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ECA HIGH-LEVEL WASTE MEETING: CLARIFICATION OF HLW DEFINITION NEEDED



ECA hosted a strategic session on defense high-level waste (HLW) management and disposal priorities on June 14 in Washington, DC. The meeting focused on the future of Yucca Mountain and the potential to clarify waste definitions to reflect composition rather than origin.

During the meeting, ECA members from across the nuclear weapons

complex agreed that legislative clarifications of the definition of defense HLW will create additional disposal pathways, expedite cleanup, and save taxpayer dollars. The cost savings and cost avoidance of this clarification are estimated to be in excess of \$25 billion.

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OWENDOFF NEW ACTING EM-1

Leadership changes are underway at the Department of Energy (DOE). On June 27, DOE [announced](#) that James M. Owendoff, who has served as Senior Advisor to the Assistant Secretary in the office of Environmental Management (EM) since January 2010, has been named EM Principal Deputy Assistant Secretary. Owendoff will also serve as EM Acting Assistant Secretary (EM-1) until the President nominates and the Senate confirms the nominee for the position.

DOE has indicated that Owendoff plans to review the full EM program, identifying opportunities to improve the effectivity and execution of the cleanup missions. "Our review will help focus the Department's cleanup efforts by emphasizing more timely decisions on some of our more complex cleanup challenges. This will go a long way toward putting the program on the path to safely and successfully achieving out cleanup mission sooner and at less cost to taxpayers," Owendoff said.

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Legislative Update

As Congress breaks for the July 4 recess, Members wrap up one of its busiest month so far in the 115th session, with the healthcare debate and Senate and House intelligence hearings taking center stage. Appropriators in Congress are scrambling to make progress on the FY2018 budget before the end of the fiscal year—a deadline now fewer than 100 days away.

The President's FY2018 Budget Request

On March 23, the White House released its FY2018 budget request, entitled: [*A New Foundation for American Greatness*](#). The request closely resembled the President's "skinny budget" released back in March, which promised to increase national defense spending, fund Yucca Mountain licensing efforts, and decrease or eliminate funding for other energy programs at the Department of Energy (DOE).

Compared to FY2017 levels, the President's request increased funding for the National Nuclear Security Administration (NNSA) to \$13.9B (+11.2%), the Office of Environmental Management (EM) to \$6.5B (+4.7%), and provided \$120M for Yucca Mountain and Interim Storage programs. Overall, energy programs at DOE saw a significant decrease of 29%. The budget request would eliminate programs like ARPA-E and slash spending on fossil, nuclear, and renewable energy offices as part of a DOE-wide realignment toward basic scientific research as opposed to technology deployment. The Administration's FY2018 Congressional Budget Request for DOE can be found [here](#).

It is important to remember that Congress still maintains the 'power of the purse,' and appropriations cardinals in both the House and Senate have their own take on the President's request. In a June 21 Senate [hearing](#) with Secretary Perry on the DOE's budget request, Senator Lamar Alexander (R-TN) criticized the cuts to DOE energy research programs, stating: "Governing is about setting priorities, and the federal debt is not the result of Congressional overspending on science and energy research each year."

Energy and Water Appropriations Bill Released

The House Energy and Water Appropriations Subcommittee advanced its FY2018 [energy and water spending bill](#) on June 28. The \$37.5B bill funds DOE, the Army Corps of Engineers, and other agencies. The bill is \$209M below FY2017 enacted levels, but \$3.65B above the President's FY2018 budget request.

Subcommittee Chairman Mike Simpson commented on the importance of the bill. "This bill prioritizes fulfilling our national security needs and maintaining critical investments to support American competitiveness within tight budget caps. It strikes a responsible balance between the modernization and safety of our nuclear weapons, advancing our national infrastructure, and strategic investments in basic science and energy R&D."

The bill now moves to the full Appropriations Committee, which has not announced when it will take up the measure. A summary of the draft legislation can be found as part of the Committee [press release](#).

Continuing Resolution Likely

Even as some appropriations bills are released, most appropriators on Capitol Hill are preparing for another continuing resolution (CR). On June 13, Senate Majority Leader Mitch McConnell (R-KY) announced he will be seeking a bipartisan deal to set spending limits. In the interim, however, McConnell has instructed Senate appropriators to "move forward with some of the appropriations bills at last year's levels and then adjust them once we can reach a bipartisan agreement on how much we're going to spend."

Some in the House, however, have taken a separate approach: Rep. Tom Graves (R-GA) has proposed a plan to skip straight to an omnibus before the August recess, completely abandoning any pretense

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of proceeding with regular order. “The GOP-led House will have stronger footing in negotiations by taking the lead and sending a full package early,” said Graves. But Republican proponents of Graves’ plan may be out of time; appropriators only have until July 11 to post the omnibus. It is also increasingly unlikely that a partisan omnibus able to pass the House will be able to pass in the Senate.

National Defense Authorization

Both the House and Senate Armed Services Committees approved their respective versions of the National Defense Authorization Act (NDAA) for FY2018 in late June. The House has called for a defense spending topline of \$695B, while the Senate called for \$700B. The bills now head to the full House and Senate chambers for approval.

The [House bill](#) authorizes the President’s full budget request of \$13.9B for nuclear weapons activities and the defense nuclear nonproliferation program for NNSA. Additionally, the bill would require an independent assessment to determine whether management contracts for NNSA national laboratories should be for-profit or not-for-profit before a new contract is awarded.

Of particular importance to ECA, the **House NDAA also calls for the Secretary of Energy to conduct an evaluation of how DOE determines the classification of defense nuclear waste as to “identify any changes that the Secretary determines would provide significant cost avoidance or cost savings within the long-term defense environmental cleanup program.”** The report would be due to Congress by February 1, 2018.

The Senate bill is not yet publicly available, though the committee has published a [summary](#).

Yucca Mountain Legislation Advances in the House

The House Energy and Commerce Committee, chaired by Rep. Greg Walden (R-OR), passed the [Nuclear Waste Policy Amendments Act of 2017](#) (H.R. 3053) on a 49-4 vote. The bill, sponsored by

the Environment Subcommittee Chairman Rep. John Shimkus (R-IL), now will move to the full House for consideration.

If signed into law, the legislation would make the first changes to the Nuclear Waste Policy Act of 1982 in 30 years, and would create a path forward for licensing a deep geologic repository at Yucca Mountain.

According to a [fact sheet](#) released by the Committee, key provisions of the bill:

- **Reform the Nuclear Waste Fund (NWF) to Protect Ratepayers** — protects the ratepayers’ previous payments into the NWF and assures that long-term funding for the repository program be available over the course of the multi-generational infrastructure project;
- **Protect National Security Priorities** — assures previous defense spending supports the completion of the repository licensing process;
- **Strengthen DOE Management and Organization** — provides a five-year fixed term appointee to provide program continuity within DOE’s Office of Civilian Radioactive Waste Management and clarify that it will be responsible for all nuclear waste management activities at DOE.
- **Provide for Consolidated Storage Options** — authorize DOE to contract with non-federal entities to store spent nuclear fuel (SNF) on an interim basis, or to develop a centralized storage facility, i.e., monitored retrievable storage.
- **Assist Repository Licensing Process and Operation** — remove potential impediments to license approval for the Yucca Mountain site, including land withdrawal.
- **Beneficially Engage with Local Stakeholders** — address financial support associated with a nuclear waste management system for states and other local stakeholders that host a repository or interim storage facility; permits local stakeholders to engage directly with the federal government to mitigate impacts associated with activities authorized by the bill; and makes funding available to Nevada once SNF or HLW arrive at the site.

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FY 2018 Budget Highlights*

(amounts in thousands)

	Final 2017 Omnibus Bill	FY 2018 Requested
DEPARTMENT OF ENERGY	30,746,009	28,041,597
Environmental Management	6,420,000	6,508,335
Defense Environmental Cleanup	5,405,000	5,537,186
Hanford	839,760	716,192
Office of River Protection	1,499,965	1,504,311
Idaho National Laboratory	382,088	350,226
Lawrence Livermore National Laboratory	1,396	1,175
Separations Process Research Unit	3,685	191,629
Nevada NNSA Sites	62,176	60,136
Sandia National Laboratory	4,130	2,600
Los Alamos National Laboratory	194,000	191,629
Oak Ridge Reservation	263,219	207,600
Savannah River Site	1,233,429	1,282,467
Waste Isolation Pilot Plant	292,720	316,571
Non-Defense Environmental Cleanup	247,000	218,400
West Valley Demonstration Project	66,413	60,585
Gaseous Diffusion Plants	101,304	100,575
Uranium Enrichment Decontamination & Decommissioning Fund	768,000	752,749
Oak Ridge	194,673	145,726
Paducah	205,530	202,958
Portsmouth	315,168	351,271
Legacy Management	154,320	154,606
National Nuclear Security Administration	12,938,252	13,931,000
Weapons Activities	9,245,567	10,239,344
Defense Nuclear Nonproliferation	1,882,872	1,793,310
Naval Reactors	1,419,813	1,479,751
Nuclear Energy	1,016,616	703,000
Yucca Mountain and Interim Storage	---	120,000
INDEPENDENT AGENCIES		
Defense Nuclear Facilities Safety Board	30,872	30,600
Nuclear Regulatory Commission	112,505	138,000
Nuclear Waste Technical Review Board	3,600	3,600

*Note: These figures are compiled from different sources: the Office of Management and Budget, the congressional appropriations committee reports, and press releases. There are some variation

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- **Integrate Federal Nuclear Waste Management Activities** — ensure all activity associated with the transport of SNL is part of and working toward the goal of permanent geologic disposal.
- **Fulfill Federal Government Responsibilities** — directs DOE to take ownership of commercial SNF once it is accepted for transport to an interim storage facility or repository as to reduce ongoing taxpayer exposure to claims against the Judgment fund because DOE's current lack of ownership places them in breach of contract.

The Administration is supportive of efforts to restart the licensing process for Yucca Mountain and initiatives for interim storage for SNF and HLW. In a House budget [hearing](#) on June 20, Secretary Perry said, “We have a moral and national security obligation to come up with a long term solution, finding the safest repositories available [...] we can no longer kick the can down the road.”

Nuclear Tax Production Credit Legislation Moves to Senate

Legislation ([H.R. 1551](#)) to extend a production tax credit (PTC) to nuclear power facilities that become operational after 2020 has passed the House and now moves to the Senate for consideration. The legislation, sponsored by Reps. Tom Rice (R-SC) and Earl Blumenauer (D-OR), would amend the Internal Revenue Code to lift a requirement that nuclear power facilities be placed into service by the end of 2020 in order to receive the 1.8-cent-per-kilowatt-hour PTC. The bill also allows government-owned utilities and nonprofit partners to effectively pass rate savings onto ratepayers or other partners with the facilities, e.g., the reactor designers.

ECA sources say that the Senate companion bill ([S. 666](#)), introduced by Senator Tim Scott (R-SC), will likely not be addressed by committee until after the August recess.

According to [The Washington Times](#), the PTC could be worth as much as \$2 billion per project. The extension will benefit struggling nuclear projects currently under construction in Georgia and South Carolina whose backers have warned they may be unable to finish work without an extension of the credit. Following Westinghouse's bankruptcy, parent company Toshiba agreed to pay Southern Company \$3.68 for the completion of Vogtle 3 & 4 in Georgia, but third-party estimates place the final cost of construction much higher, reports [Reuters](#). Similarly, the construction of Summer 2 & 3 in South Carolina is currently more than a billion over budget.

The PTC will also be important for future advanced nuclear projects, such as small modular reactors (SMRs)—the first of which, designed by NuScale, is expected to come online in 2025 pending a successful [design certification review](#) by the NRC.

“Without this legislation, the nuclear power industry may cease to exist as we know it in this country, which is exactly why passing this bill now is more important than ever,” Rice said.

The White House released [statement of support](#) for H.R. 1551 on June 20. “The bill would fulfill the President's commitment to the continuation of nuclear energy as a major contributor to our Nation's energy production and security. Nuclear power is critical to the reliability, security, and diversity of our national energy mix.”

NRC and DOE Nominations

Also this month, the Senate voted (88-9) to confirm NRC Chairwoman Kristine Svinicki's re-nomination, three days before her current term was set to expire. Still pending is confirmation for NRC nominees Annie Caputo and David Wright. The Senate Environment and Public Works Committee is expected to vote on their nominations on July 12.

The nomination of Dan Brouillette as Deputy Secretary at DOE appears to have stalled. He was approved by the Senate energy committee on June 6, but the full Senate has yet to schedule a final vote on his nomination. ECA sources say that Senator Dean Heller (R-NV) has put a hold on Brouillette's nomination—likely due to disagreement with the

(Continued from page 1)

ECA High-Level Waste Meeting

Meeting with DOE Officials

The meeting kicked-off with a visit to DOE headquarters to meet with Roger Jarrell, Senior Advisor to the Secretary for EM. ECA Chair Chuck Smith opened the meeting with an overview of the ECA organization, its members, and ECA's position on pursuing a clarification on how waste is classified. Jarrell indicated to ECA that HLW clarification is a priority for EM and the Administration and that DOE is continuing to evaluate administrative order 435.1.

Strategy Session at ECA Headquarters

Following the meeting with DOE, ECA members heard from various speakers. A key issue of discussion was Yucca Mountain and the next steps necessary to restart the licensing process. There was agreement during the discussion that DOE should reestablish the Office of Civilian Radioactive Waste Management (OCRWM) as soon as possible to get the process started.

As discussions over the future of Yucca Mountain continue, ECA members also spoke at length on opportunities for DOE to dispose of some defense HLW streams in the nearer term.

During roundtable discussions, ECA members agreed that clarifying the definition of HLW to reflect radiological composition will bring the US into alignment with how the rest of the world treats their nuclear waste and would:

- Be an exercise of good stewardship over taxpayer dollars as funds obligated annually for cleanup of the nuclear weapons complex could be utilized more effectively to address other wastes currently without a disposal path;
- Reduce the DOE need to build additional on-site storage facilities since the waste would not all have to be vitrified and stored while waiting for a permanent geologic repository to open; and
- Reduce risk to human health and the environment as DOE could use a scientific, risk-based approach to waste classification.

For example, pending a waste definition clarification, approximately 2,300 canisters of vitrified waste at the Savannah River Site could meet the definition of TRU waste and the current Waste Acceptance Criteria for the Waste Isolation Pilot Plant (WIPP). This change still requires the need to license and construct a deep geologic repository at Yucca Mountain, and ECA is supportive of its development.

ECA supports ongoing efforts at DOE, as well as any legislative action to address this issue. See related story on the NDAA on page 4.



Aiken County Councilman and ECA Chair Chuck Smith (left) with Roger Jarrell, Senior Advisor to the Secretary for EM (right) during ECA's meeting at DOE



City of Carlsbad, NM Administrator Steve McCutcheon (left) and Councilor Eddie Rodrigues (right) in front of the U.S. Capitol

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Leadership Shakeup for DOE's Environmental Management Office

Owendoff has worked with ECA over the last 20 years and has participated in over 10 ECA meetings. We look forward to continuing our spirited discussions with him.

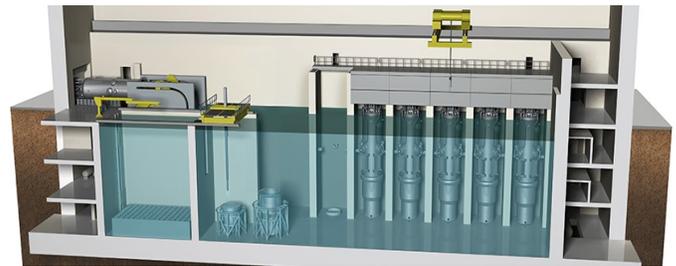
In DOE's Office of Nuclear Energy (NE), Mr. Edward McGinnis was appointed as Principal Deputy Assistant Secretary for NE and will also serve as Acting Assistant Secretary for NE (NE-1) until the President nominates and the Senate confirms the nominee for the position. McGinnis served as the Deputy Assistant Secretary for International Nuclear Energy Policy and Cooperation since 2007. ECA welcomes the opportunity to continue to work with NE and McGinnis in the future.

ECA SUPPORTS NUCLEAR REGULATORY COMMISSION'S REVIEW OF SMR EARLY SITE PERMIT

This month, ECA submitted [comments](#) to the NRC in support of the agency's review of an early site permit (ESP) application filed by the Tennessee Valley Authority (TVA) for an small modular reactor (SMR) at the Clinch River Nuclear Site. In the comments, ECA noted that member communities play a key role in supporting national and energy security goals and thus support the development of new energy production facilities and advanced energy technologies.

ECA stated, "the NRC is taking a critical and important first step forward toward realizing the development and construction of advanced nuclear production technologies which will increase U.S. energy independence, improve reliability, reduce carbon emissions, and create economic opportunities and well-paid clean energy jobs in our communities."

ECA adopted a formal [policy position](#) in 2014 in support of new nuclear power generation facilities, such as SMRs. Since then, ECA has continued to work with DOE and private industry to "understand their priorities and ensure there is a robust, local workforce with the capabilities necessary to support new nuclear missions. We are also considering the role for local governments in hosting manufacturing industries associated with advanced nuclear technologies and public-private partnership opportunities for financing and power purchase agreements."



A cross section of NuScale Power LLC's nuclear power reactor building

Individually, many ECA members have already taken steps to support SMR and advanced nuclear development.

For example, in Tennessee, Roane County and the City of Oak Ridge have both passed resolutions in support of TVA's efforts to site an SMR at the Clinch River Nuclear Site. Likewise, Los Alamos County, NM, and the City of Idaho Falls, ID, are engaged in the Utah Associated Municipal Power Systems' [effort](#) to build a Nuscale-designed SMR at the Idaho National Laboratory.

As ECA notes in its comments, "We believe this effort can help create a model for siting new advanced nuclear facilities and lead to better understanding of how the federal government, local governments, regulators, and industry can work together to help these projects come to fruition."

MAJOR CONTRACTS AND AWARDS

DOE Awards Technical Research, Engineering, and Development Services Contract at NNSS

On May 18, DOE [awarded](#) the Desert Research Institute a Technical Research, Engineering, and Development Services contract to assist the Department with study and stewardship at the Nevada National Security Site (NNSS). The contract is valued up to \$47.7 million and lasts up to five years. Contract work will include nuclear stockpile stewardship, nonproliferation and counterterrorism; emergency response to radiological events; environmental remediation and the stewardship of natural and cultural resources

NNSA Awards Project Management Services Contract

On May 25, Parsons Corp. [received](#) a new five-year, \$95 million contract to support NNSA's construction project management. Through task order rewards, Parsons will take on "planning, budgeting, procurement, design and construction" for the DOE agency. Parsons is the incumbent under the current contract which expires in July.

DOE Awards Paducah Deactivation and Remediation Contract

On May 30, DOE [announced](#) the selection of Four Rivers Nuclear Partnership (FRNP), LLC for the Paducah Deactivation and Remediation (D&R) Contract at the Paducah Gaseous Diffusion Plant in Kentucky. FRNP is a joint venture between CH2M, Fluor Corporation, and BWX Technologies. The total contract is valued at \$1.5 billion over 10 years, with the base term of five years valued at \$750 million. There are subsequent 3-year and 2-year option periods that make up the remaining \$750 million value. The contract entails management of over 650 structures and properties at the Paducah site, and the contractors will provide optimized surveillance and maintenance costs.

DOE Awards Contract for WIPP Transportation Services Procurement

On June 1, EM's Consolidated Business Center [announced](#) a new contract awarded to CAST Specialty Transportation, Inc. (CAST) of Henderson, Colorado, for WIPP's transportation services. Under the five year, \$112 million contract, CAST will provide transportation and maintenance services to support shipments of transuranic (TRU) waste to WIPP.

DOE Awards Contract for EM Headquarters Support Services

On June 13, STC Environmental Services JV, LLC was [awarded](#) an Indefinite Delivery/Indefinite Quantity (IDIQ) contract from DOE. The contract has a maximum value of \$4 million over five years. STE Environmental Services will provide technical, regulatory, environmental and planning support services to EM headquarters offices.

DOE Awards Contract for Oak Ridge Technical Support Services Procurement

On June 19, Professional Project Services, Inc. was [awarded](#) a contract for the Oak Ridge Office of Environmental Management (OREM) Technical Support Services (TSS) procurement. The contract has a minimum value of services of \$20,000 and a maximum value of services of \$49 million, with a five-year ordering period. The contractor will provide technical and oversight support for planning and management of the OREM Portfolios of Projects.

DOE Awards Nearly \$67 Million to Advanced Nuclear Technology

On June 14, DOE [announced](#) awards in nuclear energy research, facility access, crosscutting technology development, and infrastructure projects totaling nearly \$67 million. In total, 85 projects in 28 states were selected. The awards provide funding for research through the Nuclear Energy University Program, Nuclear Science User Facilities, and Nuclear Energy Enabling Technologies programs. Additionally, award recipients will receive access to research capabilities and assistance through the Gateway for Accelerated Innovation in Nuclear (GAIN) Initiative.

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Major Contracts and Awards

DOE Awards \$116 Million for Small Business Research and Development Grants

On June 22, DOE [announced](#) the award of 263 grants totaling \$116 million to 184 small businesses. These grants are for both early-stage research on technical feasibility of new innovations, and later-stage research and prototype development. Grants were awarded through the Office of Defense Nuclear Nonproliferation, Office of Environmental Management, and Office of Nuclear Energy among others.

NNSA Announces Competition for Management & Operations Contract at LANL

On June 27, NNSA [announced](#) its intention to pursue competition for the Management and Operations (M&O) contract for Los Alamos National Laboratory. On July 13, NNSA will issue a draft Request for Proposal (RFP) for industry to bid for the new contract. The performance period of the current contractor, Los Alamos National Security, LLC, expires September 30, 2018.

GAIN Announces Second Round of Nuclear Energy Voucher Recipients

On June 16, the Gateway for Accelerated Innovation in Nuclear (GAIN) [announced](#) that 14 businesses will be awarded nuclear energy vouchers worth approximately \$4.2 million to support innovation and application of advanced nuclear technologies. GAIN voucher recipients do not receive direct financial awards; vouchers provide advanced nuclear technology innovators with access to the extensive nuclear research capabilities and expertise available across the U.S. DOE national laboratories complex.

UPCOMING CONTRACT EXPIRATIONS 2017-2019	
Contract Type	Expiration Date
WIPP M&O	September 2017 (option of 5-year extension)
SRS Liquid Waste	December 2017
Hanford Central Plateau	September 2018
Los Alamos National Laboratory	September 2018 (more award terms possible)
Lawrence Livermore National Laboratory	September 2018 (more award terms possible)
Salt Waste Processing Facility	2018
West Valley Demonstration Project	April 2019
Y-12/Pantex	June 2019 (option of 5-year extension)
Hanford Mission Support	September 2019

GAO REPORTS

Resuming Licensing of the Yucca Mountain Repository Would Require Rebuilding Capacity at DOE and NRC, Among Other Key Steps

An April [report](#) by the Government Accountability Office (GAO) examined the resumption of licensing for the Yucca Mountain repository. GAO identified four key steps that require action by DOE, NRC, non-federal parties, and others to move forward on Yucca Mountain:

1. Providing direction to the Commission and other parties with roles in the licensing process to address scheduling and funding needs for activities associated with the adjudication;
2. Rebuilding organizational capacity, including, as needed, recruiting personnel to recreate DOE's, NRC's, and nonfederal parties' project offices; obtaining legal, scientific, or other experts for the adjudication; and rebuilding physical infrastructure. DOE and NRC may need to update key documents used for the licensing process;
3. Reconvening the parties and completing the remaining phases of the adjudication, including witness depositions and evidentiary hearings;
4. Carrying out the process's remaining steps, including the Commission's final decision on whether to authorize construction of the repository.

Continued Actions Needed to Address Management Challenges

In May, a GAO [report](#) examining DOE and the National Nuclear Security Administration (NNSA) found that challenges continue to exist, specifically in contract and project management. In the past, DOE and NNSA have developed and implemented some corrective actions to identify and address root causes of persistent challenges to project management and nonproliferation program implementation, but the report notes that many of GAO's previous recommendations to address these challenges have not been implemented. GAO suggested that DOE "continue to act on the numerous recommendations made to address these challenges."

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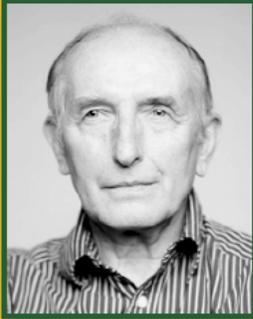
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- U.S. Nuclear Policy Leadership in the Trump Era
- Energy Security and the Electrical Grid
- A discussion of federal energy budget and policy by Rep. Mike Simpson, Chairman of the House Appropriations Subcommittee on Water and Energy.

NEXT STEPS FOR HANFORD RECOVERY

Following the May 9 discovery of a 20-foot-by-20-foot collapsed section of one of two tunnels that connect to the Plutonium Uranium Extraction Facility (PUREX) at Hanford, DOE is continuing work to stabilize conditions. DOE has thus far filled in the hole with approximately 50 truckloads of soil and covering it with a heavy plastic cover.

The cover, according to a May 22 Richland Operations Office [press release](#), will limit the tunnel's exposure to the environment, and prevent water intrusion to the soil used to fill the hole. It has a high density polyethylene woven core and is resistant to puncture, abrasion, chemicals, ultraviolet rays, and oxidation.

The next step for DOE workers is to fill the tunnel with concrete-like grout to further stabilize it. "As we cannot quickly determine the exact cause of the partial collapse of the tunnel, the rest of the tunnel is still subject to collapse," said Doug Shoop, manager of the Richland Operations Office, reports the [Tri-City Herald](#). The grout would encase the rail cars and other contaminated equipment inside the tunnel and provide site workers additional shielding from radiation.

ECA members are developing specific recommendations on communications based on lessons learned from this incident.

On May 24, a bipartisan group of lawmakers led by Senator Maria Cantwell (D-WA) called upon the Government Accountability Office (GAO) to review the breath of unfinished cleanup work at the Hanford Nuclear Reservation. In the [letter](#) to GAO, lawmakers wrote, "This event was another harsh reminder of the radioactive and toxic hazards that remain at the Hanford site, as well as the importance of ensuring the site has the resources necessary to expeditiously achieve its cleanup mission."

Specifically, the letter requests that GAO review:

1. What methods has DOE employed to monitor the structural soundness of Tunnels 1 and 2 at PUREX since it was sealed in 1965? Further, what methods does DOE use to monitor other legacy infrastructure under the RL mission to ensure safety?



2. What actions has DOE taken, or is planning to take, to improve monitoring of aging facilities to ensure structural stability and better evaluate the potential for safety risks to workers, the public, and environment? How does DOE hold its contractors accountable to ensure these facilities are monitored and maintained to a level that ensures there is no adverse risk to workers or release of radioactive or toxic materials? What actions has DOE taken to review contractor performance with regard to the recent tunnel collapse?
3. What is the full scope of legacy infrastructure and non-tank waste within the RL mission requiring cleanup, but which is not currently being remediated? What is the timeline under which the remediation of these sites is currently scheduled to be completed?
4. How does DOE identify and determine the risks this legacy infrastructure and non-tank waste within the RL mission poses to workers, the public, and environment? Does DOE have an established mechanism by which it prioritizes this remediation work? Further, is there a unified remediation priority list among its two offices at the Hanford Site – RL and the Office of River Protection? Is there a unified remediation priority list across the entire national DOE environmental management complex?
5. After DOE's immediate efforts to stabilize Tunnel 1 at PUREX, what are DOE's plans to remove the waste from and remediate Tunnel 1 and Tunnel 2 at PUREX? Has the collapse at Tunnel 1 altered DOE's plans for addressing such legacy infrastructure and non-tank waste sites within the RL mission, and what challenges

LANL FACES SCRUTINY OVER IMPROPERLY SHIPPED NUCLEAR WASTE

On June 23, the National Nuclear Security Administration (NNSA) [announced](#) that proper procedures were not followed at the Los Alamos National Laboratory (LANL) when shipping small quantities of special nuclear material to Lawrence Livermore and Savannah River National Laboratories.

The waste, which was supposed to be shipped by ground cargo service, was transported via commercial air cargo services—a mode of transportation not authorized by Federal regulations and not anticipated when the waste was being prepared and packaged for shipment.

Tests conducted on the shipments once they arrived at their destinations confirmed no contamination or loss of radioactive material, officials said.

Klotz responded to the incident, stating “This failure to follow established procedures is absolutely unacceptable.”

NNSA will conduct an investigation to determine the cause of this incident, and intends to use the full terms and conditions of the contract with LANL to “ensure that any responsible parties are held accountable.”

JUDGE BLOCKS ENERGYSOLUTIONS-WCS MERGER

A federal judge on June 21 ruled in favor of the U.S. Department of Justice’s antitrust case, blocking the \$367 million merger of Waste Control Specialists (WCS) and EnergySolutions.

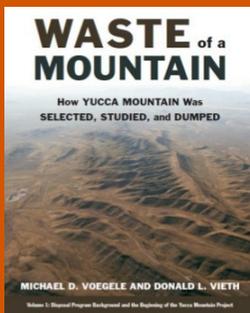
WCS parent company Valhi Inc. stated in a June 23 [press release](#) that “while Valhi disagrees with the Court’s decision, the parties have determined that they will not appeal the decision.” Valhi has therefore agreed to terminate the purchase agreement for the sale of WCS to EnergySolutions’ parent company, Rockwell Holdco Inc.

The judge’s decision could impact whether WCS chooses to resume its license to construct and operate an interim nuclear waste storage facility. In April 2017, WCS requested that the NRC



temporarily suspend its license review; the NRC [agreed](#) to do so on June 22, one day after the federal court ruling. Was suspend .

WCS has not yet indicated if they will resume pursuit of the NRC license.



Yucca Mountain proponents and opponents are preparing for a fresh fight in the 115th 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](#).

DOE REQUESTS INPUT ON REGULATIONS TO ELIMINATE

DOE published a [Request for Information](#) (RFI) on May 30 calling for public input on which Department “regulations, paperwork requirements, and other regulatory obligations can be modified or repealed, consistent with law, to achieve meaningful burden reduction.”

As ECA develops comments to submit to DOE, members are encored to send **recommendations to ECA by July 8, 2017**. Public comments on the RFI are **due July 14, 2017**.

This call for public assistance comes in light of [Executive Order 13771](#) issued by President Trump in January 2017 which required that “whenever an executive department or agency publicly proposes for notice and comment or otherwise promulgates a new regulation, it shall identify at least two existing regulations to be repealed.”

DOE has requested that any public comments submitted in response to the RFI include:

- Supporting data or other information such as cost information; and
- Specific suggestions regarding repeal, replacement, or modification.

DOE provided the list below of questions for consideration when drafting comments:

1. How can DOE best promote meaningful regulatory cost reduction while achieving its regulatory objectives, and how can it best identify those rules that might be modified, streamlined, or repealed?
2. What factors should DOE consider in selecting and prioritizing rules and reporting requirements for reform?
3. How can DOE best obtain and consider accurate, objective information and data about the costs, burdens, and benefits of existing regulations? Are there existing sources of data DOE can use to evaluate the post-promulgation effects of regulations over time? We invite interested parties to provide data that may be in their possession that documents the costs, burdens, and benefits of existing requirements.
4. Are there regulations that simply make no sense or have become unnecessary, ineffective, or ill-

advised and if so what are they? Are there rules that can simply be repealed without impairing DOE's statutory obligations and, if so, what are they?

5. Are there rules or reporting requirements that have become outdated and, if so, how can they be modernized to better accomplish their objective?
6. Are there rules that are still necessary, but have not operated as well as expected such that a modified, or slightly different approach at lower cost is justified?
7. Are there rules of the Department that unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources?
8. Does DOE currently collect information that it does not need or use effectively?
9. Are there regulations, reporting requirements, or regulatory processes that are unnecessarily complicated or could be streamlined to achieve statutory obligations in more efficient ways?
10. Are there rules or reporting requirements that have been overtaken by technological developments? Can new technologies be leveraged to modify, streamline, or do away with existing regulatory or reporting requirements?
11. Does the methodology and data used in analyses supporting DOE's regulations meet the requirements of the Information Quality Act?

The 45-day public comment period on the RFI is open through July 14, 2017. Comments can be submitted in multiple ways:

- *Email:* Regulatory.Review@hq.doe.gov; include “Regulatory Burden RFI” in the subject line of the message.
- *Mail:* U.S. Department of Energy, Office of the General Counsel, 1000 Independence Ave. SW., Room 6A245, Washington, DC 20585
- *Online:* Responses will be accepted online at www.regulations.gov

SECRETARY PERRY VISITS ECA-MEMBER COMMUNITIES

Secretary Perry visited several ECA member sites in May, touring Oak Ridge National Laboratory (ORNL) and the Y-12 National Security Complex in Oak Ridge, TN; the Waste Isolation Pilot Plant (WIPP) in Carlsbad, NM; the Los Alamos National Laboratory (LANL) in Los Alamos, NM; and the Idaho National Laboratory (INL) and Idaho Cleanup Site near Idaho Falls, ID.

On his May 9 visit to Idaho, Perry shared his vision for INL, stating that the laboratory is “going to be one of the lead players, if not the lead player, as we develop and are developing the nuclear energy portfolio,” reports [The Post Register](#).

At LANL, Perry addressed lab employees, stating he was “incredibly impressed by the men and women of this lab” and that “your approach to solving national security challenges through science is critical to both our energy and national security,” according to the [Los Alamos Daily Post](#).

During his time at WIPP, Perry talked about the importance of nuclear energy and the nation’s

nuclear arsenal. Speaking to President Trump’s plans to modernize the stockpile, Perry said, “He understands that if we’re going to do that, an operational and appropriately funded and supported WIPP is going to be a very, very important part of that,” writes the [Current Argus](#).



Secretary Rick Perry

Secretary Perry spoke about the budget to audiences in Oak Ridge, “I know how to budget, I know how to manage, and I know how to prioritize [...] Hopefully, we will be able to make the argument to our friends in Congress that what DOE is involved with, particularly on the economic development site, plays a vital role not only in the security of America, but in the economic well-being of this country as we go forward,” reports the [Knoxville News Sentinel](#).

DOE SCRAPS BOREHOLE PROJECT, CONSENT-BASED SITING INITIATIVE

This month, the Trump Administration has made several swift, programmatic changes, signaling a reorientation toward advancing Yucca Mountain.

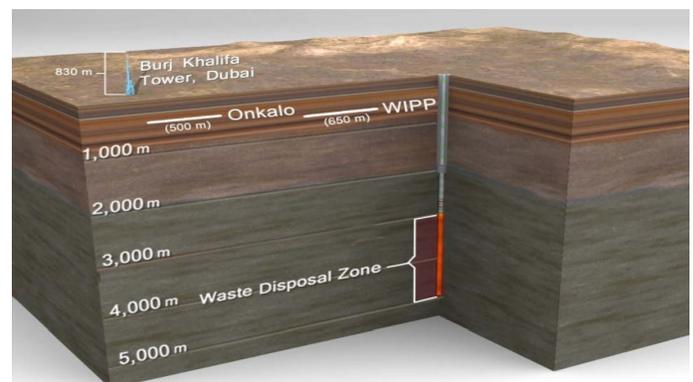
Citing changes in budget priorities, DOE announced on May 23 that they would discontinue support for the Deep Borehole Field Test (DBFT) project.

The news comes fewer than six months after the Department [announced](#) the selection of four companies (AECOM, ENERCOM, RE/SPEC, and TerranearPMC) to explore the possibility of conducting a field test, though ultimately only one company would have been chosen for the DBFT. DOE was exploring boreholes for the storage of smaller forms of nuclear waste, such as strontium and cesium, as an alternative to mined geologic repositories.

Shortly thereafter, on June 12, DOE scrubbed its [website](#) of all mention of consent-based siting, an

initiative supported by the previous Administration.

The consent-based siting initiative was a program developed by DOE per the [recommendation](#) of the Blue Ribbon Commission on America’s Nuclear Future. In 2016, the Department hosted public meetings across the country to receive input on methods for developing a consent-driven process for siting and operating a deep geologic nuclear waste repository other than at Yucca Mountain.



HELPFUL ABBREVIATIONS TO KNOW

AEA	Atomic Energy Act	NAAG	National Association of Attorneys General
AEC	Atomic Energy Commission	NARUC	National Association of Regulatory Utility Consumers
BWR	Boiling Water Reactor	NAS	National Academy of Sciences
CAB	Citizens Advisory Board	NCSL	National Conference of State Legislatures
CBS	Consent-Based Siting	NE	Nuclear Energy or Office of Nuclear Energy
CIWG	Combined Intergovernmental Working Group	NEI	Nuclear Energy Institute
CRO	Community Reuse Organization	NGA	National Governors Association
DHLW	Defense High-Level Waste	NGO	Non-Governmental Organization
DNFSB	Defense Nuclear Facilities Safety Board	NHP	National Historical Park
DOD	Department of Defense	NNSA	National Nuclear Security Administration
DOE	Department of Energy	NNSS	Nevada National Security Site
DOE-EM	Department of Energy-Office of Environmental Management	NPS	National Park Service
DOE-LM	Department of Energy-Office of Legacy Management	NRC	Nuclear Regulatory Commission
DOE-NE	Department of Energy-Office of Nuclear Energy	NWF	Nuclear Waste Fund
ECA	Energy Communities Alliance	NWPA	Nuclear Waste Policy Act
ECOS	Environmental Council of the States	NWTRB	National Waste Technical Review Board
EIA	Energy Information Administration	OCRWM	Office of Civilian Radioactive Waste Management
EM	Environmental Management or Office of Environmental Management	OMB	White House Office of Management and Budget
EPA	Environmental Protection Agency	ORNL	Oak Ridge National Laboratory
EPRI	Electric Power Research Institute	PILT	Payment in Lieu of Taxes
FFHR	Fusion-Fission Hybrid Reactor	PNNL	Pacific Northwest National Laboratory
GAIN	Gateway for Accelerated Innovation in Nuclear Initiative	PUREX	Plutonium-Uranium Redox Extraction
GAO	Government Accountability Office	PWR	Pressurized Water Reactor
HLW	High-Level Waste	R&D	Research and Development
IAEA	International Atomic Energy Agency	RD&D	Research, Development, and Deployment
INL	Idaho National Laboratory	RL	Richland Operations Office
LANL	Los Alamos National Laboratory	SFR	Sodium-Cooled Fast Reactor
LLW	Low-Level Waste	SMR	Small Modular Reactor
LM	Legacy Management or Office of Legacy Management	SNF	Spent Nuclear Fuel
LSO	Local Stakeholder Organization	SRNL	Savannah River National Laboratory
LTS	Long-Term Stewardship	SRS	Savannah River Site
LWR	Light Water Reactor	SSAB	Site Specific Advisory Board
MAPR	Manhattan Project or Manhattan Project National Historical Park	STGWG	State and Tribal Government Working Group
M&O	Management and Operations	TRU	Transuranic Waste
MOX	Mixed Oxide Fuel Fabrication Facility	TVA	Tennessee Valley Authority
MRS	Monitored Retrievable Storage	UAMPS	Utah Associated Municipal Power Systems
		WIPP	Waste Isolation Pilot Plant
		WIR	Waste Incidental to Reprocessing
		WNA	World Nuclear Association

CQ ROLL CALL 2017 Congressional Calendar



- Both chambers in session
- Both chambers in recess
- Senate only in session
- House only in session

July

M	T	W	T	F
3	4 Independence Day	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

August

M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	

September

M	T	W	T	F
				1
4 Labor Day	5	6	7	8
11	12	13	14	15
18	19	20	21 Rosh Hashanah	22
25	26	27	28	29 Yom Kippur begins

October

M	T	W	T	F
2	3	4	5	6
9 Columbus Day	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

November

M	T	W	T	F
		1	2	3
6	7	8	9	10 Veterans Day (observed)
13	14	15	16	17
20	21	22	23 Thanksgiving	24
27	28	29	30	

December

M	T	W	T	F
				1
4	5	6	7	8
11	12	13 Hanukkah begins	14	15
18	19	20 Hanukkah ends	21	22
25 Christmas	26	27	28	29

Credit CQ Roll Call: <http://troutmansandersstrategies.com/wp-content/uploads/2016/11/CQ-2017-Congressional-Calendar.pdf>



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2017 Upcoming Events

August 16-17	ECA Peer Exchange on Manhattan Project National Historical Park Implementation , Richland, WA, (<i>invitation only</i>); contact meganc@energyca.org with questions.
September 12	ECA Members Meeting , Alexandria, VA; contact meganc@energyca.org with questions.
September 12-14 	2017 National Cleanup Workshop , Alexandria, VA; visit www.cleanupworkshop.com or contact meganc@energyca.org for details.
September 30	FY 2017 ends
October 1	FY 2018 begins
November 15-17	Intergovernmental Meeting with DOE

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Energy Communities Alliance (ECA) Bulletin

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Thank you to the Department of Energy's Environmental Management Office for its support of the ECA Bulletin through cooperative agreement No. DE—EM002400