in an interview Wednesday. He noted that he is "still in the process of getting reacclimated and learning the ropes" at the agency, which he left in April 2012 to serve as head of the legal affairs section in the secretariat at the Organization for Economic Co-operation and

Development's Nuclear Energy Agency, based in Paris.

Burns has held a variety of positions at NRC, most recently as general counsel from 2009 to 2012.

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Burns said he is "trying to reach out to the other commissioners and talk about what's on their minds." A closed commission meeting will be held the week of January 12 "to kick around organizational issues and make sure I get their feedback on how I can be most effective in terms of helping them and helping the commission itself move forward," he said.

Some of his priorities for the coming year will include reviewing NRC's organizational structure to assess "how we're configured" and to consider whether the agency is "right-sized."

Continuing oversight of safety enhancements being made at nuclear power plants in response to lessons learned from the 2011 accident at Fukushima I in Japan will also require a good deal of time and attention, he said.

Burns also noted the importance of reviewing NRC's approach to regulation of power reactors undergoing decommissioning. On December 30, the commission unanimously approved staff's proposal to undertake a rulemaking on the matter. Currently, reactors in decommissioning must request exemptions from operating reactor regulations in areas such as security and emergency planning on a case-by-case basis. Staff will consider whether a better approach can be developed.

Burns said he has "heard a lot from the hill [Congress] and industry about whether it's time to really look at how we structure the decommissioning process." The new rulemaking will look at the decommissioning exemption process now being used, to see if it is "the right fit under the circumstances," he said.

EFFECTS OF REGULATION

Asked if he believed the US nuclear power industry is overregulated, Burns said, "Some are going to say they're overregulated, and some are going to say we're underregulated."

NRC staff is considering how the agency's decision-making process can address the so-called cumulative effects of regulation, Burns said.

"This is not only an issue for the nuclear industry; it's an issue in regulation generally," he said, noting that the White House Office of Management and Budget has also been looking at ways to address those effects.

"Our ultimate responsibility is public health and safety, and common defense and security," he said. "Understanding that ultimately that's our mission, I think it is also incumbent on us to look at those criticisms" alleging overregulation.

The US Government Accountability Office said in a report last month that NRC does not always follow its own guidance when developing cost-benefit analyses of proposed regulations and suggested ways those analyses could be improved. Burns said he will read the report and consider its recommendations.

"That's something we need to take a serious look at," he said.

Burns said that "ultimately, questions of in terms of the economics [of nuclear power] are not issues the NRC can solve. I think we have to keep focused on the public health and safety, the safety and security mission of the agency. But we have to listen to the questions that come about the impact of regulation and ensure that we're doing a good job of understanding what those impacts are when those questions are raised."

WORKING WITH CONGRESS

Asked about criticisms by some members of Congress that NRC was withholding some information needed to oversee the agency, Burn said, "I want to make sure I understand what some of those issues are, because ... coming back in, I'm not sure I have a full appreciation of where some of the controversies have been."

Burns said that, "for the most part, Congress has got a lot of authority or power in terms of the information it should be able to get from the agency. And there is a general obligation for the agency to provide information to Congress. I think there are some areas -- and I think those are relatively few -- where there may be some, you know, controversy or some push and pull with respect to certain types of documents or information. I think we should try to

minimize that."

Burns said he would seek "to make sure I understand what those issues are and try to work through them." He said he would emphasize "establishing good rapport with our oversight committees, with their members. That's what I'm trying to do in terms of reaching out."

"I don't think I can envision a perfect world of no conflicts, but I think we do our best to minimize" such conflicts, he said.

Otter agrees to 2 shipments of spent nuclear fuel

Local News 8

January 14, 2015

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IDAHO FALLS, Idaho - Gov. C.L. "Butch" Otter has tentatively agreed to allow two new shipments of spent nuclear fuel into Idaho.

The U.S. Department of Energy hopes to advance spent nuclear fuel research at the Idaho National Laboratory. Energy Secretary Ernest Moniz asked Otter to approve a plan that would allow two new shipments of radioactive waste, otherwise prohibited by a 1995 Settlement Agreement, into Idaho in support of the Office of Nuclear Energy's research mission.

In a letter to Otter dated Dec. 31, Moniz said, "We need your continued support to allow research quantities of commercial fuel to be shipped to Idaho."

Although DOE is currently not in compliance with the settlement agreement, Otter said Idaho would grant a one-time, conditional waiver to allow receipt of spent nuclear fuel from the North Anna Power plant if DOE will agree upon an enforceable commitment and time frame for resolving the 1995 noncompliance issues.

Moniz said the first shipment would be sent to Idaho in June. It would consist of one cask of 25 spent fuel rods, totaling 40 to 50 kilograms, about 100 pounds, of heavy metal. INL would use it to research the technical, economic, and nonproliferation aspects of electrochemical recycling of commercial light water reactor fuels and for fuel performance studies for the nuclear industry.

The second shipment would be made around January 2016. It would also include one cask of 25 spent fuel rods, also about 100

pounds, for research in support of a High Burn-up Dry Storage Cask R&D project with the Electric Power Research Institute. That research would support on-going work by the nuclear power industry to maintain safe storage of spent nuclear fuel at utility locations around the U.S.

Moniz said the agency would budget \$10 million to \$20 million per year through the end of the decade to pay for the research.

According to Moniz's letter, "we have had great successes at Idaho. Over 200 buildings and structures, including three nuclear reactors, the largest hot cell in North America, and facilities at the fuel reprocessing complex have been decontaminated and decommissioned since the start of the Environmental Management program 25 years ago."

DOE has unearthed all but 1.13 acres of the buried waste and anticipates completing the project at least a year ahead of its completion milestone.

In a personal note to Otter below the formal letter, Moniz wrote, "Happy New Year -- one in which we can advance our mutual interests!"

In a joint reply with Idaho Attorney General Lawrence Wasden on Jan. 8, Otter indicated the state's support and said the one-time waiver would be granted "if DOE and Idaho are able to agree upon an enforceable commitment and time frame for timely resolving the 1995 Settlement Agreement noncompliance issues."

Feds say WIPP recovery efforts months behind

Santa Fe New Mexican

January 14, 2015

[LINK](#)

Progress toward reopening the nation's only below-ground repository for Cold War-era nuclear waste after it was shut down last February due to a radiation leak is already months behind schedule, federal Department of Energy officials told a small group in Carlsbad on Wednesday.

News of the delay follows a federal report released this week that's highly critical of Los Alamos National Laboratory for mishandling of waste that led to the radiation release and Waste Isolation Pilot Plant shutdown, which stranded thousands of barrels of nuclear

waste at national labs throughout the nation.

"As a direct result of the waste incident, the nation's only transuranic waste repository has suspended inbound shipments, adversely affecting all facilities that generate these wastes nationally, incurring large costs that cannot yet be accurately computed, and degrading an important regulatory relationship," said the National Nuclear Security Administration's annual evaluation of the lab. "In addition to the direct and indirect costs and the adverse impact on the regional economy, there is a very high likelihood that the government will ultimately be responsible for significant fines and penalties."

On Feb. 14, 2014, a drum of waste from Los Alamos ruptured in a WIPP underground storage area, spewing radioactive contamination inside the ancient salt chamber and beyond the repository, which was designed to never leak. More than 20 workers were exposed to doses of radioactive materials that the Energy Department has characterized as below hazardous levels. Waste shipments to WIPP ceased and have not resumed.

Closing a bunker near where the LANL drum burst was the first job described in the Energy Department's recovery plan for WIPP, released in late September. That task was expected to be complete by Dec. 31, but now the work isn't expected to be done until April.

"It's more of a problem than they thought it would be because there's a significant amount of contamination in the area," Don Hancock, who closely monitors WIPP for the Southwest Information and Research Center, said after Wednesday's meeting. "They're behind schedule on that, and they're going to remain behind schedule."

At Wednesday's meeting, the Energy Department and Nuclear Waste Partnership, the private contractor that is paid more than \$150 million a year to manage the site, presented a report that showed WIPP is not expected to resume all activities until at least mid-2018.

The recovery plan calls for replacement of WIPP's ventilation system and exhaust shaft, which were contaminated during the radiation leak. For the first time Wednesday, WIPP officials acknowledged they are pondering whether the new components are necessary, because skipping their replacement would speed up the repository's reopening, Hancock said.

"That would mean they need to use the existing contaminated ventilation shaft forever," he said.

The Energy Department estimated in the recovery plan that it would cost \$550 million to repair WIPP if the ventilation system and exhaust shaft are replaced.

However, the National Nuclear Security Administration's evaluation of LANL's performance last year suggests untold costs could result from LANL's missteps.

The Energy Department is contesting more than \$36 million in fines against LANL's permit and \$17 million against WIPP proposed by the New Mexico Environment Department in connection with the radiation leak and a truck fire at WIPP that occurred just days earlier. Additionally, the Energy Department denied Los Alamos National Security, the private consortium that manages the lab, two years' worth of \$2.2 billion annual contracts and awarded the contractor just \$6.25 million of a potential \$63 million in performance incentives for the fiscal year that included the leak at WIPP.

In addition to the waste handling problems associated with the WIPP leak, federal evaluators cited incomplete construction projects and ethical lapses as the reasons they denied LANS millions of dollars in incentive pay, according to the newly released report by the National Nuclear Security Administration. The report lacked specificity about the ethical lapses it was referencing. But in March, the lab's Deputy Director Beth Sellers resigned over a conflict of interest. Her husband received a consulting contract from the lab in 2012. She failed to disclose the potential conflict until months after the contract award.