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## Executive Committee

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## Appropriations and Authorization for DOE Programs Moving Forward

**Congress faces funding deadline  
after August recess; short-term  
extension likely**

Congress returns from August recess on September 9, and legislators will have just three weeks to pass funding bills before the end of the fiscal year. With a limited number of legislative days in session and a quickly approaching September 30 deadline, it appears the likely outcome this month will be a short-term spending extension—a continuing resolution (CR). Both the House and Senate are motivated to pass the bills after the passage of the recent two-year budget agreement but they do not have time to complete all of the bills. The Senate appropriations staff have been working over the last couple of

weeks to complete their bills for passage, and we expect the Senate appropriators to try to move quickly on the bills.

*Appropriations – CR likely through  
November 22*

The House has been working on appropriations since May, having passed 9 of the 12 bills so far. The House Energy and Water Development spending bill would provide \$37 billion for DOE, a \$1.4 billion increase above last year's level.

The Senate, however, has not even begun examining its versions of the spending bills in the Senate

*(Continued on page 7)*

## LOCAL GOVERNMENT OFFICIALS REQUEST RESPONSE TO HEALTH AND SAFETY QUESTIONS FROM DOE ON EM PROPOSED OAK RIDGE LANDFILL

Local government officials in Oak Ridge and surrounding communities are seeking responses from the U.S. Department of Energy (DOE) to questions they have raised about the agency's proposal to build a new onsite landfill over several years prior to DOE making a final cleanup decision. The main concern is risk to human health and the environment.

In a [July 12 letter](#) from the City of Oak Ridge to DOE, the City states, "Frankly, as the host community, the

City of Oak Ridge finds the delay in addressing our questions and comments dating back several years—disrespectful to the strong relationship we have had through the years with DOE-EM." The City has not received a response to this letter.

ECA has stated repeatedly that community questions about health and safety should not be pushed until "formal comment." The successes of

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## CONTINUING TO MOVE FORWARD – EXECUTIVE DIRECTOR’S MESSAGE



Seth Kirshenber  
Executive Director

Welcome to National Cleanup Workshop 2019. ECA has been working with EFCOG and DOE on this meeting for the past 9 months and we are excited that the line-up is one of our best. I am most excited for the “EM at 30 Years” celebration at the Cleanup Workshop as it has been interesting to see the evolution from

a weapons production to a cleanup-focused program which strives for openness and communication. The mission sounds simple but remains complex – cleanup the county’s legacy Manhattan Project and Cold War sites that supported –and continue to support–the national security of our country.

Although a lot of people will focus on the leadership over the past 30 years (those that shaped the direction of the program), but we know it is and continues to be the people (both feds and contractors) on the front lines that make decisions and do the complex work day in and day out at the EM and LM sites across the weapons complex. As one ECA member puts it they go from dealing with complicated engineering and risk issues to school boards, rotary clubs and coaching Little League. They are the long-term leaders in our ECA communities - people that worked both to defend our country and to cleanup the sites. They should be recognized, thanked and appreciated, too.

However, we still have a lot to do and this year is a busy one, from the basics of the budget (FY19 was one of the highest EM budgets in a long time) to the policies and decision-making of the current leadership (just settling in after another reorganization). Below are some ideas on issues that ECA members are focused on as we look to 2020.

### *Budget*

The summary of the budget process and numbers are listed on pages 7-8. What people should take away from the numbers is that although we may have a short term continuing resolution, the EM, NNSA, NE and LM budgets are supported in a bipartisan manner by the House and Senate. The committee staff are some of the most knowledgeable about how

the program actually works and the priorities are clear. We expect FY20 to continue to be one which supports high budgets and programs for EM, NNSA, NE and LM.

### *New DOE Leadership*

Rumors abound as to whether the current top DOE leadership is sticking around for the next election (only 15 months from Election Day 2020). While we will not address those rumors, we will instead focus on the leadership changes that occurred over the summer. Most notably, DOE finally has managers in all of its offices.

First in EM, Ike White and Todd Shrader took over the helm from Anne White. Ike and Todd, as they are known in the building and to most of the site managers, have been around the program for a longtime and are very well respected. They “get it.” They have both been visiting the sites and learning about the some of the bigger issues that they will have to deal with in the coming months. Most people do not expect the President to nominate an EM Assistant Secretary prior to the election.

Next, at NNSA after a long delay, Dr. William Bookless was confirmed by the U.S. Senate in May as the Principal Deputy Administrator of the National Nuclear Security Administration. Further, Dave Huizenga took over as NNSA's Associate Principal Deputy Administrator (the job that Ike previously held at NNSA). NNSA manages several large sites including LANL, Pantex, Kansas City, Nevada, Y-12 and others.

At NE, Dr. Rita Baranwal was confirmed by the U.S. Senate in June as the Assistant Secretary for Nuclear Energy. She is the first woman to lead the Office of Nuclear Energy which manages the Idaho National Laboratory site office.

At the Office of Science, Dr. Chris Fall was confirmed as Director of the Office of Science in May, the lead federal agency supporting fundamental scientific research for energy and the nation's largest supporter of basic research in the physical sciences. The Office of Science manages the operations of the Oak Ridge site office.

### *Issues of Focus*

Some of the issues that ECA is watching closely for the second half of 2019 include:

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## Continuing to Move Forward – Executive Director’s Message

1. *Portsmouth School Issues.* In May, we learned that local community representatives in Piketon, Ohio (near DOE’s Portsmouth site), were concerned about the potential presence of manmade radioactive materials inside a local middle school. Over the Memorial Day weekend, DOE deployed a team of certified health physicists to collect samples for analysis from the school. DOE’s analysis found no manmade isotopes and no enriched uranium. These results are consistent with those from the Ohio Department of Health. The local community is moving forward with a third-party sampling effort that DOE has committed to fund.
2. *Oak Ridge – Should a New Landfill be Sited at the Proposed Location?* The City and surrounding community have raised health and safety concerns over the landfill siting and have requested a DOE response to these concerns... and asked...and asked. ECA followed up to ask for a reply as well. DOE uncharacteristically remains silent as officials wait for their own conflict with EPA and the State over the landfill siting to be resolved—any day now. The City has raised legitimate issues and the lack of DOE response only raises concerns (see story on page 1).
3. *Contracts.* EM is continuing to move forward with “End State Contracting” (a confusing name but a clear concept). Implementing the program over the year will continue to be a time-consuming focus of the organization. The contracting method is a single award Indefinite Delivery/Indefinite Quantity (IDIQ) contract for each acquisition with the ability to issue both Cost-Reimbursement (CR) and Firm-Fixed-Price (FFP) Task Orders (TO) – as projects are identified by DOE. This model will be applied to Hanford Central Plateau Cleanup Contract and Tank Waste Cleanup Contract, Oak Ridge Reservation Cleanup Contract, Nevada Environmental Program Services, Portsmouth, West Valley Phase 1B D&D and Soil Remediation, and the Idaho Cleanup Project. Note that DOE announced it will extend the current contracts at Hanford for both radioactive-waste tank operations and Central Plateau cleanup.

4. *High-level Waste Definition.* The Department won’t say it but SRS is the test case to see if this new definition of HLW works – and it would be surprising if it did not work. Remember – this does not change the risk of the item that is being defined as HLW or another type of waste – instead DOE would define the waste on *content versus how the waste was created*. It seems to make sense to ECA members. However, there remains significant concern on how this would be implemented by several states and where the waste would be disposed. ECA continues to be engaged and would like to see the conversation – despite political concerns – continue at the state, federal and local level.
5. *Infrastructure.* Although infrastructure is often ignored, DOE EM and NNSA need new infrastructure since most of it at the sites is between 50-75 years old. It is crumbling. DOE/NNSA/Science/NE need to start to recognize the issue beyond the sites they manage.

Last year when the Hanford Tunnel roof collapsed on top of stored radioactive waste, a quote which should make us all focus on infrastructure was “*The risk of failure, based on Department of Energy nuclear safety standards, has increased from ‘unlikely’ to ‘anticipated,’...*” We have sites around the DOE/NNSA complex with similar issues.

Do the sites know and have they quantified their infrastructure needs? What if the water and wastewater facilities serving the facilities goes down? We continue to wonder if DOE/NNSA is prepared. For example, for five years the City of Oak Ridge continues to identify for the Office of Science and NNSA that they have a 75-year old water plant built by the Atomic Energy Commission serving a multi-billion dollar defense facility.

DOD is reviewing its infrastructure and resilience for needed upgrades and to address energy and physical security threats. What happens if the power goes out at Y-12, Los Alamos, Pantex, SRS, INL, etc., for more than 3 days? Has DOE/NNSA even done such an exercise (like DOD is doing at many of its key bases)?

The communities have offered financing and any other partnerships that are needed to assist DOE/NNSA to improve their facilities. Good models of facilities that have been improved with private and public partnerships include ORNL, PNNL, LANL and others. For example, SRNL has a potential

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## Continuing to Move Forward – Executive Director’s Message

project where it selected the Economic Development Partnership to develop a P3 project on the University of South Carolina-Aiken campus for a new advanced manufacturing facility. In Los Alamos the community is working with Triad (the contractor at the site) and NNSA to explore ways to develop land to provide new facilities for LANL and the community. This is the time for DOE/NNSA to take action.

6. *Capacity to Construct Plutonium Pits.* After NNSA succeeded in closing down the MOX facility at the SRS site, NNSA announced a potential new mission utilizing the MOX facility for SRS, the development of plutonium pits. The 2018 Nuclear Posture Review completed by the Department of Defense reported a need for the production of 80 pits per year by 2030. The proposal is to have two facilities with capabilities to produce 30 pits at LANL and 50 pits at SRS sites. Now in Los Alamos (where the pits are currently manufactured but only a few prototype pits have been manufactured) there was a raising of eyebrows since NNSA had recently cancelled a multi-billion dollar facility to manufacture pits since it was too large and too costly. The proposed retrofitted MOX facility at SRS may cost more than this cancelled facility (but that was the last Administration...). The politics and costs are still being reviewed on this one and we will see if NNSA and Congress will move forward. The initial indication is that they will move forward slowly as the real projects are being studied. This program is supported throughout the Aiken community. Further, DOD continues to identify the need for the pits.
7. *Community Engagement.* Usually this is my first issue and remains ECA’s top priority. ECA will begin its grading process of each DOE/NNSA office as we have done in the past. However, while many offices continue to strive for complete engagement, others are frankly not doing well. Whenever flare ups occur I usually can point to decisions not being made and a failure to communicate in person (versus in the press or through letters). It has been a long time since I have expressed concern about some offices – but it does exist. Once the grades come out we will highlight the issues more in depth.
8. *Implementation of the Manhattan Project National Historical Park.* The National Park remains a large source of pride by the communities surrounding the Hanford, Los Alamos and Oak Ridge sites. The Park remains in the implementation phase and continues to make progress. There are new visitor centers in each of the three communities for the National Park Service. The communities recently met with EM and LM to discuss cleanup issues, park access and implementation in Oak Ridge (See page 5). The key issues remain funding for the park and access to the park sites. See <https://www.nps.gov/mapr/index.htm>.
9. *Yucca Mountain and Interim Storage.* The politics of disposing of high-level defense nuclear waste and commercial spent nuclear fuel remain in a deadlock with elections are 15 months away. The House and Senate have different ideas on how to proceed with nuclear waste disposal, including whether interim storage efforts must be coupled with the development of a permanent geologic repository. The States of New Mexico and Texas have both told DOE and NRC that they want input on any interim storage sites in their states. ECA and many others continue to stress the need for progress for the protection of human health and safety. Few expect much movement until after the 2020 elections.
10. *Small Modular Reactors.* SMR development at INL continues to move forward. It is supported by many communities and states. The long-pole to construction and start-up remains the NRC process. DOE and other federal agencies are looking at the potential of purchasing power from SMRs for site resilience and other benefits. It remains a positive opportunity for the nuclear industry. DOD is also looking at the potential of “micro-reactors” which could open another front in nuclear development. Support from NE and DOE leadership remain key for this technology to continue to move forward.

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## Continuing to Move Forward – Executive Director’s Message

Finally, there a lot of good things going on even though I highlighted some concerns. ECA appreciates the availability of DOE leadership to meet and discuss issues with our members, and its

understanding that communities want to be partners and assist DOE/NNSA to succeed in their mission. The contractors at the sites understand how they are a key part of the community fabric. We want to continue these partnerships moving forward both from a political and practical standpoint at the sites. The offers to finance and develop infrastructure and development projects worth tens of millions of dollars show the commitment of the communities to

## ECA HOSTS MANHATTAN PROJECT HISTORICAL PARK IMPLEMENTATION PEER EXCHANGE IN OAK RIDGE, TN



*Photo courtesy City of Oak Ridge*

On August 14 and 15, ECA hosted its Peer Exchange on the Manhattan Project National Historical Park Implementation in the City of Oak Ridge, Tennessee. The peer exchange is part of an ongoing series focused on bringing together Department of Energy (DOE) and National Park Service (NPS) officials with leadership from the communities surrounding the three Park sites in Oak Ridge, Tennessee; Los Alamos, New Mexico;

and Hanford, Washington. The meeting also included representatives from the community around the Savannah River Site interested in learning how they may consider a future park dedicated to their own site and history.

Four years after legislation passed creating the Park, ECA is hosting regular opportunities for collaboration and coordination across federal agencies and the communities that share in supporting the parks growth.

The two-day meeting led by Roane County Executive and ECA Chair Ron Woody, with Oak Ridge Mayor Warren Gooch, featured discussions of issues including promoting tourism, developing signage, engaging local resources like historical societies, and incorporating economic development strategies. In addition, meeting participants toured the Oak Ridge Reservation, the American Museum of Science and Energy, and other key sights in the area including the remodeled Oak K-25 Overlook Visitors’ Center and the Friendship Bell Peace Pavilion project.



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## OP-ED: TOWN OF ASHFORD CALLS ON DOE TO INCLUDE WEST VALLEY CLEANUP IN HLW INTERPRETATION

It's time for the Department of Energy to clean up West Valley.

Once again, the Town of Ashford and the West Valley Demonstration Project (WVDP) are on the outside looking in as far as the United States Department of Energy (DOE) is concerned. A recent DOE proposal for interpreting high-level waste might have cleared the way for relocation of West Valley's high-level waste, but DOE has now updated that proposal to exclude West Valley. Also, DOE could be disposing the transuranic waste that has been stored at the site since the 1980s, but DOE refuses to dispose of this waste at WIPP, the one disposal site in the nation where it belongs. The Town of Ashford and its residents deserve better.

While DOE continues to treat West Valley and the Town of Ashford differently from its other cleanup sites for cost reasons or because of state-federal disputes, transuranic waste containers on the site, some from the 1980s, are starting to become unstable, and one recently broke apart and leaked. These containers were never meant for long-term storage in this location. One significant weather event could easily compromise other containers which are currently stored in nothing more than a metal building.

The Town of Ashford always rises to the occasion to be an active and supporting partner of DOE. We have patiently waited for decisions to be made, and we regularly work well with local DOE staff. DOE is currently working on a complicated proposal for disposal of West Valley transuranic waste that requires actions by Congress, the US NRC, and the State of Texas. But DOE could open a disposal pathway for West Valley's transuranic waste today at the Waste Isolation Pilot Plant (WIPP) by simply recognizing the defense work that was done at West Valley.

DOE says West Valley waste is "commercial" waste, which means the West Valley transuranic waste can't go to WIPP, since WIPP only takes defense waste. But 60% of West Valley waste came from the nuclear weapons complex, and most of the plutonium and all the uranium recovered at West Valley went back to the defense complex. This means the West Valley wastes should be defined as defense waste. In fact, West Valley is on DOE's list of "atomic weapons employers," making many West Valley employees eligible for the Energy

Employees Occupational Illness Compensation Program that compensates individuals for a broad range of illnesses received through working at DOE weapons complex facilities. *DOE can't have it both ways.*

Last year, DOE proposed to change the way it defines high level reprocessing waste, basing it on radiological characteristics, rather than origin. DOE said this change could open up disposal pathways for sites around the nation, expediting the cleanup of nuclear waste sites like West Valley. The Town of Ashford's comments were supportive of DOE's re-interpretation, not only at West Valley, but across the DOE complex, because DOE said it could move the clean-up forward and get waste out of West Valley and other sites.

Now DOE says the West Valley HLW won't be part of this initiative because DOE considers West Valley waste to be commercial waste. The whole point of DOE's proposal to interpret the definition of HLW was to manage the nation's HLW based on its characteristics rather than its origin. But in treating the West Valley HLW differently than the waste at Hanford, Savannah River and Idaho, because they call it "commercial," DOE is doing exactly what they said shouldn't be done.

West Valley deserves the same cleanup priority as every other site where neighbors live next to nuclear waste. It's time for DOE to abandon its outdated position on West Valley waste being commercial waste, treat the HLW like the nation's other HLW, and get the aging transuranic waste into the queue for disposal at WIPP.

We are *extremely* concerned with the concept of "open-air" demolition of the main plant process building given the off-site contamination issues that have occurred at Hanford, WA.

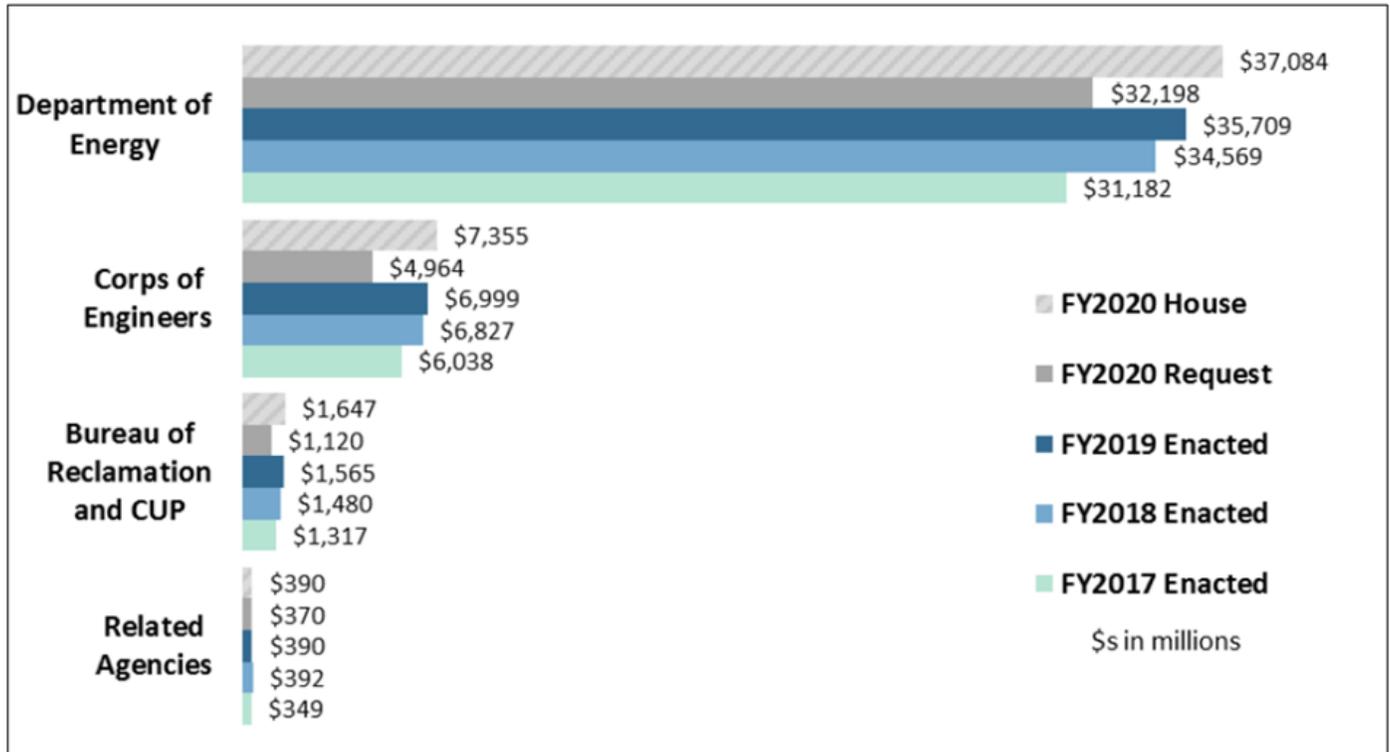
DOE continues to ask the community to do something it is not environmentally or economically suited for. The longer this continues, the higher the cost to the *local* community and the federal government. Continued delay and disagreement will continue to increase costs while the Town of Ashford deals with the on-going stigma of a nuclear waste dump.

*This article was written by representatives from the Town of Ashford.*

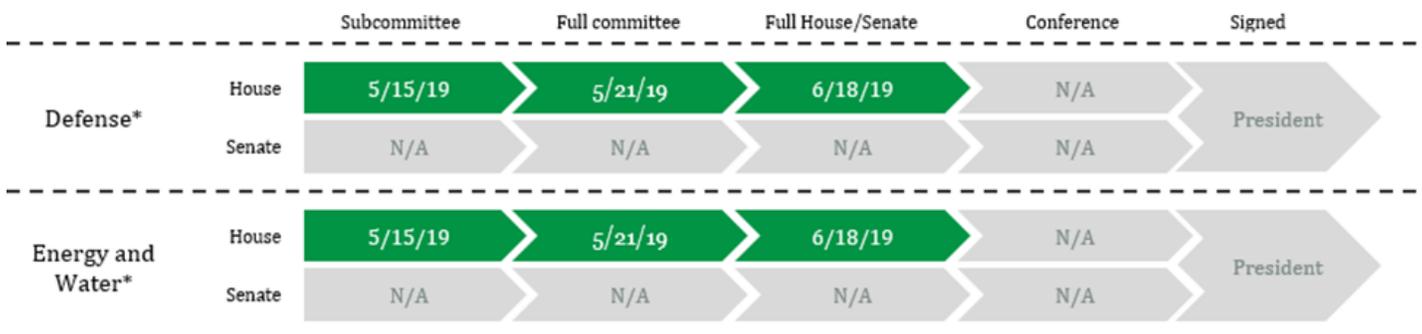
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Appropriations and Authorization for DOE Programs Moving Forward

## MAJOR COMPONENTS OF THE FY2020 ENERGY & WATER DEVELOPMENT APPROPRIATIONS BILL



Appropriations Committee. House Majority Leader Steny Hoyer (D-MD) and House Appropriations Committee Chairwoman Nita Lowey (D-NY) identified that a short-term CR may be necessary, given the Senate would need to mark up, pass, and settle differences with the House bills in conference within a short timeline before funding expires on September 30. Congress will likely take up a CR the week of September 16, which will extend funding through November 22.



### Defense Authorization

One critical piece of legislation that has made its way through both chambers is the National Defense Authorization Act (NDAA) for Fiscal Year 2020. The House version authorizes \$22.6 billion for DOE national security programs, while the Senate version authorizes \$23.2 billion. Both chambers are expected to

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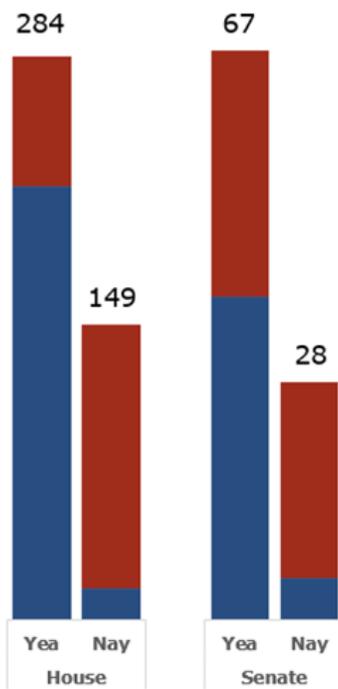
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### Appropriations and Authorization for DOE Programs Moving Forward

meet in a conference committee this month to reach a final bill. ECA will continue to monitor important provisions in this process related to the interpretation of high-level waste, plutonium pit production, Defense Nuclear Facilities Safety Board oversight, and more.

Just before the August recess, Congressional leaders prioritized passing a budget deal to address the spending caps set by the Budget Control Act of 2011. The deal raises spending caps on domestic and defense spending by \$320 billion over the next two years, which will likely allow for higher defense and energy spending in FY 2020 and FY 2021.

## CONGRESS PASSED A BUDGET DEAL TO SUSPEND THE DEBT CEILING AND INCREASE BUDGETS CAPS THROUGH 2021



#### Debt Ceiling

- Suspends the debt ceiling until the end of **July 2021**
- Congress faced a September deadline to raise the debt ceiling



#### Budget Caps

- Raises the maximum amount to be budgeted (budget caps) for FY2020 and FY2021 to **\$1.288 trillion** and **\$1.298 trillion**, respectively
- As a result of the 2011 budget agreement, the budget caps were supposed to decrease by \$90 billion in both FY2020 and FY2021 (sequestration) - but will now increase



#### Costs

- The Center for Responsible budget estimates the bill could add **\$1.7 trillion** to the deficit over the next 10 years
- The bill includes \$77 billion in cuts and revenue-raisers to help offset increased spending



#### To do:

- Congress must still **appropriate funds for FY2020** by 9/30/19
- The House has passed 10/12 bills but the Senate has passed zero.

### NATIONAL ACADEMIES: HANFORD LOW-ACTIVITY WASTE REPORT INSUFFICIENT

DOE commissioned a report by a federally funded research and development center (FFRDC) to analyze approaches to supplemental treatment of low-activity waste at Hanford. Congress requested the National Academies of Sciences, Engineering, and Medicine to [assess the FFRDC’s approaches](#). The National Academies concluded that the report “does not yet provide a complete technical basis needed to support a final decision on a treatment approach, nor does it clearly lay out a framework of decisions to be made.”

The National Academies recommended that the FFRDC report be used as a “pilot for a full comparative analysis” and “should provide direct comparisons of alternatives.” A public comment period for the National Academies assessment is open through October 31, 2019 [here](#).



# Legislative Update

## Coons, McSally seek to boost nuclear energy with new legislation

On July 31, Senators Chris Coons (D-DE) and Martha McSally (R-AZ) [introduced](#) the [Nuclear Energy Renewal Act](#), which aims to “help curb harmful greenhouse gas emissions and enhance the economic viability of the current U.S. nuclear fleet by helping nuclear power plants operate longer and more efficiently.”

The bill has three major components: 1) expanding the Light Water Reactor Sustainability Program, 2) increasing support for advanced nuclear technologies, and 3) establishing a Nuclear Energy Research, Demonstration, and Development Program which includes an apprenticeship program for the nuclear industry.

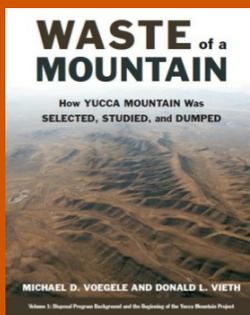
The bill was referred to the Senate Committee on Energy and Natural Resources. Upon its introduction, the Nuclear Energy Renewal Act received support from the Nuclear Energy Institute, Exelon Corporation, the Bipartisan Policy Center, and ClearPath.

## Competing ARPA-E bills introduced in House

The Department of Energy’s Advanced Research Projects Agency—Energy (ARPA—E) is currently funded at \$366 million. As the administration has requested to eliminate the agency in the last three annual budget proposals, House legislators on both sides of the aisle have proposed two bills that would reauthorize it at differing funding levels. ARPA—E is responsible for developing advanced energy technologies.

On July 23, Rep. Frank Lucas (R-OK) introduced the [ARPA—E Reauthorization and Reform Act](#) (H.R. 3915), and one week later, Rep. Eddie Bernice Johnson (D-TX) introduced the [ARPA—E Reauthorization Act](#) (H.R. 4091). Both bills would implement measures to evaluate the agency’s performance after three years, expand its goals to include seeking solutions for nuclear waste cleanup, and develop a “strategic vision” every four years.

The bills differ in their authorizations of funds for ARPA—E, as the Republican bill calls for \$500 million by 2024, and the Democratic bill calls for \$1 billion by 2024. The Republican bill also includes further reform provisions to prevent duplication of efforts with other agencies and to require verification that private sector financing was not available to grant applicants. Both bills remain in the House Committee on Science, Space, and Technology, where Rep. Johnson is the Chairwoman.



Yucca Mountain proponents and opponents are preparing for a fresh fight in the 115<sup>th</sup> Congress, but the politics of today are still greatly colored by the long history of the proposed repository. The book, *Waste of a Mountain*, tells the story of the 70-year-long effort to dispose of spent nuclear fuel and high-level radioactive waste at Yucca Mountain. The book, written by Michael Voegele and Donald Vieth, details the history of government action in the effort to locate and develop a site for the permanent disposition of the waste. The book is available on the Pahrump Valley Museum’s website [here](#).

## Department of Energy Budget & Appropriations Highlights\*

(amounts in thousands of dollars)

	FY 2019 Enacted	FY 2020 Request	FY 2020 Request vs FY 2019 Enacted	
			\$	%
<b>DEPARTMENT OF ENERGY</b>	<b>35,685,317</b>	<b>31,702,5298</b>	<b>-3,894,788</b>	<b>-10.9%</b>
<b>Environmental Management</b>	<b>7,175,129</b>	<b>6,469,093</b>	<b>-706,036</b>	<b>-9.8%</b>
Defense Environmental Cleanup	6,024,000	5,506,501	-517,499	-8.6%
Hanford/ Richland	865,171	628,820	-236,351	-27.3%
Office of River Protection	1,573,000	1,392,460	-180,540	-11.5%
Idaho National Laboratory	433,200	334,854	-98,346	-22.7%
Lawrence Livermore National Laboratory	1,704	1,727	+23	+1.3%
Separations Process Research Unit	15,000	15,300	+300	+2.0%
Nevada NNSA Sites	60,136	60,737	+601	+1.0%
Sandia National Laboratory	2,600	2,652	+52	+2.0%
Los Alamos National Laboratory	220,000	195,462	-24,538	-11.2%
Oak Ridge Reservation	410,000	292,781	-117,219	-28.6%
Savannah River Site	1,387,657	1,463,132	+75,475	+5.4%
Waste Isolation Pilot Plant	396,907	391,642	-5,265	-1.3%
Non-Defense Environmental Cleanup	310,000	247,480	-62,520	-20.2%
West Valley Demonstration Project	75,000	75,215	+215	+0.3%
Gaseous Diffusion Plants	101,304	103,073	+1,769	+1.7%
Small Sites	131,456	66,692	-64,764	-49.3%
Uranium Enrichment Decontamination & Decommissioning Fund	841,129	715,112	-126,017	-15.0%
Oak Ridge	195,000	109,439	-85,561	-43.9%
Paducah	206,000	207,215	+1,215	+0.6%
Portsmouth	408,099	355,661	-52,438	-12.8%
<b>Legacy Management</b>	<b>158,877</b>	<b>303,029</b>	<b>+144,152</b>	<b>+90.7%</b>
<b>National Nuclear Security Administration</b>	<b>15,228,618</b>	<b>16,485,000</b>	<b>+1,256,382</b>	<b>+8.3%</b>
Weapons Activities	11,100,000	12,408,603	+1,308,603	+11.8%
Defense Nuclear Nonproliferation	1,930,000	1,993,302	+63,302	+3.3%
Naval Reactors	1,788,618	1,648,396	-140,222	-7.8%
<b>Nuclear Energy</b>	<b>1,326,090</b>	<b>824,000</b>	<b>-502,090</b>	<b>-37.9%</b>
<b>Science</b>	<b>6,585,000</b>	<b>5,545,972</b>	<b>-1,039,028</b>	<b>-15.8%</b>
<b>Yucca Mountain and Interim Storage</b>	<b>0</b>	<b>116,000</b>	<b>+116,000</b>	<b>N/A</b>
Nuclear Waste Disposal	0	90,000	+90,000	N/A
Defense Nuclear Waste Disposal	0	26,000	+26,000	N/A

These figures are compiled from different sources: the Office of Management and Budget, Congressional Appropriations Committee reports, DOE budget justifications, and various press releases. There are some discrepancies in how each source calculates government spending.

## MAJOR CONTRACTS AND AWARDS

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The 2019 National Cleanup Workshop will focus on DOE EM contracting. Below are recent DOE announcements related to EM contracting.

### Final Request for Proposal for EM Nevada Environmental Program Services Released

On July 22, DOE [released](#) the final Request for Proposal (RFP) for the EM Nevada Environmental Program Services (EPS) contract, which has an estimated value of \$350 million over a 10-year period. Under the contract, DOE seeks “services to complete End States to achieve measurable results towards completion of the DOE-Office of Environmental Management mission at the Nevada National Security Site (NNSA) by accomplishing the maximum amount of environmental cleanup within the 10-year ordering period.”

The current EM Nevada EPS contract, held by Navarro Research and Engineering, Inc., expires on January 31, 2020. DOE hosted an industry day in August 2018 to receive input from stakeholders. More information regarding the RFP can be found on the [procurement website](#).

### Two Cleanup Contracts Extended at Hanford

DOE has [extended](#) contracts held by **Washington River Protection Solutions** and **CH2M Hill Plateau Remediation Co.** for up to a year. The contracts were set to expire on September 30. In a memo sent by DOE to Hanford employees, the agency noted, “Extension of the current contracts would only be in force as long as needed after award of new contracts and transition periods to the new contracts.”

DOE will continue to pursue new contracts for the tank farm, valued at \$13 billion over 10 years, and the central Hanford cleanup contract, valued at \$10 billion over 10 years. Washington River Protection Solutions and CH2M will begin work under the extended contracts on October 1.

### Savannah River Site Management and Operations Contract Extended

DOE [approved](#) a \$1.5 billion extension for the management and operations (M&O) contract held by **Savannah River Nuclear Solutions** at the Savannah River Site. SRNS will continue its work through September 2020 with two one-year options available.

## GAO REPORTS

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### GAO Examines DOE Use of Enhanced Procurement Authority

The National Defense Authorization Act for Fiscal Year 2014 provided the Secretary of Energy with an enhanced procurement authority, which allows the Secretary to exclude suppliers from certain procurements. In a recent Government Accountability Office (GAO) [report](#), the National Nuclear Security Administration (NNSA) said DOE has not yet used the authority and is unlikely to use it because it would be a “time-consuming process” and that it can only be applied on a case-by-case basis which would not exclude the supplier from other existing contracts.

NNSA officials indicated to GAO that it is developing a report to be completed by the end of the year, which requests: 1) a reduced amount of time for approval by DOE to use the authority, and 2) allowing the authority to apply across “multiple contract actions” to the same excluded supplier. GAO recommended that “DOE, in coordination with NNSA, formally communicate to the relevant congressional committees concerns about, and suggested changes to, the enhanced procurement authority in a timely manner.”

## FEDERAL REGISTER NOTICE FOR NEPA / DOE REACTOR RELEASED

DOE published a Notice of Intent (NOI) in the [Federal Register](#) to announce the development of an Environmental Impact Statement (EIS) to “study the impacts of building a Versatile Test Reactor in the U.S.” The purpose of the Versatile Test Reactor (VTR) is to test future fuels and materials for use in advanced nuclear reactors for the nation’s power grid. Under the Nuclear Energy Innovation Capabilities Act, DOE was directed to approve the start of operations for a “versatile reactor-based fast-neutron source” by December 31, 2025.

The Department is currently reviewing two sites to host the VTR—**Idaho National Laboratory (INL)** and **Oak Ridge National Laboratory (ORNL)**. Additionally, **INL** and the **Savannah River Site (SRS)** are the two sites being considered for the fabrication of fuel, which is necessary to run the VTR.

DOE’s NOI marks the first steps in the National Environmental Protection Act (NEPA) process, which requests the public to comment on what should be included in the EIS. DOE is accepting

comments through September 4, 2019. After receiving comments, DOE will develop the draft EIS, which will be released for another round of comments for 45 days before developing a final version.

Within the NOI, DOE lists potential environmental issues for analysis, which include: potential impacts on surface and groundwater, floodplains and wetlands; potential impacts on air quality (including global climate change) and noise; potential impacts on cultural resources such as historic, archeologic, and Native American culturally important sites; potential impacts on waste management practices and activities; and more. Upon announcing the Notice of Intent, Secretary of Energy Rick Perry [stated](#), “Lack of a domestic reactor with versatile fast-neutron-spectrum testing capability is a significant national strategic risk affecting the ability of DOE to fulfill its mission to advance the energy, environmental, and nuclear security of the United States and promote scientific and technological innovation.”

## ECA HOSTS WEBINAR ON HLW INTERPRETATION FOR INTERGOVERNMENTAL GROUPS

This July ECA hosted a webinar with Mark Senderling, EM’s Deputy Assistant Secretary for Waste and Materials Management, to help the Department of Energy’s Office of Environmental Management’s (EM) state, local and Tribal constituents better understand efforts to implement its proposed high-level waste interpretation.

During the webinar for representatives of the Environmental Council of the States, the National Association of Attorneys General, the National Governors Association’s Federal Facilities Task Force, the National Conference of State Legislatures and the State and Tribal Government Working Group, Mr. Senderling provided a detailed overview of DOE’s [Supplemental Notice Concerning U.S. Department of Energy Interpretation of High-Level Radioactive Waste](#) and the related notice, [Environmental Assessment for the Commercial Disposal of Defense Waste Processing Facility Recycle Wastewater from the Savannah River Site \(NOI\)](#).

Both notices, released in June, supplement and update DOE’s [2018 Request for Public Comment on the U.S. Department of Energy Interpretation of High-Level Radioactive Waste](#).

In the Supplemental Notice, DOE reiterates its interpretation of the statutory term “high-level radioactive waste (HLW) as defined in the Atomic Energy Act of 1954, as amended, and the Nuclear Waste Policy Act of 1982, as amended such that some reprocessing wastes may be classified as not HLW (non-HLW) and may be disposed of in accordance with their radiological characteristics.” The related notice outlines DOE’s first step in determining whether and how to implement its HLW interpretation specific to a particular waste stream by initiating a National Environmental Policy Act (NEPA) action to analyze the potential environmental impacts of the disposal of a Savannah River Site reprocessing waste stream as non-HLW at a commercial disposal site.

*(Continued on page 13)*

*(Continued from page 12)*

## ECA Hosts Webinar on HLW Interpretation for Intergovernmental Groups

DOE and Mr. Senderling's engagement reflects the importance of meaningful stakeholder engagement as reflected in both notices, including, "Each reprocessing waste stream has unique radiological characteristics and, accordingly, the interpretation will be implemented in subsequent actions on a site-specific basis, following consideration of: evaluation and characterization of specific reprocessing waste streams in conjunction with the waste acceptance criteria and requirements of a specific waste disposal facility; input from affected stakeholders (e.g., federal, state, local and tribal officials; and members of the public); and compliance with applicable federal and state laws, regulations, and agreements. This interpretation does not, and will not be used to, abrogate DOE's responsibilities under existing laws, regulations, agreements, or permit requirements. Nor does it change DOE's existing statutory authorities

or those of its regulators at the federal, state, or local level. DOE anticipates continued engagement and productive involvement of members of the public and the regulatory community in subsequent activities that may follow this HLW interpretation, including the NEPA process..."

DOE also states, "This interpretation does not change or revise any current policies, legal requirements, or agreements with respect to HLW. Decisions about whether and how this interpretation of HLW will apply to existing wastes would be the subject of subsequent actions. No implementation actions will be taken without appropriate interactions with affected state and local officials."

*For more information see:*

DOE's Office of Environmental Management's [High-Level Radioactive Waste \(HLW\) Interpretation webpage](#)

ECA's [Key Points](#) and [FAQs on DOE's HLW Interpretation](#)

*(Continued from page 1)*

## Local Government Officials Request Response to Health and Safety Questions from DOE on EM Proposed Oak Ridge Landfill

the EM cleanup program are based on answering hard questions about health and safety and not just following a process. Not one success story at DOE is based on a formal process being followed; rather, all focus on intensive community engagement, especially when there are disagreements. In this case, the communities around the DOE site have raised critical health and safety concerns, and a public meeting to answer all of the questions seems to be a reasonable request (instead of only including the response in a formal Record of Decision (ROD) where the final decisions is already being made – which is what DOE is proposing).

In a [July 1 letter](#) to DOE's local Environmental Management (EM) office, the Oak Ridge Reservation Communities Alliance (ORRCA), a consortium of local governments reviewing DOE's cleanup activities, requested a public meeting to discuss the agency's plans to construct a new on-site landfill. "The ORRCA Board is aware that a number of questions have been asked but have not been answered. Therefore, we are requesting this meeting to address those questions."

Oak Ridge City leadership wrote to DOE that their understanding is that a federal facilities agreement among DOE, the Environmental Protection Agency (EPA), and the State of Tennessee allows for DOE to proceed directly to the EPA Administrator for approval after issuing a draft ROD, affording local governments no further opportunity to engage federal and state decision makers in efforts to resolve community concerns. On August 29, DOE [requested](#) another month-long extension to submit the ROD.

Ahead of the issuing of the ROD, the City has many questions on topics that include "site characterization, waste acceptance criteria, mercury treatment and disposal, long term leachate and water management, contingency planning, and lifecycle costs for on-site versus off-site disposal."

Like ORRCA, the City is requesting that DOE hold an informational public meeting in Oak Ridge prior to issuing a draft ROD in order to address the "serious and unanswered public health, safety, environmental, and socioeconomic issues that the City and Oak Ridge citizens have asked."

DOE should learn from past interactions with host communities that ignoring local governments is neither an effective, nor a best practice. In fact, it only leads to delays and conflict. It is imperative that DOE allow for community input, concerns, and objections to be given due consideration throughout the decision-making process.

## ECA SITE PROFILES: THE NEW SOURCE OF INFORMATION FOR THE PUBLIC ON DOE SITES

ECA released an update to its [online DOE site profiles](#), which are a one-of-a-kind resource that collects priorities directly from host communities; contact information for local governments, media, and stakeholders; and the site’s history and missions.

The profiles, updated in August 2019, were developed in coordination with DOE and members

of ECA who represent various local governments, community reuse organizations, and economic development organizations. The 13 profiles provide constituents of host communities with easily accessible information about DOE activities at active cleanup sites and national laboratories.

### SITE PROFILES

- SITE PROFILE OVERVIEW
- BROOKHAVEN NATIONAL LABORATORY
- HANFORD SITE
- IDAHO
- LAWRENCE LIVERMORE NATIONAL LABORATORY
- LOS ALAMOS NATIONAL LABORATORY
- NEVADA NATIONAL SECURITY SITE
- OAK RIDGE RESERVATION
- PADUCAH
- PORTSMOUTH
- SANDIA NATIONAL LABORATORIES
- SAVANNAH RIVER SITE
- WASTE ISOLATION PILOT PLANT
- WEST VALLEY DEMONSTRATION PROJECT

## LEARN ABOUT DOE’S SITES

The following profiles for DOE's active cleanup sites and national laboratories highlight the history, missions, and priorities for each community. ECA also identifies stakeholders, including local governments, contractors, and advisory boards. The site profiles make the latest news and contact information for media and local officials accessible to members of communities who may be interested in learning more about nearby DOE activities. The location of each site is identified by a blue pin within the states below.



**BROOKHAVEN  
NATIONAL  
LABORATORY**

[VIEW PROFILE](#)



**HANFORD SITE**

[VIEW PROFILE](#)



**IDAHO**

[VIEW PROFILE](#)

## DOE ANNOUNCES NEW CENTER FOR DEVELOPMENT OF ADVANCED NUCLEAR ENERGY TECHNOLOGIES

On August 15, DOE [announced](#) the National Reactor Innovation Center (NRIC), which will “assist with the development of advanced nuclear energy technologies by harnessing the world-class capabilities of the DOE national laboratory system.” NRIC was authorized by the [Nuclear Energy Innovation Capabilities Act](#), which was signed in November 2018.

NRIC will allow private sector companies to access resources for testing and demonstration at the Idaho National Laboratory (INL), which will lead NRIC. According to a [fact sheet](#) released by the Office of Nuclear Energy (NE), NRIC is needed to: “enable testing and demonstration of reactor concepts by the private sector; validate advanced nuclear reactor concepts; resolve technical challenges of advanced nuclear reactor concepts; and provide general research and development to improve innovative technologies.”

DOE established the Gateway for Accelerated Innovation in Nuclear (GAIN) initiative, which was designed to help the nuclear industry access technical and financial support to move advanced nuclear technologies toward commercialization. NRIC is seen by DOE as an extension of GAIN to help developers move into later stages of commercialization, such as proof of operations.

DOE explained that INL was chosen to host NRIC due to its leadership in the development of next-generation reactors, in addition to its nuclear energy capabilities including the Advanced Test Reactor, Cybercore Integration Center, and Collaborative Computing Center.

The House Appropriations Energy and Water Development subcommittee recommended \$5 million for NRIC in the FY 2020 spending bill.



**September 16-18, 2020**  
Hilton Alexandria Mark Center





# 2019 Upcoming Events

<b>September 10, 2019</b>	<b>ECA Board of Directors Meeting</b> , Forrestal Room 3E-069; by invitation only, contact <a href="mailto:dylank@energyca.org">dylank@energyca.org</a> for details.
<b>September 10-12, 2019</b>	<b>2019 National Cleanup Workshop</b> , Hilton Alexandria Mark Center, Alexandria, VA; visit <a href="http://www.cleanupworkshop.com">www.cleanupworkshop.com</a> for details.
<b>November 19-21, 2019</b>	<b>2019 Intergovernmental Meeting with DOE</b> , Nashville, TN; by invitation only, contact <a href="mailto:dylank@energyca.org">dylank@energyca.org</a> for details.

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