

Appendix B

Program Profile

Statutory Authorities and Mission

The Nuclear Waste Policy Act (NWPA) of 1982 (Public Law 97-425) established the Office of Civilian Radioactive Waste Management (OCRWM) within the Department of Energy (DOE). OCRWM's function is to develop and manage a Federal system for disposing of all spent nuclear fuel from commercial nuclear reactors and high-level radioactive waste resulting from atomic energy defense activities. The statute provided detailed direction for the scientific, technical, and institutional development of the system, and required that the Nuclear Regulatory Commission license waste management facilities.

The NWPA established a process to dispose of commercial spent nuclear fuel in a geologic repository. In 1985, under provisions of the NWPA, President Reagan determined that a separate repository for defense-related high-level radioactive waste would not be required; this radioactive waste could be disposed of along with commercial spent nuclear fuel in the geologic repository. The Nuclear Waste Policy Amendments Act of 1987 (Public Law 100-203) directed the Secretary of Energy to characterize only the Yucca Mountain site in Nevada as a potential location for a repository. Under OCRWM's current schedule, and given adequate funding, waste emplacement at Yucca Mountain could begin in 2010.

The NWPA authorized the Secretary to enter into contracts with the generators and owners of commercial spent nuclear fuel and high-level radioactive waste. A *Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste* was promulgated in 1983 at 10 CFR Part 961. Individual contracts based on the standard contract have been executed between DOE and those parties. The NWPA also directs OCRWM to develop a Nation-wide system for transporting commercial spent nuclear fuel to Federal facilities, utilizing private industry to the fullest extent possible.

The *Civilian Radioactive Waste Management Program Plan, Revision 3*, released in March 2000, covers the planning period of Fiscal Years 2001 through 2005. It describes the Program's mission, vision, and strategic objectives; establishes performance goals and performance measures; and identifies milestones and funding requirements to achieve the performance goals. The planned activities reflected an ongoing transition from predominately investigative science to data synthesis, model development, and performance assessment for an overall safety analysis, and finalization of repository and waste package designs in support of the potential site recommendation. The Program Plan will be revised following completion of Program replanning in Fiscal Year 2003.

Sources of Funding

The NWPA provides that the costs of disposing of spent nuclear fuel and high-level radioactive waste are to be borne by the parties responsible for their generation. Fees levied on the owners and generators of commercial spent nuclear fuel are defined in the standard contract. Fees paid are deposited in the Nuclear Waste Fund, a separate account in the U.S. Treasury that is managed and administered by DOE. OCRWM, however, can only expend monies from the Fund that are appropriated by Congress. Amounts not appropriated for current expenses are invested in U.S. Treasury securities and managed strategically to ensure that the long-term costs of disposal can be met.

Since civilian and defense materials would be emplaced in the same repository, each party must pay its proportional share of costs. DOE developed a methodology for allocating civilian and defense costs and published the result in the *Federal Register* in August 1987. Funding to meet the costs of disposing of defense materials in a repository is provided through a Defense Nuclear Waste Disposal appropriation from the general (taxpayer-supported) fund of the U.S. Treasury.

Program Organization

OCRWM is headquartered in Washington, D.C., in DOE's Forrestal Building. Its Director reports to the Secretary through the Under Secretary. OCRWM carries out its mission through two Projects and a management center:

- The Yucca Mountain Site Characterization Project, located in Las Vegas, Nevada, is responsible for all work leading up to and including licensing of a geologic repository.
- The Waste Acceptance, Storage, and Transportation Project, located at OCRWM Headquarters in Washington, D.C., is responsible for all work leading up to and including acceptance and transportation of spent nuclear fuel and high-level radioactive waste.
- The Program Management Center consists of the Office of Quality Assurance; the Office of Program Management and Administration; and the Systems Engineering and International Division of the Office of Acceptance, Transportation, and Integration. The first of these organizations is located in Las Vegas, Nevada, and the latter two are in Washington, D.C.

At the end of Fiscal Year 2001, OCRWM employed 2,147 people. This included 160 OCRWM Federal staff, 17 Federal full-time equivalents (FTE) at other Headquarters offices, 6 Federal FTEs at DOE's Nevada Operations Office, 99 U.S. Geological Survey employees, and 1,865 contractor employees, including employees of national laboratories.