Advance Policy Questions for Dr. Monica C. Regalbuto
Nominee to be Assistant Secretary of Energy for Environmental Management

Duties

What is your understanding of the duties and functions of the Assistant Secretary of Energy for Environmental Management?

The mission of the Office of Environmental Management is to complete the cleanup of the environmental legacy of over five decades of nuclear weapons development and nuclear research efforts sponsored by the federal government. As the Assistant Secretary for the Office of Management, if confirmed, my paramount duty would be to advance this cleanup work while ensuring the safety of workers.

Additionally, I understand that the Assistant Secretary is responsible for managing federal staff, federal budget requests and implementation, overseeing the mission units and keeping abreast of technology developments that could stretch cleanup dollars farther and shorten the time needed to accomplish the mission.

Assuming you are confirmed, what duties and functions do you expect that Secretary Moniz would prescribe for you?

If confirmed, I expect that Secretary Moniz will continue his focus on project management, including the large EM constructions projects. I expect he will also ask me to focus on overarching issues such as worker safety, continued efforts to improve safety culture throughout the EM complex, and the efficient cleanup of waste throughout the system. I also expect that, if confirmed, I will spend significant time working on recovery efforts to reopen WIPP.

Qualifications

What qualifications and experience do you have that would qualify you to perform the duties of the Assistant Secretary of Energy for Environmental Management?

I have worked on nuclear energy issues for much of my career, starting in 1988 when I joined Argonne National Laboratory after completing my Ph.D. at the University of Notre Dame. I began my work supporting the development of technologies for the treatment of high-level waste at the Department of Energy plutonium production sites. After developing strong technical skills, I joined BP-AMOCO in 1996, where I enhanced my skills at managing complex projects,

large budgets and a multi-disciplinary staff in an industrial setting. I returned to Argonne in 2001, and became the Head of the Process Chemistry and Engineering Department where I worked on new technologies for the treatment of used nuclear fuel and led efforts to identify technical solutions to difficult waste management issues

In addition, I participated in the Massachusetts Institute of Technology three-year Fuel Cycle Study Team, published in 2010, which allowed to me to gain experience working with high level officials and nongovernment organizations, and also brought to my attention the need for the safe, permanent disposal of all types of radioactive wastes. In 2008, I had the unique opportunity to join DOE's Office of Environmental Management, where I served as a senior program manager supporting their strategic mission in the waste processing area.

In my role as the Deputy Assistant Secretary for Fuel Cycle Technologies within the Office of Nuclear Energy, I was responsible for formulating and articulating strategic options to expedite the resolution of waste management issues.

I have also experienced the intricacies of nuclear waste management from the perspective of a waste generator and from a waste disposal specialist during my time at DOE. One of our nation's biggest challenges remains to ensure the public that the government is able to fulfill its responsibility regarding the timely handling and cleanup of the nuclear waste originated from both its defense and civilian programs.

I believe my background, experience and commitment have prepared me to lead the Office of Environmental Management during this particularly critical time and I welcome the opportunity to continue my service to the nation as Assistant Secretary for EM. If confirmed, I pledge to work closely with this committee and others in the Congress to ensure that we continue the safe cleanup of the environmental legacy.

Major Challenges

In your view, what are the major challenges confronting the Assistant Secretary of Energy for Environmental Management and the Environmental Management program?

There is no doubt that the Environmental Management program has its share of challenges. While each EM site faces its own unique set of issues, I have observed large scale challenges across the complex, including project management and the need to execute a critical mission in a time of fiscal constraints. Additionally, a current ongoing challenge is the February 2014 radiological event at WIPP and the continuing efforts to determine the cause of the release, remediate the mine

and, reopen the facility.

Assuming you are confirmed, what plans do you have for addressing these challenges?

If I am confirmed, I will be committed to advancing EM's cleanup work while ensuring the safety of workers and the public, and protection of the environment. If confirmed, I would address the aforementioned challenges, including:

- Project management: From technology maturity, construction issues to cost estimates, building large projects is difficult. Secretary Moniz has recognized this challenge, and during his reorganization of the Department he created the position of Under Secretary for Management and Performance to, in large part, address project management issues. The Office of Environmental Management was moved from Nuclear Security into the purview of Management and Performance, a signal of the Secretary's commitment to addressing these issues. If confirmed, I would work with the Office of the Under Secretary for Management and Performance to address matters associated with some of EM's largest construction projects, including the Waste Treatment and Immobilization Plant at Hanford and the Salt Waste Processing Facility at Savannah River.

- Fiscal Constraints: As the Federal government continues to face fiscal constraints there have been a significant effects throughout the EM complex. DOE must make difficult decisions about prioritizing cleanup work and meeting milestones while ensuring worker and public safety.

- WIPP**:** As the Nation's first operating repository, WIPP is a critical asset to the Department and our country. It is very important that the recovery efforts are done as safely and efficiently as possible while ensuring the safety of the workforce and the public, and protection of the environment. EM and the Department must take a close look at the Accident Investigation Board reports and other independent investigations for both the fire and radiological release incidents to determine what improvements can be made to ensure that WIPP will be reopened and operated safely. If confirmed, I expect to be very involved in the WIPP recovery effort and I pledge to work closely with you, this Committee and the New Mexico delegation on this important issue.

Management Issues

The Assistant Secretary for Environmental Management is responsible for cleanup activities occurring at Department of Energy (DOE) sites across the country.

What are your views on the roles and responsibilities of field managers relative to those of Environmental Management (EM) headquarters managers?

Field managers are responsible for ensuring that the cleanup work is done in a safe and effective manner, and in compliance with applicable laws and regulations. Headquarters managers are responsible for budget formulation, developing policy, and supporting a system-wide approach to accomplish the overall mission and facilitate and enable the field work. Headquarters managers also provide oversight of the field activities to ensure the work is carried out consistent with the use of the most cost effective technologies and the Department of Energy and EM policies.

What is your view of EM's organizational structure? Is there a well-delineated and consistent chain of command and reporting structure from the field staff to headquarters staff, from the contractors to DOE officials, and from the Office of Environmental Management to the Secretary of Energy and other DOE officials?

I understand the Office of Environmental Management has modified its Headquarters organizational structure to place greater emphasis on budget formulation and strategic planning, acquisition and project management, safety, and technical expertise. I also understand that EM's organizational structure focuses on supporting a system-wide approach to accomplish the overall mission and to facilitate and enable field work within three Mission Units: Site Restoration, Tank Waste, and Nuclear Material and Waste Management. I believe the organizational structure supports its goals by establishing clear lines of responsibility and accountability to improve overall program performance. I also believe that organization and management systems need to be designed in ways that are mutually supportive and should provide structure flexibility to address new challenges as they evolve.

The nature of many of the Department's operations, the complexity of its mission, and its organizational size and structure require a well delineated chain of command to ensure that the program offices and mission support offices in headquarters and the field sites work together to identify and meet mission requirements and to establish greater accountability for results. It is also critically important that in spite of its size, the organization functions in an integrated matter for the benefit of the overall system to accomplish the mission. If

confirmed, I will continue to evaluate how the organization is meeting its goals and adjust if needed.

Do the field offices have enough autonomy and flexibility to work with the contractors at the sites to get the cleanup finished in a safe and efficient manner?

I believe sufficient autonomy and flexibility exist within field offices to enable federal staff to work with site contractors effectively in completing cleanup activities in an efficient manner. If I am confirmed, I will ensure field office staff and headquarters staff have a clear understanding of their roles and responsibilities within this process to maximize the effective use of their capabilities to get the job done safely and effectively.

It is important to me that EM's sites work throughout the complex to apply lessons learned from one site to another as not every challenge that remains after 25 years of experience is still one of a kind. For example, while Savannah River's tank waste composition is very different that the tank waste at Hanford, technologies that are being used at Savannah River today can and should be explored for use at Hanford. If confirmed, I will work to facilitate knowledge and integration of best practices and successes across field offices.

In your opinion, should the field offices have more autonomy than they currently have?

I do believe that it is important to delegate as much authority as possible and appropriate to the field offices and their managers, as they are responsible for day to day operations. However, the additional authority comes with the responsibility to deliver on performance goals and learn from the experience of and implement best practices from other field offices. Performance is measured by the results obtained, the manner in which they are obtained, and return on investment. If confirmed, I will ensure the EM program aligns authority with performance at each site to deliver on its goals and requirements.

The Environmental Management program has used a variety of contracting methods, including management and operating contracts, cost plus award fee contracts, cost plus incentive fee contracts, performance-based, fix-priced contracts, and closure contracts, among others.

What is your view of the utility and appropriate role of these, or other, contracting methods, and what principles do you believe DOE should follow when entering into EM contracts in the future?

I believe to select the best contract type for a particular DOE requirement, EM must take into account the nature of the risks involved with the work to be performed, the complexity of the requirement, the general technical capability of contractors within the marketplace to perform the work, the work scope needed to meet the contract requirements, and DOE's ability to oversee the work.

My understanding is that since 2013, EM has used a complex-wide, standardized acquisition process that takes into account the nature of EM work, the desire to maximize contractor performance on closure/completion contracts by incentivizing contractors to complete the remaining cleanup work. I am aware that EM currently has over 35 major contracts that are predominately cost type, and two Management & Operating contracts.

In December 2013, the Deputy Secretary of Energy issued a policy memo that requires use of fixed price contracts whenever feasible and alignment of contract incentives with taxpayer interests. I believe that EM should be driving to get as close as possible to a fixed price contracts portfolio. However, it is my understanding that the current difficulty of the mission, including cleaning up waste streams that are not completely documented, requires EM to use a variety of contract types and even hybrids of those types to fairly allocate risk, provide an opportunity for reasonable profit rates, cover a wide range of technical difficulty and performance risk and continue to attract contractors. I also recognized that current contracting methods have room for improvement and that better characterization of clean up waste streams and process technology maturity will facilitate this effort, and as such if confirmed, I will support investments in this area.

Mission

DOE has offered changing views, over the lifetime of the EM program, as to whether the program should focus on cleaning up the sites within its purview as of a date certain or whether the program should have an ongoing mission of cleaning up all surplus DOE facilities, as the facilities become excess, over time.

Do you believe there is a point at which the EM program should stop taking surplus buildings, facilities, or waste streams from other components of the DOE into the EM program for decommissioning, decontamination, and disposal?

I believe EM should continue its decommissioning, decontamination, and waste disposal missions of legacy installations. It is the most efficient means for DOE to deal with surplus buildings and facilities and waste streams, and during the past 25 years, EM has developed and is continuously improving the core capabilities, including expertise, processes, equipment, and facilities, necessary to deactivate

and decommission surplus buildings and facilities and treat and disposition waste. However as new facilities come on line the cost of waste disposal and end of life decommissioning, decontamination and disposal must be built into the facility cost structure to minimize the overall future impact to the DOE.

From an organizational perspective, it is more effective to have one organization within the Department whose mission is focused on cleanup conduct these activities than having the responsibilities spread among several organizations. I believe the work in EM enables other crucial DOE missions to continue across the United States. By focusing on reducing our cleanup footprint, EM is lowering the overall Department cost of security, surveillance, infrastructure, and overhead costs that would otherwise continue for years to come. In addition, by building the cost of waste disposal and end of life decommissioning, decontamination and disposal of new facilities, EM, and as a result DOE, will become a much more cost effective organization as it moves from legacy cleanup to sustainability of the DOE complex.

If confirmed, what requirements would you place on the other DOE programs before you would take additional buildings, facilities or waste into the EM program?

I understand that DOE already has policies and procedures in place that other DOE programs have to meet in order for EM to accept the transfer of additional buildings and waste streams into the EM program. If confirmed, I will continue to ensure any additional facilities proposed to be added to the EM program be clearly identified and segregated from the current baseline, cleanup costs and schedules for those facilities be determined, and cleanup of those facilities be prioritized according to the principles of the Top-to-Bottom Review. If confirmed, I will ensure that acceptance of additional buildings, facilities or waste into the EM program will be well-reviewed and that future facilities take into account the cost of waste disposal and end of life decommissioning, decontamination and disposal.

Do you believe it is an appropriate policy for the EM program to "go out of business" at some point and leave the remainder of newly generated waste as the responsibility of existing DOE programs?

It is the mission of the Office of Environmental Management to complete the safe cleanup of the environmental legacy brought about from five decades of nuclear weapons development and government-sponsored nuclear energy research.

EM's mission will be ongoing for at least the next 35 years. This does not include work that is not currently within the EM baseline. As previously discussed, any additions to the EM program of newly non-legacy generated waste will be well-

reviewed and the decision made consciously with an emphasis on cost recovery. When EM's mission is complete, our elected officials, regulators and the Department of Energy will determine the appropriate path forward for EM. If confirmed, I pledge to work with this Committee and others in Congress on this issue.

If not, in your view, how should newly generated wastes be managed and which program (EM or the program generating the waste) should budget for these activities?

These are important issues, not only for the EM program, but for the Department as a whole. If confirmed, I will continue to ensure any additional facilities proposed to be added to the EM program be clearly identified and segregated from the current baseline, cleanup costs and schedules for those facilities be determined, and cleanup of those facilities be prioritized according to the principles of the Top-to-Bottom Review. In addition I will work to ensure that that future facilities take into account the cost of waste disposal and end of life decommissioning, decontamination and disposal. If I am confirmed, I will be happy to work with you on this issue.

Do you believe that making the program responsible for newly generated waste would incentivize the program to minimize the amount of waste created or, conversely, would it result in the program storing waste, perhaps indefinitely?

I believe that these are important issues that, if I am confirmed, would require further exploration, analysis and discussion before I could offer an informed opinion. I can say, however, that it is my understanding that the Department remains subject to federal waste management and other environmental laws, as well as Departmental directives regarding radioactive wastes, all of which will continue to apply, and to govern how waste is stored and managed regardless of which program office has primary responsibility. If I am confirmed, I will be happy to work with you on this very important and relevant issue.

The EM program demonstrated that accelerating cleanup at specific sites could result in a more cost effective approach to cleanup over the long term. After the Rocky Flats and the Fernald Sites were completed, the accelerated approach was abandoned.

If confirmed would you look at renewing an accelerated approach for specific sites if significant long term cost savings could be achieved?

Based on my understanding of the successes of Rocky Flats, Fernald, and Mound, I would be willing to consider this approach, particularly if it accomplishes site cleanup in a safe, compliant, and more cost-effective manner. I also understand that EM was able to accelerate certain work with funding from the American Recovery and Reinvestment Act, and accelerate its footprint reduction significantly. However, given the current fiscal constraints, it may be difficult to balance competing risk-based priorities across the EM complex. If confirmed, I would certainly look at this approach and would be happy to work with you on this issue.

Do you believe this promise of accelerated cleanup has yet been realized, and if not, why not?

The Department of Energy has achieved several successes in its accelerated cleanup efforts, including significant footprint reduction across the EM complex during the American Recovery and Reinvestment Act. However, given the current fiscal constraints and that the bulk of remaining work includes the most difficult cleanup challenges, it may be difficult to balance competing risk-based priorities across the EM complex. If confirmed, I look forward to working with you on this issue.

Technology Development

Do you believe that the EM program has conducted sufficient technology development so that a treatment and disposition pathway exists for all identified waste streams under the program?

As mentioned the most difficult challenges are what remain of EM's mission. As characterization technologies evolved during the last 25 years, they have informed the complexity of the treatment needed for waste stabilization. The mission of the Office of Environmental Management has always been challenging, and developing and implementing first-of-a-kind technologies to find further efficiencies in cleaning up waste streams and optimizing disposition pathways will always be an area in which EM will look to improve its ability and enhance its efforts. In short, I do not think that we have done all we can do, and if confirmed, I will work to ensure that the Technology Development and Deployment program continues to make strides in creating innovating solutions to our challenging nuclear waste issues, especially as we address the most difficult waste streams of the mission.

If any orphan waste streams – those for which there is no identified disposition pathway – exist within the EM program, what technology

development or other efforts would you undertake, if confirmed, to address them?

In my capacity as Deputy Assistant Secretary for Fuel Cycle Technologies, I recently led a study that addresses and identifies potential disposal pathways for DOE-managed waste. The report, "Evaluation of Options for Permanent Geologic Disposal of Spent Fuel and High-Level Waste in Support of a Comprehensive National Nuclear Fuel Cycle Strategy," can be found at: http://www.energy.gov/ne/downloads/evaluation-options-permanent-geologic-disposal-spent-nuclearfuel-and-high-level. There are a few waste categories that require further evaluation, including sodium-based waste within the EM program.

As you may know, I started my career working on tank waste at Argonne National Laboratory. Our national laboratories provide unique experience in the development of technical solutions that currently don't exist or are not yet fully mature and proven. The Technology Development and Deployment (TDD) program within EM enables the development of first-of-a-kind technologies for cleanup efforts of unique waste streams. I strongly believe that utilizing the DOE national laboratories and other organizations for TDD activities is crucial to addressing challenging waste streams and effectively remediating waste.

If confirmed, I will actively engage and leverage that expertise in executing EM's cleanup mission.

What, in your view, are the continuing requirements for developing and fielding new technologies, and what are the highest priorities?

I began my career working on tank waste at Argonne National Laboratory in 1988. Twenty-six years later, I can tell you that the retrievability, treatment, processing and disposition of tank waste is still the most complicated, challenging, and expensive component. As such any effective TDD strategy must target optimization of tank waste treatments. In addition, as mentioned before there are some other waste streams that may require future technology development such as sodium-based waste streams, including "sodium-bonded spent nuclear fuel" from the Fermi lab and the Fast Flux Test Facility at Hanford. While focusing on specific targeted areas like tank waste and other unique waste streams, subsurface remediation and disposal investigations, an effective TDD strategy can be developed. In addition, a unified systems approach to technology development that incorporates advanced modeling techniques - will facilitate the decision making process. Focused Technology development investments can position EM to optimize cleanup investments as we face continued constrained budgets. If confirmed, I look forward to using my knowledge of the DOE-managed waste inventory and my technical expertise to move the TDD program forward.

Workforce Restructuring

If confirmed, your duties could involve the review and approval of workforce restructuring plans at sites under the EM program.

Please describe your general approach and philosophy in reviewing workforce restructuring plans.

My general approach and philosophy is to balance being a good steward of taxpayer resources with attracting and maintaining the staffing needed to carry out our complex and hazardous work. When contract funding is such that the contractor determines it needs to restructure its workforce, I expect the contractors to do so in accordance with the terms of their contracts and the laws prohibiting discrimination. If confirmed, I will ensure that DOE provides balanced oversight of the contractors' compliance while encouraging innovative approaches to get the best value for taxpayer dollars while minimizing disruption to the contractor workforce.

Given the nature of their work, cleanup workers are fundamentally in a position of "working themselves out of a job."

How do you believe this particular challenge is best handled from both a corporate perspective and as a manager of these workers?

This is a significant challenge to the workforce from many perspectives. The Department has significant experience in closing down sites, including Rocky Flats, Fernald and Mound, and I understand that EM has found that contractors have a variety of creative and effective tools to manage this situation. If confirmed, I would be happy to work with this Committee and other Senators on this important issue.

Waste Incidental to Reprocessing (WIR)

One of the biggest challenges of DOE's Environmental Management program is emptying the large tanks of highly radioactive waste that exist at defense nuclear sites in South Carolina, Washington, and Idaho. In the Fiscal Year 2005 National Defense Authorization Act Congress granted DOE, in consultation with the Nuclear Regulatory Commission (NRC), the authority to determine that portions of this waste are not high level radioactive waste and thus DOE may leave residue that meets the requirements of the provision at the bottom of the tanks in South Carolina and Idaho after these tanks are otherwise emptied.

How is DOE using this new authority?

I understand that DOE has successfully worked with the Nuclear Regulatory Commission (NRC) and state regulators using the Section 3116 authority and it will close all of the tanks in Idaho and nearly half the tanks in South Carolina. Further, I understand the NRC will be issuing its consultative report soon for the remainder of the tanks in South Carolina. DOE will then complete the remainder of the regulatory discussions with the State of South Carolina and EPA regarding closure of those tanks. I have been told that to date, 7 out of 11 large tanks in Idaho have been closed and four tanks in South Carolina have been closed, with two more South Carolina tanks scheduled to be closed in the relatively near term. If confirmed, I look forward to learning more about this authority, and I would be happy to work with you on this issue.

If confirmed will you ensure that the NRC has full access to documents and information at these sites that the NRC determines is needed to allow them to conduct their responsibilities?

It is my understanding that all communication between DOE and the NRC to date has been public, and if confirmed I will continue that practice. I am aware that the NRC has indicated that it has received all requested information in a timely and complete manner. If confirmed, I will ensure that DOE continues to communicate with the NRC, and to provide all requested documents and information.

Waste Disposal

Completion of cleanup at a number of EM sites depends on the timely shipment of quantities of transuranic waste to the Waste Isolation Pilot Plant (WIPP) in New Mexico for disposal. In some cases, DOE is under regulatory deadlines for completing shipments to WIPP.

What regulatory deadlines does the EM program currently face related to WIPP shipments and what is the current progress against those deadlines?

I understand the Department is carefully evaluating the impacts of the Waste Isolation Pilot Plant (WIPP) shutdown to the transuranic (TRU) generator sites, including impacts on commitments with state regulators. Currently, sites are continuing to characterize and certify transuranic waste for shipment to WIPP. Impacts to cleanup deadlines will depend on the length of the WIPP shutdown.

It is my understanding that the Department is evaluating specific potential impacts, including the Department's ability to meet: the removal of all legacy

transuranic (TRU) waste from the Idaho National Laboratory by December 31, 2018; and, certain milestones for the WIPP certification of legacy and contact-handled TRU located at the Oak Ridge Reservation beginning September 30, 2015. The Department announced recently that it would not be able to meet the 3706 Framework Agreement project milestone of June 30, 2014 for the removal of 3706 cubic meters of TRU waste from the Los Alamos National Laboratory. If confirmed, I expect to be very involved in WIPP issues, including the evaluation of potential impacts to cleanup agreements.

Are you aware of any issues that jeopardize DOE's ability to meet these deadlines? If so, what is DOE doing to address these issues?

It is my understanding that the TRU generator sites are continuing to characterize certify transuranic waste for shipment to WIPP. As previously mentioned, the major factor affecting the ability to meet the cleanup milestones will depend on the length of the shutdown of the WIPP facility. The Department is working hard with the Los Alamos National Laboratory and its contractors to reopen WIPP in a safe, efficient manner, and if confirmed, I pledge to continue this important work.

What, if any, additional permits or permit modifications are needed for WIPP in order to meet these deadlines?

I am not aware that any additional permits or permit modifications are necessary at this time. If confirmed, I expect to be very involved in WIPP issues, including this one.

Given the recent fire and then a release of radioactivity at WIPP, if confirmed, will you commit to this Committee to review the safety of WIPP, including its culture and material requirements in conjunction with new Office of Independent Enterprise Assessments to determine what actions, if any should be taken and to brief this committee on it in a timely manner?

As you may know, the Department created two Accident Investigation Boards to investigate the events at WIPP. To date two Accident Investigation Board reports have been released. It is my understanding that a third investigation is currently underway into the cause of the February 14 radiologic event. I understand that the Office of Independent Enterprise Assessments has already been engaged in this issue, and if confirmed, I will make sure they remain engaged.

If WIPP is severely delayed in re-opening what will you do to meet consent order milestones at various defense sites to move transuranic waste off the site?

It is my understanding that the Department is carefully evaluating the impacts of the Waste Isolation Pilot Plant (WIPP) shutdown to the TRU generator sites, including impacts on commitments with state regulators. Currently, sites are continuing to characterize and certify transuranic waste for shipment to WIPP. Impacts to cleanup deadlines will depend on the length of the WIPP shutdown.

Hanford Waste Treatment Plant and the Office of River Protection

The prior office of Health Safety and Security performed numerous studies of the safety culture at the Hanford Waste Treatment Plant. Of concern to the Congress is the recent firings, by contractors of persons who are considered "whistle blowers", the most recent being in February of 2014.

If confirmed will you work with the Department Inspector General to review the these firings and report your findings to the Congress?

I am aware of the studies completed by the former Office of Health, Safety and Security, now called the Office of Independent Enterprise Assessment addressing safety culture issues at the Hanford site.

I understand that the Department has requested that the Inspector General investigate the February 2014 termination of an individual who worked for a subcontractor on the Waste Treatment and Immobilization Plant (WTP) at Hanford. If confirmed, I would closely study any results of this IG investigation.

What is your assessment of the construction at the Waste Treatment Plant of the (1) pre-treatment facility, (2) High Level Waste Facility and (3) Low Level Waste Treatment Facility?

It is my understanding that due to unresolved technical issues construction at the Pretreatment and High-Level Waste Facilities has been largely stopped. As you may know, the technical issues turned out to be much more complex and difficult to resolve than originally envisioned and some require full scale testing. I understand that the Department is actively working toward resolution of these technical issues, including recently issuing a full scale testing plan for some of the toughest technical issues, including those around pulse jet mixing. Regarding the Low-Activity Waste Facility, it is my understanding that construction has continued.

The Department is considering the construction of a Tank Farm Waste Characterization and Staging Facility to pre-treat and homogenize waste from the Tank Farm before entering pre-treatment.

If you are confirmed, will you commit to brief the committee at earliest possibility on your assessment of the cost and feasibility of this facility and the ability to treat the low level waste to meet the consent milestones with the State of Washington?

If confirmed, I would be happy to brief the Committee on this issue at the appropriate time.

Do you support the design build process at the waste treatment plant?

It is my understanding that DOE entered into the design-build process at the WTP many years ago, and to date the project is approximately 65% complete overall. It is also my understanding that the Department recently directed that all major construction projects are to adhere to the DOE Order 413 process, whereby 90% of design must be completed to move forward with construction. My experience shows that this is a more sustainable approach to large construction projects, and if confirmed, I will monitor this important issue.

Tank AY-102 was discovered last month to have additional leakage, it is double walled tank.

Given constrained budget, what are your views regarding the construction of additional tanks for removal of the waste in this and future leaking tanks vice the construction of the waste treatment plant?

The best way to address the risk associated with tank waste is to immobilize its contents as soon as possible. I am very conscious of the constrained fiscal situation, and am aware that building additional storage tanks will divert resources from the ultimate solution of immobilizing the waste. I am also aware that specific situations may require more in depth study. This is a difficult balance, and if confirmed, I expect to be very involved in this issue and would look forward to working with this Committee and others in Congress on this important issue.

Salt Waste Processing Facility

The Salt Waste Processing Facility at the Savannah River Site has had a series of cost overruns associated with production of processing tanks at the facility.

This facility is critical to removing the high level waste for the underground waste storage tanks. What is your assessment of this program?

The Salt Waste Processing Facility (SWPF) is a large, complex, first-of-a-kind radioactive waste treatment facility, and I worked on the development of the technology being implemented at SWPF while at Argonne National Laboratory. I understand that the construction delays and increased project costs were due to the delay in equipment delivery and adequate quality of required infrastructure that affected the targeted construction completion schedule and the project cost. I also understand that the Department of Energy worked with the contractor to develop a project plan which would complete construction of SWPF by December 2016, and cap the taxpayer's liability for completion of the construction.

I believe there is always room for improvement in project and contract management by using clear and enforceable metrics to monitor performance and mitigate cost overruns in construction projects. If I am confirmed, I will ensure contract terms and conditions provide additional emphasis on performance and cost control and improved construction performance and productivity.

Consent Order Milestones

As you are aware most if not all the defense cleanup sites are under agreements with their host states to achieve well defined milestones.

If confirmed will you inform this committee in a timely fashion when the Department determines it will miss major consent order milestones?

If confirmed, I will maintain open communications with the Committee.

Congressional Oversight

In order to exercise its legislative and oversight responsibilities, it is important that this committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this committee and other appropriate committees of Congress?

Yes.

Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of Energy for Environmental Management?

Yes.

Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Yes.

Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.