ECA IDENTIFIES NEED TO PRESERVE THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD

On November 10, ECA sent a letter to Chairman Sean Sullivan of the Defense Nuclear Facilities Safety Board (DNFSB) emphasizing the need to maintain the DNFSB as a key independent organization. The letter comes in response to the release of a June 29 letter sent by Sullivan to the Office of Management and Budget (OMB), in which Sullivan proposed the elimination of the DNFSB.

As the communities that host or are most impacted by DOE and NNSA activities, ECA members have a vested interest in the preservation of DNFSB. ECA members were concerned that the Chairman Sullivan advocated for abolishing the agency he runs. It is critical that an independent review board exists separate and apart from DOE. While DNFSB does not have regulatory authority, it acts as an important third-party that provides additional information on the actual risk of DOE activities and the potential health and safety issues in ECA member communities.

(Continued on page 2)

CONGRESS REQUIRES DOE TO REPORT ON SAVINGS OF CLASSIFYING DEFENSE WASTE AS OTHER THAN HIGH-LEVEL RADIOACTIVE WASTE

As several ECA members have been advocating, the fiscal year 2018 National Defense Authorization Act (NDAA) Conference Report includes language requiring that DOE “conduct an evaluation of the feasibility, costs, and cost savings of classifying covered defense nuclear waste as other than high-level radioactive waste, without decreasing environmental, health, or public safety requirements”

This language is consistent with ECA’s latest report, Waste Disposition: A New Approach to DOE’s Waste Management Must Be Pursued, which contends that by basing nuclear waste treatment and disposal decisions by the actual characteristics of waste and the risk to human health and safety, rather than continuing to classify waste based on origin, that DOE can move waste out of host communities more efficiently, cut years off operations, and realize savings of more than $40 billion.

In June 2017, ECA members met with staff from the Armed Services Committees regarding the issue of waste classification. ECA members support the progress and requirement for DOE to examine alternatives to waste management. For an overview of recommendations of the ECA report, see page 8 of the Bulletin.
In its letter, ECA notes that there are areas in which DNFSB can improve; for example, DNFSB should communicate directly with local governments when it plans to propose an action that could impact the progress of DOE’s cleanup mission so that that action can have the benefit of input from the communities most impacted.

The DNFSB was created by Congress in 1988 in response to a significant number of high-profile problems associated with the Department of Energy’s (DOE) management of the nuclear weapons program. While DOE has since established internal review procedures, the presence of DNFSB as an independent, non-duplicative body adds needed trust to communities with high hazard and nuclear operations nearby.

ECA’s letter to Chairman Sullivan can be read on pages 13-14 of the Bulletin.

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**ECA Identifies Need to Preserve the Defense Nuclear Facilities Safety Board**

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**ECA Executive Board Elections**

**November 15, 2017**

**Grand Hyatt Riverwalk**

**San Antonio, Texas**

ECA will hold a Board meeting and Executive Board Elections on November 15, 2017 at the 2017 Intergovernmental Meeting with DOE in San Antonio, Texas. The meeting will start at 2:00pm CDT.

Please contact a member of the Nominating Committee (see below) if you would like to nominate someone for an ECA Executive Board position.

Amy Fitzgerald: AFitzgerald@oakridgetn.gov
Pam Larsen: plarsen@ci.richland.wa.us
Rick McLeod: rick.mcleod@srsrm.org

**Current Executive Board Members**

- Chair Chuck Smith; Councilman, Aiken County, SC
- Vice-Chair Steve Young; Mayor, Kennewick, WA
- Secretary Ron Woody; Executive, Roane County, TN
- Treasurer Rick Reiss; Councillor, Los Alamos, NM
- Member-at-Large Dick Doss; Councilman, Carlsbad, NM
- Past-Chair Bob Thompson; Mayor, Richland, WA

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Check out Daughters of Hanford, a project that highlights women’s perspectives of the Hanford nuclear site. The project offers a cross-section of politicians, leaders, and environmental cleanup advocates – all women who were part of history and the future talent putting their minds on the nuclear site’s toughest problems. More information [here](#).
SECRETARY PERRY TESTIFIES BEFORE CONGRESS ON SUPPORT FOR NUCLEAR, ENVIRONMENTAL CLEANUP, AND YUCCA MOUNTAIN

Cleanup of DOE’s nuclear weapons complex, the role of nuclear energy, and the national laboratory system were features of conversation as Energy Secretary Rick Perry appeared before the House Energy and Commerce Subcommittee on Energy earlier this month. The hearing examined Secretary Perry’s vision for managing and executing the Department’s mission in the 21st century.

During his opening statement, Subcommittee Chairman Rep. Greg Walden (R-OR) stated that the subcommittee is “working to ensure DOE resources are focused on the core missions of nuclear and energy security, environmental remediation, and mission-enabling science and research & development (R&D) programs.”

Walden also mentioned a recent visit to Hanford, noting that the cleanup there has led to advances in engineering, R&D, and a “world-class” national laboratory. He also noted that he is pleased with cleanup progress, noting that it is “finally on track.”

Secretary Perry agreed that progress is being made across the complex to address nuclear waste and legacy management, specifically noting the Waste Isolation Pilot Project (WIPP) being back online, headway on chromium issues at Oak Ridge, and progress on tank waste at the Savannah River Site. Perry responded possibly when asked whether the Office of Environmental Management’s (EM) 45-day review will produce more effective cleanup.

In regard to the storage and disposal of high-level waste (HLW) and spend nuclear fuel (SNF), Re. John Shimkus (R-IL), sponsor of the Nuclear Waste Policy Amendments Act of 2017 (H.R. 3053), asked if Perry supported restarting the licensing of Yucca Mountain and standing up the Office of Civilian and Radioactive Waste Management (OCRWM). Perry responded that he is happy with the language of H.R. 3053 and does support restarting Yucca Mountain. Perry noted that the Administration’s budget provides funding for licensing proceedings for Yucca Mountain, but said that “Congress needs to appropriate the money so we can finish.”

Shimkus asked about what actions can be taken to address incurred liabilities and ballooning costs. Perry pushed for finding alternatives whether at WIPP, Texas, or elsewhere. “We need to go forward with Yucca Mountain as well as look at the same time at alternatives that are out there,” stated Perry.

When asked about the relationship between support for the nuclear power industry and national security, Perry said, “If we’re going to continue being a leader in nuclear energy in the world, we have to support this industry in this county. […] We need to demonstrate support for the nuclear industry to maintain and build expertise, which is related to the weapons side.” Perry later added, small modular reactors (SMRs) “are the future. […] Hopefully we see funding go forward to SMRs and ten years down the road we’re back to being a leader in supply chain and innovation.”

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Energy and Water Appropriations

The current legislative schedule does not bode well for the fiscal year 2018 (FY18) appropriations process. In September, Congress passed a continuing resolution (CR) which extends current funding levels through December 8 of this year. While there’s still technically time to complete negotiations on topline spending levels for FY18 and pass an omnibus appropriations bill, the changes of this happening are increasingly unlikely, despite the House having passed their own FY18 spending package (H.R. 3354) nearly two months ago. There has been little apparent progress to date, and legislators have only three weeks in session before the CR expires. Many in DC are predicting the need for a second CR to fund the government through the end of December or possibly into the New Year.

Besides the narrowing timeframe, a host of controversial policy issues may likely gum up the appropriations process. Funding for Obamacare, the border wall, raising the debt ceiling, and renewing authority for the National Flood Insurance Program will all be up for consideration once appropriations talks commence.

National Defense Authorization Act

On November 9, the House and Senate Armed Service Committees released the final text of the National Defense Authorization Act (NDAA) for FY18. The NDAA sets funding levels and establishes policies for defense and DOE national security programs. The newly released bill contains $634 billion in base funding, which exceeds the $549 defense budget cap created by Congress in 2011. The President’s budget request contained $603 billion in defense spending.

The bill authorizes a total of $20.5 billion for DOE national security programs. Of that amount, $14 billion was authorized for the National Nuclear Security Administration (NNSA), which is $168 million above the President’s budget request. For weapons activities, the bill authorized $10.3 billion, an increase of $138 million above the budget request. For defense environmental cleanup, the final bill authorized $5.4 billion, which is around $100 million below the budget request. The President’s requested amount of $30 million was authorized for defense nuclear waste disposal.

Various new plant projects were authorized by the final bill: $9 million for Surplus Plutonium Disposition at the Savannah River Site, $3 million for the Exascale Computing Facility Modernization Project at Lawrence Livermore National Laboratory, $6.8 million for Tritium Production Capability at Savannah River Site, $28 million for the Fire Station at the Y-12 National Security Complex, $22 million Exascale Class Computer Cooling Equipment at Los Alamos National Laboratory, $5.2 million for the Material Staging Facility at the Pantex Plant, $500,000 for Saltstone Disposal Units #8 and #9 at Savannah River Site, $500,000 for Emergency Operations Center Replacement at Savannah River Site, and $6.5 million for Modification of Waste Encapsulation and Storage Facility at the Hanford Site. The bill also authorized $174 million to incrementally fund the Albuquerque Complex upgrades construction project. Finally, the final bill contained a $70 million program increase for MOX construction.

Congress has not yet agreed on a deal to raise or repeal the budget caps, which the NDAA exceeds by $85 million. If the bill is passed as written without adjusting the budget caps, across-the-board cuts—known as sequestration—would be triggered. In previous years, Congress has raised the budget caps to accommodate the NDAA’s funding levels. According to The Hill, the House could take up the bill for consideration next week.

Nuclear Waste Policy Amendments Act

Many expect the Nuclear Waste Policy Amendments Act of 2017 (H.R. 3053) to be taken up for consideration by the full House soon. The bill, sponsored by Rep. John Shimkus (R-IL) and co-sponsored by 109 other Republican and Democratic members, was passed by the House Energy and Commerce Committee back in June on a 49-4 vote.

(Continued on page 6)
**FY 2018 Appropriations Highlights**

*(amounts in thousands of dollars)*

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*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 discrepancies in how each calculates government spending.*
(Continued from page 4)

Legislative Update

According to a fact sheet, key provisions of H.R. 3053 would:

- Permit local stakeholders to engage directly with the federal government to mitigate impacts of hosting a repository or interim storage facility.
- Direct DOE to prioritize work with Nevada-based academic institutions, reserve future economic value from spent fuel to the State of Nevada, and make funding directly available to Nevada once SNF and HLW arrives at the site.
-Authorize at least $50 million annually from 2020-2022 to fund the first interim storage facility.
- Allow one interim facility to be built and funded prior to an NRC decision on Yucca Mountain.
- Authorize DOE to contract with a non-federal entity for interim storage of spent nuclear fuel.
- Reform the Nuclear Waste Fund to help assure long-term funding for the repository program.
- Clarify that the Office of Civilian and Radioactive Waste Management (OCRWM) at DOE will carry out all nuclear waste management activities.
- Provide for a five-year fixed-term appointee to lead waste management efforts, and if confirmed by the Senate, allows that appointee to serve up to two-terms to foster continuity in the program.
- Include a land-withdrawal provision for a repository at Yucca Mountain to remove impediments for license approval of the site.
- Direct DOE to take ownership of commercial SNF once it is accepted for transport to an interim storage facility or repository.

In a report ordered by House Republicans in June and published October 4, the Congressional Budget Office (CBO) determined that enacting legislation to revive the Yucca Mountain nuclear waste repository project “would not significantly change the overall magnitude of the long-term costs the government will incur under the Nuclear Waste Policy Act (NWPA) (tens of billions of dollars over multiple decades).”

However, relative to CBO’s ten-year baseline projections, the report estimates that enacting the bill would increase direct spending over the next ten years, with discretionary costs projected at $300 million.

The report notes that H.R. 3053 would temporarily limit DOE’s authority to collect certain fees from commercial utilities related to the Nuclear Waste Fund (the cost estimate assumes utilities would not pay any affected fees between 2018 and 2027), but would authorize DOE to enter into agreements to provide benefits to state, local, and tribal governments that might host or be affected by utilities related to the waste management program. Direct spending for those payments between 2018 and 2027 is estimated at $260 million.

When looking to costs beyond 2027, CBO notes that it cannot provide estimates given numerous factors yet to be determined. These factors include the outcome of the Nuclear Regulatory Commission’s (NRC) review of DOE’s Yucca Mountain license application, resumption of payments into the Nuclear Waste Fund, Congressional appropriations, and construction costs for a repository.

DOE and NRC Appointees

On November 2, the Senate confirmed Paul Dabbar to be Undersecretary for Science and Mark Menezes as Undersecretary of Energy. Dabbar was sworn in by Secretary Perry on November 7.

The Senate Committee on Energy and Natural Resources advanced by voice vote Bruce Walker to be Assistant Secretary of Energy, Electricity Delivery and Energy Reliability, and Steven Winberg to be Assistant Secretary of Energy, Fossil Energy, on October 4.

The Senate Environment and Public Works Committee held a hearing on October 4 to consider Jeffery Baran’s re-appointment to the Nuclear Regulatory Commission (NRC). On October 25, the committee advanced by voice vote Baran’s nomination. Baran, alongside NRC nominees Annie Caputo and David Wright, now awaits confirmation by the full Senate.
### Department of Energy Leadership

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<th>Title</th>
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<tr>
<td>Deputy Secretary of Energy</td>
<td>Dan Brouillette</td>
<td>Since August 2017</td>
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<td>Undersecretary for Energy</td>
<td>Mark Menezes</td>
<td>Since November 2017</td>
</tr>
<tr>
<td>Undersecretary for Nuclear Security and NNSA Administrator</td>
<td>Lt. Gen. Frank Klotz (Ret.)</td>
<td>Awaiting New Nominee</td>
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<td>Paul Dabbar</td>
<td>Since November 2017</td>
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ECA REPORT ON WASTE DISPOSITION CITED IN TWO RECENT PUBLICATIONS

ECA’s report, *Waste Disposition: A New Approach to DOE’s Waste Management Must Be Pursued*, was recently featured in two publications: the scientific journal, *Nature*, and the Hanford-area local newspaper, the *Tri-City Herald*.

The report outlines alternative approaches to waste management, clarifying how nuclear waste types across the DOE complex are defined. The report argues that by basing nuclear waste treatment and disposal decisions on the actual characteristics of waste and the risk to human health and safety – rather than continuing to classify waste based on origin – DOE can move waste out of host communities more efficiently, cut years off operations, and realize savings of more than $40 billion.

The *Nature* article agrees with the ECA report, stating, “The solution is simple enough: nuclear waste should be managed on the basis of the risk it poses and not the process that produced it.”

The *Tri-City Herald* article focuses on a key initiative, the Hanford Low-Activity Waste Bed Initiative, that the ECA report asserts should be given priority and be pursued in parallel with efforts to shift how DOE classifies nuclear waste. “If the test proves successful,” the report states, “the concept could allow tank closures at Hanford to be dramatically accelerated, reducing cleanup costs by billions of dollars and resulting in decades of schedule improvement.”

In the report, ECA is recommending five near-term actions for Congress and DOE to more appropriately classify waste, address EM’s growing environmental liability, and demonstrate a real commitment to its stakeholders to move waste as expediently and safely as possible:

1. **Congress needs to provide statutory clarification under the existing definition of high-level waste (HLW) in the Nuclear Waste Policy Act to allow some wastes derived from reprocessing of spent nuclear fuel to be managed as “other than HLW.”**

2. **DOE must immediately revise its radioactive waste management policy (DOE Order 435.1) to clarify that waste will be managed and dispositioned according to its characteristics, not its origin.** This will allow some wastes currently categorized as HLW to more appropriately be treated as transuranic (TRU) waste or low-level waste in accordance with its composition, making alternative, nearer-term disposal paths available provided waste meets the acceptance criteria at existing disposal facilities.

3. **DOE must begin working with the State of New Mexico on a permit modification for the Waste Isolation Pilot Plant (WIPP) to remove the prohibition for receipt of tank waste and wastes managed as HLW so that any TRU waste meeting the acceptance criteria can be disposed of at WIPP.**

4. **Congress and DOE should provide full funding for WIPP capital asset projects to resume the full range of waste disposal capabilities and ultimately increase capacity.**

5. **DOE should begin work on a number of pilot projects and waste management policy decisions in order to better understand alternative approaches and inform future policy decisions.**

Each recommendation will require transparency and meaningful engagement with host communities and states to ensure a common understanding of the challenges and impacts of DOE’s waste management decisions.
ECA Members Continue to Push for Clarification of DOE PILT Language in the House

On July 11, the House Appropriations Committee released a report on its energy and water bill. The report contains language which would require DOE to “undertake a full overhaul” of the Payments in Lieu of Taxes (PILT) program. PILT are payments made by DOE to cities and counties that host defense nuclear facilities on acquired property previously subject to state and local taxes. Communities in receipt of PILT use it to support vital local government enterprises such as school and hospital districts, roads and other critical infrastructure, and emergency services such as police and fire departments.

The impact of this report language will largely depend on direction of the FY18 Appropriations process. If the Senate passes their own Appropriations bill, then the PILT language will likely be discussed and potentially amended in conference. If Congress instead decides to fund the government with a full-year CR, then the PILT language will go away.

Currently, the House report language states, “After reasonable notice has been given in the General Register, DOE shall terminate all exiting PILT agreements and enter into new PILT agreements that are consistent across all eligible sites and are in compliance with the requirement that payments are not made in excess of the taxes that would have been payable for such property in the condition in which it was originally acquired. Not later than 360 days after the enactment of this Act, the Department shall provide to the Committees on Appropriations of both Houses of Congress a report that describes the terms and payment amounts of each new PILT agreement and certifies that the terms of each agreement and calculations of payments are consistent across all eligible sites and with the statutory policy direction.”

ECA recommends that the House revise its report language and instead direct DOE to continue PILT payments while DOE prepares its report on the Congressionally-requested PILT information. ECA members are concerned that if DOE is required to terminate agreements prior to the study being completed and prior to entering into new agreements, a possibility emerges that communities currently in receipt of PILT funds would not receive any funds for an uncertain period of time.

ECA members believe that by requiring DOE to prepare a report as an initial step, this will allow DOE to identify areas wherein new PILT agreements must be negotiated, rather than requiring DOE to indiscriminately terminate all agreements.

DOE’s ARPA-E Announces Funding Opportunity for Advanced Nuclear

On October 20, DOE’s Advanced Research Projects Agency-Energy (ARPA-E) announced the availability of up to $20 million in funding for advanced nuclear projects as part of the Modeling-Enhanced Innovations Trailblazing Nuclear Energy Reinvigoration (MEITNER) program.

The deadline to submit concept papers for this Funding Opportunity Announcement (FOA) is 5:00PM EDT, Monday, December 4, 2017. ARPA-E published a webinar that provides an overview of the MEITNER FOA.

According to a press release, MEITNER projects seek to identify and develop innovative technologies that can enable designs for lower cost, safer, advanced nuclear reactors. The funding opportunity was developed in coordination with DOE’s Office of Nuclear Energy.

“When ARPA-E examined the challenges facing nuclear energy, we found an important opportunity to support the advanced reactor design community with early-stage technologies that could enable the development of safer and less expensive plants,” said ARPA-E Acting Director Eric Rohlfing.

Currently, nuclear power generates nearly 20% of U.S. electricity constitutes 60% of the nation’s carbon free energy portfolio. However, existing plants face comparatively high operational and maintenance costs. ARPA-E contends that there is a compelling opportunity to develop new designs, manufacturing processes, and technologies to increase the competitiveness of nuclear power.
The Congressional Budget Office (CBO) released a report that analyzed the costs of U.S. nuclear forces. CBO found that the most recent plans for managing nuclear forces in the 2017 budget request would cost a total of $1.2 trillion between 2017 and 2046. Of that total amount, it would cost $800 billion for operating and sustaining the forces through incremental upgrades and $400 billion for modernization.

CBO estimated that modernization would increase the total costs of nuclear forces by 50 percent over 30 years compared to the costs of a plan that would only operate and sustain fielded forces. The annual costs of nuclear forces would be double the current amount during the peak years of modernization. When the Trump Administration releases the recommendations from its Nuclear Posture Review, the costs may differ depending on the Administration’s priorities regarding modernization, force sizes, and shifting resources.

Using the 2017 nuclear force plan (and using 2017 dollars), CBO projected various costs over a 30 year period. It would cost $772 billion for operation, sustainment, and modernization of strategic nuclear delivery systems and weapons; $25 billion for tactical nuclear delivery systems; and $445 billion for “the complex of laboratories and production facilities that support nuclear weapons activities and the command, control, communications, and early-warning systems.

CBO provided several recommendations to lower or delay the costs of modernization. The first option would delay the development of some programs such as the new ICBM, B-21, and interoperable warheads programs, which would provide $63 billion in total savings over 30 years. Five other options were offered by analyzing five alternative force structures: forgoing the LRSO nuclear cruise missile would save a total of $28 billion over 30 years; forgoing the B61-12 bomb would save $27 billion; fielding fewer SSBNs and ICBMs would save $30 billion; fielding a dyad without bombers would save $71 billion; and fielding a dyad without ICBMs would save $120 billion. Finally, CBO provided three options that would decrease the number of warheads and delivery systems below New START limits, which contain a range of savings between $66 billion and $139 billion.

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.
## Major Contracts and Awards

### DOE/NNSA Issues RFP for LANL Management & Operating Contract

On October 25, NNSA released the final Request for Proposals (RFP) for the Los Alamos National Laboratory (LANL) management and operations (M&O) contract. NNSA extended the performance period in May 2016 for the current contractor, Los Alamos National Security, LLC (LANS), through September 30, 2018 to allow time to pursue a full and open competition. LANS is made up of the University of California, Bechtel, BWX Technologies, and URS Energy and Construction. During the full and open competition process, DOE will incorporate recommendations studies regarding the efficiency of NNSA’s laboratories and sites.

A draft of the RFP was first released on July 27, 2017. Los Alamos County officials voiced concerns over the lack of community engagement language and commitment to local small businesses in the draft. Upon the release of the final version, DOE stated, “The RFP addresses recommendations submitted by local communities and the New Mexico Delegation including employment protections for current employees, continued support of community commitments, support for Northern New Mexico small businesses, and continued support of technology transfer and regional university and educational partnerships.”

The M&O contract, expected to be awarded in June 2018, has a five-year base period and a one-year performance-based option. Prospective contractors have until December 11 to submit proposals.

### DOE Awards Contract for Savannah River Site Liquid Waste Services

On October 12, DOE announced a cost-plus-award-fee contract awarded to Savannah River EcoManagement, LLC for Savannah River Site Liquid Waste Services valued at approximately $4.7 billion. The contract contains a base period of seven years and a three-year option period. DOE received three proposals for the contract solicitation.

Savannah River EcoManagement, LLC is made up of BWXT Technical Services Group Inc., Bechtel National, Inc., and Honeywell International, Inc. Some of the liquid waste services provided under the contract include: “operations of existing radioactive liquid waste facilities for storage, treatment, stabilization, and disposal of waste; waste removal from tanks and tank closures; construction of additional saltstone disposal units; operation of the Salt Waste Processing Facility after facility commissioning, startup, and one year of operation; and liquid waste program and regulatory support.”

### Contract Awarded for Professional Support Services at EM Sites

DOE awarded an Indefinite Delivery/Indefinite Quantity (IDIQ) contract to Ardent Technologies, Inc. to provide professional support services to the Environmental Management (EM) Consolidated Business Center and additional EM locations across the complex. The contract has a $4 million ceiling price and a three-year ordering window. Under the contract, Ardent Technologies, Inc. will provide “information systems operations support for IT Desktop and Server Management, Network Infrastructure Services, Cyber Security Programs, Data Facility Management, Application Maintenance Support and associated Program elements and project management.”

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Voices of the Manhattan Project, a joint development by the Atomic Heritage Foundation and the Los Alamos Historical Society, is publishing Manhattan Project oral histories. Check them out at [www.manhattanprojectvoices.org](http://www.manhattanprojectvoices.org).
IDAHO Completes 50th Shipment of Nuclear Waste to WIPP

On October 23, DOE’s Idaho Site and Idaho Cleanup Project contractor Fluor Idaho announced the completion of its 50th shipment of transuranic (TRU) waste to the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico.

“The Idaho site is very pleased that we’re able to continue to ship waste to WIPP for disposal, and that we continue to be the number 1 shipper of waste,” said Jack Zimmerman, deputy manager for DOE’s Idaho Operations Office.

The Idaho shipments of TRU waste are coming from the site’s Advanced Mixed Waste Treatment Project, where Fluor Idaho crews continue to ship an inventory of radioactive and hazardous waste. As many as four shipments leave the Idaho facility each week, set for permanent disposal at WIPP.

“Our facility is unique in the DOE complex in that we not only have one-of-a-kind equipment, but we also have the skilled workforce with more than a decade of experience in preparing multiple shipments per week safely and compliantly for our customer,” said Fluor Idaho Waste Operations Manager Jim Floerke. “I’m proud that we sent off this 50th shipment and look forward to many, many more.”

HANFORD SITE Celebrates Completion of Low-Activity Nuclear Waste Melters

On October 11, Hanford officials announced the assembly of two melters at Hanford, marking a major millstone toward converting low-activity radioactive waste (LAW) into a stable glass form through a process call vitrification.

The two melters first arrived at Hanford in November 2010. Workers finished assembly of Melter 1 last May; Melter 2 was completed in August, ahead of schedule. Each melter weighs 300 tons and measures 20 by 30 by 16 feet.

“When operational, these melters will the largest operating vitrification melters in the world,” said Bill Hamel, the Office of River Protection’s federal project director for the Waste Treatment & Immobilization Plant (WTP), reports the Tri-City Herald.

“But with the melters assembled and all major process equipment already installed, our workforce remains on pace toward the construction complete contract milestone of June 2018 for the LAW Facility,” said Peggy McCullough, Bechtel National Inc. project director.

Once the LAW Facility is operational, the melters will be filled with concentrated LAW and other glass-forming materials and then heated to 2,100 degrees Fahrenheit. The glass mixture will then be transferred to stainless steel containers and readied for permanent storage. Each melter is capable of producing 15 tons of glass per day, and together will fill about 1,100 containers per year.
November 13, 2017

Mr. Sean Sullivan
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Ave NW Suite 700
Washington, DC 20004

RE: Preserving an Independent Defense Nuclear Facilities Safety Board and DOE Oversight

Dear Chairman Sullivan,

On behalf of the Energy Communities Alliance (ECA), I am writing to express our concern regarding your June 29, 2017 letter to Office of Management and Budget (OMB) Director Mick Mulvaney, which proposed the elimination of the DNFSB. As the communities that host and are most impacted—and will be for decades—by U.S. Department of Energy (DOE) (including National Nuclear Security Administration) activities, ECA believes that it is critical that an independent review board exists separate and apart from DOE.

Congress created the DNFSB due to a significant number of high-profile problems associated with DOE’s management of the nuclear weapons program, which could potentially cause real health and safety issues in our communities. In response to these problems, Congress’s intent in creating DNFSB was to create an oversight mechanism to: (1) review and evaluate the content and implementation of standards relating to the design, construction, operation, and decommissioning of defense nuclear facilities of DOE at each DOE defense nuclear facility; (2) investigate any event or practice at such a facility which the DNFSB determines has adversely affected, or may adversely affect, public health and safety; (3) have access to and analyze design and operational data from any DOE defense nuclear facility; (4) review and make recommendations to the Secretary regarding the design and construction of new DOE defense nuclear facilities; and (5) make recommendations to the Secretary with respect to all DOE defense nuclear facilities as necessary to ensure adequate protection of public health and safety.1

While DOE has established internal review procedures, the presence of DNFSB as an independent, non-duplicative body adds needed trust to communities with high hazard and nuclear operations nearby. DNFSB is often viewed as the only semi-regulator of DOE and NNSA activities. It does not possess regulatory authority, but acts as a very important third-party that provides additional information on the actual risk and actions needed to be taken to mitigate

risk to the communities that would be most impacted by a catastrophic nuclear accident. As an organization made up of stakeholder communities adjacent to DOE activities, ECA believes DNFSB must not be eliminated in order to continue to fully address local concerns.

ECA acknowledges that DNFSB’s operations can and must improve. In particular, the Board at times has made decisions that impact DOE or NNSA project development due to a Board or staff member’s opposition to a certain project. Additionally, DNFSB has, on occasion, caused significant project delays and increased costs with DOE and NNSA rather than working with their respective offices.

While ECA believes that the DNFSB should be retained as a key independent organization that focuses on nuclear safety, all DNFSB recommendations need to come with a cost-benefit and risk reduction analysis. Further, DNFSB serves a key public role, but when it plans to propose an action that could impact the progress of the critical cleanup and health and safety mission, DNFSB should communicate directly with local governments and communities before that action is taken so it can have the benefit of the input from the communities most impacted by the recommendation.

ECA requests a meeting with you to discuss our concerns and ways in which we may improve communication and engagement between DNFSB and local communities. If you have any questions or concerns on this matter, please contact ECA Executive Director Seth Kirshenberg at (202) 828-2317.

Sincerely,

Councilmember Chuck Smith
Aiken County, SC
ECA Chair

Cc: Mayor Steve Young; City of Kennewick, WA; ECA Vice-Chair;
    County Executive Ron Woody; Roane County, TN; ECA Secretary;
    Councilmember Rick Reiss; Los Alamos County, NM; ECA Treasurer;
    Councilmember Dick Doss; City of Carlsbad, NM; ECA Member-At-Large;
    Mayor Bob Thompson; City of Richland, WA; ECA Past-Chair;
    ECA Board of Directors;
    Seth Kirshenberg, ECA Executive Director;
    Megan Casper, ECA Program Manager;
    Vice Chairman Bruce Hamilton, Defense Nuclear Facilities Safety Board;
    Jessie Hill Roberson, Board Member, Defense Nuclear Facilities Safety Board;
    Daniel J. Santos, Board Member, Defense Nuclear Facilities Safety Board;
    Joyce L. Connery, Board Member, Defense Nuclear Facilities Safety Board
**GAO REPORTS**

**NNSA Needs to Improve Its Program Management Policy and Practices**

A report, published by the Government Accountability Office (GAO) on September 28, found that four selected subprograms from the National Nuclear Security Administration’s (NNSA) Office of Defense Nuclear Nonproliferation (DNN) generally do not use selected program management leading practices to manage scheduled costs.

Programs should 1) establish schedules necessary to achieve the program’s goal; 2) establish life-cycle cost estimates; and 3) measure performance against schedule and cost baselines. However, none of the DNN subprograms have schedule and cost estimates covering their planned life cycles and none measure performance against schedule and cost baselines.

The GAO report recommends that DNN revise its program management policy to require DNN programs and subprograms to follow life-cycle program management, such as requiring life-cycle estimate sand measuring against baselines. Updating the DNN policy to include requirements and guidance on cost estimating and tracking performance against schedule and cost baselines could help ensure that NNSA managers and Congress have better information on how much DNN programs and subprograms may cost, the time they may need to achieve their goals, and how effectively they are being executed compared to plans.

**Extent of Selected Defense Nuclear Nonproliferation Subprograms’ Schedule and Cost Estimates Compared to Their Planned Life Cycles**

<table>
<thead>
<tr>
<th>Subprogram</th>
<th>Schedule and cost estimates</th>
<th>Cost Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nuclear Material Removal Subprogram</td>
<td>(Life-cycle completion date) FY 2027</td>
<td>$959 million</td>
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<tr>
<td></td>
<td>FY 2022</td>
<td></td>
</tr>
<tr>
<td>Highly Enriched Uranium Reactor Conversion Subprogram</td>
<td>(Life-cycle completion date) FY 2035</td>
<td>$1.1 billion</td>
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<tr>
<td></td>
<td>FY 2033</td>
<td></td>
</tr>
<tr>
<td>Radiological Security Subprogram</td>
<td>(Life-cycle completion date) FY 2033</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Schedule and cost estimates</td>
<td>$849 million</td>
</tr>
<tr>
<td>International Nuclear Security Subprogram</td>
<td>FY 2021</td>
<td>$530 million</td>
</tr>
</tbody>
</table>

Source: GAO analysis of information from the National Nuclear Security Administration. | GAO-17-773
MOX PROJECT SEES CONSTRUCTION LAYOFFS

The Mixed Oxide (MOX) Fuel Fabrication Facility announced the elimination of 200 construction jobs at the project on October 10.

According to the *Aiken Standard*, project spokeswoman Gentry Bran confirmed that the MOX workforce now counts about 2,000 jobs.

“We are constantly reviewing workforce needs based on the project execution plan and make adjustments as required,” Brann said.

On September 18, the Senate passed its version of the National Defense Authorization Act (NDAA), S. 1519, which authorized $350 million for continued construction of the MOX project (an $80 million increase over the President’s budget request).

Prior to the Senate’s passage, the White House released a Statement of Policy regarding the NDAA in which the Administration reiterated, “The Administration strongly objects to section 3119 directing construction of the Mixed Oxide Fuel Fabrication Facility. The Administration appreciates the flexibility provided to the Secretary of Energy to waive that requirement and terminate the MOX project.”

Both the current and former Administrations have favored a “dilute and dispose” approach, rather than MOX, to disposing of more than 34 metric tons of weapons-grade plutonium at the Savannah River Site. The White House has stated that “dilute and dispose is a proven approach with significantly less risk and expense, and it can be implemented decades sooner than the MOX approach.”

The 200 construction layoffs at MOX come less than three months after the loss of nearly 5,000 nuclear construction jobs in South Carolina when the V.C. Summer nuclear expansion project was halted in July.

SALT MINING OPERATIONS TO RESUME AT WIPP

Mining operations in Panel 8 of the Waste Isolation Pilot Plant (WIPP) are expected to resume in late October or early November, reports DOE.

More than 112,000 tons of salt will be removed from the underground facility to complete Panel 8, which will contain seven disposal rooms—each able to hold approximately 10,395 55-gallon drums. Workers will re-mine the current roof at the panel’s entrance and install rock bolts to provide additional stability. Completion of mining activities is currently scheduled for 2020.

“The resumption of mining represents an important step for WIPP and our workforce,” Carlsbad Field Office Manager Todd Shrated said. “Panel 8 will provide additional space for the emplacement of transuranic waste as our waste handler crews continue to emplace waste in Panel 7.”

Mining of Panel 8 initially began in 2013, but was halted in 2014 following separate fire and radiological events that suspended waste emplacement operations at the facility. WIPP reopened in January of this year and began accepting shipments from across the complex in April.
GROUTING BEGINS AT COLLAPSED HANFORD TUNNEL

Work has begun to inject grout into the partially collapsed Tunnel 1 near the Hanford Site’s Plutonium Uranium Extraction (PUREX) Plant. Grouting is expected to stabilize the tunnel – eliminating the potential for further tunnel collapse.

An estimated 6,000 cubic yards, 650 truckloads, of grout will be needed to fill the 358-foot-long tunnel. EM Richland Operations Office contractor CH2M Hill Plateau Remediation Company expects to complete grouting of the tunnel by the end of December 2017.

“There is no question about the difficulty of the work, but we will work safely and methodically to fill up the tunnel,” said Doug Shoop, manager of the Richland Operations Office, reports the Seattle Times.

Tunnel 1, which dates back to 1956, partially collapsed May 9, forcing approximately 3,000 Hanford employees to shelter in place for several hours. Prior to being sealed in 1965, the tunnel was used as a storage area for equipment from the PUREX facility’s plutonium production operations.

MOX CONTRACTOR SEeks $203.5 MILLion FROM FEDERAL GOVernment IN Award Fees and Payments

On November 1, the prime contractor, MOX Services, at the Mixed Oxide (MOX) Fuel Fabrication Facility filled a complaint in the U.S. Court of Federal Claims, seeking over $203.5 million in award fees and payments.

The United States is listed as the defendant, though court documents primarily take aim at actions of the National Nuclear Security Administration (NNSA), which withheld payments to MOX Services, reports the Aiken Observer.

MOX Services claims that “government meddling” on the project made it impossible for the company to fulfill its contractual obligations and earn its contracting fees.

“Due to events and circumstances caused by NNSA or for which NNSA accepted the risk – including domestic and international political events that have directly impacted the project, uneven congressional support for the project evidenced by inadequate funding, and NNSA mismanagement – the work MOX Services must perform to fulfill the contract has increased substantially,” reads the complaint. “Rather than properly acknowledge the effects of these events and circumstances […] at nearly every turn the NNSA has blamed MOX Services.”

MOX Services is seeking the $203.5 million in award fees and payments plus interest. If granted, the payout would represent nearly two-thirds of the $340 million in FY16 Appropriations for the MOX Facility.

In this media photo from the MOX website, bystanders gather near a facade at the MOX facility in Aiken County.
ECA hosted a Peer Exchange on Implementation of the Manhattan Project National Historical Park on August 16-17 in Richland, WA. This was the second in a series of meeting ECA has hosted on the subject since the Park’s establishment in November 2015.

ECA members representing the Park’s three host communities: Los Alamos, NM; Oak Ridge, TN; and the communities surrounding Hanford, WA, were joined by regional and national DOE and National Park Service (NPS) leaders to discuss the status of the Park and opportunities to advance it forward. In total, approximately 60 people attended the Peer Exchange.

The first day of the two-day Peer Exchange featured a tour of the historical and cleanup sites at the Hanford Reservation. The second day featured presentations from Park leadership, local elected officials, and the Park’s branding and Marketing Committee. A full recap of the meeting can be found on page 8 of the October/November ECA Bulletin.

Copies of the agenda and speaker presentations from the Peer Exchange are available here.
2018 Congressional Calendar

HOUSE CALENDAR
MAJORITY LEADER KEVIN MCCARTHY 115TH CONGRESS, SECOND SESSION

JANUARY
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AUGUST
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SEPTEMBER
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OCTOBER
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NOVEMBER
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DECEMBER
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### 2017-2018 Upcoming Events

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>November 15</td>
<td><strong>ECA Board of Directors Meeting</strong>, San Antonio, TX; contact <a href="mailto:meganc@energyca.org">meganc@energyca.org</a> with questions.</td>
</tr>
<tr>
<td>November 15-17</td>
<td><strong>Intergovernmental Meeting with DOE</strong>, San Antonio, TX; contact <a href="mailto:meganc@energyca.org">meganc@energyca.org</a> with questions.</td>
</tr>
<tr>
<td>December 8</td>
<td>Continuing Resolution ends</td>
</tr>
<tr>
<td>January 16-17</td>
<td><strong>ECA Peer Exchange: Defense Nuclear Waste Disposition</strong>, Las Vegas, NV; contact <a href="mailto:meganc@energyca.org">meganc@energyca.org</a> with questions.</td>
</tr>
<tr>
<td>Late February/March</td>
<td>White House to release FY 2019 Budget Request <em>(likely)</em></td>
</tr>
<tr>
<td>March 18-22</td>
<td><strong>2018 Waste Management Symposia</strong>; visit <a href="http://www.wmsym.org">www.wmsym.org</a> for more information.</td>
</tr>
</tbody>
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**ECA Articles**  
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Dylan Kama Program Manager  
Kara Colton, Director of Nuclear Energy Programs

**Layout and Design**  
Sharon M. Worley, Administrative Assistant

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