



House of Representatives Committee on Appropriations

Subcommittee on Energy and Water Development, and Related Agencies

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Management and Fossil Energy

Energy and Water Development, and Related Agencies

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Testimony by Acting Director, Office of Civilian Radioactive Waste Management;
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VISCLOSKY: I think it's a very important policy issue. If they have been paid with federal tax dollars and it's not - if the label they have for a pension for a worker is not fully funded today with what the American taxpayers have paid them, that then in some future program allowable cost, the taxpayers would pick up the tab for them and meet a responsibility I believe they should have met, if in fact, hypothetically that turns out to be the case, I have a very serious problem with that, very serious problem.

GOLAN: Yes, sir.

VISCLOSKY: There's also a proposal for '06, the transfer, cleanup and waste management responsibilities to the National Nuclear Security Administration for six sites. Could I ask what the rationale for that was?

GOLAN: Sure.

Under the NNSA act, I'm not allowed to direct NNSA employees or any contractors. And so I have no authority to direct those resources. However, I do have the responsibility for the cleanup.

So we go back to the NNSA act. We think the proposed transfers align the accountability and the authority within NNSA to complete the cleanup missions. These are at sites with ongoing missions. We think it's going to be in that positive impact, because we straighten the authorities and the responsibilities.

We've been working with the NNSA over the last 10 months to ensure they have the necessary resources to complete the cleanups at these sites.

In fact, our proposal would have where the folks, the federal folks who are responsible for the cleanup today, would be transitioned to NNSA, about 100 or so federal folks, so we would not only transition the people but the expertise, the knowledge and the infrastructure.

We also have made available to the NNSA...

VISCLOSKY: Can I interrupt? Why go to all that trouble? Why not change the law and allow you to do it. You're transferring 100 people and you have an agency that has no culture or experience in this, so you're going to move 100 people over to this agency -- change the law so (ph) you could do it.

GOLAN: That could be one way to look at it. However, if you do look at -- since these are sites with continuing operations, what we found is that if the generators are responsible for managing their work and the cleanup, then generally you get a better run organization with less waste being generated.

HOBSON: We'll just discontinue here for a minute, Mr. Golan -- not on that subject. I want to talk about WIPP. I was down and visited WIPP, and I think it's -- it appears to be a success story, but it's one that we're going to run out of. The community seems supportive of the site.

Do we have any plans -- and I suggested at the time while everything seems positive and we're going to need more space, do we have any plans to expand it?

GOLAN: We're looking into that right now. As you point out, WIPP just celebrated its sixth year of operation. There are things we're doing right now so that we can get more waste down to WIPP, whether it's expediting the characterization and streamlining the characterization process, which we're working right now to do that, permit modification to get the remote handled waste down there as well as some of the waste that may be considered transuranic waste that's in tanks today. There's class three permit modifications that we need to work through.

We're also working on the five-year recertification with the Environmental Protection Agency on WIPP.

HOBSON: And I want to expand it.

GOLAN: That's something that I think we need to look into.

HOBSON: Do I have to direct you to do that? I mean, we're going to wait too long, then you're going to have a problem.

GOLAN: Yes, sir.

HOBSON: So I guess we're going to have to put something in the law to tell you to go do it. I mean, we try to suggest things and they don't happen. And then it's going to be late, and then you're going to come back and have some

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big plan that costs \$90 billion again to do it. When if you go -- and then by that maybe somebody will be upset, and then we'll have another problem.

I would suggest to you, sir, respectfully, that somebody, while this is a very positive program, while it's working and we're going to need it in the future, we go out and we get a plan together to expand that facility. Because the stars are all aligned right now correctly to get it done. In the future it may not be. Who knows?

But it's working. The congressman who's there seems to be satisfied. The mayor and the community I've talked to seem to be there. The state seems reasonably OK. You don't find those opportunities very often in a site that we're -- and I would suspect that you're going to need something like this in the future. And if you look at that system, it will take it very easily down there.

GOLAN: Yes, sir.

HOBSON: So I would suggest to you -- and while you've got a chairman that's interested and a senator that would probably be interested that we've got to move on that.

GOLAN: Yes, sir.

HOBSON: I'm also concerned about Hanford. I'm going to be chairing this for a while, and I'm going to tell you something: If I find out that through OMB's actions here we're going to get ourselves in the same problem we've got with the corps, I'm going to find somebody when this is over, and I'm going to really be after them.

Because here's what worries me about Hanford -- now, I know contractors always cry wolf on these things, and the government cries wolf the other way and things of this sort.

But if we have a delay in Hanford in that we could have funded -- I'm not talking the seismic problem, which you have to solve, but there are certain things that have to continue there. If we don't continue some of that, some of that's going to get a big plume on it to finish it, like we have in prominent Corps of Engineers.

I don't want to let that happen here, where we cut back on funding of something and then when we come back to it later, because we didn't fund it appropriately during that period of time that we could have -- for example, if somebody tells me they got cut \$120 million in one part of the cleanup, they're telling me that they need -- they can continue to work on that project and keep it at a level that's on line to go so that we don't get a bump, for about \$60 million. That probably means to me they need about \$30 million, but I don't know.

But what I'm suggesting to you, sir, let's not be driven by numbers that OMB gives us on this to the problem where we make a bigger problem in the future because we've allowed somebody who saw an opportunity because of the seismic thing to cut it.

And the cut needs to be such -- and I'm not objecting to a cut, but I'm saying let's fund this at an appropriate level that we don't create a plume at the end that we could have avoided now. That's all I'm suggesting.

I want somebody to come in and we're going to have some discussions about this so that if you guys didn't do the job, then we're going to have to do the job. And that's a problem, because we're going to have the steal the money somebody because they didn't put it in the budget right. I think that's irresponsible if that's what's happened here.

I happen to think that they did last year on Yucca Mountain was irresponsible. It was gamesmanship. And frankly, when I get over there with Mr. Gershon we'll talk a little more about that, so you don't have to hear me on that.

But I've got I guess one other question that I'd like to ask you, then I'll let you off.

The people of Washington state passed a ballot initiative last November that would prohibit any interactive waste shipment to Hanford until the site is cleaned up. What is the specific impact of the ballot initiative on the department's budget request for '06? What planned cleanup activities can no longer be conducted in Hanford and other sites? And what's the budgetary impact for those activities?

GOLAN: There's two issues with initiative 297. The one that you referred to is the fact that Hanford is not available to accept out-of-state waste. That's how Columbus has some remote handled trans-uranic waste that had been scheduled to at least stay at Hanford in the interim, which we're not able to send to Hanford. We're trying to do some work-arounds right now. Rocky Flats had some waste that had scheduled to go to Hanford. We found other disposals.