

Statement of Christine Gelles
Director, Office of Commercial Disposition Options
U.S. Department of Energy
before the
Committee on Energy and Natural Resources
United States Senate
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Mr. Chairman and members of the Committee, I am happy to be here today to discuss with you the Department of Energy's perspective on the recent Government Accountability Office (GAO) report *Low-Level Radioactive Waste, Disposal Availability Adequate in the Short Term, but Oversight Needed to Identify Any Future Shortfalls*. I am a career employee in the Office of Environmental Management, serving since December 2003 as Director of the Office of Commercial Disposition Options.

My office's functions include the statutory responsibilities assigned to the Department of Energy in the Low-Level Radioactive Waste Policy Act of 1980, as amended. Specifically, the Department is required to provide continuing technical assistance to the States and compacts. Currently, this assistance is provided through the collection and dissemination of commercial low-level radioactive waste disposal information in an on-line data base, known as the Manifest Information Management System or MIMS. Our interactions with the states and regional disposal compacts are conducted primarily through our association with the Low Level Radioactive Waste Forum, Inc., an independent non-profit organization whose members includes states and compacts.

Additionally, my office maintains contacts with commercial firms to ensure that a wide range of waste treatment and disposition options are available to support the Department's efforts to accelerate the cleanup of the former weapons complex. The

Department currently utilizes commercial disposal for some low-level and mixed low-level waste streams, in cases that it determined to be cost effective and in the best interest of the Department.

The GAO initiated this review in August 2003, shortly before the implementation of the Office of Environmental Management's reorganization and the formation of the Office of Commercial Disposition Options. Therefore, other EM personnel were involved in the earliest phases of the report. However, since December 2003, my staff and I worked closely with GAO staff throughout the completion of the review and the compilation of this report. We believe the report presents a fair appraisal of the current status of commercial low-level radioactive waste disposal. We agree that disposal capacity for commercial low-level waste is sufficient in the near term, and that there are significant uncertainties regarding capacity for Class B and C low-level waste after 2008 -- the forecast date for when the Barnwell facility in South Carolina will cease to receive non-compact wastes. We continue to monitor the status of commercial disposal capacity, consistent with our statutory responsibilities, because this capacity supports our accelerated cleanup objectives.

During their review, the GAO staff determined that the information contained in the MIMS database was unreliable, and the report included a recommendation that the Secretary of Energy halt dissemination of information contained in the online database as long as it contained what was characterized as "internal control weaknesses" and "shortcomings in its usefulness and reliability." The Department disagreed with the recommendation, and has kept the information available to the public, with a cautionary notice and reference to the GAO report posted on the Internet web site. It was our belief

that halting dissemination of this information would evoke sharp criticism from states and compacts because many of them find the information useful to support their operations. Further, the majority of the users do not appear to agree with the GAO's conclusions about the quality of the data. Strong support for the Department's activities on MIMS was expressed as recently as March 2004 in a resolution from the Low-Level Radioactive Waste Forum.

We also disagreed with GAO's suggestion that the database be expanded to include additional information, such as waste inventories at commercial generator sites or volume reduction. The Department does not have access to this information, and it is not apparent that the users of the MIMS system agree that the information is needed. Such modifications to the system would be costly to obtain and validate and would provide questionable value to the users.

In response to the GAO report recommendation, we are taking steps to fix the erroneous data as described in a letter from the Acting Assistant Secretary for Environmental Management to you on September 2, 2004. We are working with the responsible commercial disposal site operators to identify and update those records by December 31, 2004. Just last week members of the Low Level Radioactive Waste Forum pledged their assistance to identify inaccuracies in the existing data and support ongoing efforts to validate data. We intend to keep our cautionary notice posted on the Internet web site until these efforts are complete. These actions will correct deficiencies in the MIMS and ensure we continue to support the needs of the states and regional disposal compacts.

I would be happy to answer any questions you have.