

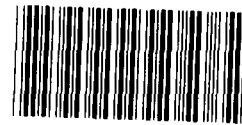
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GAO

April 1986

NUCLEAR WASTE

Quarterly Report on DOE's Nuclear Waste Program as of March 31, 1986



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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

RESOURCES, COMMUNITY,
AND ECONOMIC DEVELOPMENT
DIVISION

B-202377

April 30, 1986

The Honorable James A. McClure
Chairman, Committee on Energy
and Natural Resources
United States Senate

The Honorable J. Bennett Johnston
Ranking Minority Member
Committee on Energy and Natural Resources
United States Senate

On March 26, 1984, you requested that we provide quarterly status reports on the Department of Energy's (DOE's) implementation of its nuclear waste program. The Nuclear Waste Policy Act of 1982 (Public Law 97-425) established a comprehensive national program to construct geologic repositories for the permanent disposal of high-level radioactive nuclear waste. The act also established within DOE the Office of Civilian Radioactive Waste Management (OCRWM) to carry out the act's provisions and established the Nuclear Waste Fund to finance the program.

This fact sheet provides the status of DOE's nuclear waste program activities for the quarter ending March 31, 1986, and lists our prior quarterly and other nuclear waste-related reports, which provide a detailed history of the program. During the quarter

- The National Academy of Sciences completed its independent review of the methodology DOE used to evaluate and rank the first repository sites, and concluded that the methodology is satisfactory and appropriate. Following application of the methodology, the Secretary of Energy will formally recommend three sites to the President for detailed site characterization studies.
- DOE completed its proposal for a monitored retrievable storage facility (for repackaging, consolidation, and temporary storage of high-level waste prior to shipping it

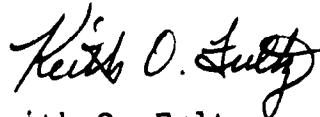
to a repository), but a U.S. district court ruled that DOE could not submit the proposal to the Congress. DOE is awaiting a decision on its appeal to a higher court.

--DOE issued a draft Area Recommendation Report that identifies 12 areas in 7 states as proposed potentially acceptable sites for a second waste repository.

--The Nuclear Waste Fund collected over \$128 million in fees and investment income and obligated over \$100 million for program activities. The fund balance as of March 31, 1986, was about \$1.6 billion.

To obtain the status of the program, we interviewed those DOE officials responsible for planning and managing the waste program, responding to litigation, and managing its financial activities. We reviewed DOE program documents, publications, correspondence and studies, related legal documents, and financial data. We also attended public hearings on DOE's draft Area Recommendation Report for the second repository and interviewed Environmental Protection Agency officials concerning the agency's recently released high-level nuclear waste standards.

We did not ask DOE officials to review and comment officially on a draft of this fact sheet; however, we informally discussed the facts presented with cognizant DOE officials and incorporated their views where appropriate. We are sending copies to the Chairmen of the Senate Committee on Governmental Affairs, the House Committee on Government Operations, and the House Committee on Energy and Commerce; the Secretary of Energy; the Nuclear Regulatory Commission; and other interested parties. If you have further questions, please contact me at 275-1441.



Keith O. Fultz
Associate Director

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ABBREVIATIONS

DOE	Department of Energy
EPA	Environmental Protection Agency
GAO	General Accounting Office
MRS	monitored retrievable storage
NAS	National Academy of Sciences
NRC	Nuclear Regulatory Commission
NWPA	Nuclear Waste Policy Act
OCRWM	Office of Civilian Radioactive Waste Management
RCED	Resources, Community, and Economic Development Division

SECTION I

STATUS OF OCRWM ACTIVITIES DIRECTED TOWARDS LEGISLATED REQUIREMENTS DURING THE JANUARY-MARCH 1986 QUARTER

BACKGROUND

In February 1983 the Department of Energy (DOE) formally identified nine areas in six states as potentially acceptable sites for the first permanent repository for high-level radioactive nuclear waste.¹ In May 1986 DOE expects to issue the final environmental assessments required by the Nuclear Waste Policy Act (NWPA). These assessments will be used to nominate formally five sites for consideration as the first repository site. Following the nomination, the Secretary of Energy will recommend three of the sites to the President for further geologic testing, called site characterization studies. DOE currently expects to complete site characterization studies by 1990 and expects the President to recommend to the Congress by 1991 a site for construction of the first repository.

NWPA also requires the Secretary of Energy to recommend to the President, by July 1, 1989, at least three potential sites for a second repository, but no construction may be done without congressional authorization. The President is then required to make a final site recommendation for the second repository to the Congress by March 31, 1990. DOE began a site-screening process for the second repository in 1983 and now expects that the President will make his recommendation to the Congress in 1999.

DOE concluded last year that a monitored retrievable storage (MRS) facility should be an integral part of the waste management system and be used to repackage and consolidate spent nuclear fuel before shipment to a repository. In April 1985 DOE identified three sites in Tennessee as potential locations for the MRS facility. However, because of litigation concerning the site selection process, DOE has not submitted a proposal for construction of an MRS to the Congress as required by NWPA.

Program costs are paid from the Nuclear Waste Fund, which receives fees from owners of spent nuclear fuel. The full cost of the program was estimated by DOE in March 1986 to be between \$23 billion and \$33 billion (in constant 1985 dollars).

RANKING METHODOLOGY FOR THE FIRST REPOSITORY SITES INDEPENDENTLY REVIEWED

NWPA required the Secretary of Energy to recommend to the President by January 1, 1985, three sites for detailed site characterization studies. Each recommendation for a site must be

¹The states containing potential sites for the first repository are Louisiana, Mississippi, Nevada, Texas, Utah, and Washington.

accompanied by an environmental assessment that compares each site with the others and ranks them according to criteria defined in DOE's siting guidelines. In December 1984 DOE issued for public comment draft environmental assessments for the nine potentially acceptable first repository sites.

Many of the comments criticized the methodologies used in the draft assessments to rank the first repository sites. In particular, the National Academy of Sciences (NAS) said that two of the three methodologies were unsatisfactory, inadequate, and not state-of-the-art. Other comments requested that the methodologies be independently reviewed. In September 1985 at the request of DOE, NAS began reviewing DOE's revised ranking methodology in response to the earlier criticism. The revised methodology will be used as a tool in determining the three sites to be formally recommended to the President.

During this quarter, NAS (1) reviewed how DOE applied the revised methodology to one site and (2) made cross comparisons among sites on key issues. In April 1986 NAS sent DOE a report on its review of the methodology and cross comparisons. The report concludes that the methodology and its application were satisfactory and generally commended DOE's efforts to objectively apply the state-of-the-art methodology. It also pointed out several limitations in the application of the methodology, including the fact that DOE did not use independent experts in the assessment process. DOE intends to issue this report with the final environmental assessments, which it expects to issue in mid-May 1986. At that time the Secretary of Energy will recommend to the President three sites for site characterization studies.

In March, DOE briefed first repository states and tribes on the revised methodology. Although states and tribes requested additional time to formally review the revised methodology, DOE officials said that to allow additional comments on the methodology at this time could delay nomination and recommendation by 1 year. These officials said that they must strike a balance between involving the states and tribes in the program and attempting to adhere to the repository schedule mandated by the act. States and tribes were dissatisfied because of the lack of opportunity for their additional input and because DOE had not allowed them to observe the meetings between DOE and NAS. States and tribes stated that DOE had not allowed them satisfactory involvement throughout development of the revised methodology and that DOE had not improved the program's credibility with this latest action.

STATUS OF THE MRS PROPOSAL

NWPA required DOE to submit a proposal for the construction of one or more MRS facilities to the Congress by June 1, 1985. In

April 1985, after an analysis of various sites and facility designs, DOE concluded that the Oak Ridge, Tennessee, area was its preferred site for an MRS facility.

On December 23, 1985, DOE released a draft of its MRS proposal to the Environmental Protection Agency (EPA), the Nuclear Regulatory Commission (NRC), and the state of Tennessee for comment. During the quarter EPA concurred that an MRS facility can be operated within acceptable regulatory and environmental standards. However, EPA noted that should the MRS proposal be approved, the environmental impact statement required for its construction and licensing is subject to EPA's review. NRC said that the preferred MRS site--the site of the former Clinch River Breeder Reactor Plant--has already been shown to be a qualified site for a nuclear power plant from the standpoint of public health and safety and that NRC licensing and safeguards requirements could probably be met. However, NRC also stated that the envisioned consolidation of spent fuel at the MRS facility needs to be adequately demonstrated to ensure that this operation can be performed on the production scale planned for the MRS facility. The governor of Tennessee questioned both the need for and the feasibility of MRS. He also said that locating an MRS facility in the Knoxville-Oak Ridge area would seriously harm the future economic strength of the area.

Although it completed the proposal in February 1986, DOE had not submitted it to the Congress because the U.S. District Court in Nashville, Tennessee, enjoined DOE from formally submitting the proposal to the Congress. The court found that DOE had failed to consult and cooperate with the state as required by the act. DOE has appealed this decision to a higher court. (See section III for more detail on this litigation.)

STATUS OF THE SECOND REPOSITORY PROGRAM

OCRWM issued a draft Area Recommendation Report on January 16, 1986, in which it narrowed the number of rock formations to 12 potentially acceptable second repository sites in 7 states.² OCRWM is allowing 90 days (until April 16, 1986) for comments on the document from states, tribes, and other concerned parties.

Many second repository states and tribes said that 90 days is not enough time for a detailed review of the draft Area Recommendation Report. In February 1986 two states, Maine and New Hampshire, petitioned the First Circuit Court of Appeals in Boston, Massachusetts, to order DOE to allow more than 90 days for comment and enjoin DOE from closing the comment period in 90 days. According to DOE, the court denied the request to

²The seven states are Georgia, Maine (two sites), Minnesota (three sites), New Hampshire, North Carolina (two sites), Virginia (two sites), and Wisconsin.

immediately enjoin DOE from closing comments in 90 days, but has agreed to expedite review of the case on its merits before the 90-day period has elapsed. (See section III.) OCRWM officials said that they would accept and respond to substantive comments on the draft report to the extent possible even after the official 90-day comment period has ended. Officials are not certain how long they will accept comments, but pointed out that comments on first repository draft environmental assessments were accepted for over 3 months after the due date.

In January 1986 OCRWM provided about \$30,000 in financial assistance to each of the Indian tribes potentially affected by the second repository program to review the draft Area Recommendation Report. (See table IV.1.) Tribes in general believe that \$30,000 is insufficient to conduct the necessary reviews and that limiting the scope of the grants highlights the disparity between DOE's treatment of them and states that were involved in providing DOE with geologic and other data that were used to formulate the report.

OCRWM officials agree that there have been some differences in their treatment of states and tribes, but say they are striving to involve tribes more and provide more financial assistance to them. For example, the officials said they are rewriting their financial assistance guidelines and plan to provide, after March 31, 1986, additional financial assistance in calendar year 1986 of up to \$30,000 to 23 of the second repository tribes. They also plan to make available funds in excess of \$30,000 after March 31 to the 5 tribes located in the areas directly over the crystalline rock formations.

During the quarter OCRWM held briefings in the second repository states to inform the public about the overall second repository program and the purpose, results, and implications of the draft Area Recommendation Report. OCRWM also began holding public hearings in the states to receive comments concerning the draft report and OCRWM's second repository program. In general, speakers at these meetings opposed the building of a repository in their area.

In its 1987 congressional budget request for the Nuclear Waste Program, OCRWM estimates that in 1993 the Secretary of Energy will recommend to the President three second repository sites for detailed study.

OTHER PROGRAM DOCUMENTS ISSUED

During the quarter, DOE issued a number of program documents, including a Fee Adequacy report, an Internal Cost Estimate report, an Annual Report to the Congress, and a Project Decision Schedule. In addition, a certified public accounting firm completed a contracted audit of the Nuclear Waste Fund.

- In March 1986, OCRWM issued its fourth annual Fee Adequacy report evaluating whether the fees charged the owners and generators of spent nuclear fuel are adequate to cover all program costs associated with the disposal of spent nuclear fuel. The report states that there is no need to adjust the 1-mill-per-kilowatt-hour fee at this time because the projected revenues are sufficient to cover program costs.
- On February 20, 1986, DOE's Assistant Secretary for Management and Administration completed an Independent Cost Estimate report of the civilian radioactive waste program. The report's cost estimates are higher than OCRWM's; however, it concludes that with defense waste payments and without MRS, the 1-mill fee is sufficient to cover program costs.³ Even with higher cost estimates, the report generally agrees with OCRWM's estimate of the total program costs, which are \$23 billion to \$33 billion.
- In March 1986 OCRWM issued its third annual report to the Congress covering its activities and expenditures during the fiscal year ending September 30, 1985. The report notes program accomplishments for the year and contains a brief summary of program accomplishments since the end of fiscal year 1985. Financial statements for the report were audited by a certified public accounting firm.
- In March 1986 OCRWM issued its Project Decision Schedule. NWPA requires the Secretary of Energy to prepare, in cooperation with affected federal agencies, a Project Decision Schedule that portrays the optimum way to attain the operation of a first repository by 1998.
- In January 1986 Main Hurdman, a certified public accounting firm, delivered to OCRWM its financial audit report on the Nuclear Waste Fund. The report concluded that the fund's financial statements present fairly its financial status and conform to generally accepted accounting principles. The report also concluded that the fund has complied with applicable laws and regulations that might have a material effect on its financial position.

³The President decided in April 1985 that one or more of the repositories developed under the act would also be used to dispose of defense high-level radioactive waste, such as that resulting from the production of nuclear weapons.

SECTION II

STATUS OF THE NUCLEAR WASTE FUND AS OF MARCH 31, 1986

NWPA established the Nuclear Waste Fund, a separate fund maintained by the Department of the Treasury, to finance the nuclear waste program. It receives fees paid by the owners and generators of high-level radioactive waste and disburses funds to finance OCRWM activities. As of March 31, 1986, the fund had a balance of \$1.6 billion. (See table IV.3.)

NUCLEAR WASTE FUND RECEIPTS AND COSTS

DOE has contracted with 65 owners of nuclear power plants for a 1-mill-per-kilowatt-hour fee to be paid quarterly into the fund to finance the waste program. The fund began receiving quarterly fees late in fiscal year 1983 and as of March 31, 1986, a total of about \$975.4 million has been collected, of which about \$95.0 million was collected this quarter.

Owners of spent fuel generated prior to April 7, 1983, must pay a one-time fee into the Nuclear Waste Fund for the disposal of their spent fuel. This fee must be paid before delivery of spent fuel to the federal government. By March 31, 1986, over \$1.4 billion in one-time fees had been collected, of which about \$1.5 million was collected during this quarter.

NWPA provides that when the amount of the Nuclear Waste Fund is in excess of current needs, DOE may request the Secretary of the Treasury to invest these excess funds in Treasury financial instruments in amounts as the Secretary of Energy determines appropriate. In the quarter ending March 31, 1986, daily overnight investments earned interest of about \$620,000. Long-term investments (90 days or more) earned about \$31.5 million, and there were no earnings collected on short-term investments (fewer than 90 days).

OCRWM obligates money from the Nuclear Waste Fund by awarding contracts and grants, and also disburses funds for its civil service payroll and other program needs. It can obligate amounts only as appropriated even though more funds may be available in the Nuclear Waste Fund. OCRWM's appropriation for fiscal year 1986 totals \$499 million. During the quarter, expenses totaled \$99.6 million for the five major cost activities. (See table IV.2.) About \$71.5 million, or 72 percent, of the funds were spent for the first repository program. Figure IV.1 shows quarterly and cumulative costs since the program began.

Most waste disposal activities have been and are being carried out by contractors. During the quarter DOE spent about

\$92.0 million and obligated about \$96.1 million for contractor services, about 94 percent of total dollars obligated during the quarter. Since inception of the fund, OCRWM has obligated about \$1 billion for over 120 contracts.

SECTION III

HISTORY OF LITIGATION REGARDING THE NUCLEAR WASTE PROGRAM

This section summarizes the status of lawsuits initiated as a result of OCRWM activities. In addition, it summarizes lawsuits initiated by several states and environmental groups challenging EPA's high-level nuclear waste standards, whose settlements could affect OCRWM site development activities.

PENDING LITIGATION

Environmental Policy Institute, et al. v. Herrington, and Other Siting Cases

In December 1984 and March 1985, a number of environmental groups and the state of Washington, respectively, petitioned the U.S. Court of Appeals for the Ninth Circuit to review the siting guidelines issued by DOE in December 1984 to determine whether they are in accordance with NWPA. In May 1985 DOE filed a motion to dismiss both cases--Environmental Policy Institute, et al. v. Herrington, and Washington v. DOE--arguing that the claims of the petitioners are premature because the issuance of the guidelines is a preliminary step to the issuance of environmental assessments. By June 30, 1985, seven other cases challenging the siting guidelines were filed. These cases were later transferred to the Ninth Circuit where the Environmental Policy Institute and Washington cases had been filed.

On August 16, 1985, the court ordered that action on the seven new guidelines cases be deferred until the motion to dismiss the Environmental Policy Institute and Washington cases is resolved. According to a DOE official, the motion to dismiss the two cases was still pending as of March 31, 1986.

Tennessee v. Herrington

On August 20, 1985, the state of Tennessee filed suit in the U.S. District Court located in Nashville, Tennessee, alleging that any DOE proposal to request authority from the Congress to construct an MRS facility in Tennessee would violate NWPA. Tennessee contends that, contrary to NWPA, DOE did not consult with the state before conducting a study of the suitability of three Tennessee locations for an MRS facility. In addition, Tennessee requested that the Secretary of Energy be enjoined from presenting any proposal to the Congress for an MRS facility in Tennessee until the requirements of the act have been fulfilled.

On October 21, 1985, DOE asked the court to dismiss the case, contending that the District Court lacked jurisdiction. The District Court determined on November 12, 1985, however, that it

does have jurisdiction, and on February 5, 1986, it concluded that DOE violated the act by failing to consult and cooperate with the governor and legislature of the state of Tennessee in the MRS siting process. On February 7, 1986, the District Court permanently enjoined DOE from making to the Congress any proposal that relies on siting studies developed prior to consultation and cooperation with Tennessee. On February 13, 1986, DOE asked the U.S. Court of Appeals for the Sixth Circuit to (1) reverse the district court's decision, (2) dissolve the injunction, or (3) stay the injunction pending the outcome of the appeal. On March 6, 1986, the Circuit Court denied DOE's request to dissolve or stay the injunction and, as of March 31, 1986, had not ruled on the district court's decision.

State of Maine v. Herrington
State of New Hampshire v. Herrington

On February 14, 1986, and February 19, 1986, the states of Maine and New Hampshire, respectively, petitioned the First Circuit Court of Appeals in Boston, Massachusetts, to review the Secretary of Energy's refusal to extend the 90-day comment period provided for the public and affected states on the draft Area Recommendation Report, which identifies 12 areas as proposed potentially acceptable sites for a second repository. The states contend that 90 days is inadequate to review and comment on the report and that they will be irreparably harmed if deprived of adequate opportunity to comment on DOE's tentative selections. According to DOE, the court denied the states' request to immediately enjoin DOE from closing the comment period in 90 days (April 16, 1986) but agreed to expedite review of the case before the 90-day period elapsed. As of March 31, 1986, the case was still pending.

Natural Resources Defense Council,
Inc., et. al. v. EPA and the USA

The states of Maine, Minnesota, Texas, and Vermont and various environmental groups, including the Natural Resources Defense Council and the Environmental Policy Institute, have filed suits challenging the EPA High-Level Waste Standards, which were published in September 1985. (See GAO/RCED-86-42 for details on these standards.) The suits were consolidated, and in March 1986 briefs were filed in the First Circuit Court of Appeals in Boston, Massachusetts. These states and environmental groups allege that the EPA standards are arbitrary and capricious and that the groundwater and individual protection provisions of the standards violate provisions of the Safe Drinking Water Act. They also allege that EPA violated the Administrative Procedures Act by not providing adequate notice to permit a genuine opportunity to comment on the proposed standards.

According to the brief supporting the suit, the groundwater protection provisions of the standards violate the Safe Drinking

Water Act because they protect a narrower range of groundwater than the act and also permit the further contamination of groundwater, which already exceeds the act's limits. The individual exposure limits set by provisions in the high-level waste standards are about 19 times greater than those permitted by the act.

According to an EPA Office of General Counsel official, the court required that EPA file its brief on the suit by April 17, 1986. However, EPA has received an extension on its filing date until May 19, 1986.

COMPLETED LITIGATION

General Electric Uranium Management Corporation v. DOE

In October 1983 the General Electric Uranium Management Corporation, which holds spent nuclear fuel used to generate electricity prior to April 7, 1983, and is therefore subject to the one-time fee charged to owners of the fuel, claimed that the one-time fee established by DOE was contrary to the fee prescribed in NWPA. In particular, the company claimed that DOE's formula produced unjustifiable inequities that forced the corporation to pay approximately 3 mills per kilowatt hour rather than the 1 mill per kilowatt hour charged utilities beginning April 7, 1983. In June 1985 the U.S. Court of Appeals affirmed DOE's rule setting the method for calculating the one-time fee as a reasonable exercise of its discretionary authority under the act.

Wisconsin Electric Power Co. et. al. v. Herrington

Following passage of NWPA, the Wisconsin Electric Power Company and other utilities challenged the utility contract provision under which DOE calculates the total amount of quarterly fees owed to the Nuclear Waste Fund. On December 6, 1985, the U.S. Court of Appeals for the District of Columbia ruled in the utility's favor. The decision states that only net, rather than gross, electricity generated is subject to the fee--i.e., the fee should not be applied to electricity that the generating plant consumes. DOE decided not to appeal the decision; on January 23, 1986, it notified all utilities to begin computing their quarterly fees on net rather than gross electricity generated. OCRWM officials estimate that total annual ongoing fees collected will be reduced by about 5 percent. Additionally, DOE is considering various alternatives for reimbursing utilities for the \$40 million to \$50 million in excess fees already collected on the basis of gross electricity generated.

Texas v. DOE
Devin v. DOE

In two separate actions filed in December 1984, the state of Texas and several private individuals and associations petitioned the U.S. Court of Appeals for the Fifth Circuit to review the screening process used to narrow the size of two potential repository sites in Texas, in the hope that the court would invalidate the site-screening process. In February 1985 DOE filed a motion to dismiss the case, and on June 19, 1985, the court granted the motion. The court concluded that DOE preliminary siting decisions challenged by Texas and the private petitioners are not "final actions" and, therefore, not "ripe" for review. When considered in the context of the statutory scheme of NWPA, the court concluded that the screening decisions were but a preliminary step to actions that will later be reviewable by the court. The Supreme Court of the United States declined in December 1985 to take action on the state of Texas' petition that asked it to review the Circuit Court of Appeals' decision.

Nevada v. Herrington

In December 1984 Nevada filed suit against DOE over the disapproval of part of its fiscal year 1985 grant request. DOE had disapproved \$1.5 million of Nevada's 1985 grant request because it felt that the funds were to be used for independent data-gathering activities that were not appropriate at that stage of the site-screening process.

On December 2, 1985, the U.S. Court of Appeals for the Ninth Circuit found that, subject to certain limitations laid out by the court, NWPA supports funding of presite characterization activities. The court decision emphasized that the independent oversight and peer review, which only the states are poised to provide through such activities, would immeasurably promote public confidence. According to DOE officials, DOE began formulating new grant guidelines in light of the December 1985 opinion and said that Nevada's grant proposal will be measured against the new guidelines.

In February 1986 Nevada sought an order from the Ninth Circuit compelling the Secretary of Energy to fund Nevada's proposed independent studies by February 15, 1986. The court denied the state's motion, stating that no evidence exists that DOE had been tardy in revising grant guidelines to reflect its December decision. As of March 31, 1986, DOE officials were still completing the guidelines.

SECTION IV

TABLES AND FIGURES DETAILING THE STATUS OF THE
NUCLEAR WASTE PROGRAM

Table IV.1: State/Indian Tribe Assistance Provided by DOE,
January 1983 Through March 1986

<u>Previous grantees</u>	<u>DOE obligations</u>
Confederated Tribes of the Umatilla Indian Reservation	\$ 1,711,197
Connecticut	463,739
Georgia	348,501
Illinois	24,580
Louisiana	1,304,590
Maine	551,882
Massachusetts	591,374
Maryland	105,435
Michigan	653,512
Minnesota	550,587
Mississippi	2,971,505
National Conference of State Legislators	439,339
National Congress of American Indians	417,551
Nevada	2,894,861
New Hampshire	446,881
New Jersey	224,382
New York	631,100
Nez Perce Tribe	1,401,354
North Carolina	464,013
Rhode Island	369,011
South Carolina	569,881
Tennessee	1,404,533
Texas	1,178,850
Utah	2,269,705
Vermont	197,880
Virginia	41,130
Washington	4,613,268
Wisconsin	837,898
Yakima Indian Nation	<u>3,716,511</u>
Total	<u>\$31,395,050</u>

New GranteesDOE obligations

Bad River Band of Chippewa	\$ 30,000
Bois Forte Reservation	30,000
Eastern Cherokee Indians	30,000
Fond Du Lac Reservation	30,000
Grand Portage Reservation	30,000
Great Lakes Fish/Wildlife	30,000
Keweenaw Bay Indian Community	30,000
LacCourte Oreilles Tribe	29,985
Lac Du Flambeau	30,000
Leech Lake Reservation	30,000
Lower Sioux Indian Community	60,000 ^a
Mashantucket Indian Tribe	30,000
Menominee Indian Tribe	26,353
Mille Lacs Chippewa	30,000
Narragansett Indian Tribe	24,361
Passamaquoddy Tribe	30,000
Penobscot Indian Nation	30,000
Red Cliff Tribal Council	29,996
Red Lake Band Chippewa	29,788
Sokaogon Chippewa Community	29,957
St. Croix Tribal Council	30,000
Stockbridge-Munsee Community	30,000
White Earth Reservation	<u>30,000</u>
Total	\$ <u>710,440</u>
Total	<u>\$32,105,490</u>

^aGrant includes two tribes, Lower Sioux and Upper Sioux.

Source: DOE's financial information system and OCRWM.

Table IV.2: Status of Nuclear Waste Fund Costs
for the Quarter Ending March 31, 1986

<u>Funding category</u>	<u>First quarter FY 86 costs</u>	<u>Second quarter FY 86 costs</u>	<u>Cumulative FY 86 costs</u>
<u>First repository</u>			
Development, construction, operations	\$ 47,462,811	\$ 67,384,221	\$114,847,032
Capital equipment	1,407,700	4,103,813	5,511,513
Plant acquisition and construction	-	-	-
Total first repository	48,870,511	71,488,034	120,358,545
<u>Second repository</u>			
Development, construction, operations	5,384,680	6,593,538	11,978,218
Capital equipment	43,000	47,000	90,000
Plant acquisition and construction	-	-	-
Total second repository	5,427,680	6,640,538	12,068,218
<u>Monitored retrievable storage</u>			
Development, construction, operations	1,560,873	1,495,070	3,055,943
Capital equipment	24,133	-	24,133
Plant acquisition and construction	-	-	-
Total monitored retrievable storage	1,585,006	1,495,070	3,080,076
<u>Program management and technical support</u>			
Management and support	8,945,856	16,944,349	25,890,205
Capital equipment	63,012	76,849	139,861
Plant acquisition and construction	-	-	-
Total program management and technical support	9,008,868	17,021,198	26,030,066
<u>Transportation and system integration</u>			
Design, development, and testing	1,187,700	2,649,745	3,837,445
Capital equipment	-	350,052	350,052
Total transportation and system integration	1,187,700	2,999,797	4,187,497
Total	\$ 66,079,765	\$ 99,644,637	\$165,724,402

Source: DOE's financial information system.

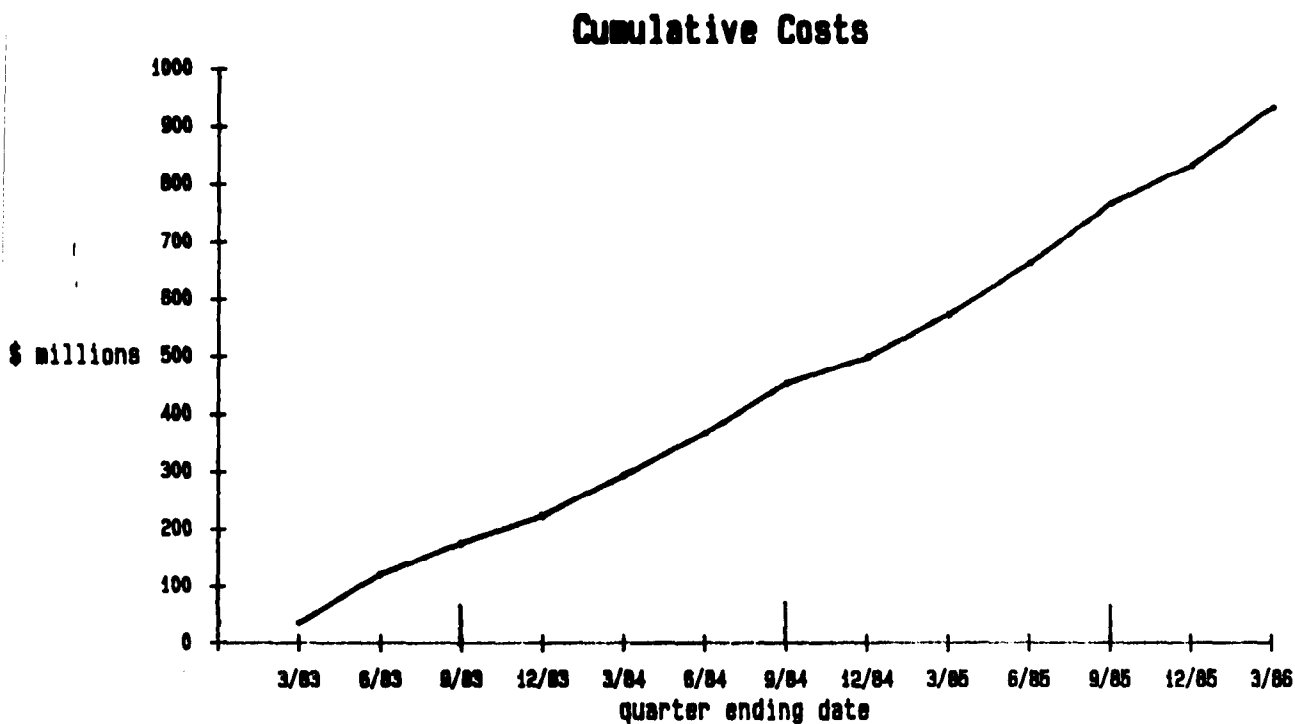
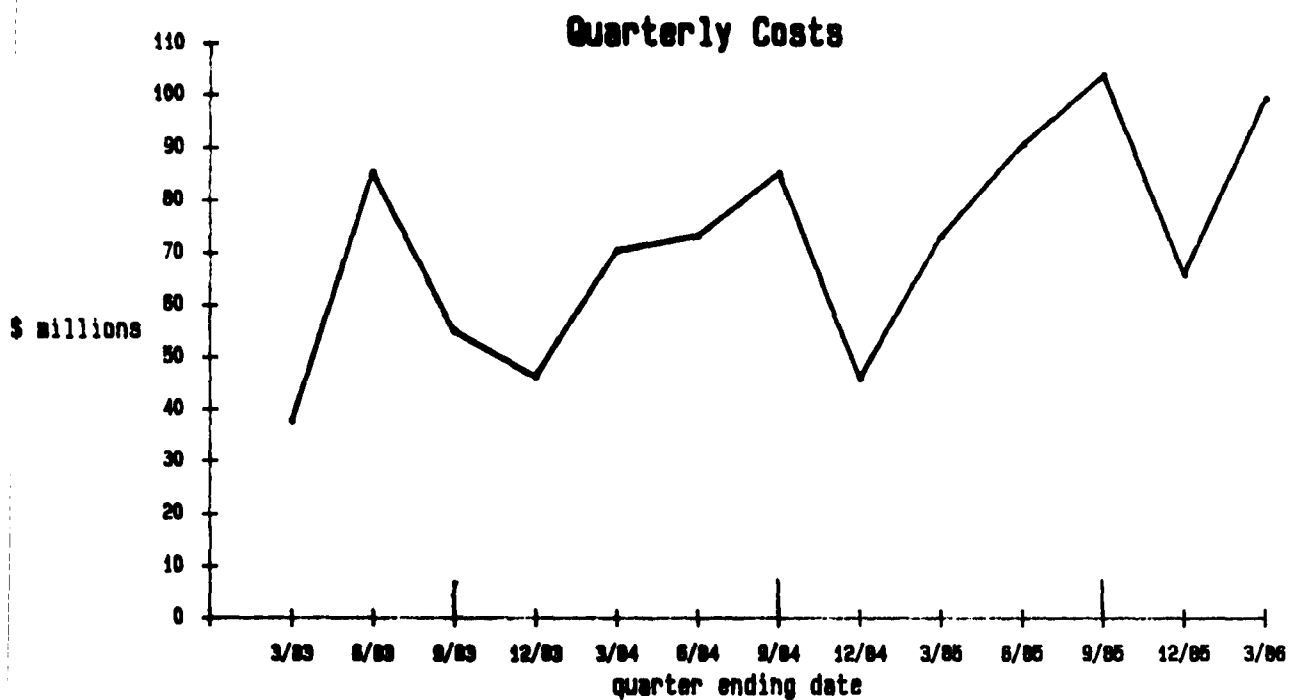
Table IV.3: Status of the Nuclear Waste Fund
as of March 31, 1986

Beginning fund balance - January 1, 1986	\$1,562,918,620
Fees from waste owners	96,466,001
Investment income collected ^a	<u>32,121,649</u>
 Total funds available	 <u>1,691,506,270</u>
 Disbursements	 - 102,813,197
 Fund balance as of March 31, 1986	 <u>\$1,588,693,073</u>
 Cash balance as of March 31, 1986	 \$ 500,457
Funds invested	\$1,533,326,658
Unpaid obligations as of March 31, 1986	\$ 261,010,986

^aInvestments collected include interest accrued in financial instruments at the time DOE purchased them.

Source: DOE's financial information system and OCRWM's Office of Resource Management.

Figure IV.1: Nuclear Waste Program Costs Since January 1983



SECTION V

GAO REPORTS ON THE NUCLEAR WASTE PROGRAM

Annual Reports to the Congress

Department of Energy's Initial Efforts to Implement the Nuclear Waste Policy Act of 1982 (GAO/RCED-85-27, Jan. 10, 1985).

Nuclear Waste Policy Act: 1984 Implementation Status, Progress, and Problems (GAO/RCED-85-100, Sept. 30, 1985).

Quarterly Reports to the Senate Committee on Energy and Natural Resources

Status of the Department of Energy's Implementation of the Nuclear Waste Policy Act of 1982 as of September 30, 1984 (GAO/RCED-85-42, Oct. 19, 1984).

Status of the Department of Energy's Implementation of the Nuclear Waste Policy Act of 1982 as of December 31, 1984 (GAO/RCED-85-65, Jan. 31, 1985).

Status of the Department of Energy's Implementation of the Nuclear Waste Policy Act of 1982 as of March 31, 1985 (GAO/RCED-85-116, Apr. 30, 1985).

Status of the Department of Energy's Implementation of the Nuclear Waste Policy Act of 1982 as of June 30, 1985 (GAO/RCED-85-156, Jul. 31, 1985).

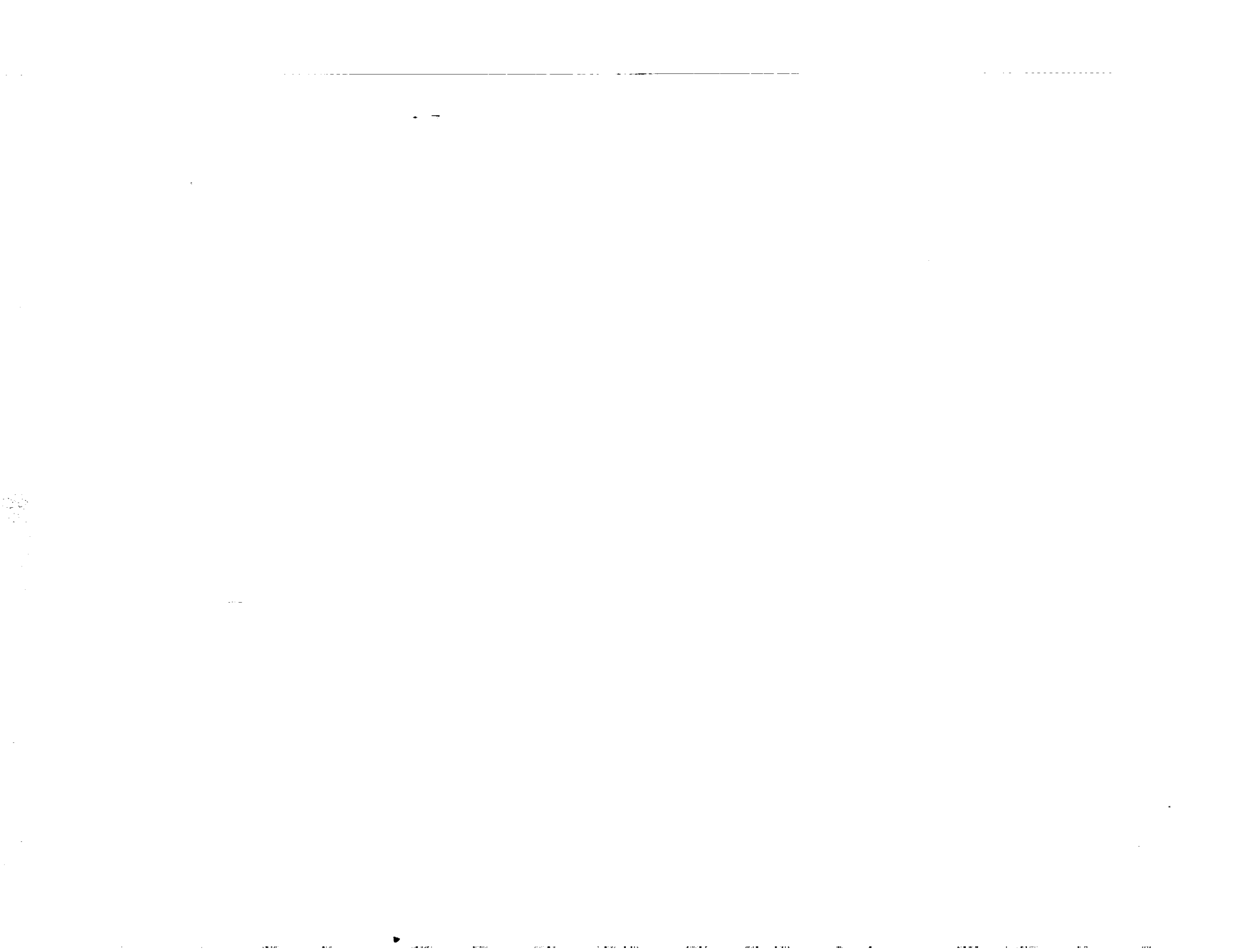
Quarterly Report on DOE's Nuclear Waste Program as of September 30, 1985 (GAO/RCED-86-42, Oct. 30, 1985).

Quarterly Report on DOE's Nuclear Waste Program as of December 31, 1985 (GAO/RCED-86-86, Jan. 31, 1986).

Reports to Agency Officials

Department of Energy's Program for Financial Assistance (GAO/RCED-86-4, Apr. 1, 1986).

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