

Six decades of U.S. nuclear weapons research, testing, and production activities have left dozens of Department of Energy (DOE) sites polluted with massive amounts of radioactive and hazardous wastes. Most DOE sites are now on the Superfund list of the nation's most environmentally dangerous facilities. Their contamination threatens millions of people living near the sites or along major waste transportation routes. Some of the nation's most important water resources are endangered.

“Accelerated Cleanup” Fails To Save Money

Since 1996, DOE's Environment Management (EM) program has spent more than \$80 billion. As a result, some sites, including Rocky Flats (CO) and Fernald (OH), have been significantly cleaned up. But ongoing monitoring is required at such facilities because substantial contamination remains, precluding residential or commercial activities. In its 2009 Budget Request, DOE estimated that an additional \$225 billion may be needed to fulfill its environmental obligations. Further, several sites that were to be completed by 2035 are now delayed to 2040 or even decades later.

In 2002, DOE proclaimed that its “Top-to-Bottom Review” and resulting “accelerated cleanup” program would streamline the program and reduce environmental risks. In its FY 2004 Budget Request, DOE told Congress: “EM believes it can achieve greater than \$50 billion in life-cycle savings, and is committed to a stretch goal of \$100 billion.” In the FY 2008 Budget Request, DOE reversed that position: “EM now estimates that the life-cycle cost for the program could increase by \$50 billion.” Given DOE's record, it is likely that actual spending will be even higher than current estimates.

“Decelerated Cleanup” Fails To Meet Legal Obligations

The rising costs and schedule delays clearly indicate that the Bush administration's “Accelerated Cleanup” program did not meet its goals of reducing total costs to less than \$200 billion and completing all sites by 2035. At a February 28, 2008, House Energy and Water Appropriations Subcommittee hearing, DOE Secretary Bodman admitted that what's happening is in fact “Decelerated Cleanup.” Furthermore, DOE has stated that its Budget Requests are not sufficient to meet all of the nation's cleanup agreements with states and the Environmental Protection Agency (EPA). When DOE fails to meet obligations under the agreements, it faces fines. More important, contamination often continues to spread.

Rather than cleaning up the sites more quickly, the most contaminated sites face substantial delays. Idaho National Lab, Nevada Test Site, Paducah (Kentucky) and Savannah River Site (South Carolina) now will not be completed until after 2035. The Portsmouth (Ohio) completion date could be as late as 2052. Hanford (Washington) could be as late as 2062. Those delays represent fundamental failures in meeting legal milestones and the DOE's own “Performance Management Plans.” As a result, Congress and the new administration will need to develop new plans and provide adequate funding to fulfill promises to local communities to clean up the sites.

Openness and Public Participation

DOE has yet to provide a publicly accessible database of its thousands of cleanup milestones and the budget requirements to meet them. Contracts negotiated and signed meet milestones should be made public, except for proprietary information. Such a system would provide more transparency and accountability.

If cleanup agreements or milestones are to be re-negotiated, the specific activities and milestones to be changed should be publicly disclosed and public comment encouraged.

New Waste Worsens Problems

Many large DOE sites where cleanup activities are in progress – Livermore, Los Alamos, Nevada Test Site, Oak Ridge, Pantex, Sandia, and Savannah River– are also currently involved in design, testing, and production of nuclear weapons. DOE is proposing new weapons facilities (“Complex Transformation”) and reprocessing of irradiated fuel (“Global Nuclear Energy Partnership”), all of which would create new waste streams. As a result, cleanup would become an ever more expensive, never-ending activity.

Moreover, DOE alleges that it need not comply with Washington State’s prohibition on disposing additional waste until existing waste is cleaned up. DOE continues to dump waste in unlined pits and trenches, creating the need for additional cleanup in the future.

Energy Solutions, which operates a low-level nuclear waste site in Utah, is even proposing to import 20,000 tons of Italian low-level nuclear waste, process it at Oak Ridge, and dispose of it in Utah. Importing foreign nuclear waste would add to the cleanup problem.

Legacy Management Must Fulfill Its Commitments

DOE sites declared “closed” and administered by the Office of Legacy Management (OLM) still have continuing requirements for funding and public involvement. Budgets of hundreds of millions of dollars annually for decades to come are needed for worker pensions, ongoing monitoring, public information, and community participation at dozens of sites.

RECOMMENDATIONS

- Provide sufficient funding for environmental cleanup to assure compliance with all laws and cleanup agreements.
- Require that DOE provides a publicly accessible database showing all cleanup agreement milestones and the funding needed to meet them.
- Compel DOE to disclose contract requirements regarding meeting cleanup agreement milestones.
- Bar the disposal of radioactive and chemical wastes in unlined pits and trenches.

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