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On Wednesday, December 9, House leaders unveiled a 5-day Continuing Resolution (CR) ending on December 16, to prevent a government shutdown and give negotiators more time to complete a full-year omnibus spending bill. The White House has indicated its willingness to sign off on a short-term CR.

The CR was passed by the Senate via voice vote on Thursday; the House passed it via voice vote shortly after Noon today. The CR passed in September is set to expire at midnight tonight. While the Administration insists that a shutdown should and likely will be avoided, the Office of Management and Budget has instructed agencies to review their contingency plans in the case of a funding lapse.

Various news reports have indicated that negotiations had slowed in the House due to disagreements between Speaker Paul Ryan (R-WI) and Democratic Leader Nancy Pelosi (R-CA). A number of policy riders on environmental issues, land concerns, Syrian refugees, tax matters, and health care are the lead causes of the disagreements. Democrats in both the House and the Senate want to minimize the number of policy riders while many Republicans are insisting on them. Because most of the Republican conference voted against the last CR and are not expected to vote for an omnibus spending package, Democrats in congress believe they have considerable leverage in the final negotiations. None of the major disagreements concerns defense spending.

Congressional leaders hope, nonetheless, that a funding agreement will be announced on Monday, December 14 with the goal of passing it by Wednesday, December 16. This would observe the

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[Deadline for Congress to Pass an Omnibus Appropriations Bill or CR Funding the Government](#)
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three-day waiting period for major bills that Speaker Ryan has pledged to uphold. It would, however, give the Senate less than one day to overcome various procedural hurdles and pass the measure if it is announced. Normal procedure could require the Senate to take up to three days to pass the bill, but many expect the holiday recess to focus the Senators and serve as an incentive for members to not slow the process. More details on any funding deal will be passed along as they become available.

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No talk about the Department of Energy’s environmental cleanup program goes very far without addressing the stupefying amount of federal funding that’s needed to pay for the complex, often-one-of-a-kind cleanup projects, and there never seems to be enough money.

Never.

“We have a difficult situation — you all know that — with budget,” Mark Whitney, DOE’s principal deputy assistant secretary for environmental management, said near the beginning of his keynote speech at ETEBA’s annual Business Opportunities Conference.

Indeed, Whitney (who formerly held DOE’s top cleanup position in Oak Ridge) said to really meet the day-to-day needs of the Environmental Management program — and make the kind of progress that everybody wants — it would cost about \$8 billion a year.

“We don’t have an \$8 billion-a-year budget, and we’re not going to get that anytime soon,” he said Wednesday at the Knoxville Convention Center, where the conference was held.

Whitney was in Oak Ridge the day before conference started, and he got a close-up view of some of the cleanup projects that are nearing completion — including the K-27 building, scheduled for demolition in 2016 — and another that’s just now getting some overdue attention: the K-1037 facility, which was used for production of barrier for converters in the uranium-enrichment process.

The No. 2 officer in DOE's cleanup program said it's important to acknowledge the enormous progress that's been made over the past 25 years, and he said DOE plans to elevate that attention over the next couple of weeks in some of the cleanup communities.

But he also underscored the challenges facing the federal agency and its contractors.

Whitney, as did other speakers, mentioned the importance of the proposed Environmental Management Disposal Facility in Oak Ridge. That's a new landfill that would replace the current CERCLA disposal facility that's rapidly running out of space.

The landfill seems to be a metaphor for many of DOE's EM issues, especially the relationships with environmental regulators and host communities. It's pretty clear there's going to a fight before a new Oak Ridge landfill is approved.

"At the end of the day, they want the same things that we do," he said of the regulators.

Whitney stressed that DOE needs to step back and take a long-term view of its activities to make sure it's carrying out the mission in the most productive and efficient way possible. Part of that approach is using five-year plans — or even 10-year plans — to address cleanup priorities.

"The vast majority of our projects, they're not one-year projects," he said. "They're one-of-a-kind, first-of-kind, not easy, projects, so we need to stop planning our budgets one year at a time . . . We just need to get past the impediments to getting that done."

Whitney also talked about DOE's other big issues — such as the ongoing problems at the Waste Isolation Pilot Plant, which has been shut down for nearly two years and won't resume operations in March, as hoped, and the growing concerns about excess facilities that could bankrupt the program if all of them come onto the priority list.

"When it comes to excess facilities, the first thing to keep in mind is we're talking about a tremendous number of facilities," Whitney said.

The EM originally inherited about 5,000 excess buildings, and the program has done D&D on about half of them. However, there are

about 1,000 other facilities coming into the program from other parts of DOE -- NNSA, Science and Nuclear.

“So that’s about another 1,000 to add to the list,” he said, noting that D&D is the second largest part of the EM budget on an annual basis. “At times the list seems never-ending and seems to grow, but measurable progress is being made,” he said.

Overall, DOE’s EM program currently has about 30 prime contractors doing work with a value of about \$50 billion, he said.

There is going to be billions of dollars of work put out for bids in the next couple of years, and the DOE official said one of the frequent discussions in-house at DOE is what kind of contracts to use for certain projects.

Fixed-price contracting is not the obvious path to success, he said, noting that money isn’t always saved when using that approach on high-risk projects or those with many uncertainties.

Each contract has to be evaluated for the right kind of contract, Whitney said. “It can’t be all one-size fits all,” he said.