

## **DOE “DECELERATED CLEANUP”: DOESN'T MEET LEGAL AGREEMENTS, COSTS KEEP RISING**



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.

Since 1996, DOE's Environment Management (EM) program has spent more than \$75 billion. As a result, some sites have been cleaned up, though monitoring and treatment is still required. Many others, however, remain too contaminated for residential and many other uses. In its 2009 Budget Request, DOE estimates that an additional \$225 billion may be needed to complete its cleanup work – about \$100 billion more than last year's estimates. Further, several sites that were to be completed by 2035 are now delayed to 2040 or even decades later.

The rising costs and schedule delays demonstrate that the Bush administration's "Accelerated Cleanup" program is not meeting its goals of reducing total costs to less than \$200 billion and completing all sites by 2035. At an early 2008 House Energy and Water Appropriations Subcommittee hearing, DOE Secretary Bodman admitted that what's happening is in fact "Decelerated Cleanup." Furthermore, DOE has said 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 importantly, contamination often continues to spread.

### **NEW WASTE WORSENS PROBLEMS**

Many DOE sites where cleanup activities are in progress – Livermore (CA), Los Alamos (NM), Nevada Test Site, Oak Ridge (TN), Pantex (TX), Sandia (NM), and Savannah River (SC) – 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 for decades to come. As a result, cleanup would become an ever more expensive, never-ending activity.

### **Recommendations**

- Restore funding for environmental cleanup so budgets are adequate to assure compliance with all laws and cleanup agreements.
- Require future budget requests to provide detailed information on the funding levels at each site needed to meet cleanup agreements.
- Bar the disposal of radioactive and chemical wastes in unlined pits and trenches.
- Abandon "Reference Man." Set environmental health standards to protect those most at risk from exposure to radiation or toxic chemicals.

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 dispose of 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 it in Utah. Importing foreign waste would add to the cleanup problem.



### **“DECELERATED CLEANUP” FAILS TO SAVE MONEY**

DOE proclaimed that its 2002 “Top-to-Bottom Review” and resulting “accelerated cleanup” program would streamline cleanup 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.” The FY 2009 Budget Request now estimates the Life Cycle Cost Range from \$265 billion to \$305 billion. Given DOE's record, it is likely that actual spending will be even higher than current estimates.

Rather than cleaning up sites more quickly, the most contaminated sites face substantial delays. Hanford (WA), Idaho National Lab, Nevada Test Site, Paducah (KY), Portsmouth (OH), and Savannah River Site now will not be completed until after 2035, with Portsmouth's completion date as late as 2052 and Hanford 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 next administration will need to develop new plans and provide adequate funding to fulfill promises to local communities to clean up the sites.

### **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.

### **PROTECT WOMEN AND CHILDREN**

Many DOE, EPA, and other federal rules that govern how polluted sites will be remediated – for instance, limits on how much residual radiation will be allowed after the sites are declared “cleaned up” – are based on “Reference Man.” Reference Man is defined as a hypothetical adult “Caucasian” male who is 20 to 30 years old, 154 pounds, 5'7” and “Western European or North American in habitat and custom.”

However, women, children, and the embryo/fetus are in general more sensitive to radiation exposure than men. According to the National Academies of Science, cancer mortality risks for women are more than 37% higher than for men for the same radiation exposure. Children's risks are often even greater. Tritium, a contaminant common at many DOE sites, can cross the placenta and cause early miscarriage or fetal malformations.