



Administration Transition Paper:

A Roadmap for Successful Local Government
and Community Engagement

December 2016

Energy Communities Alliance
www.energyca.org

TO: PRESIDENT-ELECT TRUMP TRANSITION TEAM
FROM: ENERGY COMMUNITIES ALLIANCE
DATE: DECEMBER 12, 2016
RE: ADMINISTRATION TRANSITION PAPER: A ROADMAP FOR
SUCCESSFUL LOCAL GOVERNMENT AND COMMUNITY
ENGAGEMENT

The Energy Communities Alliance (ECA) is the national association of local governments of communities that host or are affected by U.S. Department of Energy (DOE) and National Nuclear Security Administration (NNSA) facilities.¹ ECA works with DOE to achieve solutions which mutually benefit the health and safety of the communities in which DOE performs its work, the federal government's national security and economic development interests, and the American taxpayer.

ECA's views on DOE programs represent local communities' "customer" perspective of ongoing operations and performance, budgeting, cleanup prioritization, and mission integration.² Below are ECA's priorities which we believe are crucial to the success of DOE as new department leadership will face both significant challenges and opportunities. Of primary importance to ECA is that the new Administration and DOE:

- I. Involve local governments in DOE decision making**
 1. Work with communities and Congress to ensure adequate cleanup funding; and
 2. Engage local governments in nuclear waste management and disposal policies.

- II. Improve DOE policies and practices**
 3. Integrate ECA's acquisition reform recommendations and principles;
 4. Clarify DOE's existing high-level nuclear waste definition; and
 5. Optimize intra-agency cooperation and communication at DOE.

- III. Invest in host communities and the DOE complex**
 6. Resolve the maintenance and infrastructure backlog;
 7. Address succession planning and looming workforce transition issues;
 8. Enhance host community support and property transfer; and
 9. Support the Manhattan Project National Historical Park.

¹ ECA's mission is to bring together leadership from DOE-affected communities to share information, establish policy positions, and advocate for common interests in order to effectively address an increasingly complex set of environmental, regulatory, and economic development needs. ECA board members include local elected officials and community leaders from communities across the DOE complex.

² ECA focuses on issues related to the Offices of Environmental Management (EM) and Nuclear Energy (NE), and the NNSA. An archive of ECA publications regarding these agencies and offices can be found on the ECA website, <http://bit.ly/2h8hAjb>.

ECA encourages the new Administration and new DOE leadership to support strong relationships with partner organizations, particularly local governments and their elected officials. Strong communication and relationships built on trust can endure transitory moments of disagreement or difficulty. More importantly, these relationships provide all interested parties with the information needed to make educated decisions that can ensure progress toward our shared goals.

ECA members and staff are available as expert resources to all involved in the Administration transition. Questions and requests for appointments may be directed to Megan Casper, ECA Program Manager, by phone 202-828-2410 or email meganc@energyca.org.

Enclosure



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I. Involve Local Governments in DOE Decision Making

Maintaining partnerships and providing opportunities for meaningful engagement between federal decision makers and local elected officials are vital to ensuring a unity of purpose that advances mission priorities.

DOE should engage local governments in actual decision-making processes, not simply call on them to provide responses during public comment periods. Local governments are responsible for the health, safety, and economic welfare of their communities, including the well-being of DOE employees and contractors. Local government input and support should not be taken for granted as ECA has found that meaningful, ongoing engagement by site managers and headquarters officials can alleviate confusion, build trust, and save DOE hundreds of millions of dollars. The highest levels of DOE leadership should ensure that every site manager and prime contractor actively engage local government officials on a regular basis.

Recommendations:

- DOE and NNSA decision-making processes should involve consultation with local elected officials on a *pre-decisional* basis when any impact on the local community is possible.
- DOE and NNSA should continue to have meaningful engagement with local governments when developing programmatic proposals and environmental impact statements in order to educate interested parties and avoid mistrust and controversy.
- DOE should sign, reaffirm, and abide by the *Statement of Principles Outlining the Relationship Between the U.S Department of Energy & Local Governments* that has informed DOE's relationship with ECA members.
- DOE should proactively seek local government input when renegotiating federal facility agreements for environmental cleanup, as local communities and their citizens are most impacted by a decision's lasting economic, environmental, and public health effects.

1. Work with Communities and Congress to Ensure Adequate Cleanup Funding

DOE must work closely with local governments and Congress to ensure the environmental cleanup budget is funded at levels that allow for significant progress toward fulfilling the federal government's responsibilities.

It is imperative that DOE's budget requests and congressional appropriations meet the requirements of regulatory agreements with states, address the concerns and priorities of local government partners, and do not shortchange the health and safety of DOE's workforce or citizens of local communities. ECA urges the new Administration to engage local elected officials, communities, and other stakeholders at every stage of the budget process to ensure local priorities are addressed, working relationships are strengthened, and transparency is increased. ECA also urges the new Administration and Congress to provide financial resources for education, outreach, and feasibility studies on the impacts associated with the implementation of vital DOE operations.³ Local elected officials and communities can be powerful allies in the budget and appropriations process if engaged early and often.

Recommendations:

- DOE should engage local elected officials and other stakeholders at every stage of the budget development and appropriations process to create a budget that will meet cleanup needs.
- DOE leaders should work with the Office of Management and Budget to develop regulatory-complaint budgets.
- DOE and NNSA should provide funding for education, outreach, and feasibility studies of vital DOE operations, including those related to nuclear waste disposal facility siting.
- DOE leadership must avoid the consequences that inadequate, unsustainable, unpredictable, and non-compliant budgets can have on the cleanup mission, trust with partners, and health and safety of communities.

2. Engage Local Governments in Nuclear Waste Management and Disposal Policies

Local governments of both current and potential DOE host communities should be engaged to ensure priorities and concerns are addressed throughout siting processes.

The federal government has failed to meet its obligations under the Nuclear Waste Policy Act, which provides a process and funding for siting, constructing, and operating nuclear waste facilities. DOE has begun and is expected to continue a broad public education effort regarding alternative initiatives to site a consolidated interim storage facility for spent nuclear fuel and high-level nuclear waste, deep boreholes, and a permanent deep geologic repository. The engagement of current and potential host communities and their local governments will build trust, reduce the potential for lawsuits, and allow local governments to identify the financial, oversight, and legal terms that will allow them to consent to hosting a nuclear facility as part of a flexible, resilient, integrated waste management system.

Recommendations:

- DOE should build on the successful engagement and education of local governments to develop any new nuclear waste facility siting process.

³ See "The Politics of Cleanup," *Energy Communities Alliance*, 2007, p. 47, <http://bit.ly/2ghbnVg>.

- New DOE leadership must consider new legislation or amendments to current legislation to formalize any new process to site new nuclear waste management, storage, or disposal facilities.
- DOE should continue the Yucca Mountain licensing review process, in accordance with Federal law, alongside the exploration of other waste disposal alternatives.

II. Improve DOE Policies and Practices

3. Integrate ECA's Acquisition Reform Recommendations and Principles

Local communities hosting DOE missions should be recognized as faithful customers who have the highest stake in the performance of cleanup contractors.

Local governments are responsible for the health and safety of their communities, and are thus committed to helping DOE accomplish the safe, effective cleanup of the nuclear weapons complex. ECA urges DOE to continue to address ECA's acquisition reform recommendations and statement of principles.⁴ DOE and local communities are best served when there is strong competition for prime contracts and an emphasis on the long-term nature of the acquisition process and work scope. ECA also urges DOE to communicate timeframes, the nature of site projects, and contract work scopes with communities before formal solicitations are released. This will allow for a more informed dialogue and understanding of priorities. Finally, DOE must return to proven contract types that incentivize the safe and speedy cleanup of sites and ensure opportunities for local small businesses and healthy subcontracting.

Recommendations:

- DOE should reaffirm the Community Commitment clause and include in all contracts requirements for incentivized community engagement.
- Contractors should be encouraged to support local small businesses via subcontracts and other means as a display of good corporate citizenship.
- NNSA and DOE program offices should reconsider use of centralized supply chain management systems that bypass local or small businesses.
- DOE should place emphasis on contract vehicles that have proven successful and beneficial to host communities in the past.

⁴ See "Changing Course: The Case for Sensible DOE Acquisition Reform," *Energy Communities Alliance*, June 2015, <http://bit.ly/2hbqUTG>.



4. Clarify DOE's Existing High-Level Nuclear Waste Definition

ECA continues to advocate for the clarification of the high-level waste (HLW) definition to reflect the nature or composition of waste rather than origin.⁵

Some defense HLW at Hanford, the Savannah River Site, the Idaho National Laboratory, and in West Valley, New York meet the current specific definition of transuranic waste and, as such, are not truly HLW as defined under the Nuclear Waste Policy Act. DOE should pursue a legislative clarification by partnering with ECA to educate Congress, states, tribes, and others about how this will spur progress on DOE cleanup missions and lead to lower DOE costs for storage and reduced risk to human health and the environment.

Recommendations:

- DOE should support the clarification of the HLW definition based on its composition, not its origin.
- DOE, in partnership with ECA and other stakeholders, should help educate Congress on the benefits of a reclassification of HLW.

5. Optimize Intra-Agency Cooperation and Communication at DOE

DOE Offices of Environmental Management (EM) and Nuclear Energy (NE), and the NNSA must improve communication with one another and their local partners.

Lack of intra-agency communication leads to bureaucratic confusion and inconsistency, and can slow mission progress at the site level and at headquarters. More efficient and consistent communication will create a unity of effort at DOE and assure progress toward other DOE and ECA goals.

Recommendations:

- DOE headquarters officials must ensure that meetings and other communications across offices at both the project and management level occur on a regular basis.
- Site managers must ensure that local decisions are made with input from local officials and in coordination with all local DOE programmatic offices.

⁵ See “Fact Sheet: Clarifying Nuclear Waste Definition to Reflect Composition Can Create Additional Disposal Paths, Expedite Cleanup,” *Energy Communities Alliance*, <http://bit.ly/2h1uBNK>.



III. Invest in Host Communities and the DOE Complex

6. Resolve the Maintenance and Infrastructure Backlog

Infrastructure improvements should not be ignored by the new Administration or Congress, but must be made a priority to ensure the safety of workers, communities, and the country.

DOE's and NNSA's missions are critical to national defense and are important economic drivers in host communities. These missions cannot be accomplished, however, unless problems of aging infrastructure, maintenance backlogs, and deteriorating facilities are addressed.

Recommendations:

- DOE, and NNSA especially, should continue work to modernize the entire national security complex.
- NNSA must resolve maintenance and disposition issues across the complex, prioritized by need.
- DOE and NNSA should avoid framing complex-wide needs as false dichotomies, i.e., weapons modernization versus infrastructure support, as both are vital to the long-term success of DOE's and NNSA's missions.
- DOE, NNSA, and their contractors should avoid circumventing state and local tax laws by creating non-profit entities charged with improving agency and infrastructure modernization.

7. Address Succession Planning and Looming Workforce Transition Issues

It is imperative that DOE and contractors commit to securing a workforce for the future.

The DOE workforce is aging and many workers will retire during the course of this Administration, taking their technical skills and institutional knowledge with them. Yet cleanup at certain DOE sites is still decades away from completion. DOE partnerships with local universities and technical colleges have proven successful in the past through creating opportunities for workforce education and talent recruitment while simultaneously benefiting local communities by enhancing economic and educational opportunities. Local elected officials have seen the success of workforce development grants from DOE in South Carolina, New Mexico, Tennessee, and Washington State; these grants should be continued and expanded. Further, DOE should encourage its site leaders and contractors to support community education and workforce development by personally and regularly participating in community-sponsored events.

Recommendations:

- DOE should continue to request appropriations for, and expand grants to local educational institutions to train the next generation of DOE workers.



- DOE should encourage the support and participation of site and field office leadership in local education events, workforce training programs, and other mutually beneficial opportunities.
- DOE should coordinate with local universities and technical colleges to create apprenticeships and internships wherever possible.
- DOE, NNSA, and their contractors must work with local communities to develop and support STEM curriculum for K-12 education as to secure local, sustained streams of workforce talent able to assist in the decades-long cleanup processes at DOE sites.

8. Enhance Host Community Support and Property Transfer

DOE must support those communities that have been good stewards of DOE site missions, but remain vulnerable or underserved.

Host communities and their elected officials are faithful customers of DOE and NNSA. In some cases, however, local governments have not been sufficiently engaged or have not experienced the benefits that they should receive as major stakeholders and contributors to DOE's success. In fact, some communities have declining population growth rates or have lost business opportunities because of negative perceptions associated with DOE's facilities or activities. DOE must support those communities through whatever means appropriate, e.g., community commitments, payments-in-lieu of taxes, economic and educational grants, technical assistance grants to build trust, or other benefits.

In addition, many DOE sites have reduced their operational footprints, and therefore are in possession of excess or underutilized real property. The federal government should divest itself of these properties and give local governments priority for their transfer. Doing so will reduce the federal obligation for maintenance, while providing economic diversification opportunities in local communities.

Recommendations:

- DOE must ensure impacted communities receive support for educational development, economic diversification, and other programs to demonstrate DOE's commitment to their local government customers.
- DOE should, upon request, provide local governments with grants for third-party assessments of DOE proposals so communities can independently assess the economic and social impacts
- DOE should engage local officials in the transfer of excess real property as to provide local communities with economic development potential.

9. Support the Manhattan Project National Historical Park

The Manhattan Project National Historical Park will require ongoing DOE attention as many visitor attractions and points of historical interest exist alongside active DOE operations.

The Manhattan Project National Historical Park was established in November 2015. Congress has directed the National Park Service and DOE to work collaboratively in the development and operation of the Park across its three separate sites: Oak Ridge, TN, Los Alamos, NM, and Hanford, WA. The communities of and around the Park take great pride in the important role they played in World War II through their participation in the Manhattan Project. Their unique stories are now preserved through the Park for the educational benefit of future generations. As the Park exists alongside retired and active DOE sites and facilities, DOE must remain actively engaged in the Park.

Recommendations:

- DOE should reaffirm its commitment to supporting the Manhattan Project National Historical Park, preserving historical documents and sites, and cooperating with local communities and the National Park Service.
- DOE must request funding through the appropriate program office to support DOE's responsibilities to the Park.
- DOE's Offices of Legacy Management and Environmental Management must work with the local communities and the National Park Service to ensure nationally significant sites are included in the Park and accessible to visitors.

