

News Release

Senator Pete V. Domenici

FOR IMMEDIATE RELEASE

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DOMENICI EXPECTS PRESIDENT TO SIGN BILL WITH PROVISION TO END N.M. BONDING REQUIREMENT ON WIPP

Senator Added Language to Emergency Supplemental Package

WASHINGTON -- Senator Pete Domenici today said President Clinton is expected to sign legislation completed by the Senate that will negate the state of New Mexico's demand for a closure bond from the federal government on the Waste Isolation Pilot Plant.

The Domenici-authored WIPP amendment is included in an emergency supplemental appropriations package that gained final congressional passage from the Senate Friday. The emergency package was attached to the FY2001 Military Construction Appropriations Bill (H.R.4425), which will now be sent to the White House.

Domenici, a Senate Appropriations Committee member, said he took this action to free the Department of Energy (DOE) to release \$20 million in federal impact assistance money that has been tied up to meet the New Mexico Environment Department (NMED) bond requirement.

"When the president signs this bill into law, we will have made it impossible for the state of New Mexico to ignore the message that its bonding requirement is baseless and should be dropped," Domenici said. "If the New Mexico Environment Department follows the law this time, DOE will be able to finally release the WIPP highway funding that is now being used to finance this unnecessary bond requirement."

"I share the frustration of so many New Mexicans who have seen delays in some important highway projects because of this mess," he said. "I hope this will resolve the situation once and for all."

The Domenici amendment would specifically stop the NMED's past, or future, efforts to require a bond from the DOE for closing WIPP in the future. The amendment is written to make it absolutely clear to New Mexico state officials that this includes the existing requirements placed on WIPP.

Domenici has maintained that WIPP, which has received operating permits from the federal Environmental Protection Agency, is already backed by the full faith and credit of the U.S. government, thus making the unprecedented state bond requirement unnecessary.

Last October, the NMED issued a hazardous waste permit to allow WIPP to begin receiving shipments of transuranic waste that also contain chemicals. The permit required WIPP operators to obtain "financial assurance" bonds to cover the costs of eventually closing the repository near Carlsbad.

To meet that bonding requirement, DOE is using the \$20 million in impact assistance given annually to New Mexico for hosting WIPP. Eliminating the bonding requirement should free the DOE to release the federal impact aid funds on which New Mexico is relying to improve roadways on the routes to WIPP.

Since 1996, New Mexico has received \$20 million annually in impact assistance for WIPP-related preparations, including bypass and highway construction and emergency preparedness activities. The federal government's responsibilities on WIPP operations, maintenance, and closure are outlined in the 1992 WIPP Land Withdrawal Act.

