

HOUSE BILL REPORT

SHJM 4043

As Passed House:

February 12, 2004

Brief Description: Requesting the privatization of the department of energy's fast flux test facility complex.

Sponsors: By House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Delvin, Hankins, Grant, Schoesler, Clements, Mastin, Cox, Skinner, Newhouse, Jarrett, Chandler, Clibborn and Kessler).

Brief History:

Committee Activity:

Technology, Telecommunications & Energy: 2/6/04 [DPS].

Floor Activity:

Passed House: 2/12/04, 85-8.

Brief Summary of Substitute Bill

- Requests that the Department of Energy take no actions that will jeopardize any future uses of the Fast Flux Test Facility and that the facility be transferred to a qualified party for the production of medical isotopes and other energy related issues.

HOUSE COMMITTEE ON TECHNOLOGY, TELECOMMUNICATIONS & ENERGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Morris, Chair; Ruderman, Vice Chair; Sullivan, Vice Chair; Crouse, Ranking Minority Member; Nixon, Assistant Ranking Minority Member; Anderson, Blake, Bush, Delvin, McMahan, McMorris, Romero, Tom, Wallace and Wood.

Minority Report: Do not pass. Signed by 2 members: Representatives Hudgins and Kirby.

Staff: Pam Madson (786-7166).

Background:

The Fast Flux Test Facility (FFTF) is a 400-megawatt (thermal) liquid-metal (sodium) cooled fast neutron flux nuclear test reactor owned by the U.S. Department of Energy (DOE). The facility is located within the DOE's Hanford Site. Currently, the FFTF is undergoing deactivation.

From 1982 until 1992, the facility operated as a national research facility to test advanced nuclear fuels, materials, components, and nuclear power plant operations. The facility also produced a variety of medical and industrial isotopes, and conducted cooperative international research work.

The process of shutting down the facility began in 1993. A National Environmental Policy Act Environmental Assessment was completed in 1995 with a determination of no significant impact. Additional evaluations were made of the role that could be played by this facility during the period 1997 through December of 2001. In 2001, the DOE decided that it would be impracticable to restart the facility and again began deactivation.

There has been a series of recent legal challenges to the actions being taken by the DOE with respect to decommissioning the facility.

Summary of Substitute Bill:

The Legislature requests that the United States Department of Energy act on United States District Court Judge Edward F. Shea's ruling that an Environmental Impact Statement (EIS) be prepared to determine the final disposition of the unused Fast Flux Test Facility (FFTF) property and that the federal agency avoid every irretrievable action that could jeopardize future uses.

Further, the Legislature requests that the facility be transferred to a qualified party for the production of medical isotopes and other energy related issues.

The Legislature requests that the Secretary of Energy call a multi-agency meeting to discuss potential multiple uses.

The request is made to the President of the United States, the Secretary of the Department of Energy, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of Congress from the State of Washington.

Appropriation: None.

Fiscal Note: Not requested.

Testimony For: The United States is 90 percent dependent on foreign sources of medical isotopes. A domestic supply is needed. The State of Washington has a unique

capability for the advancement of nuclear medicine. There are significant medical and research resources in Washington. Isotopes are necessary to advance research and develop isotopes with a much shorter half life (30 minutes to two days). These isotopes cannot be acquired from long distance suppliers. Waste from the plant operation is not a problem. It would be less than what hospitals produce. Financing is not being requested from the government. The FFTF was built as a research facility. We would lose considerable knowledge if this facility isn't used.

Testimony Against: The FFTF is not an appropriate facility to produce medical isotopes. Restarting FFTF would add a high level radioactive waste stream to an already contaminated site. A new risk to public health may come from the transport of hazardous nuclear materials. Disposition of the FFTF is a settled question. The reactor has been deactivated. The District Court was clear about no need for a further EIS for cleanup and that it must be shut down and cleaned up. The court did say an EIS is necessary for decommissioning or determining what the site will look like when it is cleaned up. All issues have been addressed and should not be resurrected. Delay is costing taxpayers for continual maintenance and security of the facility.

Persons Testifying: (In support) John Deichman, Mirari Medical.

(Opposed) Martin Fleck, Washington Physicians for Social Responsibility; and Helen Wheatly, Heart of America.

Persons Signed In To Testify But Not Testifying: None.