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BURNISON AND WHITE NOMINATIONS

HEARING

BEFORE THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED FIFTEENTH CONGRESS

SECOND SESSION

TO

CONSIDER THE NOMINATIONS OF MELISSA F. BURNISON TO BE AN ASSISTANT SECRETARY OF ENERGY (CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS) AND ANNE MARIE WHITE TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT)

JANUARY 18, 2018

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BURNISON AND WHITE NOMINATIONS

THURSDAY, JANUARY 18, 2018

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The Committee met, pursuant to notice, at 10:00 a.m. in Room SD–366, Dirksen Senate Office Building, Hon. Lisa Murkowski, Chairman of the Committee, presiding.

OPENING STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA

The CHAIRMAN. Good morning, the Committee will come to order.

We were able to welcome, the day before yesterday, our newest member to the Committee, Senator Smith from Minnesota, who has joined us. I mentioned at that time that Senator Capito would be returning to the Committee. So it is good to have you back with us working on energy issues. Welcome back.

We are here today to consider two nominations for the Department of Energy: Anne White, to be the Assistant Secretary of Energy for Environmental Management, and Melissa Burnison, to be the Assistant Secretary of Energy for Congressional and Intergovernmental Affairs.

Ms. White, the position that you have been nominated for is one of tremendous importance to many members of this Committee and to our nation as a whole. The Office of Environmental Management (EM) is responsible for the cleanup of the legacy wastes from our nation's nuclear weapons research and development program. The work being done at the remaining 16 sites is often uniquely site-specific and requires a high amount of training and expertise to be conducted safely.

As Assistant Secretary, it will be your job to ensure this work is undertaken in accordance with applicable safety requirements. At the same time, you will be responsible for ensuring the prudent use of taxpayer dollars by encouraging contractors to stay on schedule and within cost.

We recognize that this is no small challenge, given that EM is perennially on the Government Accountability Office's "high risk" list. I look forward to hearing more on how you plan to correct some of the office's long-standing deficiencies.

Ms. Burnison, ordinarily we would not even be conducting a hearing for your nomination. The Assistant Secretary for the Office of Congressional and Intergovernmental Affairs is a privileged nomination that, absent objection, goes straight on the Executive Calendar for Floor consideration after a 10-day waiting and review

period. While we did receive an objection for your nomination, I would note here that it was unrelated to you or your qualifications for this role. I preferred to avoid this extra step and detour, but unfortunately that is not possible in what has been kind of a tough environment here in the Senate to confirm even the least controversial and most well-qualified nominees.

So I thank you both for your willingness to serve our country. Given the positions that you hold, I do not think either one of you will be strangers to the members of this Committee. I ask for your commitment to work with us once you are confirmed.

I will now turn to Senator Cantwell for any opening remarks that she may have.

STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR FROM WASHINGTON

Senator CANTWELL. Thank you, Madam Chair.

I congratulate both of the nominees on being nominated. Of all the Department of Energy's Presidential appointments, none is more important to my state than the Assistant Secretary for Environmental Management.

The Office of Environmental Management is currently responsible for cleaning up 16 nuclear weapon sites in 11 states, but none of these sites is larger, more complex, more expensive, or more challenging than the Hanford Site in the State of Washington. It is an enormous task and one which requires skill, experience, and dedicated leadership.

So I am grateful to have had the chance to discuss with you many of these issues in my office, and I know that you understand the seriousness of this undertaking. If confirmed, you will need to improve the safety culture at the site, and ensure health and safety for our cleanup workers, in addition to making sure that we had adequate funding and keeping the cleanup effort on track to meet cleanup milestones, which the Department, I know, is committed to.

Hanford is unlike any other environmental cleanup operation, you will find, in the country. It was the proving ground for nuclear production reactors and developed a successful plutonium extraction process. This has left a legacy of a complex mix of chemicals and radioactive materials, and we have continued to be challenged as we try to remediate this. It is not only the complexity of the waste at Hanford that is an issue, it is just the sheer volume.

Our country depended on Hanford to be its nuclear weapons material workhorse. The Purex facility extracted over 60 percent of our nation's plutonium to be later fabricated at the plutonium finishing plant and a final product to be inserted into our warheads. The mission has changed at Hanford, but the risks remain. The Purex facility is now empty, and the plutonium finishing plant is in the midst of continued demolition and operation production.

Both these facilities have been in the news over the last year. The Purex facility had a tunnel collapse and it contained highly contaminated materials. The demolition of the plutonium finishing plant has been fraught with two major contamination events and the health and safety of Hanford workers.

Our country owes a great debt to those men and women at Hanford who helped our country in time of great national security. We owe it to them to make sure we get the cleanup process right.

That is why I want to make it clear to the Administration that we need a budget that doesn't shortchange Hanford. This year it was $100 million less than what we thought was acceptable. Luckily, the budget was not enacted, and I hope that this year has served as a valuable lesson to the Administration that appropriate funding for Hanford is very important moving forward. Obviously, a robust budget and determined individuals dedicated to protecting the environment and surrounding communities is a must. In addition to the critical mission, the Department's effort to complete the vitrification plan, as we discussed, will be a very big challenge. I hope we have the opportunity to continue to work together to make sure these issues are addressed in an aggressive way. I will get into some of the questions with you on the rest of the larger issues of moving waste once the facility is completed and vitrification logs are actually produced.

The job of Assistant Secretary of Congressional Affairs is also important in maintaining a healthy working relationship between the Department and the Congress.

Ms. Burnison will be the principle point of contact, and I am glad to see that you have had good experience working with both House and Senate colleagues at the House Natural Resources Committee and the Department in your various efforts. I congratulate you on your nomination this morning.

Thank you.

The CHAIRMAN. Thank you, Senator Cantwell.

At this time, I would ask each of the nominees to stand, please.

The rules of the Committee which apply to all nominees require that they be sworn in in connection with their testimony.

I would ask each of you—

Do you solemnly swear that the testimony you are about to give to the Senate Committee on Energy and Natural Resources shall be the truth, the whole truth and nothing but the truth?

I failed to ask that you raise your right hand.

Let's do it again.

[Laughter.]

Do you solemnly swear that the testimony you are about to give to the Senate Committee on Energy and Natural Resources shall be the truth, the whole truth and nothing but the truth?

[Witnesses answer, I do.]

The CHAIRMAN. Okay, now it is official.

Please go ahead and be seated.

Before you begin your statements, I will ask you three questions addressed to each nominee before this Committee.

Will you be available to appear before the Committee and other Congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Ms. BURNISON. Yes, I will.

Ms. WHITE. I will.

The CHAIRMAN. Are you aware of any personal holdings, investments or interests that could constitute a conflict or create an ap-

pearance of such a conflict should you be confirmed and assume the office to which you have been nominated by the President?

Ms. BURNISON. No.

Ms. WHITE. My investments——

The CHAIRMAN. Ms. White, can you push the button there for——

Ms. WHITE. My investments, personal holdings and other interests have been reviewed both by myself and the appropriate ethics counselors within the Federal Government. I've taken appropriate action to avoid any conflicts of interest. There are no conflicts of interest or appearance thereof to my knowledge.

The CHAIRMAN. Thank you.

And are either of you involved or do you have assets held in blind trusts?

Ms. BURNISON. No, I do not.

Ms. WHITE. No.

The CHAIRMAN. Okay.

We will now begin.

Ms. Burnison, we will start with you and I would note that the Majority Leader, Senator McConnell, has provided the Committee with an introduction of you. Apparently, you began your Congressional career in Senator McConnell's Senate office and clearly developed a passion for the work here and the institutions that we serve.

I will be including, as part of the Committee record this morning, that statement from the Leader, himself.

[The information referred to follows:]

Melissa F. Burnison to be an Assistant Secretary of Energy
Introduction of Senate Majority Leader Mitch McConnell
U.S. Senate Committee on Energy and Natural Resources
January 18, 2018

Madame Chairman, Ranking Member Cantwell, Fellow Senators:

It's my privilege to offer my support for Melissa F. Burnison, a Louisville, Kentucky native, to serve as the Assistant Secretary of Congressional and Intergovernmental Affairs at the Department of Energy. President Trump has chosen another outstanding Kentuckian to serve in his administration. Through today's hearing, this committee will hear about her skills, experience, and abilities, which make her an excellent candidate for filling this position.

Melissa began her congressional career in my Senate office, and during that experience, developed a passion for our work here and the institutions we serve.

Melissa has since spent more than a decade working on important issues relevant to the Department of Energy. Specifically, Melissa joined the staff of Tennessee Congressman Zach Wamp, where she specialized in energy, science, defense, and national security issues with a particular focus on Department of Energy nuclear and science programs and the National Nuclear Security Administration defense programs. Melissa rose through the ranks to eventually serve as Congressman Wamp's legislative director.

Employing that same passion for our nation's energy policies, Melissa subsequently worked for the House Committee on Natural Resources pursuing policy objectives such as enhancing domestic energy development and independence in the United States. Thereafter, Melissa served as a senior advisor at the Department of Energy – the agency she is now tasked to join once again.

As members of this committee know, it is as important now as ever that our nation pursues a sound energy policy that enhances our ability to develop more of our domestic resources and subsequently rely less of volatile foreign energy sources. This goal can only be met through joint efforts of Congress and relevant administration agencies. The Department of Energy spearheads important research to ensure the U.S. is on the cutting edge of technological advancements in the energy and efficiency space. It also oversees important initiatives such as environmental cleanup operations at places like the Paducah Gaseous Diffusion Plant, in my home state of Kentucky. The Assistant Secretary for Congressional and Intergovernmental Affairs is critical to ensuring to proper communication between this body and the department. Given her years of relevant work experience, I believe Melissa will serve our nation and the Department of Energy well in this role.

I would like to thank the committee for offering me the opportunity to provide remarks this morning in support of this nominee. I appreciate your consideration of Melissa's nomination, and I look forward to her confirmation.

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The CHAIRMAN. I just have to pause and note, it is kind of nice to have all women at the dais.

[Laughter.]

And to have two clearly qualified women who have been nominated for these very important positions this morning.

Senator BARRASSO. I want to——

[Laughter.]

The CHAIRMAN. Oh my God, look at that.

[Laughter.]

Senator BARRASSO. I was watching on television back there.

[Laughter.]

The CHAIRMAN. We started to make you a little nervous, didn't we?

[Laughter.]

Good. We need to have this balance. Very important.

I would ask that you limit your introduction, if you can, to about five minutes. Your full statements will be included as part of the record, and I invite you to introduce any family or those who are here to offer their support to you today.

With that, Ms. Burnison, if you would care to begin please.

Welcome to the Committee.

STATEMENT OF MELISSA F. BURNISON, NOMINATED TO BE AN ASSISTANT SECRETARY OF ENERGY (CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS)

Ms. BURNISON. Thank you.

Chairman Murkowski, Ranking Member Cantwell and members of this Committee and to the professional staff of the Committee and also to the staff in each of the individual offices, it is a privilege and an honor to appear before you today as the President's nominee for Assistant Secretary, Department of Energy, Congressional Affairs and Intergovernmental Affairs. I am humbled by the recommendation Secretary Perry made to the President, and I want to especially thank the Secretary for placing his trust in me by nominating me today to appear before you.

For those of you whom I have had the opportunity to meet with prior to this hearing, I want to thank you for your counsel. I also want to thank you for your expectations of this position and for providing me with your expectations of the Department. I look forward to working closely with you and with your staff throughout my tenure should I be confirmed.

I also want to thank my husband, Scott Burnison, who is here with us today. It's also a special day for him. It is his birthday today as well. And he and I have three little girls who are very active and fill every moment of our lives. And we're very blessed to have them. So, Madam Chairwoman, with your permission, I'd like to introduce them to the Committee today.

The CHAIRMAN. Please.

Ms. BURNISON. We have Catherine Burnison, Elizabeth, Scott, of course, and then Gudrun. So they are missing school today, but I understand Senator Barrasso might be handing out doctor's notes, so . . .

[Laughter.]

The CHAIRMAN. Well, we welcome them all to the Committee and happy birthday to your husband.

Ms. BURNISON. Thank you, thank you.

Chairman Murkowski and members of the Committee, as I seek your approval for the appointment of this office, I would like to share a few thoughts about my experiences that I believe qualify me for this position.

I have spent more than 15 years working in policy positions that involved the Department of Energy in some capacity. Most of that experience came from Capitol Hill as a Congressional staffer, myself, working in the energy policy arena. And thanks to that experience, I have the utmost respect for the work, the traditions and the people who make up this body.

I also have spent two years working at the Department of Energy. That service enabled me to witness how dedicated the men and women are who support the Department's critical missions.

Should I be confirmed, I will draw upon my previous experience on the Hill, in the Department and in the private sector to ensure interactions with the Department's Office of Congressional and Intergovernmental Affairs are guided by respect, integrity and clear communication.

While on the Hill, I spent seven years working for Congressman Zach Wamp from Tennessee, who passionately represented Oak Ridge National Lab, the Y–12 National Security Complex, various cleanup missions throughout the site, the Tennessee Valley Authority and many other Department of Energy assets in the state. And I would note that Tennessee is unique in that it plays a role in just about all of the Department's programs and missions in some form or fashion.

It was home to the Manhattan Project, Clinton Engineering Works which was established even before the creation of the Atomic Energy Commission, the precursor to the Department of Energy. And it was in working with the people and the site at the foothills of the Appalachian Mountains that I gained an immense appreciation for the accomplishments of the greatest generation. It was those men and women whose determination and sacrifices built the DOE complex that exists today and continues to make our country great.

Having learned the history of the DOE communities and then seeing firsthand the incredible developments in science, nuclear technology and even supercomputing at those sites makes me proud to, once again, have the opportunity to serve, should I be confirmed.

With regard to the functions of the office I seek, I commit to being a responsive, timely and an open communicator. We will be as prompt as possible in my office, keeping you apprised of Departmental activities and be attentive to the priorities as you provided them to me.

I also understand the importance of considering the impact of federal actions on labs, sites and the surrounding communities. I appreciate that each of the local governments, states and tribes have a unique relationship with its site. Communicating frequently with and listening to those concerns and recommendations of those

leaders and governments build trusting relationships that not only serve the Department but you as well.

I will pledge to do my best to live up to the standards expected of those who hold public office. I thank you for the opportunity to appear before you today, and I look forward to taking your questions.

[The prepared statement of Ms. Burnison follows:]

TESTIMONY OF MELISSA F. BURNISON, NOMINEE TO BE ASSISTANT SECRETARY OF ENERGY, CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS, DEPARTMENT OF ENERGY

Chairman Murkowski, Ranking Member Cantwell and members of the committee, and to the professional staff of the committee and staff in your individual offices, it is an honor and a privilege to appear before you today as President Trump's nominee for Assistant Secretary of Energy for Congressional and Intergovernmental Affairs. I also want to thank Secretary Perry for the trust he has placed in me by recommending me to the President. I am humbled and excited for this opportunity to serve.

For those of you whom I have had the opportunity to meet with prior to this hearing, thank you for providing your counsel and expectations of this role and of the Department. I look forward to continuing those conversations with everyone on the committee and working closely with you and your staff throughout my tenure should I be confirmed.

I also want to thank my husband, Scott, for his support and understanding. He is indeed my rock. He is here today with our family. Scott and I are blessed with three very active little girls who fill every moment of our lives and they would certainly not be happy if I did not recognize them as well – Madam Chairman with your approval, I'd like to introduce Catherine, Gudrun and Elizabeth as well as Scott to the committee.

Chairman Murkowski and members of the committee, as I seek your approval for appointment to this office, I would like to share a few thoughts about my experiences that I believe qualify me for this position.

I have spent more than 15 years working in policy positions that involved the Department of Energy (DOE) in some capacity. Most of that experience came from Capitol Hill as a congressional staff person working in the energy policy arena, and thanks to that experience, I have the utmost respect for the work, traditions and individuals who make up this body. I have also spent two years working inside the Department of Energy. That service enabled me to witness how dedicated the men and women are who support the Department's critical missions as public servants. Should I be confirmed, I will draw upon my previous experience on the Hill, in the Department and in the private sector to ensure interactions with the Department's Office of Congressional and Intergovernmental Affairs are guided by respect, integrity and clear communication.

While on the Hill, I spent seven years working for Congressman Zach Wamp from Tennessee who passionately represented Oak Ridge National Lab, the Y-12 National Security Complex, DOE's Environmental Management cleanup projects, the Tennessee Valley Authority and numerous other DOE activities. Tennessee is unique in that it plays a role in most of DOE's missions and was home to the Manhattan Project, Clinton Engineer Works which was established even before the creation of the Atomic Energy Commission – today's DOE. It was in working with the people and this site at the foothills of the Appalachian Mountains that I gained an immense appreciation for the accomplishments of the

greatest generation. It was those men and women whose determination and sacrifices built the DOE complex that exists today and continues to make our country great. Having learned the history of the DOE communities and then seeing first-hand the incredible developments in science, nuclear technology and supercomputing at the sites makes me proud to have an opportunity once again to serve, should I be confirmed.

With regard to the functions of the office I seek, I commit to being a responsive, timely and open communicator. We will be as prompt as possible in keeping you apprised of Departmental activities and be attentive to your priorities. I also understand the importance of considering the impact of Federal actions upon labs, sites and surrounding communities. I appreciate that each local government, State and tribe has a unique relationship with its site. Communicating frequently with and listening to the concerns and recommendations of local leaders and governments to build trusting relationships not only serves the Department but you as well. I pledge to do my best to live up to the standards expected of those who hold public office.

Thank you again for the opportunity to appear before you today and I look forward to your questions.

The CHAIRMAN. Thank you, Ms. Burnison, and again, welcome to your family.

Ms. White, we would appreciate your statement and, again, if you would like to introduce anyone who has joined you here today, but welcome before the Committee.

STATEMENT OF ANNE MARIE WHITE, NOMINATED TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT)

Ms. WHITE. Thank you.

Chairman Murkowski, Ranking Member Cantwell, members of the Committee, and Professional Committee Staff, thank you for the opportunity to appear before you as the President's nominee to be the Assistant Secretary of Energy for Environmental Management at the Department of Energy.

My warmest thanks to you and your staff for taking the time to share the issues of concern regarding environmental management and for outlining your expectations of me in the role of EM-1, a role that involves fulfilling our moral obligation to clean up the nation's environmental legacy challenges from World War II and the Cold War.

I am honored to appear before this Committee and give my thanks to President Trump and Secretary Perry for the confidence they have placed in me with this nomination. If I am honored with a confirmation by the United States Senate, I will look forward to working together with you and your staff to resolve the challenging issues that confront the nation in the areas of risk reduction and environmental cleanup from the nuclear weapons production program.

I'd like to introduce my family to the Committee. Here today with me is my father, Mike White, who began teaching me high school math in about second grade, and my mom, Donna White, who taught me the value of hard work and persistence. Thanks for all you've done.

Also here are my sisters, Sara Hall, and her daughter, Hannah, my sister, Katy White, with my niece, Emily, and my nephew, Sam. A group of close friends are also here and have joined me here today. Without the support of my family, friends and colleagues, I would not be here today and I thank them all for their support.

My Master's Degree is in nuclear engineering, and I was fortunate enough to graduate at a time when the environmental restoration field was relatively new. With my interest in the nuclear field and appreciation for our environment, I determined that environmental cleanup work was a natural fit for me.

I began my career performing physical cleanup work. My strategy was to learn the environmental cleanup business in the most basic way, which has been instrumental in understanding the challenges and opportunities facing the Department today and into the future.

That experience was informative and provided a sound basis to help form my consulting firm in 1995. Since founding my firm, my years working within the commercial and government nuclear industry and the mentoring from well-respected industry experts

have helped me grow into an experienced leader and innovative problem solver.

Over the past 25 years, I have consulted with commercial, government and international organizations solving complex problems here at home and in a number of foreign countries. I have worked at a number of DOE-EM sites, providing me with an appreciation for the complex technical and stakeholder issues the Department faces in the cleanup of its legacy EM facilities.

Additionally, over the course of my career, I have been able to work on, visit and understand some of the world's great nuclear and environmental challenges. Therefore, I consider this potential key leadership position at DOE-EM to be an opportunity to maximize my private sector experience and knowledge to assist the Department in moving forward to mitigate risk and work toward eliminating existing liabilities.

Through the years I have had the good fortune to work and collaborate with a wonderful group of smart, technically savvy peers to solve complex problems through innovation, creativity and optimization. This work is not without some level of risk. The women and men in the field implementing plans and delivering projects are of primary importance in the cleanup mission. Without these individuals in the field, dressing out in protective gear and doing difficult physical work, there would be no cleanup and no risk reduction.

Maintaining and further building trust with the workforce that we rely on to clean up our nation's legacy environmental challenges will be a focus throughout my tenure, should I be confirmed.

Should I be confirmed, I commit to you that I will work with this Committee, the conscientious staff within the Department and various stakeholders including Congress, Native American tribes, regulators, local communities and the dedicated workforce at each of the 16 sites for which EM has responsibility. My goal will be to enhance safety through risk mitigation and cleanup and eliminate overall taxpayer liability for legacy environmental issues.

Chairman Murkowski, Ranking Member Cantwell and members of the Committee, thank you again for this opportunity to appear before you as the President's nominee for Assistant Secretary in the Department of Energy.

Thank you for your time today. I look forward to answering your questions as you consider my nomination.

[The prepared statement of Ms. White follows:]

OPENING STATEMENT
ANNE MARIE WHITE
NOMINATION HEARING
UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

Chairman Murkowski, Ranking Member Cantwell, members of the Committee, and Professional Committee Staff, thank you for the opportunity to appear before you as the President's nominee to be the Assistant Secretary of Energy for Environmental Management at the Department of Energy (DOE). My warmest thanks to you and your respective staffs for taking the time to share the issues of concern regarding environmental management and for outlining your expectations of me in the role of EM-1, a role that involves fulfilling our moral obligation to clean up our nation's environmental legacy challenges from World War II and the Cold War.

I am honored to appear before this Committee and give my thanks to President Trump and Secretary Perry for the confidence they have placed in me with this nomination. If I am honored with a confirmation by the United States Senate, I will look forward to working together with you and your staffs to resolve the challenging issues that confront the nation in the areas of risk reduction and environmental cleanup from the nuclear weapons production program.

I would like to introduce my family to the Committee. Here today is my father Mike White who began teaching me high-school math in second grade and my mother Donna White who taught me the value of hard work and persistence. Thanks for all you've done. Also here are my sisters, Sara Hall and Katy White with my nieces and nephews Matt, Emily, Hannah and Sam. A group of close friends have also joined me today. Without the support of my family, friends and colleagues, I would not be here today and I thank them all for their support.

My Master's Degree is in nuclear engineering, and I was fortunate to have graduated at a time when the environmental restoration field was relatively new. With my interest in the nuclear field and appreciation for our environment, I determined that environmental cleanup was a natural fit. I began my career performing physical cleanup work. My strategy was to learn the environmental cleanup business in the most basic way, which has been instrumental in understanding the challenges and opportunities facing the Department today and into the future. That experience was informative and provided a sound basis to help form my consulting firm in 1995. Since founding my firm, my years working within the commercial and government nuclear industry and the mentoring from well-respected industry experts have helped me grow into an experienced leader and innovative problem solver.

Over the past 25 years, I have consulted with commercial, government and international organizations solving complex problems here at home and in a number foreign countries. I have worked at a number of DOE-EM sites, providing me with an appreciation for the

complex technical and stakeholder issues the Department faces in the cleanup of its legacy EM facilities. Additionally, over the course of my career, I have been able to work on, visit and understand some of the world's great nuclear and environmental challenges; therefore, I consider this potential key leadership position at DOE-EM to be an opportunity to maximize my private sector experience and knowledge to assist the Department in moving forward to mitigate risk and work toward eliminating existing liabilities.

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Should I be confirmed, I commit to you that I will work with this Committee, the conscientious staff within the Department and various stakeholders including Congress, Native American tribes, regulators, local communities, and the dedicated workforce at each of the 16 sites for which EM has responsibility. My goal will be to enhance safety through risk mitigation and cleanup and eliminate overall taxpayer liability for legacy environmental cleanup.

Chairman Murkowski, Ranking Member Cantwell and members of the Committee, thank you again for this opportunity to appear before you as the President's nominee for an Assistant Secretary in the Department of Energy. Thank you for your time today. I look forward to answering your questions as you consider my nomination.

The CHAIRMAN. Thank you, Ms. White, and welcome to your friends and to your family as well. We appreciate that.

I will start with a round of questions here.

Ms. Burnison, to you, first.

We are going to refer to you as our Congressional Liaison and that is a role that has varying levels of responsibility, but we recognize that you will also be responsible for coordinating the Department's efforts with state, local and tribal governments. I know that you are not going to be the only one, but you are going to be an important figure in that.

Can you tell us how you plan to approach each of these and how you will prioritize coordination with tribal governments?

Ms. BURNISON. So, Senator Murkowski, as I stated earlier in my testimony, I appreciate the unique relationship that each site has with its local community and states and its tribes. And I suspect that nowhere is that more true than in the State of Alaska with the Native Alaskan lands.

So, I, for example, as I understand it, there are challenges with high energy costs, for example with the Native Alaskans and my plan would be to look to rely on the Office of Indian Energy and those folks who have a history and an experience with working with these communities and with the tribes.

And I also think it's important to make sure that, as you stated, the intergovernmental side receives as much attention as the Congressional side. I know from my own personal experience, if we had a Tennessee Commissioner or local leader who was unhappy or frustrated in their interactions with the Department, we got a phone call from the Congressional Office or in the Senate office and that usually resulted in a phone call to the Department of Energy.

That is certainly an option and a route to take, but I would hope that we—and I could bring to the position and the Department would be able to engage with those leaders more effectively on the front end so we could build credibility and trust with those folks.

The CHAIRMAN. Well, I appreciate that, and I will look forward to working with you on some of these.

We have had some frustration within the Office of Indian Energy not only getting attention to certain issues but really getting sufficient help for those that are certainly in need of it. So I put that on your radar screen.

Ms. White, I mentioned in my opening about the GAO high-risk list and the fact that EM has been on this list for a number of years.

According to GAO, the Office, and I am going to quote here, "has struggled to ensure that they have the capacity, both people and resources, to mitigate risks. They have also demonstrated limited progress in contract management, particularly financial management and have struggled to stay within cost and schedule estimates for some major projects." So that is from the GAO. What actions will you take to address these concerns and move EM off of this high-risk list?

Ms. WHITE. Thank you for that question. It's an important one.

What I intend to do is first, always ensure a safe work environment. And I view safety as a three-legged stool involving produc-

tion, cost and safety. All three must be present and in relatively equal measure in order for projects to be successful.

Also, our decision-making, it needs to be timely. It needs to be technically based and it needs to understand the very long timelines involved with our cleanup mission.

Finally, we, when EM-1 makes a commitment or has a milestone, we need to treat them not as options or aspirations but real commitments that we must live up to.

We can also make some improvements, I believe, in the way we contract work and manage our contractors.

The CHAIRMAN. Well, I know that this is a question others will have so I will yield back my time right now and turn to Senator Cantwell.

Senator CANTWELL. Thank you, Madam Chair.

Again, congratulations on your nomination, Ms. White. There are many issues to talk about at Hanford, so sorry if I try to get in this round just because I have to go over to Commerce for several votes on nominees over there. But hopefully I will be back.

So, quickly, do you believe that the Department of Energy has to meet the milestones of the tri-party agreement on cleaning up tank waste and not to come up with a new idea of how to reduce that responsibility but how to live up to that responsibility?

Ms. WHITE. We have a moral and legal obligation to live up to the commitments made in our agreements.

Senator CANTWELL. Great.

Secondly, obviously, there have been several incidents lately. In May, a tunnel adjacent to the plutonium uranium extraction plant collapsed; in June, a radiological release from the plutonium finishing plant resulting in 30 workers testing positive for contamination.

Will you commit to work with the local labor organizations, the Department, and the Hanford contractors to make sure that we have a safe environment including these options of air tanks that give workers more certainty on vapor issues?

Ms. WHITE. So, the nuclear safety culture is, of course, extremely important in the work we do. As the one who has been to the field and done the work, I've benefited from that safety culture.

In particular, the respiratory protection, you mentioned, as with any other safety device, there's pluses and minuses. But should I be confirmed, I'd be happy to work with the unions, with the workers, with your staff, to determine the appropriate measures to take to be sure——

Senator CANTWELL. Thank you.

I did like in our brief discussion that you said you liked to use innovation to solve some of these problems and I would say the challenge becomes when you have workers at one end of the cleanup site, using this equipment, and then being denied if in another area, it raises questions.

And yes, you are right, the complexity of how to do the cleanup and the level of how to get that done safely is a big question. So thank you for that.

And then, thirdly, obviously the finishing plant and our production of vitrified logs, one of the recommendations that this Committee received in the past was to separate out defense waste as

a way to get at a faster path to resolving that issue. As we try to meet the milestones for that, what do you think of the idea of separating the defense from commercial waste as a way to give it more certainty and a clearer path in a shorter time period?

Ms. WHITE. With the current situation, with the pathway for this type of waste, I think that a defense only solution is definitely worth looking into. I haven't fully studied the issue, but if confirmed I would look forward to working with you on that issue because I think it's an option worth evaluating.

Senator CANTWELL. Did you see anything wrong with what the Commission that our former Chair, Senator Domenici was part of and their recommendations of that and the past Administration's efforts to move forward on that?

Ms. WHITE. So, I have not seen or I have not carefully studied the report recently. I did, closer to the time it was issued.

So I believe that a defense-only repository is definitely an option that we need to consider as we look at various ways in which we could execute our cleanup mission at Hanford and other sites as well.

Senator CANTWELL. And what did you say in my office? You thought one of the big objectives was to have waste moving out of Hanford?

Ms. WHITE. Oh, absolutely, yes. And I think there's various and sundry ways to do that, including the defense waste repository.

Senator CANTWELL. Thank you.

Thank you, Madam Chair.

The CHAIRMAN. Thank you, Senator Cantwell.

Senator Capito.

Senator CAPITO. Thank you, Madam Chair. It is great to be back on the Committee with you——

The CHAIRMAN. Wonderful to have you.

Senator CAPITO. ——and the Ranking Member, so thank you for that.

Thank both of you for your willingness to serve in the public interest, and I know you are taking time from your families to pursue this and we certainly are very appreciative.

Ms. Burnison, I am going to start with you because we talked about this in my office yesterday, but I wanted to reinforce it and I see I have my colleague, Senator Manchin, here as well. This is something that is extremely important to greater Appalachia, but certainly West Virginia as a state, and that that is an energy infrastructure package which is called the Appalachian Natural Gas Storage Hub. It is an ethane storage hub project. It is regional in nature.

I hosted Secretary Perry in West Virginia in July. He is very excited about this in terms of a regional ethane storage because the market is there, also for security reasons I stated that during Hurricane Harvey the ethane storage facility in Texas had to shut down for a month. So having an alternative site that doesn't necessarily compete but enhances our ability to have the redundancy, I think, is something that he certainly could see.

Since that visit we have had greater interest from industry stakeholders, upstream, midstream and downstream and the advancement of an application from the Appalachian Development

Group, which is the folks working on this, to phase two of the Title 17 loan program.

We also have in place a Memorandum of Understanding from China Energy which outlines that $83.7 billion investment in West Virginia, centered around the developments of the Marcellus shale. The National Energy Technology Lab in Morgantown, the Office of Fossil Energy and the Department of Energy, in general, are key stakeholders in this initiative. It is really a once-in-a-lifetime opportunity for us to transform a region that needs, not just economic development, but I think what we need more than anything, since it is our resource, in our respective states, we want to capitalize on that and see the benefits and economic benefits and job growth that are projected which are enormous, stay in our region.

So I guess I am asking you to pledge to work with me and my staff and our constituents to continue to advance development of this Appalachian Natural Gas Liquid Storage Hub.

Ms. BURNISON. Thank you, Senator Capito.

And you did emphasize to me and impress upon me an importance of that issue in your region. And I do appreciate the economic driver that many of these developments bring to these regions.

And you have my commitment and my pledge to work with you and your staff on this important issue going forward.

Senator CAPITO. Thank you very much.

Ms. White, I would like to thank you as well for throwing your hat in the ring here. I do chair the Clean Air and Nuclear Safety Subcommittee over at EPW, and I oversee the Nuclear Regulatory Commission and its regulatory programs over the civilian nuclear fleet.

While that is a totally distinct agency, with its own jurisdiction, I do believe the challenges are very similar when you are looking at nuclear waste, the decommissioning process and environmental regulations, excuse me, the environmental remediation such as the Office of Environmental Management does. I think if we don't get a handle on a long-term nuclear waste storage solution, the waste currently stored at civilian sites may become a fully federal remediation effort.

Do you see an opportunity here to, sort of, break down those silos between the NRC and the Office of Environmental Management to get to best practices, to get quicker and better results and a more timely and probably, fiscally efficient manner?

Ms. WHITE. Absolutely, I think that there are many lessons to be learned across the nuclear industry, within DOE, and there's opportunities for cross pollination between the efforts at DOE which have done a great deal of decommissioning and demolition and the private sector which is getting ready to do a great deal of decommissioning and demolition of commercial nuclear plants. So I see a lot of opportunities for collaboration and lessons learned.

Senator CAPITO. In your work in the private sector, did you work with both of these—the Office of Environmental Management and the NRC? Have you worked with both of those——

Ms. WHITE. I have worked with the NRC less than I have within the DOE environment, but yes, I've had some work that involved the NRC.

Senator CAPITO. Okay.

I yield back. Thank you very much.

Ms. WHITE. Thank you.

The CHAIRMAN. Thank you, Senator Capito.

Senator Cortez Masto.

Senator CORTEZ MASTO. Thank you.

Welcome to both of you. I so appreciate your willingness to serve.

I've got five minutes, and I am going to try to run through these real quick and then I am going to leave because I have two other hearings to get to. So, I apologize for not staying.

But Ms. Burnison, let me start with you, and also, welcome to your incredible family and friends. It was great to see all the smiles out there this morning.

While working at NEI, what was your role in crafting legislative initiatives and your engagement with stakeholders on Capitol Hill in support of Yucca Mountain?

Ms. BURNISON. Thank you, Senator, for that question.

As I think many of us know, the nuclear industry has always engaged with legislative and federal policies that address the solutions to finding for spent nuclear fuel.

And so, during my tenure there, of course, I engaged in those activities as well in educating Congress and the Senate on the impacts of not having a solution to spent nuclear fuel.

Senator CORTEZ MASTO. Did you advocate for and in support of transporting high-level nuclear waste and spent fuel to Yucca Mountain?

Ms. BURNISON. Senator, I did provide Congress with the industry's perspective on those impacts.

Senator CORTEZ MASTO. And that industry perspective was to support transport of that waste to Yucca Mountain, correct?

Ms. BURNISON. Yes, ma'am.

Senator CORTEZ MASTO. Okay.

And during your time at DOE were you in any way involved with DOE policy on the proposed Yucca Mountain repository in Nevada?

Ms. BURNISON. No, ma'am. I was not.

Senator CORTEZ MASTO. What position do you think the Administration should take on consent-based siting?

Ms. BURNISON. Well, thank you, Senator, for that question.

I appreciate the importance of having, as I stated earlier, state and community input in the process and I appreciate that the Nuclear Waste Policy Act has set out a process for that and I appreciate that it's an important issue. And I want to work with you and your office and look forward to having those conversations.

Senator CORTEZ MASTO. Do you believe local governments and key stakeholders and Indian tribes should have a say in whether waste is going to be located in their state or not?

Ms. BURNISON. I do.

Senator CORTEZ MASTO. Do you think that should take precedence over whatever policy is set at the federal level?

Ms. BURNISON. Well, Senator, I'm certainly not an expert in some of the other policies or precedents that may also take precedent, but I do believe that the Department of Energy has always and I think as we've stated here in this Committee before, held out safety as its number one goal, community input, but also that the Department's obligation is to follow the law.

Senator CORTEZ MASTO. And if you believe that safety should take precedence as well, do you believe that safety and the sound science if science educates it is not secure and safe to be stored in a certain location that that should take precedence?

Ms. BURNISON. Senator, I do believe that sound science should be a factor in that determination but again, the Nuclear Waste Policy Act has laid out a process by which to determine that and NRC will ultimately have, I think, a decision in that, making that determination.

Senator CORTEZ MASTO. Thank you.

Ms. BURNISON. Thank you.

Senator CORTEZ MASTO. I appreciate your answers today.

Ms. White, in 2013 the Department of Energy attempted to move and store 400 canisters of waste from the Oak Ridge National Lab in Tennessee to our Nevada National Security Site which I know you know well.

We felt, the Governor, many of us, including some of our Congressional delegates, that they were exploiting a regulatory loophole to classify that waste as low level hazard so that they can bury it in shallow graves there when in actuality it was and should have been handled as high level, radioactive waste.

So my question to you is how much consideration should be given to concerns of the local community in the work that you do?

Ms. WHITE. The local communities are extremely important to the work we do and gaining their support is extremely important to the work we do.

We need to be transparent in our communications with them, start engagement early. If there's problems or issues we encounter, again, early communication, public outreach, these are all very important things, we don't—we've learned through a lot of hard knocks, if you will, that without the support of the public your projects are not cost effective. They can't get done.

Senator CORTEZ MASTO. So, can I get a commitment from you in situations like that that you would be willing to come into Nevada and address the concerns of our local affected governments, as well as Indian tribes when we have concerns about the operation that you are engaging in at the test site?

Ms. WHITE. Yes, if confirmed, I'm always willing and very eager to speak with the public, the stakeholders, your office, this Committee.

Senator CORTEZ MASTO. Thank you.

I noticed my time is up. The rest of the questions I will submit for the record.

Thank you very much.

Ms. WHITE. Thank you.

The CHAIRMAN. Thank you, Senator.

Let's turn to Senator Barrasso.

Senator BARRASSO. Thank you very much, Madam Chairman.

As you and I have discussed in the past, the uranium industry is facing extraordinary tough times. Last year, the American uranium industry produced the lowest amount of uranium since the early 1950s.

My home State of Wyoming is the country's number one uranium-producing state, and when prices are low, the hard-working people of Wyoming are hit the hardest.

American uranium producers face unfair trade practices from government-owned producers in Russia, Kazakhstan and Uzbekistan. They also have to compete with the Department of Energy.

For over a decade, the Department has bartered the public's excess uranium in exchange for decommissioning and other services. During that time, employment in the United States among uranium producers has dropped by over 50 percent.

Ms. White, the uranium industry is facing extraordinarily tough times. When we take a look at this, when I look at this whole barter system that has come out of the Department of Energy, the barters have driven down uranium prices and shut down uranium production in Wyoming and in other Western states. The Government Accountability Office has found that these barters are illegal, and I have fought these barters for years, long before you were nominated for this position.

I appreciate you taking the time to discuss the issue with me in my office yesterday, but you are unable to give me a firm commitment to immediately halt these barters, something that Secretary Perry has told me that he wants to do. It is something he wants to accomplish. So for this reason, I am unable to support a confirmation at this time and would hold the confirmation until the Department ends its practice of bartering excess uranium.

I think it is preserving good-paying uranium jobs and uranium security in America, in Wyoming. Other states depend on these from the jobs, and we would do as well from a national security standpoint.

Thank you, Madam Chairman.

The CHAIRMAN. Thank you, Senator Barrasso, I appreciate the issues that you have raised and hopefully we will be able to work through these issues.

Let's go to Senator Heinrich.

Senator HEINRICH. Thank you, Madam Chair.

Ms. White, thanks for the time you made to sit with me yesterday. I am going to return to the issue which we discussed.

As you know the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico, is literally the nation's only operating, underground repository for defense, transuranic waste. The continued safe operation of WIPP is critical to nearly all of DOE's future cleanup efforts.

I just want to ask you at this point, how familiar you are with WIPP and, if you are confirmed, will you make it a priority to visit WIPP and to sit down with the local community and the staff and leadership there to continue making sure that Carlsbad can play an active role in ensuring safe operation at that facility?

Ms. WHITE. Thanks for that question and WIPP is, as you mention, a very important asset to the Department's work in our efforts to complete cleanup at our various sites.

I would love to come visit WIPP. It's an interesting facility, I've been curious about it, and speak with your stakeholders and probably have a little green chili too.

Senator HEINRICH. Excellent. I appreciate both of those sentiments.

As we talked about yesterday I was really pleased to learn that you spent a good part of your career in environmental management work at Los Alamos. Last month, DOE awarded a new contract to manage cleanup at the lab and one very important requirement of the new contractor is a mandatory set-aside for small business subcontracting. That is incredibly important for creating the, sort of, local ecosystem that supports the lab, especially in a remote location like Los Alamos. A second requires the contractor to have a plan for direct involvement and active participation in the local community.

I think that maintaining good relations with the community, with tribal leaders, the local businesses, are all vital to the success of the labs.

If you are confirmed, will you hold the new contractor accountable for complying with both the small business and the community commitment requirements of the contract?

Ms. WHITE. I would, absolutely.

Having been a small business owner in Los Alamos myself, I'm very supportive of small business in those community outreach efforts.

Senator HEINRICH. Oh, we are thrilled with your background with regard to this, because it is very helpful to have that direct experience.

Back to WIPP for just a minute. For a number of years I have certainly been concerned about the failure to properly maintain the basic infrastructure at WIPP to ensure that the facility can continue to be operated safely.

WIPP is currently reporting a total maintenance backlog of about $25 million for critical upgrades to key fire safety systems, instrumentation and infrastructure. And as you know, we experienced an accident at WIPP a couple years ago that literally ground to a halt all disposal activities. The President's budget for the current fiscal year was substantially below what WIPP needs for maintenance. If you are confirmed, would you commit to take a close look at the budget request for WIPP and to ensure that the current maintenance backlog is addressed as quickly as possible?

Ms. WHITE. If confirmed I will have a close look at the budget, because I do understand the importance of that asset to carrying out our mission. I'd be happy to look at it and work with your staff.

Senator HEINRICH. I look forward to working with you.

Thanks.

Ms. WHITE. Thank you.

The CHAIRMAN. Thank you, Senator Heinrich.

Senator Gardner.

Senator GARDNER. Thank you, Madam Chair, and thanks to both of you for your willingness to serve and your commitment to public service and thanks to your families as well for that commitment.

Ms. White, obviously, if you come to Colorado we will treat you to some Pueblo chilis, so we are happy to do that to make sure you get—I was giving him a hard time. Martin, Senator Heinrich, I invited them to come to Colorado for Pueblo chili, so we can have that competition.

Senator HEINRICH. You have chili in Colorado?

[Laughter.]

Senator GARDNER. So, anyway, the Rocky Flats site, obviously, has a very important legacy with the Department of Energy, and I think in the early 1990s it was estimated that it would take 65 years at $37 billion to clean up the Rocky Flats site. But by 2005, it was done at a cost of about $7 billion and now is a legacy management site and wildlife refuge.

So, obviously, important work in many other sites in Colorado Department of Energy has been a part of and the cleanups that were handled by Environmental Management as well as now, within legacy management. Thank you for that. I think it can provide a model of what we can be doing around the country.

Ms. Burnison, thank you very much for the time in the office to have a conversation about your goals and how you see the relationship with the Department of Energy and Congress and how we can work together.

We spent a lot of time talking about NREL. NREL, the National Renewable Energy Laboratory, a primary national laboratory focused on advancing science and engineering of renewable power and energy efficiency, something I am very interested in and Colorado is very interested in.

Also focusing on grid modernization, cybersecurity issues, advanced transportation systems, they are really pioneering in those fields, impact of NREL's nearly $1 billion annually, nationwide, and 750 technology partnerships across the country, academia and government with small businesses making up about 25 percent of those 750 technology partnerships.

I think what we have seen is for every $1.00 of investment at NREL results in about $5.00 in private sector investments that continually work to improve the economy, create jobs and new companies and spin-offs and that commercial transfer has been incredible at the National Renewable Energy Laboratory.

I would just like your commitment that you will continue to work with me and my colleagues in the Senate to make sure the investment in NREL continues, that it produces the jobs coming along with that investment and that we protect those opportunities that NREL has to further advance our country.

Ms. BURNISON. Of course, Senator.

And I would just state that I have a soft place in my heart for the labs, in particular, and I appreciate that they are the jewels of the Department.

Senator GARDNER. Thank you very much.

Ms. BURNISON. I look forward to working with you.

Senator GARDNER. Thank you, Madam Chair.

The CHAIRMAN. Thank you, Senator Gardner.

Senator Manchin.

Senator MANCHIN. Thank you, Madam Chair, and thank both of you all for your willingness to serve. It is hard to recruit good people to be involved in public service today. I appreciate it.

Ms. Burnison, you may be familiar with a carbon project in Texas called Petra Nova.

Ms. BURNISON. Sir, somewhat.

Senator MANCHIN. Okay.

Petra Nova was developed by a private company but it was successful, in part, because of the federal cost sharing with the DOE. Following the success of Petra Nova I was disappointed to see that the GAO, Government Accountability Office, determined that the DOE impounded funds Congress appropriated for the Advanced Research Projects Agency, and we will call this ARPA-E, for energy, okay?

We learned this last December when GAO sent a letter to Congressional committees outlying their findings and, as you might know, the Administration proposed the elimination of ARPA-E that would prevent us from having this public-private type of relationship. I think they believe that they are convinced the private sector is going to step in and finance some of these projects by themselves. We have not found that to be the case. The fact of the matter is the Loan Program Office in ARPA-E has been successful and they still are successful, important programs. That is going to be necessary to solving our nation's energy problems.

I don't know how familiar you are with that. That may run a little bit in controversy to where the Administration, or some within the Administration, thought everything should go absolutely, 100 percent, private. We can't find these projects and finally be successful unless there is investment, and the DOE has always been a good partner to work with.

I would just like to hear your thoughts or comments on that.

Ms. BURNISON. So, thank you, Senator Manchin.

I've not been briefed on the details of that particular situation. I understand, however, the issue that you raised and that it's important to you.

And so, in my role——

Senator MANCHIN. It is important to the country, with all due respect, because you are not going to find, I mean, there is still going to be, in my state, we produce an awful lot of fossil which is coal, natural gas.

I will reiterate what Senator Capito said about the storage hub. It is extremely important, not just for my state, but for Ohio, Pennsylvania and Kentucky, but also for the security of energy for the United States.

We are not weather-prone in that part of the country. As you see, the disruption we had from hurricanes and all that. So it would be a mid-Atlantic energy hub that protects and provides energy the country needs.

We are going to be using coal for quite some time, not to the extent that we have, but we will use it and we need it, but you have to find different ways of using it. And if there is technology there, we can use it in a much cleaner fashion. Without the DOE, we don't go anywhere.

Ms. BURNISON. And I appreciate that, Senator.

And I was not, obviously, part of the budget process, but I can commit to you that in my role at heading up the Office of Congressional and Intergovernmental Affairs that I will work with you and your office and I will make sure that we carry your views and your state's views back into the Department.

Senator MANCHIN. Ms. White, we don't have any nuclear power stations in West Virginia and we have no nuclear sites for disposal

either. We do have one 15-acre legacy site in Parkersburg and we would love to have you come and see how we can move forward on this because it is going to be a responsibility for, who knows, 100, maybe 1,000 years from now. They have been testing it every 10 years and they found it not to have any levels that were of, that affect the drinking water, but still, it is a legacy site.

Right now, the DOE manages the site according to the site-specific plan that requires annual inspections and evaluations. According to the DOE's own fact sheet the facility, the encapsulated materials, will remain potentially hazardous for thousands of years and the material that was placed there was zirconium and that was to produce metals. They were necessary for the construction of nuclear reactors used in the U.S. Navy. We have been a big supporter of all this.

The prime example of the legacy site continues to pose a long-term risk. How can we manage this? Is it a possibility to ever get this property back into some type of productive use?

Ms. WHITE. I'm not familiar with the site of which you speak.

Senator MANCHIN. Well, we are going to invite you to come visit.

Ms. WHITE. I know, I'd love to come visit.

Senator MANCHIN. It is not that far away, you can do it.

Ms. WHITE. But you don't have any green chilis, so I don't know.

[Laughter.]

Senator MANCHIN. We have pepperoni rolls that will knock you dead.

[Laughter.]

Ms. WHITE. So, I'd love to come visit the site and become more familiar with it, work with you and your staff to look at what some options might be.

Senator MANCHIN. Well, just give me a little oversight, environmental management. What is your thought process on just the environmental management, whether it is the legacy site or there is a potential legacy site?

Ms. WHITE. Right.

So, in general, as I mentioned, safety, that goes almost without saying. It's one part of a three-legged stool. You have to have cost, production and safety. It's very important.

Also, decision-making, decisions need to be made timely and they also need to understand the long timelines involved in nuclear, as you rightly brought up, thousands of years.

And they need to have a strong technical basis and a cost basis and they need to get——

Senator MANCHIN. May I have a——

Take Yucca Mountain—I am not from the West, but I have been to Nevada and I have been to the Yucca Mountain site.

There had to be a time, time past, that someone thought that the geological formation, that it would be a proper place, it would be a safe place and we invested billions and billions of dollars to make that safe.

So, someone has got to make a decision when products, when we start using nuclear, not just for our defense of our country, but for the commercial. And there has to be a way to contain and dispose of it, but not destroy the land that can't be used forever.

So, with all these new products that we might be using, that is what I am saying, someone has to make that decision. How do we handle this?

This property here which is a valuable piece of property, if it could be back in, could be put back into production. Will it ever be able to be put back into production? How many sites? How many pieces of property? How many things have we produced that we have taken off the market forever? Does that ever come into a decision or should it come in to the decision-making process?

Ms. WHITE. So, the decision-making process about the specific things you're talking about that comes through a regular——

Senator MANCHIN. We are saying someone had to think that zirconium might have thousands of years of effect.

Ms. WHITE. Right.

Senator MANCHIN. Nuclear waste might have consequences for thousands of years. Everything that we produce that we need, these are all, they produce energy that we need. But for some reason no one has thought about what the after effect and what generation pays the price and can we ever put anything back in production or can it be mitigated?

Ms. WHITE. So, Yucca Mountain is not within my purview.

Senator MANCHIN. No, I am just using that as an example of what——

Ms. WHITE. Right.

Senator MACHIN. I would like to ask you, as you are in your job, what do we do with Yucca Mountain? What can we use it for? We own it. We have invested into it. What could it be used for?

Ms. WHITE. And I'd love to speak with your staff about that.

Senator MANCHIN. Well, if it was made to handle nuclear it should be able to handle about anything. We would be glad to dig up the zirconium and take it to Yucca Mountain to take care of zirconium if they don't want nuclear waste.

Ms. WHITE. I don't know about the specific site, Senator, I'm sorry.

Senator MANCHIN. These are tough ones. We can't even solve the problems either, so don't worry. Just because you don't have an answer, we don't either, so, we are all in the same boat here.

But someone has got to speak to these things somehow in the future, and it has been going on for far too long.

Thank you so much for being here.

Ms. WHITE. Thank you.

The CHAIRMAN. Thank you, Senator Manchin.

Ms. White, what you have heard both from Senator Barrasso and with Senator Cantwell with her questioning about Hanford, there are members, there are Senators, who have issues that have been long-standing within their states. Of course, the Senators from Nevada and Yucca Mountain.

Senator MANCHIN. Every time they come——

The CHAIRMAN. ——consent-based. But it does, kind of, speak to some of the frustration.

I think these are very difficult issues. These are very complicated issues. The cleanup at Hanford is just very, very difficult.

But the issue that Senator Barrasso has raised about the uranium and being given assurances from one Secretary to another

from Republican Administrations to Democrat Administrations and not feeling like there is an effort to work through these issues. And thus, I think the frustration that you heard with Senator Barrasso.

But I do think that as new secretaries come and go and make promises, that they're going to do better and then those who are very closely involved with these issues don't see a positive outcome or don't see that result, that causes greater frustration and possibly contributing to just further delay in addressing some of these environmental issues.

And I don't know that there is a magic formula to fix these other than hard work, commitment, resourcing it appropriately, but really sticking with some of these very long-term, complicated issues.

So we have big things that we address here in the Energy Committee. There are big things that the Department of Energy faces on a daily basis, things that are important, not only from an environmental perspective, but from a safety perspective, from a jobs perspective and from an economic and energy security perspective.

We appreciate your willingness to step up and take on some of the big issues and work with this Committee. My advice to those who agree to serve within the Administration is the closer that you can keep your connections and your relationship with members of Congress in addressing their concerns and being responsive, the easier it is to work through some of these difficult and long-standing issues that face our country.

Again, thank you for your willingness to serve, and we will be working to move our nominees as quickly as we can out of the Committee.

I have been frustrated because we had to send back some of our good folks at the end of the year, a process that happens here in the Senate. My intention is to try to get, whether it is Department of the Interior or Department of Energy, these vacancies filled as quickly as we can.

With that, the Committee stands adjourned.

[Whereupon, at 11:09 a.m. the hearing was adjourned.]

APPENDIX MATERIAL SUBMITTED

U.S. Senate Committee on Energy and Natural Resources
January 18, 2018: Pending Nominations
Questions for the Record Submitted to Ms. Melissa F. Burnison

Question from Ranking Member Maria Cantwell

Question: Do you commit that, if confirmed, you will be responsive to information requests from all Members of Congress, regardless of party affiliation, consistent with the White House Director of Legislative Affairs' letter to Senator Grassley last July?

Answer: If confirmed, I look forward to working with Congress and with your office on the important issues affecting your states within the Department's jurisdiction. I will be responsive to requests as appropriate and as timely as practical

Question from Senator Steve Daines

Question: Should you be confirmed, will you promise to work with my office and Montana's state, local and Indian tribal governments in your role as Assistant Secretary of Congressional and Intergovernmental Affairs to promote energy independence, an all-of-the-above energy portfolio, and American made energy solutions?

Answer: If confirmed I look forward to working with your office and stakeholders on the important issues affecting your state within the Department's jurisdiction and I understand the importance of energy independence, an all-of-the-above energy portfolio, and American made energy solutions.

Questions from Senator Mazie K. Hirono

Question 1: Through grants, technical assistance and a memorandum of understanding with the state renewed in 2014, the Department of Energy has played an important role in helping Hawaii develop its own sustainable energy resources and reduce its dependence on imported oil. Hawaii is already getting 26 percent of its power from renewable sources, on the way towards its goal of receiving 100% of its power from renewable sources by 2045, the most ambitious goal in the country. Your biography describes your history of working at the Nuclear Energy Institute and on working for Representative Wamp with a special focus on nuclear and science programs. Can you describe any of your past work on renewable energy, energy storage, or the energy efficiency technologies that will be critical to meeting Hawaii's future energy needs? Will you commit to working with me to ensure that the Department of Energy continues to assist Hawaii with its transition towards sustainable energy?

Answer: When I previously worked at the Department of Energy, I served as a senior advisor in the Office of Energy Efficiency and Renewable Energy (EERE). During that time, I was able to gain an acute understanding of the advancements the Department was making in areas like solar,

wind, geothermal energy, and energy efficiency. I was assigned to the Office of Energy Efficiency and Renewable Energy because of my previous experience as the point staff person for the House Renewable Energy and Energy Efficiency Caucus from 2004-2010. In that role, our Caucus actively worked to promote tax and technology innovation policies. As a result in 2007, I was awarded the "Unsung Hero" award from the Alliance to Save Energy. If confirmed, I hope to use this understanding, along with the knowledge I gained working within the Office of Energy Efficiency and Renewable Energy and through my private sector experience, to work with your office on the priorities affecting your state within the Department's jurisdiction.

Question 2: As part of my responsibility as a member of the Senate Committee on Energy and Natural Resources and to ensure the fitness of nominees for appointed positions, I am asking nominees to answer the following two questions:

a. Since you became a legal adult, have you ever made unwanted requests for sexual favors, or committed any verbal or physical harassment or assault of a sexual nature?

Answer: No

b. Have you ever faced discipline, or entered into a settlement related to this kind of conduct?

Answer: No

Questions from Senator Tammy Duckworth

Questions: As you may know, late last year my Senate colleagues requested specific documents that were authored by Murray Energy from the Department of Energy (DOE). Their concern, which I share, is that specific industries and special interest groups who supported President Trump's presidential campaign have inappropriate access to the Administration. If this is true it would undermine the Administration's charge of working in the public interest.

Although the Murray Energy plan is in DOE's possession, a Senate colleague of mine asked for this document and was given the attached response. It said that he has to wait for a Freedom of Information Act (FOIA) request to be processed. However Section 552(c) of title 5, United States Code, state "[the FOIA] is not authority to withhold information from Congress."

Please clarify whether if confirmed, you would recognize a request for congressional oversight information submitted to DOE by a United States Senator as constituting a request for information "from Congress." If you do not believe DOE withholding information from a United States Senator violates 5 USC Sec. 552(c), please define – in detail – every type of request you will recognize as being "from Congress" pursuant to 5 USC Sec. 552(c), and every type of

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request from a United States Senator, Representative or Committee you will withhold and claim requires a FOIA submission.

Answer: Because I am not currently at the Department, I cannot speak specifically to this issue and the manner in which the request is being handled. If confirmed, I commit to following the law and working with you and your Senate colleagues to resolve this matter as timely as possible.

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The Secretary of Energy
Washington, DC 20585

December 13, 2017

The Honorable Sheldon Whitehouse
United States Senate
Washington, DC 20510

Dear Senator Whitehouse:

This letter is in response to your December 5 letter regarding certain information at the Department of Energy.

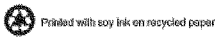
The Department is currently in the process of responding to a Freedom of Information Act request that would encompass similar information to that which you requested. The Department is working expeditiously to comply, and once completed we are willing to provide the same information to your office. There are internal procedures related to these types of requests and we are working diligently within that framework. We hope you understand and look forward to continuing to work with you.

If you have any questions, please feel free to contact Ms. Jennifer Loraine, Deputy Assistant Secretary for Senate Affairs, at (202) 586-5450.

Sincerely,

Rick Perry

Rick Perry



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Questions from Senator Cortez Masto

Question 1: Can you describe the extent of your work on Yucca Mountain while you worked at the Nuclear Energy Institute?

Answer: My work on Yucca Mountain primarily involved seeking funding to support the restart of the licensing process within NRC.

Question 2: What was your role in crafting legislative initiatives and your engagement with stakeholders on Capitol Hill in support of Yucca?

Answer: My primary responsibility in this area was appropriations. I did not work on any authorizing legislative initiatives.

Question 3: Do you intend to use this experience on Yucca to push for its implementation within the Administration and in the guidance you provide to the Secretary?

Answer: In general, drawing upon previous experiences is useful in performing many of the duties of the office, but because the Chief Financial Officer is the lead on budget at the DOE and since I have not yet been fully briefed on the Department's policies related to spent fuel and nuclear waste, I do not know what degree of relevance my previous experience on this issue will have should I be confirmed. I will be happy to follow up with you on this question should I be confirmed.

Question 4: During your time at DOE, were you in any way involved with DOE policy on the proposed Yucca Mountain repository in Nevada?

Answer: No, my time at DOE was within the Office of Energy Efficiency and Renewable Energy and the Office of Environmental Management.

Question 5: What position do you think the Administration should take on consent-based siting?

Answer:
I believe that finding a resolution to the dilemma of nuclear waste is critical for our Country. In the process of reaching such a resolution, the views of stakeholders are important and should be viewed and considered. Currently, Congress established a process as outlined by the Nuclear Waste Policy Act. My role at the Department will not be to set policies, but to serve as a liaison between the Department and Congress and Intergovernmental stakeholders.

Question 6: Have you read the Blue Ribbon Commission (BRC) on America's Nuclear Future 2012 Final Report to the Secretary of Energy? If so, do you agree with the major recommendations of the BRC report?

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Answer: I am familiar with the BRC Report. I agree with many of the recommendations of the report but not all, but, again, my role at the Department, should I be confirmed, will not be to set policies.

Question 7: As you know, the Nevada National Security Site belongs to the National Nuclear Security Administration, but the low-level waste mission is managed by the Office of Environmental Management. This management structure can obviously create problems allowing both entities to point fingers at the other should something go wrong. What is your view on what could be done to bring better management and oversight to the Site?

Answer: I would suggest that the Office of Environmental Management or the NNSA would be more appropriate to respond as I will not set policies for the Department in my role as the Assistant Secretary of Congressional and Intergovernmental Affairs. However, I will work with your office to better understand your position should I be confirmed.

Questions from Senator Tina Smith

Question 1: You have spent a considerable amount of time working in Congress, both in the Senate and House of Representatives. Can you describe what working in Congress taught you about the important relationship between the legislative and executive branches, and, if confirmed, how you plan on bringing those lessons with you to the Department of Energy?

Answer: My previous experience working in Congress gave me great respect for the work and traditions of Congress and taught me the importance of checks and balances. Applying the law and understanding legislative intent are critical to successfully implementing the programs at DOE. I will also bring the lesson of transparency in how decisions are made, knowing that answers aren't always simple or straightforward. My experience as Congressional staff will inform my interactions, facilitate effective information sharing and help build credibility with both Members and staff. I also understand the need for prompt communication and, if confirmed, pledge to communicate accurate information as promptly as possible.

Question 2: Will you commit to responding to Congressional requests quickly, thoroughly, and transparently—no matter which side of the aisle the request comes from?

Answer:

If confirmed, I look forward to working with Congress and with your office on the important issues affecting your states within the Department's jurisdiction. I will be responsive to requests as appropriate and as timely as practical.

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Questions from Ranking Member Cantwell

Question 1: Will you commit to work with and communicate clearly and often the State of Washington, Department of Ecology, local Tri-City stakeholders, and the Washington delegation on any proposed changes to projects at Hanford before final decisions are made?

Answer: Yes, if confirmed I commit to communicating clearly and often with the State of Washington, Department of Ecology, Congress – including the Washington delegation, and other stakeholders before major proposed changes to Hanford projects are finalized.

Question 2: The Richland Operations Office and local unions recently established a Hanford Resource Center with the purpose of helping inform current and former Hanford employees on available Federal and State compensation programs. Will you be an advocate of this center and establish similar centers at other sites under your purview?

Answer: I view the safety of the workforce, along with the public and the environment, as a top priority. While I have not been fully briefed on the Hanford Resource Center and the specific work it performs, I believe it is important for the workers at DOE sites to have the resources they need to engage with available worker compensation programs. If confirmed, I commit to learning more about the Hanford Resource Center and evaluating whether other similar mechanisms may be appropriate for other EM sites and consistent with the law.

Question 3: The Manhattan Project National Historical Park is an incredibly important part of the Tri-Cities and nation's history. There is currently an effort at the Hanford site and the other locations to expand the park boundaries. Will you work with local stakeholders and the National Parks Service to ensure these proposed changes are feasible?

Answer: I agree the Manhattan Project National Park is a valuable resource to educate Americans about the birth of the atomic age in this country and the critical role local communities near DOE sites played in this historic effort. While I have not been fully briefed on the expansion of the Manhattan Project National Historical Park, I commit to hearing input from local stakeholders on the issue to better understand and consider stakeholder proposed changes to the Park's boundaries.

Question 4: The Department has been working to augment Order 435.1 to change certain classifications of waste, which will have implications for the treatment and disposal of Hanford waste. The Department must continue to communicate with the Department of Ecology and the Washington State delegation about why it is proposing to make these changes and what its ultimate disposition plan is for Hanford waste. Will you ensure that the changes are consistent with the Tri-Party Agreement and commit to brief me and the delegation, along with the Department of Ecology, in advance of any decisions on this topic?

Answer: I am aware of the Department's evaluation of Order 435.1. If confirmed, I commit to learning more about this issue and the potential impacts to the Department's cleanup mission at

sites such as Hanford and the Tri-Party Agreement. I also commit to continuing to brief you, your staff, and other members of Congress, along with the Washington State Department of Ecology as the Department continues its evaluation of this DOE order.

Question 5: Vapors have been a persistent safety issue. The Department and contractors have only recently, in the past three years, begun a concentrated effort to address this by instituting improved engineered controls, safety equipment, and monitoring systems. On November 28, 2016 the National Institute for Occupational Safety and Health issued a report with four recommendations to improve worker safety. The Department and its contractor, Washington River Protection Solutions, are in the process of implementing these recommendations. Will you ensure that the offices under your direction continue this effort to eliminate exposure to harmful chemicals by ensuring these offices on an annual basis request reviews of safety practices by the Office of Enterprise Assessments and the National Institute for Occupational Safety and Health to review that the recommendations are being implemented in an effective and timely manner and to assess what other additional steps need to be taken?

Answer: I view the safety of the workers and the public, and protection of the environment as top priorities. While I am not yet at the Department, I understand DOE has placed a significant emphasis, and resources, on the issue of chemical vapor safety at Hanford. If confirmed, I commit to learning more about this issue and working with you and other members of Congress, and other stakeholders to further strengthen safety for the workers at Hanford.

Question 6: The Waste Treatment and Immobilization Plant construction pathway has been altered several times. It is now being suggested that no money be spent on addressing technical and engineering problems associated with the treatment of high-activity waste to instead focus on Direct Feed Low-Activity Waste. It has been brought to my attention that this approach will result in the loss of engineers that have focused on the High-Level Waste Facility. It is incredibly important to retain staff that have worked on High-Level Waste and to continue to work on developing a treatment pathway for high-activity waste. Will you commit to continue work on the High-Level Waste Facility at an appropriate funding level?

Answer: I understand the importance of the Department's efforts to treat radioactive tank waste at the Hanford Site. While I am not yet at the Department, I understand progress is being made on Direct Feed Low-Activity Waste (DFLAW) to initiate waste treatment in the near-term. If confirmed, I will review the plans and status for management and dispositioning of other forms of tank waste, including High-Level Waste (HLW). If confirmed, I will also review the status of EM's efforts to decide issues relating to the technologies to be considered for supplemental treatment of low activity waste and the staffing needs for the Waste Treatment and Immobilization Plant project. Of course, funding levels are ultimately the decision of the President and Congress.

If confirmed, I commit to working with you and other members of Congress to continue making progress in pursuing a sustainable path forward for this project.

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Question 7: How do you plan to incorporate the National Laboratories, in particular, Pacific Northwest National Laboratory as a resource for the Environmental Management and Hanford cleanup mission?

Answer: I agree with Secretary Perry that the Pacific Northwest National Laboratory and the Department's other national laboratories are the crown jewels of the Department. I believe their expertise and capabilities can play a significant role in helping us with our cleanup challenges. While I am not yet at the Department, I understand the Office of Environmental Management (EM) has established a National Lab Network, which I believe is co-chaired by PNNL, to better utilize the varied and unique capabilities of the national laboratories. If confirmed, I commit to learning more about the benefits PNNL and the other national laboratories can bring to the EM mission.

Question 8: If confirmed, what is your plan to ensure the 56 million gallons of Hanford high level waste is safely and timely treated into a protective and legally compliant waste form? And how do you plan to get that waste out of the state?

Answer: Understanding the nature of various tank waste, as well as options for treating those wastes in a safe, efficient and cost-effective manner, will be a high priority for me. If I am confirmed, I will work with the State of Washington, Congress, and other stakeholders to ensure we are making sustainable, risk-informed, and fiscally responsible decisions regarding the processing and disposition of these wastes.

Question 9: Do you believe that the President's FY 2018 budget, which cut Hanford spending by about $120 million, is sufficient for the Office of Environmental Management to meet the Tri-Party Agreement and the court ordered cleanup milestones at Hanford?

Answer: If confirmed, I will commit to exploring the cost and commitments associated with the Hanford cleanup mission.

Question 10: Will you commit to working within the Department to institutionalize a review process for major safety events and set more appropriate safety standards that will be sustainable beyond your tenure?

Answer: I am committed to ensuring the safety of our workforce, the public and protection of the environment. It must be valued above production, budget, and schedule. A robust safety culture requires constant vigilance that examines our safety posture, and ensures lessons are learned from major safety events and reflected in our safety standards.

Question 11: What are you going to do to prevent safety lapses in the future? How will you keep contractors accountable?

Answer: I believe contractors must be held accountable for their performance which includes the safe execution of projects in compliance with DOE safety requirements. If confirmed, I will be

looking closely at EM's contracts and mechanisms to ensure that EM's contractors are accountable for safety performance.

Question 12: Will you commit to continue the current Department initiatives of transparency and clear communication with the Unions to make sure the workers they represent are receiving the proper training and equipment needed to get the job done safely?

Answer: If confirmed, worker safety and building mutual trust between the Department and the work force will be a priority throughout my tenure. I commit to working with DOE contractors to ensure open and transparent communication with the workforce, consistent with applicable laws and agreements, and ensuring that proper training and the appropriate safety equipment is utilized to accomplish the mission safely.

Question 13: In January 2012, the Blue Ribbon Commission on America's Nuclear Future urged the previous Administration to reconsider the policy of commingling high-level radioactive defense and civilian spent nuclear fuel in a single repository. In response to the Commission's recommendation, in January 2015, Secretary of Energy Moniz recommended that a separate repository be developed for defense wastes. In March 2015, President Obama accepted Secretary Moniz's recommendation and made a finding under section 8 of the Nuclear Waste Policy Act of 1982 that a separate repository for defense wastes is required. Do you agree with the Secretary's recommendation and the President's finding? If not, please identify any specific objections you have to the recommendation or finding.

Answer: Although I have not been fully briefed on the Department's plans for pursuing a defense only repository, I am aware of the Blue Ribbon Commission's recommendations. If confirmed, I commit to working with the responsible DOE office and to exploring appropriate options for the disposal of high level waste.

Questions from Senator Ron Wyden

Question 1: Getting Hanford cleaned up is one of my major priorities, but after years of effort and billions of dollars, the situation at Hanford is as precarious as ever. The tanks are leaking. The clean-up schedule is extending for decades, yet the budget keeps growing.
I understand you have 25 years of experience in the nuclear field as a consultant and small-business owner. However, the Environmental Management Program (EM) is a multi-billion dollar organization developing first-of-a-kind nuclear waste cleanup projects.

a) What experience and skills do you have that would enable you to run a Federal program this large and this complex?

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Answer: As you may know, I hold a master's degree as a nuclear engineer and I began my career performing physical cleanup before forming my own small business in 1995. Over the past 25 years I have gained invaluable experience working in almost every capacity of the environmental restoration industry ranging from commercial, to governmental and international organizations. This experience has provided me with an appreciation for the complex and technical challenges the Department faces. Over the years, my company has subcontracted to the major EM contactors at a number of the EM sites. In addition, I have successfully provided leadership at a variety of cleanup sites and often in the most challenging circumstances.

b) What is the largest project -- in dollars and technical scope --- for which you have had full and direct management responsibility?

Answer: My role has traditionally been to provide strategic leadership and guidance to those who provide the hands-on management of large EM cleanup projects. Having been a small business owner I developed management skills that are scalable. I will ensure I have the project management personnel on my staff to assist me with these aspects of the job. Due to the de-centralized way in which EM budget is dispersed, the majority of project management occurs at the Federal Project Director level (at the sites). The role of EM-1 is very similar to my previous experience, namely to provide strategic leadership, create culture change by pulling people along rather than pushing them and making decisions, as needed. Finally, the role of EM-1 is to be accountable for meeting commitments, communicating with stakeholders, including the committee, in a clear way that fosters trust and collaboration in order to complete projects and site cleanup efforts. If confirmed, I commit to do this.

c) What professional skills have you developed that translate to this new challenge?

Answer: I came into the strategic advisor role because I had done work in regulatory compliance, radiation worker protection, nuclear safety and waste management. This breadth of experience allows me to understand the intricacies, and competing interests of the various parts of environmental projects and makes me an effective problem solver.

Further, I have worked on large cleanup contract proposals with many of the large EM contractors. My work included developing cost, schedule, and budget and project management approaches to multi-billion dollar cleanup contracts. Those skills translate into what I believe EM-1 needs to do which is provide strategic leadership, make timely decisions, and understand the regulatory and other considerations that result in the timely and successful completion of cleanup activities.

Question 2: Nuclear cleanup is a very challenging issue. As someone who has followed this issue for more than three decades, I have seen a lot of people step into this position yet not achieve what they intended. As discussed in our meeting, I want to know what you would do to change the way business is done at EM. Similarly, in your testimony, you responded, in part, to Chairman Murkowski's question about actions you would take to move EM off the Government

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Accountability Office (GAO) High Risk list by noting EM could make improvements in the way work is contracted, and how EM manages their contractors. I would like specifics:

a) What is the first thing you would do to change the way business is done at Hanford and at other DOE cleanup sites around the country?

Answer: If confirmed, the first thing for me will be to understand EM's commitments. If EM cannot meet its commitments, I will evaluate what I cannot deliver upon and why. I will also deepen my understanding of the projects, risks, and stakeholder expectations. I believe it is imperative to have a fully informed, technically sound, and fiscally responsible approach as the basis for making and meeting commitments. I understand that there is a significant amount of work at Hanford and across the complex for which contracting actions will need to be taken in the next few years. If confirmed, I intend to become very engaged in how we structure these procurements to set the stage for the next 5-10 years of cleanup.

b) What specific ideas do you have as to how EM can improve its procurement and management of contractors?

Answer: If confirmed, I will work with the site offices to ensure that EM is providing appropriate oversight of the contractors, and where appropriate and consistent with law, expand the use of the owner's agent/owner's representative concept to help with projects and perform the work in a safe manner at the best value for the government and the American taxpayer.

c) How would you return public confidence in this office?

Answer: If confirmed, I will set clear expectations within EM that we will complete our cleanup work safely, on time and on cost; meet our regulatory commitments; and partner with our local communities. I commit to placing safety above schedule or cost and communicating issues timely.

Question 3: As documented in the 2016 GAO-16-618 report, "Department of Energy: Whistleblower Protections Need Strengthening," the DOE has a poor record in protecting whistleblowers and addressing concerns they raise. Many DOE whistleblowers that have come forward and been the subject of retaliation have been in the Environmental Management contractor workforce, including a significant number at Hanford.

a) If you are confirmed, what steps will you take to ensure that Environmental Management contractor employees who make whistleblower disclosures are protected?

Answer: A robust safety culture is critical to achieving the Department's mission, including a workplace where all employees feel free to raise concerns and ask questions. I know firsthand how important this is, having been a contractor at a DOE site. The people closest to the work are the ones who are best able to identify issues early and identify ways to improve performance.

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I believe EM should make a concerted effort to strengthen and raise awareness of the various programs available to employees through which they can raise safety issues. If confirmed, I would be happy to work with you on this important issue.

Question from Senator Steve Daines

Question: While Montana does not contain any active environmental cleanup sites, we are home to one-third of the nuclear triad, which the Department of Energy plays an active role in managing. An effective nuclear deterrent is critical to maintaining peace from a position of strength; and I applaud the Administration's focus on modernizing our strategic assets in a safe and environmentally responsible manner. As the Department of Energy begins implementing the President's vision, will you keep me apprised of new developments related to the Minuteman III and the Ground Based Strategic Deterrent?

Answer: I have not been fully briefed on these issues but if confirmed, I will certainly communicate your request for information on any new developments related to the Minuteman III and the Ground Based Strategic Deterrent to those DOE officials who may have responsibilities for such matters.

Questions from Senator Martin Heinrich

Question 1: With my support, Principal Deputy Assistant Secretary James Owendoff recently notified the mayor of Carlsbad, NM, that he had instructed the Carlsbad Field Office to work with NWP to create a dedicated section of WIPP's website for a Community Assurance Program. To improve communications with the public, the CAP will include all incoming correspondence from entities that have regulatory or oversight authority of WIPP, including DOE, EPA, NMED, MSHA and DNFSB. The CAP was requested by the community to help increase public accountability and ensure safe and efficient operation of the facility. If you are confirmed, will you work with community leaders to improve transparency in the oversight and regulation of WIPP and ensure the CAP is fully implemented in a timely fashion?

Answer: While I have not been fully briefed on CAP, I believe engagement with stakeholders is important to accomplishment of our mission. If confirmed, I commit to working with community leaders, members of the New Mexico congressional delegation, and other stakeholders to foster the transparency and oversight at WIPP.

Question 2: As the assistant secretary you will be responsible for managing WIPP, the nation's only operating underground repository for defense transuranic waste. However WIPP is also a deep underground salt mine and as such provides its own unique set of safety hazards and concerns. As the mine's owner, DOE is responsible for ensuring WIPP is operated safely and in full compliance with the Mine Safety Health Administration's regulations. MSHA's most recent quarterly inspection of WIPP identified 22 safety violations, a 50% increase in citations over MSHA's previous quarterly inspection. If you are confirmed, what will you do to hold the

contractor accountable for compliance with MSHA's and other applicable safety regulations at WIPP?

Answer: WIPP is a crucial component of the entire Environmental Management complex, and if confirmed ensuring the safety of the workforce would be top priority. I believe contractors must be held accountable for their performance which includes compliance with safety requirements. If confirmed, I will be looking closely at the EM's contracts and mechanisms to ensure accountability for performance.

Questions from Senator Mazie K. Hirono

Question 1: Since the Office of Environmental Management (EM) was established in 1989, it has overseen the completed cleanup of radioactive wastes at 91 sites that had been involved in nuclear energy or nuclear weapons research and production. When do you expect the cleanup of the 17 remaining contaminated sites to be finished, and how much do you estimate that will cost? What do you consider to be the biggest impediments to getting the jobs done on time?

Answer: I understand that, based on EM's most recent estimates, cleanup of the remaining scope will be completed around 2075 with an estimate of the cost for completion between $213-258 billion. I have not been privy to the bases for these estimates, but if confirmed I will receive a full briefing on this matter.

One impediment is that often cost and schedule estimates for work are based on less than full information until cleanup progresses.

Question 2: What do you consider to be the most effective ways to communicate the Office of Environmental Management's cleanup plans to communities near the sites still awaiting final cleanup, and, if confirmed, what do you hope to improve in your outreach to those communities?

Answer: Maintaining a regular dialogue with stakeholders including members of Congress, Tribes, regulators, and local communities is a priority. If confirmed, I look forward to visiting EM's sites, learning about the challenges EM faces and speaking directly with the stakeholders in each community. If confirmed, I hope to learn more about the approaches EM currently utilizes to engage with communities and continue to facilitate opportunities that foster a meaningful dialogue.

Question 3: As part of my responsibility as a member of the Senate Committee on Energy and Natural Resources and to ensure the fitness of nominees for appointed positions, I am asking nominees to answer the following two questions:

a) Since you became a legal adult, have you ever made unwanted requests for sexual favors, or committed any verbal or physical harassment or assault of a sexual nature?

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Answer: No

b) Have you ever faced discipline, or entered into a settlement related to this kind of conduct?

Answer: No

Questions from Senator Cortez Masto

Question 1: How much does science factor into your decision-making?

Answer: Sound science and technical excellence must be the foundation for all decisions to ensure the safe and efficient execution of EM's cleanup mission. I have always prided myself on having strong technical and scientific bases for my decisions.

Question 2: How much consideration should be given to concerns of the local community in your work? If they feel that something EM is doing is unsafe for their community, would you consider some sort of corrective action?

Answer: I view the safety of the workers at its sites, the public and protection of the environment as top priorities. If confirmed, I commit to working with stakeholders to understand their safety concerns and ensure those concerns are addressed.

Question 3: Do you believe decisions made by DOE to move forward on a project should take precedence over a community or state's opposition – particularly if that community or state is concerned such a decision would have a negative impact to their safety?

Answer: I believe decisions should be based upon both sound science, and a dialogue with affected stakeholders. Such dialogue will ensure that DOE has fully communicated its technical information and fully considered the concerns and technical or other information the community has.

Question 4: If a community/state does not provide their consent, what should take precedence, the community or DOE policy?

Answer: I believe decisions should be based upon both sound science, and a dialogue with affected stakeholders. Such dialogue will ensure that DOE has fully communicated its technical information and fully considered the concerns and technical or other information the community has.

Question 5: In your capacity as an independent consultant, have you ever been in any way involved with the proposed Yucca Mountain repository in Nevada? On whose behalf was this work performed?

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Answer: No

Question 6: the President's FY2018 Budget Request includes funds "to restart licensing activities for the proposed Yucca Mountain nuclear waste repository and to initiate an interim nuclear waste storage program." What actions are currently taking place at EM and/or DOE to initiate an interim storage program at Yucca?

Answer: I am unaware of any EM or DOE actions to initiate an interim storage program at Yucca. Further, Yucca Mountain is outside EM's scope of responsibility.

Question 7: As you know, the Nevada National Security Site belongs to the National Nuclear Security Administration, but the low-level waste mission is managed by the Office of Environmental Management. This management structure can obviously create problems allowing both entities to point fingers at the other should something go wrong. What is your view on what could be done to bring better management and oversight to the Site?

Answer: The Nevada National Security Site serves an essential role in supporting the environmental clean-up program. If confirmed, I will work closely with NNSA to ensure our missions are executed in concert and coordination with each other.

Question from Senator Rob Portman

Question: As you know, the Department of Energy is responsible for decontaminating and decommissioning sites that were previously used by the government to enrich uranium for the government's nuclear defense system and for commercial power plants. The uranium enrichment plant in Piketon, Ohio, known as the Portsmouth Gaseous Diffusion Plant, was in operation for over 50 years and shut down in the early 2000's. Since then, the Department of Energy has been cleaning up the site, which totals $380 million per year.

One constant issue with moving forward on cleanup is stable funding. Today, about 15% of annual cleanup funding comes from the sale of the government's uranium stockpile. But the price of uranium has dropped by about 30% since cleanup at Piketon began, which has put the entire barter program in jeopardy. Needless to say, funding from barter sales for the cleanup at the site has become more and more uncertain. I have talked with Secretary Perry about moving away from barter to fund the cleanup, and he agrees. However, this will require a commitment from the Administration to request, and for Congress to appropriate, the necessary annual funds to clean up the site.

If confirmed, will you commit to working with me to find a long-term solution to fund the cleanup at the Piketon site?

Answer: If confirmed, I commit to working with you, your staff and Congress as a whole to develop a long-term solution to fund the cleanup at the Piketon site.

U.S. Senate Committee on Energy and Natural Resources
January 18, 2018: Pending Nominations
Questions for the Record Submitted to Ms. Anne Marie White

Questions from Senator Tina Smith

Question 1: If you are confirmed, you will be in charge of overseeing an office with an annual budget of more than six billion dollars. Can you describe your previous management experience that prepares you for this role?

Answer: I hold a master's degree as a nuclear engineer. I began my career performing physical cleanup before forming my own small business in 1995. Over the past 25 years I have gained invaluable experience working in almost every capacity of the environmental restoration industry ranging from commercial, governmental, and international organizations. This experience has provided me with an appreciation for the complex and technical challenges the Department faces. Over the years, my company has subcontracted to the major EM contractors at a number of the EM sites. In addition, I have successfully provided leadership at a variety of cleanup sites and often in the most challenging circumstances.

Question 2: Due to the nuclear materials involved, the active sites overseen by the Office of Environmental Management are obviously very dangerous cleanup projects. What specifically will do you do to mitigate risk to the workers, surrounding communities, and the environment when approaching these projects?

Answer: I view that the safety of the workers at its sites, the public, and protection of the environment as top priorities. I believe contractors must be held accountable for their performance which includes the safe execution of projects in compliance with safety requirements. If confirmed, I will be looking closely at the EM's contracts and mechanisms to ensure accountability for performance.

Question 3: I understand the Department of Energy contracts out a significant amount of work on these cleanup projects, including to small businesses like yours. What improvements do you think could made to the contracting process on these projects?

Answer: While I have not been fully briefed on EM's small business contracting efforts, if confirmed, I will explore potential improvements to those efforts.

Question 4: There have been a number of instances within the Department of Energy in which a contractor has had a major safety incident during the completion of a project. However, many of these contractors have still been able to collect an award from the government for on-time completion. How specifically would you hold contractors accountable if they do not perform as expected?

Answer: If confirmed, I will explore various contracts and contract management approaches currently in use. If confirmed, I will work to ensure EM procures the contractor behaviors and outcomes the Department needs, including the safe delivery of the cleanup mission.