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Statement by

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before the

Radioactive and Hazardous Materials Committee

New Mexico Legislature

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Mr. Chairman, vice-chairman, and members of the committee, thank you for your time and commitment to New Mexico's safe handling of hazardous materials. Also, thank you for inviting me to appear before your committee today in regards to H.R. 1879, the Government Waste Isolation Pilot Plant Extension Act of 2013.

There are a tremendous number of tough questions facing our nation's energy future. As Members of the Radioactive and Hazardous Materials Committee, you are on the front-line in studying and recommending policy proposals for the role New Mexico will continue to play in our nation's evolving energy policy.

The Waste Isolation Pilot Plant (WIPP) is a world-class facility with an outstanding service record for the disposal of low-level defense-mission transuranic (TRU) waste. Many Americans are unaware that the WIPP facility exists or that our nation has a proven, capable facility that continues to safely process and dispose of low-level radioactive material. This facility is the model on which radioactive waste disposal sites should be built and maintained. WIPP has safely received nearly 11,700 shipments and removed more than 3.1 million cubic feet of waste from our environment. To put this in perspective, this is the equivalent to filling 35 Olympic-sized swimming pools. 22 generator sites from around the United States have been safely and successfully cleaned of legacy TRU waste because of WIPP and the tremendous work being performed there.

WIPP builds upon New Mexico's central role in the infancy of atomic research, and brings the work done at several Department of Energy (DOE) facilities full-circle. In 1979, Congress authorized WIPP to research and develop a safe method for the disposal of radioactive waste. Twenty years later, WIPP accepted and processed its first shipment of TRU waste from the Los Alamos National Laboratory. Today, WIPP continues to accept waste, currently from four DOE sites, including New Mexico's own lab at Los Alamos.

TRU waste is generated when an item or substance is exposed to a man-made element with an atomic number higher than uranium on the Periodic Table of Elements. This is waste that most commonly has come into contact with plutonium including tools, clothing, debris, soil and other similar items. A deep geological repository, such as WIPP, is an ideal location for TRU waste. The naturally occurring salt beds provide a unique environment that will absorb waste and prevents the release of radioactivity. Over time, the salt beds will move and change to entomb the waste 2,150 feet underground.

WIPP is fast approaching the conclusion of its current mission. Under the current DOE baseline, the facility will stop receiving waste in 2030, at which time closure and decommission activities will commence. This is only 17 years from today.

More pressing though is the change expected in the immediate future. Historically, WIPP's shipment average has been as high as 36 per week. When I last appeared before this Committee two years ago, the figure was at 26. Today, WIPP averages 20 shipments per week. According to WIPP officials, depending on federal budget and generator sites, this number will fluctuate between 17 and 22 in the upcoming years. As this number of shipments declines, so too will many well-paying, highly-skilled jobs. The WIPP facility provides employment for approximately 980 people nationwide. In New Mexico, there are about 70 miners and 440 technically skilled workers. These jobs provide New Mexico, particularly the Carlsbad community, a tremendous economic boost. As WIPP winds down, the impact will surely be felt in New Mexico.

WIPP has utilized only 60% of the available mined area of the facility. According to the operations team at WIPP, there is more than enough room for the facility to handle and dispose additional TRU waste. However, not widely known nor understood, under current law WIPP is limited to dispose of only some of the United States stockpile of TRU waste, not all. WIPP only handles “defense-mission waste”. DOE currently holds non-defense generated TRU waste at sites around the country because it lacks a means by which to dispose it. One stream of TRU waste is no different than the other, what is dissimilar is the mission under which the waste was generated. Non-defense waste is a prime candidate for WIPP, as it poses no greater risk to public health than the defense-mission waste.

Recognizing public health and safety interests to dispose of these additional TRU waste stockpiles; the labor workforce and economy of the greater Carlsbad region; and the capability of WIPP, Congressman Pearce introduced H.R. 1879. H.R. 1879 is legislation that supplements the defense-mission at WIPP by allowing the facility to accept all government owned TRU waste. This additional waste stream is expected to keep shipments into the facility relatively stable for an additional five to seven years. I am very pleased to report that H.R. 1879 was unanimously approved by the House of Representatives as an amendment to the National Defense Authorization Act of 2014. The underlying legislation passed the House in June and is currently awaiting passage by the United States Senate.

According to DOE, the overall mission of WIPP and the National TRU program is to protect human health and the environment by safe management, retrieval, characterization, and disposal of approved wastes. H.R. 1879 will clean up waste in seven states, with one of them, most importantly, being New Mexico. This is waste that, for no other reason than it was created under a non-defense mission, has no disposal process.

Finally, taxpayers will get a greater return on their investment in WIPP. As stated earlier, WIPP has currently utilized only 60% of the facility. WIPP will not achieve 100% capacity, leaving taxpayers’ investment underutilized. The characteristics for the new stream of waste are exactly the same as those currently accepted at WIPP. Without a pathway, this waste is doomed to sit in storage at various DOE facilities in sub-standard and inadequate environmentally sound storage.

To conclude and summarize, the WIPP Extension Act (H.R. 1879) will:

- Keep the waste characteristics exactly the same as those currently accepted at WIPP.
- Clean up transuranic waste at Los Alamos National Laboratory and in 6 other states.
- Increase the safety of human health and the environment.
- Maintain existing transportation routes to bring waste to WIPP.
- Safely dispose of 148,000 cubic feet of waste currently sitting in temporary and substandard storage.
- Piggyback on the exemplary record at WIPP to safely dispose and remove additional TRU waste from the environment.

- Stabilize shipment levels at WIPP and maintain employment levels.
- Provide taxpayers with a better return on investment by utilizing space that is expected to go unused under WIPP's current, defense only mission.

Again, I thank you for inviting me to participate today. I look forward to discussing this legislation and answering any questions you may have.