

## **ECA Update April 14, 2016**

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## **Upcoming Events**

**April 2016**

**14**

Full Senate Committee markup of Senate Energy and Water Appropriations bill.

**April 2016**

**20**

“The Challenge of Excess Facilities on DOE Sites”  
House Nuclear Cleanup Caucus  
5:30 pm - 7:00 pm  
Capitol Hill

**April 2016**

**20-21**

EMSSAB Chairs Meeting  
Oak Ridge, TN

May 2016

11

EMAB Meeting  
Aiken County, SC

May 2016

12-13

ECA Peer Exchange:  
Environmental  
Management Issues  
Washington, D.C.  
For information contact:  
[lvana@energyca.org](mailto:lvana@energyca.org)

August 2016

9-10

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

September 2016

14-15

2016 National Cleanup  
Workshop

### Senate subcommittee approves money for Piketon plant cleanup

Columbus Dispatch

### LANL cleanup calls for comment

SF Reporter

### House panel passes \$37.4 billion energy, water funding bill

The Hill

April 13, 2016

[LINK](#)

A panel of the House Appropriations Committee on Wednesday approved a \$37.4 billion bill to fund the Department of Energy and federal water programs for fiscal 2017.

At a short meeting, lawmakers on the panel spoke briefly about the legislation, but reserved any amendment proposals for the committee consideration or for the House floor.

Rep. Mike Simpson (R-Idaho) characterized the bill as a responsible proposal that prioritizes defense and nuclear weapons priorities and fossil fuel research and development while reining in President Obama's clean energy agenda.

"This bill rejects the budget request's proposal to reduce investment in the energy sources that we rely on today," Simpson, chairman of the subcommittee that wrote the bill, said at the meeting.

"Within energy programs, the recommendation rebalances the portfolio to provide a true all-of-the-above strategy," he said. "This bill includes strong funding for nuclear energy, providing research and development to ensure a safe, efficient, reliable nuclear fleet, and laying the foundation for the next generation of nuclear reactors."

The bill puts more money into fossil fuel energy and less into renewables, which Simpson said is “to ensure the nation is utilizing its abundant fossil energy resources as efficiently and safely as possible.”

It also would increase the budget for the Army Corps of Engineers by about \$100 million and provide \$170 million toward building the proposed Yucca Mountain nuclear waste site.

Democrats object to some of the GOP’s proposed funding cuts and to additional policy riders, including one that would stop the administration’s rule defining Clean Water Act jurisdiction for pollution purposes.

Rep. Marcy Kaptur (Ohio), top Democrat on the subpanel, said the bill has positive elements but can be improved.

“To be sure, this bill could be even stronger,” she said. “Programs could be more fully funded. And the bill also includes some unnecessary and controversial policy riders that have been carried in the past, and six new California water provisions. The riders further complicate an already difficult process, and I strongly object to their inclusion.”

Rep. Nita Lowey (D-N.Y.) was more forceful in her objections.

“We cannot afford to bury our heads in the sand on climate change.

And yet, the energy efficiency and renewable energy account would be funded at \$1.825 billion, \$248 million below the president’s request,” she said of the prioritization of fossil fuels.

“The inclusion of misguided, dangerous policy riders is disappointing at best,” Lowey continued. “An annual appropriations bill is not the place to amend or significantly change the Clean Water Act or restrict gun laws. These efforts year after year imperil the appropriations process. Including these harmful riders in the underlying bill is a direct affront to the regular order we all want.”

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The subcommittee passed the bill by voice vote, moving it to the full committee for its consideration.

### **House Energy and Water Appropriations Bill Funds MOX Project**

Exchange Monitor

April 13, 2016

[LINK](#)

The fiscal 2017 Energy and Water Appropriations Bill released Tuesday meets the Obama administration's \$12.9 billion funding request for the National Nuclear Security Administration, but aims to cut off the Department of Energy's plan to cancel the project to turn surplus plutonium into mixed-oxide reactor fuel.

The \$37.4 billion bill in total provides \$259 million more than the fiscal 2016 enacted amount and \$168 million more than President Barack Obama's budget request for the fiscal year that begins Oct. 1, according to the committee.

The \$12.9 billion proposed for the DOE's nuclear weapons programs, a \$327 million increase from the currently enacted level, encompasses \$9.3 billion for weapons activities, or \$438 million over the currently level; \$1.4 billion for naval nuclear reactors, or \$45 million over the current level; and \$1.8 billion for defense nuclear nonproliferation, or \$118 million less than the currently enacted amount, according to the bill draft. In its fiscal 2017 budget request, DOE had requested \$12.9 billion for the NNSA, including \$9.2 billion for weapons activities and \$1.8 billion for defense nuclear nonproliferation. Under defense nuclear nonproliferation, the appropriations bill provides \$340 million for the construction of the Mixed-Oxide Fuel Fabrication Facility at the Savannah River Site in South Carolina, even though the president proposed to cancel the program and requested \$285 million for an alternative dilution and disposal approach.

The bill also prohibits any new nonproliferation initiatives in Russia, unless the secretary of energy issues a waiver for activity "in the national security interests of

the United States,” the draft says. House Appropriations Committee Chairman Hal Rogers (R-Ky.) said in a statement that the bill “prioritizes funding to ensure that our stockpile is modern, secure and ready.” Energy and water subcommittee Chairman Rep. Mike Simpson (R-Idaho) said the bill “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.”

### **Idaho listed as possible nuke waste site**

AP: The Register-Guard

April 14, 2016

[LINK](#)

BOISE, Idaho — The U.S. Department of Energy lists the Idaho National Laboratory as a possible site for storing about 1,300 dump truck loads of low level radioactive waste.

The federal agency’s preferred alternative according to a final environmental impact statement made available in March is the Waste Isolation Pilot Plant geologic repository near Carlsbad, New Mexico.

The INL is listed as a possibility in three other alternatives that also include the Hanford nuclear reservation in Washington state, the Nevada National Security Site and the Savannah River Site in South Carolina.

Possible methods of disposal at the 890-square-mile federal site in eastern Idaho include an intermediate-depth borehole disposal facility, a near-surface trench, or in a vault, the document says.

“If the INL Site is selected, the final location for a (low level radioactive waste) land disposal facility will be based on further analysis,” the document states.

A final decision must involve Congress. The timeline on that isn't clear. The document said the report to Congress must include all the alternatives under consideration.

In an emailed statement to The Associated Press on Wednesday, the DOE said the final environmental impact statement for disposal of the waste is not a decision. "The Department will in the future issue a Record of Decision, which will be the decision," the statement said.

The agency in the document said the waste needs to be stored due to heightened concerns in the wake of the attacks on Sept. 11, 2001, because terrorists could get possession of the radioactive waste that includes sealed sources "and use them for malevolent purposes."

The Idaho lab is considered the nation's primary lab for nuclear research, but it also stores some nuclear waste.

### **More radioactive debris unearthed at UPF site**

Knox News

April 12, 2016

[LINK](#)

OAK RIDGE — Excavation activities at the future site of the Uranium Processing Facility have uncovered another radioactive remnant of earlier operations at the Y-12 nuclear weapons plant.

A 4-foot-by-4-foot piece of radioactive metal was unearthed on March 9, according to a quarterly occurrence report filed last week by Consolidated Nuclear Security, the government's managing contractor at Y-12.

There was no immediate information on the metal's former role or why it was buried on the west end of the Oak Ridge plant, where the multibillion-dollar UPF is to be built.

"The item was placed in a B-25 (large-sized) container and staged in a radioactive material area," the report stated.

This is by no means the first time that workers doing site preparations for the UPF have unearthed radioactive legacies at Y-12.

Occurrence reports filed by the contractor indicate there have been more than 50 such "events" over the past couple of years during preparations for the big project, which is supposed to modernize the plant's operations for processing bomb-grade uranium.

Project officials have said actual construction of facilities will not begin until design is 90 percent complete. That milestone is tentatively scheduled for late 2017, with first operations planned for around 2025.

In the meantime, the focus is on site preparations. The U.S. Army Corps of Engineers is overseeing the pre-construction activities for UPF.

A project to relocate sections of Bear Creek Road was interrupted repeatedly during 2014 and 2015 because of underground pits of radioactive trash encountered during the earth-moving operations.

The National Nuclear Security Administration did not comment Tuesday on the most recent report of radioactive debris uncovered at the future site of the UPF.

In 2014, during a visit to the site on Y-12's west end, NNSA spokesman Steven Wyatt said most of the contaminated materials had been found several feet underground, up to 14 feet in some instances.

Screenings were conducted before activities began at the UPF site, including soil samples, but officials said it was difficult to predict where underground hazards might reside.

Asked why radioactive materials were buried at site that apparently were not authorized for disposal, Wyatt said at the time, "I don't think anyone really has an answer on that."

The radioactive equipment and debris uncovered at the site have been packaged in containers and, in some cases, shipped to the government's Nevada National Security Site for disposal.

### **House FY17 Energy Bill Contains Yucca Mountain Money**

Exchange Monitor

April 13, 2016

[LINK](#)

The fiscal 2017 House Energy and Water Appropriations Bill, released on Tuesday, calls for \$150 million for the Nuclear Waste Disposal program and \$20 million for the Nuclear Regulatory Commission to continue adjudication of the Yucca Mountain license application.

The Obama administration's 2017 budget proposal did not include any new funding for the Nuclear Waste Disposal program, instead laying out a funding plan meant to replace the nuclear waste deep geologic repository planned at Yucca Mountain in Nevada. That plan shows \$56 million in fiscal 2018 and \$94 million in fiscal 2019, before increasing into the \$200 million to \$300 million range in the following years. The Department of Energy is laying the groundwork for a consent-based siting program for spent fuel and high-level radioactive waste that envisions plans for a pilot storage facility by 2021; consolidated interim facilities by 2025; and eventually one or more permanent repositories by 2048.

The appropriations bill also denies funding proposals for non-Yucca nuclear waste activities, according to the committee's press release on Tuesday. Lawmakers could not immediately be reached for comment. Fiscal 2017 begins on Oct. 1.

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

Idaho Statesman

April 13, 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.

### **Senate subcommittee approves money for Piketon plant cleanup**

Columbus Dispatch

April 13, 2016

[LINK](#)

A U.S. Senate subcommittee has included \$266 million in a energy and water appropriations bill aimed at cleaning up an abandoned nuclear site near Portsmouth, Ohio.

The U.S. Senate Appropriations Committee's Subcommittee on Energy and Water Development agreed today to include the money in their annual spending bill for decontamination and decommissioning of the Portsmouth Gaseous Diffusion Plant in Piketon. Economic development officials in the region are hopeful to eventually use the site for further jobs.

Sen. Sherrod Brown, D-Ohio, said the money "will ensure that this site can attract future investment and continue to serve the community."

"This funding level is just the first step in the appropriations process, but is a good place to start to keep jobs in southern Ohio."

The 3,700 acre site in southern Ohio was constructed to provide enriched uranium for the nation's nuclear stockpile. It operated from 1954 through 2001.

### **LANL cleanup calls for comment**

SF Reporter

April 13, 2016

[LINK](#)

The New Mexico Environment Department has opened the new draft of its plan for cleanup of legacy nuclear waste at Los Alamos National Laboratory to public review and comment. The document would replace the 2005 Consent Order between the US Department of Energy and the state that steered a decade of work, and expired in December. Public comment is open until May 16.

The structure outlined depends on "milestones" set each year, with targets set for the following years, plotting the course for cleanup of hundreds of pieces of infrastructure and tracts of contaminated soil. This "campaign approach," the state

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has argued, will allow work to be concentrated on geographic areas with pressing need. The town sites, upper Los Alamos Canyon and the chromium plume now found in the regional aquifer top the list.

“The process is really designed to be dynamic, to revise upward or downward based on funding,” Kathryn Roberts, resource protection division director for the environment department, said during a presentation to the Northern New Mexico Citizens Advisory Board on the order. “During the course of a year, if DOE needs to shift from one campaign to the next because of new risk or higher urgency, this allows for that flexibility.”

Ryan Flynn, environment cabinet secretary, argues that the new document will both accelerate progress and enable congressional delegates to secure more funding. This year, the cleanup was allotted \$189 million from the federal budget. The goal, Flynn says, is to get “shovels in the dirt. That’s what I think the public wants to see us actually do at the site, rather than just pushing papers back and forth.”