

That is human lives. We are exposing individuals.

and transportation exposures—

The transportation exposures we have talked about on this floor many, many times—

at very large financial costs.

You might conclude that, at this time, with all the terrorist threats around, these could become prime targets while being transported. Still quoting the letter:

Whereas, if DOE's proposed plans meet appropriate criteria, such as those used in NRC's previous reviews, then the NRC believes that public health and safety can be maintained while avoiding unnecessary additional exposures and risks associated with removal and transport of the waste and unnecessary additional expenditures of Federal funds.

I hope this letter satisfactorily addresses your questions.

Mr. President, I ask unanimous consent that the entire letter from the NRC to me dated May 18 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NUCLEAR REGULATORY COMMISSION,
Washington, DC, May 18, 2004.

Hon. JAMES M. INHOFE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This letter responds to your request of May 18, 2004, for the U.S. Nuclear Regulatory Commission's (NRC's) views on waste-incident-to-reprocessing (WIR). Specifically, you requested NRC's thoughts on: (1) the U.S. Department of Energy's (DOE's) plan to grout in place the remaining residuals left in the tanks at the Savannah River Site (SRS), the Hanford site, and the Idaho National Engineering and Environmental Laboratory (INEEL); and (2) the risks to human health and the environment by following DOE's plan or the Natural Resources Defense Council's (NRDC's) plan. The concept underlying WIR is that wastes can be managed based on their risk to human health and the environment, rather than the origin of the wastes. For wastes that originate in reprocessing of nuclear fuel, such as the tank residuals at the DOE sites, some are highly radioactive and need to be treated and disposed of as high-level radioactive waste. Others do not pose the same risk to human health and the environment, and do not need to be disposed of as high-level waste in order to manage the risks that they pose.

At the outset, it must be understood that the NRC does not have regulatory authority or jurisdiction over SRS, Hanford, or INEEL. In the past, DOE has requested NRC review of some of its WIR determinations and supporting analysis. The NRC entered into reimbursable agreements to perform these reviews, which were provided as advice and did not constitute regulatory approval. NRC performed comprehensive and independent WIR reviews for Hanford in 1997, SRS in 2000, and INEEL in 2002 and 2003. These reviews involved both waste removed from tanks, and waste residuals remaining in the tanks for grouting and closure. NRC assessed whether DOE's determinations had sound technical assumptions, analysis, and conclusions with regard to specific WIR criteria. These criteria are: (1) the waste has been processed to remove key radionuclides to the maximum extent that is technically and economically practical, and (2) the waste is to be managed so that safety requirements comparable to

the performance objectives in NRC's regulation 10 CFR Part 61 (Licensing Requirements for Land Disposal of Radioactive Waste), Subpart C, are satisfied. In all cases, the NRC staff found that DOE's proposed methodology and conclusions met the appropriate WIR criteria and therefore met the performance objectives and dose limits that would apply to near-surface low-level waste disposal and would protect public health and safety. It should be noted that the Commission did not review all of DOE's actions with regard to WIR at those sites, and that the NRC conclusions applied only to those actions that the NRC reviewed. It should be noted that the Commission in its "Decommissioning Criteria for the West Valley Demonstration Project (M-32) at the West Valley Site; Final Policy Statement" (67 FR 5003, February 1, 2002), established WIR criteria for that site identical to those used in our reviews of the three DOE sites.

It is our understanding that some opponents of DOE's proposed plans believe that the tanks and the waste residuals should be disposed of as high-level waste in a geologic repository. While either approach could potentially be implemented within NRC regulatory requirements, we note that removal of the tanks, packaging of the tanks and residuals for transport and disposal, and disposal of the waste at a geologic repository, if feasible, would incur significant additional worker exposures and transportation exposures at very large financial costs. Whereas, if DOE's proposed plans meet appropriate criteria, such as those used in NRC's previous reviews, then the NRC believes that public health and safety can be maintained while avoiding unnecessary additional exposures and risks associated with removal and transport of the waste and unnecessary additional expenditures of Federal funds.

I hope this letter satisfactorily addresses your questions.

Sincerely,

NILS J. DIAZ.

Mr. INHOFE. We have a lot of commissions and a lot of organizations in the committee that I chair. We have some 17 Departments for which we have oversight and we deal with on a daily basis. When the Nuclear Regulatory Commission was originally formed, it was to have the expertise and the knowledge as to what is going to assure the most safety for the public in the cheapest way you can get things done. They have done a good job. We have a lot of organizations such as this throughout Government. We have CASAC, the Clean Air Scientific Advisory Committee. We look to them because they have expertise. We look to the NRC because they have expertise.

I do not want to imply that any of the Members here would have necessarily less expertise than the NRC, but I suspect that is the case. So we rely on that expertise. Here we have the Department of Energy with all of its experts saying: This is the safe way to do it. This is the cheapest way to do it. And we have the NRC, which is charged with the responsibility of public safety, saying: This is the best way to do it.

So I believe, when the time comes, we need to look at this rationally and not try to make disparaging remarks about some of the members of the Armed Services Committee in our consideration of this amendment. Keep in

mind, this was years in the making. Six years ago we started hearings on how to properly dispose of this, and the conclusions they came to were unanimous.

With that, Mr. President, I yield the floor.

Mr. REID. Mr. President, I ask the Senator, are we in a position now to do anything on this request we had?

Mr. ALLARD. No. We are still hearing. Senator INHOFE has finished his statement. I would suggest we recognize the Senator from South Carolina for 40 minutes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized—

Mr. REID. No. The Senator is recognized for whatever time he wants. He has the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from South Carolina.

SETTING THE RECORD STRAIGHT

Mr. HOLLINGS. Mr. President, I thank my distinguished colleagues. I have, this afternoon, the opportunity to respond to being charged as anti-Semitic when I proclaimed the policy of President Bush in the Mideast as not for Iraq or really for democracy in the sense that he is worried about Saddam and democracy. If he were worried about democracy in the Mideast, as we wanted to spread it as a policy, we would have invaded Lebanon, which is half a democracy and has terrorism and terrorists who have been problems to the interests of Israel and the United States.

It is very interesting that on page 231, Richard Clarke, in his book "Against All Enemies," cites the fact that there had not been any terrorism, any evidence or intelligence of Saddam's terrorism against the United States from 1993 to 2003. He says that in the presence of Paul Wolfowitz. He says that in the presence of John McLaughlin of the CIA. In fact, he says: Isn't that right, John? And John says: That is exactly right.

The reason was when they made the attempt on President Bush, Senior, back in 1993, President Clinton ordered a missile strike on Saddam in downtown Baghdad, the intelligence headquarters, and it went right straight down the middle of the headquarters. It was after hours so not a big kill—but Saddam got the message: You monkey around with the United States, a missile will land on your head.

So, in essence, the equation had changed in the Saddam-Iraq/Mideast concerns whereby Saddam was more worried about any threat of the United States against him than the United States was worried about a threat by Saddam against us.

I want to read an article that appeared in the Post and Courier in Charleston on May 6; thereafter, I think in the State newspaper in Columbia a couple days later; and in the Greenville News—all three major newspapers in South Carolina. You will find