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Appropriations Committee Releases Fiscal Year 2017 Energy and Water Appropriations Bill

House Appropriations Subcommittee on Energy and Water Development
April 12, 2016

[LINK](#)

Protecting the nation from security threats and maintaining U.S. nuclear weapons, promoting an “all-of-the-above” energy strategy, and investing in water resources projects are funding priorities

The House Appropriations Committee today released the fiscal year 2017 Energy and Water Development, and Related Agencies Appropriations bill, which will be considered in subcommittee tomorrow. The legislation provides annual funding for national defense nuclear weapons activities, the Army Corps of Engineers, various programs under the Department of Energy (DOE), and other related agencies.

The bill totals \$37.4 billion – \$259 million above the fiscal year 2016 enacted level and \$168 million above the President’s budget request. Funding is targeted toward national security efforts, and energy and water infrastructure investments.

“With ever-changing global threats, it is vital we keep the country at the very pinnacle of nuclear security preparedness. This bill prioritizes funding to ensure that our stockpile is modern, secure and ready,” House Appropriations Committee Chairman Hal Rogers said. “Also critically important is the growth of our economy – which simply cannot occur without functioning and safe water resources and continued strides toward energy independence. This legislation will invest in all of these efforts to promote a more secure and prosperous future for our nation.”

Energy and Water Subcommittee Chairman Mike Simpson also commented on the importance of the bill:

Capitol Hill

August 2016

9-10

Third Annual
Intermountain
Energy Summit
Idaho Falls, ID
[Visit website.](#)

September 2016

14-15

2016 National Cleanup
Workshop
Hilton Alexandria
Mark Center
Alexandria, VA
[Visit website.](#)

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“This is a responsible bill that supports U.S. national security, safety, and economic competitiveness – balancing these critical priorities while maintaining tight budget caps,” Chairman Simpson said. “It prioritizes the maintenance and safety of our nuclear weapons, and makes strategic investments in infrastructure projects and energy research that will help grow our economy.”

A summary of the subcommittee draft of the fiscal year 2017 Energy and Water Appropriations bill follows:

The bill totals \$37.4 billion – \$259 million above the fiscal year 2016 enacted level and \$168 million above the President’s budget request.

The bill provides strong national security investments, including increases above fiscal year 2016 for nuclear weapons programs. The bill also protects funding for critical national and regional waterways – which handle commerce valued at more than \$2 trillion annually – through the Army Corps of Engineers, and programs that encourage energy independence and economic competitiveness. To meet these needs, the legislation contains targeted reductions to lower-priority or unnecessary programs.

Nuclear Security – The bill provides a total of \$12.9 billion for DOE’s nuclear weapons security programs, including Weapons Activities, Defense Nuclear Nonproliferation, and Naval Reactors – a \$327 million increase above the fiscal year 2016 level. This funding will uphold the nation’s nuclear deterrence posture, maintain the safety and readiness of our weapons stockpile, and allow the U.S. to meet any nuclear threat. This includes:

\$9.3 billion for Weapons Activities – \$438 million above the fiscal year 2016 enacted level;

\$1.4 billion for Naval Nuclear Reactors – \$45 million above the fiscal year 2016 enacted level; and

\$1.8 billion for Defense Nuclear Nonproliferation – \$118 million below the fiscal year 2016 enacted level. This includes \$340 million in funding to help fulfill the international commitment by the U.S. to operate a Mixed Oxide (MOX) Fuel Fabrication Facility to dispose of surplus plutonium.

Army Corps of Engineers – The Army Corps of Engineers is funded at \$6.1 billion, an increase of \$100 million above the fiscal year 2016 enacted level and \$1.5 billion above the President’s budget request. The bill focuses funding on activities that will have an immediate impact on public safety, job creation, and economic growth, including those that help increase the functionality of our ports and waterways. For example, the bill provides:

\$2.7 billion for navigation projects and studies, including \$1.263 billion in funding from the Harbor Maintenance Trust Fund and full use of estimated annual revenues from the Inland Waterways Trust Fund, to help advance American competitiveness and export ability; and

\$1.8 billion to support public health and safety by funding flood and storm damage reduction activities, an increase of \$105 million above fiscal year 2016 and \$582 million above the budget request.

Environmental Cleanup – Included in the legislation is \$6.15 billion for environmental management activities, \$66 million below the fiscal year 2016 enacted level. This includes \$5.2 billion for Defense Environmental Cleanup to safely clean sites contaminated by previous nuclear weapons production.

Energy Programs – Funding for energy programs within DOE is \$11.08 billion – an increase of \$56 million above the fiscal year 2016 enacted level and \$1.3 billion below the President’s request. Within this total, the bill prioritizes and increases funding for energy programs that encourage U.S. economic competitiveness and that help advance the nation’s goal of an “all-of-the-above” solution to energy independence.

Research and development to advance coal, natural gas, oil, and other fossil energy technologies, which will help the country make greater use of our rich natural energy resources and help keep down energy costs, are funded at \$645 million – an increase of \$13 million above the fiscal year 2016 enacted level. The bill reflects the national importance of these projects, and rejects the Administration’s proposal to reduce new funding for these accounts.

In addition, nuclear energy research, development, and demonstration activities are increased by \$25 million above the fiscal year 2016 enacted level, for a total funding level of \$1.01 billion.

Renewable energy programs, which have already received significant investments in recent years, are cut by \$248 million compared to fiscal year 2016 and \$1.07 billion compared to the President’s budget request.

Science Research – The bill includes \$5.4 billion for science research – an increase of \$50 million above the fiscal year 2016 enacted level. This funding supports basic energy research, the development of high-performance computing systems, and research into the next generation of energy sources. These investments lay the groundwork for a more secure energy future, helping to reduce the nation’s dependence on foreign oil and ensuring continued economic growth.

Bureau of Reclamation – The legislation contains \$1.1 billion – \$131 million below the fiscal year 2016 enacted level and \$27 million above the President’s request – for the Department of the Interior and the Bureau of Reclamation to help manage, develop, and protect the water resources of Western states.

Several new provisions have been included to help Californians who have suffered extreme challenges from years of historic drought, exacerbated by excessive federal regulations. These provisions in the bill will help provide relief for these communities, and will assist in the capture and delivery of more water to towns and fields.

Yucca Mountain – The bill continues congressional efforts to support the Yucca Mountain nuclear repository, providing \$150 million for the Nuclear Waste Disposal program and \$20 million for the Nuclear Regulatory Commission to continue the adjudication of DOE’s Yucca Mountain License application. The legislation also denies the Administration’s funding proposals for non-Yucca nuclear waste activities.

Other policy items:

The bill prohibits any changes to federal jurisdiction under the Clean Water Act.

The bill prohibits any changes to the definition of “fill material” and “discharge of fill material” for the purposes of the Clean Water Act.

The bill restricts the application of the Clean Water Act in certain agricultural areas, including farm ponds and irrigation ditches.

The bill includes language allowing the possession of firearms on Corps of Engineers lands.

The bill prohibits new nuclear nonproliferation projects in Russia.

For the complete text of the subcommittee draft of the FY 2017 Energy and Water Appropriations bill, please visit:

<http://appropriations.house.gov/UploadedFiles/BILLS-114HR-SC-AP-FY2017-EnergyWater-SubcommitteeDraft.pdf>

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Georgia meeting asks how to choose nuclear waste site

Augusta Chronicle

April 11, 2016

[LINK](#)

ATLANTA — Federal officials held a meeting Monday in Georgia about nuclear-waste storage because of the area's involvement with the issue.

"We tried to pick regions of the country that have some familiarity," John Kotek, the Department of Energy's acting assistant secretary for nuclear energy, said in an interview.

The meeting wasn't about where to store waste generated by reactors. Instead, it was to get public input on how to decide where to store it.

An independent commission recommended in 2013 that the Energy Department consider only sites where the people living nearby wanted to accept the waste.

Two communities along each side of the Texas-New Mexico line are eager to welcome nuclear waste because of the jobs and infrastructure improvements that would come with it. Each had representatives at Monday's meeting pushing for a quick decision.

Kotek pushed back.

"We're not at the point where we're looking at sites or volunteers," he said.

Former Georgia Gov. Sonny Perdue led off the discussion by saying only a deliberative approach would ensure a long-term decision that is politically palatable.

"We don't need a short-term, political decision that could be negated at the next election," said Perdue, a co-chairman of the nuclear waste committee of the Washington-based Bipartisan Policy Center.

Rick McLeod of the Savannah River Site Community Reuse Organization said people in South Carolina and Georgia want to do the research needed to pick the site and containers, but they don't want to be a storage site. Karen Patterson, a former member of the SRS Citizens Advisory Board from Aiken, said community support

anywhere would be difficult unless the federal government made a long-term funding commitment.

Susan Corbett, the chairwoman of the South Carolina Sierra Club, called for getting the consent of communities that the nuclear material would be transported through. Kotek said such consent is not part of the Energy Department's goal in the process.

Monday's was the second of three meetings to get suggestions on the process. The department will draft a plan for picking the site and seek public comment.

"This is a decades long process," Kotek said.

Guest column: Walking the walk on safety at SRNS

Aiken Standard

April 12, 2016

[LINK](#)

What is right often isn't easy. What is easy often isn't right.

Six months ago, Savannah River Nuclear Solutions, the contractor that manages the Savannah River Site for the U.S. Department of Energy, made the decision to suspend all operations not essential to the safety and security of the site. We discovered in mid-September that a small team of workers at one of our most important facilities – known as HB Line – were performing their tasks in a manner that could have led to big problems for our workforce and the community.

Pausing operations wasn't an easy call to make but I have no doubt it was the right one. At SRNS, we don't just talk the talk on safety – we walk the walk.

Our workforce has seen first-hand that when you realize there are problems – at any level of the organization – you take proactive and positive action. No production schedule or project timeline is more important than the safety of our workforce. Our workers know that is not an empty slogan, now more than ever.

As SRNS returns this week to full operations, we are a stronger company well positioned for success in 2016 and beyond. Likewise, our partnership with Department of Energy, our workforce and the local community is stronger than ever. The “operational pause” has had a profound impact on our safety culture and allowed SRNS to carefully examine how we conduct our vital environmental and national security missions.

We are a learning organization that is continuously seeking ways to improve and this examination has allowed SRNS to refocus our operations in a number of important ways, including revising meeting schedules to allow for more management time in the field and hiring more personnel to focus on training. We’ve also changed how we adapt, monitor and implement our operating procedures and increased mentoring for first-line supervisors. And we’ve worked with the Department of Energy to make sure these lessons learned are available to similar projects across the country and anyone else who is interested.

But most important of all, we’ve demonstrated to our workers and the community that safety comes first. When you send your husbands, wives, brothers, sisters and friends off to work at Savannah River Nuclear Solutions each day, it is our top priority that they return home in the same condition they left. You can count on that.

Carol Johnson is the president of Savannah River Nuclear Solutions.

Old, new fights expected at bicameral energy and water markups

Environment and Energy Daily

April 11, 2016

[LINK](#)

The prospects for President Obama's request to double clean energy spending over five years will become clearer this week, as House and Senate appropriators unveil their fiscal 2017 spending bills that fund the Department of Energy.

The Energy and Water Development Appropriations Subcommittee will mark up its bill Wednesday afternoon, continuing the tradition of moving early on legislation

that is widely popular because it funds DOE's nuclear weapons programs and federal laboratories. The measure also funds the U.S. Army Corps of Engineers, which pays for water projects nationwide.

The Senate Energy and Water Development Appropriations Subcommittee will also take up its version of the bill Wednesday, where they will also announce the discretionary spending caps known as 302(b) allocations, followed by a full committee markup Thursday.

Fiscal 2017 Report Logo

The Fiscal 2017 Budget & Appropriations Report is a one-stop resource for tracking the fiscal 2017 spending process for environmental and energy accounts. [Click here](#) to view the report.

The bill in recent years has become increasingly controversial amid partisan friction over the administration's climate agenda, Yucca Mountain and the Army Corps' controversial joint proposal with U.S.

EPA to delineate which streams, wetlands and waterways receive automatic protection under the Clean Water Act.

The usual tussling over the division of funds between renewable and traditional energy programs will be exacerbated this year by the Mission Innovation proposal, which would double clean energy over five years and has been championed by Energy Secretary Ernest Moniz, who recently brought Microsoft Corp. co-founder Bill Gates to Capitol Hill to help sell the plan.

While Moniz and House Energy and Water Subcommittee Chairman Mike Simpson (R-Idaho) get along well, Simpson last month signaled the push faces an uphill fight in the lower chamber (E&ENews PM, March 1).

In the Senate, Sen. Lamar Alexander (R-Tenn.), the chairman of the upper chamber's Appropriations subcommittee, has long called for more investment in energy

research, but he too echoed Simpson's concerns. And Sen. Dianne Feinstein (D-Calif.), the ranking member on the Senate subcommittee, told Moniz that budget pressures will make fulfilling the request a "most difficult task" (E&E Daily, March 10).

That's in part because the budget calls for \$32.5 billion for DOE programs, a 9 percent increase over the current fiscal year's enacted level (Greenwire, Feb. 9).

Also facing a tough slog is the administration's push to include mandatory funding for the Advanced Research Projects Agency-Energy, or ARPA-E, which would come on top of a goal to triple the agency's overall budget.

Jockeying has already begun on another perennial fight -- the nuclear waste repository at Yucca Mountain. The House has repeatedly included additional funding for the project, which the administration has been attempting to shutter for years.

Those additional funds haven't made it into law because of the clout of Senate Minority Leader Harry Reid, but the Nevada Democrat's retirement at the end of the year has Yucca backers looking to wait out the clock on his tenure (E&E Daily, April 6).

The Yucca impasse has also stalled efforts by Moniz -- supported by Alexander, Feinstein and other key senators -- to establish a pilot program for moving spent nuclear fuel from power plants and into temporary storage facilities. On the Senate side, both appropriators have signaled they'll try again this year, although Rep. John Shimkus (R-Ill.) -- a leading opponent of the plan unless it is accompanied by more funds to keep Yucca on the table -- said last month the underlying dynamic appears unchanged (E&E Daily, March 2).

And an eleventh-hour White House request to start selling off crude oil from the Strategic Petroleum Reserve to modernize the aging facility may encounter speed bumps, as well.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska), who strongly supports the idea, last week suggested it may have been premature to request the funds because DOE has not yet completed a long-awaited review of the SPR's needs. However, the department says the plan will be released in the coming weeks, which may assuage appropriators' concerns (Greenwire, April 8).

Waging a WOTUS war

Alexander said last month that he would push for a "clean" spending bill without policy riders.

But given election year dynamics, it's uncertain whether lawmakers will hold off on issuing amendments on contentious Obama administration proposals, like the Waters of the U.S., or WOTUS, rule. Earlier this month, 120 House lawmakers signed a letter calling to stop funding for the U.S. EPA-Army Corps of Engineers water rule (Greenwire, April 1).

But WOTUS, currently tied up in a federal appeals court, is already blocked from implementation under a stay.

Efforts to block Obama administration policies -- including a rider to defund the federal flood risk management standard to redefine floodplains for federal grants, projects and other programs -- could be introduced at the full Appropriations Committee markup, on the House floor or in conference.

But lawmakers are almost sure to raise the spending levels for the Army Corps, an agency that is historically underfunded in the president's budget regardless of the administration with the expectation that Congress will elevate the spending levels.

The Army Corps -- whose civil works division is responsible for building and repairing major public works projects on waterways, overseeing environmental permitting and restoring ecosystems -- received nearly \$6 billion in the fiscal 2016 spending bill. The president's fiscal 2017 budget proposal would set aside \$4.62

billion for the agency, just slightly below last year's ask but 23 percent less than what Congress appropriated.

Schedule: The House markup is Wednesday, April 13, at 1:30 p.m. in 2362-B Rayburn. The Senate subcommittee markup is Wednesday, April 13, at 2:30 p.m. in 124 Dirksen, and the full Senate committee markup is Thursday, April 14, at 10:30 a.m. in 106 Dirksen.

Idaho Attorney General Wasden should sign waiver, allow Idaho nuclear research

Idaho Statesman

April 12, 2016

[LINK](#)

Gov. C.L. "Butch" Otter supports issuing a waiver that would allow the U.S. Department of Energy to ship a small quantity of commercial nuclear fuel to Idaho National Laboratory for vital research. So does Idaho's congressional delegation: Reps. Mike Simpson, and Raul Labrador; Sens. Jim Risch and Mike Crapo.

Attorney General Lawrence Wasden says he supports the lab doing this vital national security and clean energy work, he also says he wants the INL to retain its coveted status as the nation's lead nuclear research lab. However, the attorney general continues to block the shipment and put INL, the state economy and our national security at risk.

That's the reason I authored House Concurrent Resolution 60, which passed overwhelmingly by the Idaho House of Representatives and Senate. HCR 60 expressed support for INL's clean energy and national security mission, while urging Wasden to join Otter in signing the waiver.

Read the resolution. It wasn't critical of Wasden in any way. But, speaking to Idaho Public Television recently, the attorney general characterized HCR 60 as a "political ambush" and a "greased bill."

First, as policymakers, it is entirely appropriate for the Legislature to offer the attorney general guidance on an issue vital to the state economy and national security.

Second, HCR 60 was drafted and voted on late in the session because that's when we learned Wasden had been unable to reach an agreement with the Department of Energy, and a second shipment of commercial fuel had been delayed and could be lost.

Third, Wasden alone is blocking the shipment, which would arrive in the form of a solid, weigh roughly 100 pounds, pose absolutely no threat to the aquifer and be worth up to \$10 million annually to the state.

HCR 60 passed the House on a 53-16 vote and the Senate on a voice vote. Legislators from every region in Idaho and of all political persuasions expressed support for INL's clean energy and national security mission. These lawmakers understand the remarkable cleanup progress at the site that resulted from the 1995 Settlement Agreement. DOE has done an admirable job hitting cleanup milestones and shipping waste out. These lawmakers get that the DOE has spent millions of dollars and is working diligently to solidify the last 900,000 gallons of liquid waste, and that blocking a research project critical to our national security doesn't accomplish that task one day sooner.

Lawmakers, from southeast Idaho, the Magic Valley, the Treasure Valley and north Idaho, recognize the INL's importance to the Idaho economy. The lab is Idaho's 5th largest private employer. It spent \$130 million with Idaho businesses last year and generated \$58 million in state and local taxes — money that helped fund schools, pave roads and hire police and firefighters.

Wasden wasn't elected to enact policy. That's the job of the Legislature and governor. Yet, Wasden has effectively taken on the role of policymaker by refusing to allow the INL to fulfill its mission as the nation's lead nuclear research facility.

Five years ago, Wasden granted the same kind of waiver he is blocking today. As we did in HCR 60, I urge him to do the right thing, and soon, before any additional damage is done, to the great State of Idaho.

House panel votes to keep MOX funding steady

Augusta Chronicle

April 12, 2016

[LINK](#)

A House subcommittee agreed Tuesday to maintain the current funding level in next year's federal budget for the construction of a MOX-fabrication facility at the Savannah River Site.

Federal budget proposal calls for shutdown of Mixed Oxide Fuel Fabrication Facility at Savannah River Site

The \$340 million funding is "to help fulfill the international agreement," notes a summary released by the House Appropriations Subcommittee on Energy and Water.

Rep. Joe Wilson, R-S.C., hailed the funding as a victory for the future of the facility that the administration wants to scrap.

"The fact remains that support for MOX is bipartisan and is the only way to uphold the Plutonium Management and Disposition Agreement (PMDA), our nuclear non-proliferation agreement with the Russian Federation. It is the best course to convert weapons-grade plutonium into green fuel," Wilson said in a statement his office released.

Russian President Vladimir Putin told reporters in his country last week that he views ending the MOX project as a violation of the agreement.

MOX is a way of reprocessing weapons-grade plutonium into fuel that can be burned to generate electricity. Putin said that the administration's plan to dilute the

plutonium and then store it underground would not prevent it from being recovered and used one day in the making of nuclear bombs.

Wilson vowed to continue pushing for funding for the construction of the MOX facility, which many observers say is behind schedule and over budget.

Anti-nuclear advocate Tom Clements, executive director of SRS Watch, calls the subcommittee's funding level a defeat for MOX.

He says it's less than half of the amount experts say is needed to finish the facility and instead represents a holding pattern the administration wants as part of its eventual shutdown of the project.

"Though the House Appropriations Committee appears to be rejecting the administration's request for termination of the MOX project in 2017, MOX is doomed in the long run, and the approved funding level will only keep the project on life-support," he said.

A Senate subcommittee votes on the MOX funding today.