

106TH CONGRESS
1ST SESSION

S. 1071

To designate the Idaho National Engineering and Environmental Laboratory as the Center of Excellence for Environmental Stewardship of the Department of Energy to provide for the long-term stewardship of Department of Energy land, and establish the Natural Resources Institute within the Center.

IN THE SENATE OF THE UNITED STATES

MAY 18 (legislative day, MAY 14), 1999

Mr. CRAPO (for himself and Mr. CRAIG) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To designate the Idaho National Engineering and Environmental Laboratory as the Center of Excellence for Environmental Stewardship of the Department of Energy to provide for the long-term stewardship of Department of Energy land, and establish the Natural Resources Institute within the Center.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Environmental Stew-
5 ardship and Natural Resources Act of 1999”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) in order to maintain our quality of life, eco-
4 nomic growth should—

5 (A) be balanced with environmental man-
6 agement; and

7 (B) include collaborative scientific inquiry,
8 technology development, and public policy;

9 (2) the failure of environmental science data,
10 technology, and knowledge to adequately support
11 long-term policy leads to questions of scientific data
12 quality, credibility, and utility, and results in an at-
13 mosphere of adversarial science and conflicting pol-
14 icy;

15 (3) individuals affected by decisions regarding
16 long-term stewardship have not always been effective
17 in determining the needs for, setting the agenda for,
18 and participating in environmental research and de-
19 velopment;

20 (4) decisions regarding the long-term steward-
21 ship can significantly impact a region's economy and
22 its residents' quality of life;

23 (5) the Department of Energy is just beginning
24 to develop long-term strategies for managing its vast
25 holdings of land;

1 (6) the Department of Energy environmental
2 management program—

3 (A) is the largest program in the Depart-
4 ment;

5 (B) must have the scientific capability to
6 support long-term stewardship in order for the
7 Department to manage legacy waste; and

8 (C) has no national laboratories designated
9 to address the science, research, and develop-
10 mental needs for long-term stewardship; and

11 (7) the Idaho National Engineering and Envi-
12 ronmental Laboratory, a multiprogrammatic feder-
13 ally funded research and development laboratory, is
14 geographically and technologically positioned to ca-
15 pably address the needs for long-term stewardship.

16 (b) PURPOSES.—The purposes of this Act are—

17 (1) to designate the Idaho National Engineer-
18 ing and Environmental Laboratory as the Center of
19 Excellence for Environmental Stewardship of the
20 Department of Energy to provide for the long-term
21 stewardship of Department land;

22 (2) to establish the Natural Resources Institute
23 within the Center; and

24 (3) to authorize the Center and Institute—

1 (A) to provide scientific and technical as-
2 sistance to the Department in carrying out the
3 environmental missions of the Department;

4 (B) to perform basic and applied scientific
5 research necessary, and develop methods and
6 technologies, for modeling, detection, character-
7 ization, remediation, treatment, and control of
8 contaminants—

9 (i) in the environment; or

10 (ii) stored or disposed of as waste;

11 (C) to serve as a neutral forum to develop
12 scientific solutions for long-term stewardship of
13 Department land;

14 (D) to coordinate research on and
15 develop—

16 (i) appropriate and systematic ap-
17 proaches to long-term stewardship; and

18 (ii) the specific tools and mechanisms
19 necessary to implement approaches—

20 (I) to support public policy devel-
21 opment by facilitating the creation of
22 public-private partnerships necessary
23 to implement systemic approaches to
24 long-term stewardship; and

1 (II) in cooperation with colleges
2 and universities, to provide education
3 and training regarding long-term
4 stewardship by developing training
5 programs and educational curricula
6 using modern information systems
7 such as the Internet and video tele-
8 conferencing for a wide variety of
9 users, including—

10 (aa) the public;

11 (bb) local and regional gov-
12 ernment;

13 (cc) industry; and

14 (dd) colleges and univer-
15 sities; and

16 (E) to facilitate the creation of commercial
17 enterprises through application of derived use
18 science and technology by involving—

19 (i) local economic development agen-
20 cies;

21 (ii) technology incubators;

22 (iii) research institutes; and

23 (iv) the private sector; and

1 (F) to transfer information and analyses
2 regarding long-term stewardship to persons and
3 organizations to allow informed decisionmaking.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) **ATOMIC ENERGY DEFENSE ACTIVITY.**—The
7 term “atomic energy defense activity” has the mean-
8 ing given the term in section 2 of the Nuclear Waste
9 Policy Act of 1982 (42 U.S.C. 10101).

10 (2) **CENTER.**—The term “Center” means the
11 Center of Excellence for Environmental Stewardship
12 of the Department designated under section 4(a).

13 (3) **DEPARTMENT.**—The term “Department”
14 means the Department of Energy.

15 (4) **DEPARTMENT OF ENERGY DEFENSE NU-**
16 **CLEAR FACILITY.**—

17 (A) **IN GENERAL.**—The term “Department
18 of Energy defense nuclear facility” means a site
19 under control or jurisdiction of the Department
20 that is operated for the purpose of conducting
21 an atomic energy defense activity, including—

22 (i) a production facility, as defined in
23 section 11 of the Atomic Energy Act of
24 1954 (42 U.S.C. 2014);

1 (ii) a utilization facility, as defined in
2 section 11 of the Atomic Energy Act of
3 1954 (42 U.S.C. 2014);

4 (iii) a nuclear waste storage or dis-
5 posal facility;

6 (iv) an atomic weapon testing and
7 evaluation facility;

8 (v) an atomic weapons research and
9 development facility; or

10 (vi) any facility described in any of
11 clauses (i) through (v) that—

12 (I) no longer is in operation; and

13 (II) was operated for the purpose
14 of conducting an atomic energy de-
15 fense activity.

16 (B) EXCLUSION.—The term “Department
17 of Energy defense nuclear facility” does not in-
18 clude a facility that conducts only civilian nu-
19 clear activities, such as technology necessary for
20 the generation of electricity at a nuclear power
21 plant.

22 (5) INSTITUTE.—The term “Institute” means
23 the Natural Resources Institute established under
24 section 5(a).

1 (6) LONG-TERM STEWARDSHIP.—The term
2 “long-term stewardship” means the responsibility to
3 manage all natural and manmade resources in a
4 manner that balances economics, ecological, social,
5 and cultural factors.

6 (7) SECRETARY.—The term “Secretary” means
7 the Secretary of Energy.

8 **SEC. 4. CENTER OF EXCELLENCE FOR ENVIRONMENTAL**
9 **STEWARDSHIP.**

10 (a) IN GENERAL.—The Idaho National Engineering
11 and Environmental Laboratory is designated as the Cen-
12 ter of Excellence for Environmental Stewardship of the
13 Department.

14 (b) DUTIES.—The Center shall—

15 (1) develop, test, and demonstrate new and in-
16 novative methods and technologies necessary for the
17 implementation of programs by the Department for
18 the long-term stewardship of—

19 (A) contaminated land;

20 (B) remediated land that remains contami-
21 nated, such as capped landfills or land under
22 which ground water is contaminated; and

23 (C) uncontaminated land used as a buffer
24 area around a Department of Energy defense
25 nuclear facility;

1 (2) develop, test, and demonstrate new and in-
2 novative methods and technologies for the estimation
3 of Federal liability under section 107(f) of the Com-
4 prehensive Environmental Response, Compensation,
5 and Liability Act of 1980 (42 U.S.C. 9607(f));

6 (3) develop and continually update systems en-
7 gineering methods for analyzing the options and effi-
8 ciencies for transportation, treatment, storage, and
9 disposal of waste at Department of Energy defense
10 nuclear facilities;

11 (4) conduct basic scientific research into the
12 transport of contaminants in the environment;

13 (5) develop models and predictive methods for
14 estimating—

15 (A) the transport of contaminants in var-
16 ious environmental settings; and

17 (B) the subsequent risk posed by contami-
18 nants in the environment to humans and associ-
19 ated ecosystems; and

20 (6) develop, test, and demonstrate new and in-
21 novative technologies for the detection, monitoring,
22 stabilization, and remediation of contaminants in the
23 environment.

24 (c) MEMORANDA OF UNDERSTANDING.—The Center
25 shall enter into memoranda of understanding with the

1 heads of appropriate Federal agencies to establish admin-
 2 istrative procedures necessary for the Center to—

3 (1) participate in work for other programs on
 4 land of the Department of the Interior and the De-
 5 partment of Agriculture; and

6 (2) solve pressing long-term stewardship prob-
 7 lems.

8 (d) ACQUISITION OF INFORMATION FROM FEDERAL
 9 AGENCIES.—To assist the Center in carrying out this Act,
 10 the Center may acquire from any Federal agency unclassi-
 11 fied and nonproprietary information maintained by the
 12 agency.

13 **SEC. 5. NATURAL RESOURCES INSTITUTE.**

14 (a) IN GENERAL.—Within the Center, there is estab-
 15 lished a Natural Resources Institute as a pilot demonstra-
 16 tion project.

17 (b) DUTIES.—The Institute shall—

18 (1) serve in a dual capacity as a partner and
 19 facilitator in performing the duties described in
 20 paragraphs (2) through (5);

21 (2) initiate and perform multidisciplinary, solu-
 22 tion-oriented, focused, and needs-driven research re-
 23 garding long-term stewardship through—

1 (A) coordination of research activities to
2 minimize duplication of effort and maximize sci-
3 entific advancement;

4 (B) maintenance of meaningful public in-
5 volvement in the development and implementa-
6 tion of research activities;

7 (C) performance of research by high-qual-
8 ity scientific experts who are private and public
9 partners of the Institute;

10 (D) performance of research in and devel-
11 opment of understanding of the field of pre-
12 dicting regional ecosystem dynamics;

13 (E) development of methodologies, tech-
14 nologies, and tools for environmental steward-
15 ship; and

16 (F) development and understanding of the
17 science associated with the long-term steward-
18 ship issues associated with Department land;

19 (3) support formulation and implementation of
20 long-term stewardship public policy through—

21 (A) consideration of the balance of socio-
22 economic concerns and quality of life issues
23 with respect to environmental remediation, cost,
24 and schedule concerns; and

1 (B) involvement of the public with the re-
2 search and development activities of the Insti-
3 tute;

4 (4) act as an information resource center by—

5 (A) serving as a centralized repository for
6 environmental data, data management re-
7 sources, and analytical tools for Department
8 land;

9 (B) entering into partnership agreements
10 with private entities and public agencies to ac-
11 cess or acquire and maintain regional environ-
12 mental data sets through—

13 (i) monitoring data;

14 (ii) geographical information system
15 coverages;

16 (iii) satellite data; and

17 (iv) data from local and regional eco-
18 logical studies;

19 (C) providing quick and affordable access
20 to all public databases, such as those main-
21 tained by the Federal and State agencies, and,
22 as appropriate, access to private databases de-
23 veloped to support specific models or decisions;
24 and

1 (D) training personnel to assist the public
2 and researchers in gaining access to informa-
3 tion on long-term stewardship; and

4 (5) provide training—

5 (A) using colleges and universities to edu-
6 cate the public, future scientists, and educators;

7 (B) seminars and training assistance for
8 the public; and

9 (C) collaboration with colleges and univer-
10 sities to provide resources, internships, and re-
11 search opportunities.

12 (e) COOPERATION.—In carrying out this section, the
13 Institute shall cooperate with—

14 (1) Federal and State agencies;

15 (2) colleges and universities;

16 (3) national laboratories;

17 (4) the public; and

18 (5) the private sector.

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