Uranium Enrichment D&D Fund

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Uranium Enrichment Decontamination and Decommissioning Fund

Proposed Appropriation Language

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954 as amended and title X, subtitle A, of the Energy Policy Act of 1992, \$500,200,000, to be derived from the Fund, to remain available until expended, of which \$100,614,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

Explanation of Change

1	V	6	'n	6

Uranium Enrichment Decontamination and Decommissioning Fund

Funding Profile by Program

(dollars in thousands) FY 2003 FY 2004 FY 2004 FY 2005 FY 2004 Comparable Original Comparable Adjustments Request Appropriation Appropriation **Appropriation Uranium Enrichment Decontamination** and Decommissioning Fund Decontamination and Decommissioning Activities..... 304,667 365,484 -2.156 363,328 399,586 Uranium/Thorium Reimbursement... 15,896 51,000 -301 50,699 100,614 Total, Uranium Enrichment Decontamination and Decommissioning

416.484

-2,457 a

414.027

500,200

Public Law Authorizations:

Fund.....

Public Law 95-91, "Department of Energy Organization Act, 1977"

Public Law 102-486, Title X, Subtitle A "Energy Policy Act of 1992"

Public Law 103-62, "Government Performance and Results Act of 1993"

Public Law 108-137, "Energy and Water Development Appropriations Act, 2004"

Mission

320,563

The mission of the Office of Environmental Management is to accelerate risk reduction and cleanup of the environmental legacy of the nation's nuclear weapons program and government-sponsored nuclear energy research.

Benefits

This appropriation provides funding for environmental management responsibilities at the nation's three gaseous diffusion plants. The appropriation also provides funding for reimbursement of licensees operating uranium or thorium processing sites for the cost of environmental cleanup at those sites.

As the cleanup and decommissioning at the gaseous diffusion plants progresses, (as well as the cleanup at uranium/thorium processing sites), the risk and hazard to human health and the environment is greatly reduced. In addition, as cleanup is completed, the financial resources needed to maintain site infrastructure will also be reduced.

The Environmental Management program is responsible for managing and addressing the environmental legacy resulting from the production of nuclear weapons and nuclear research. Environmental Management's responsibilities include facilities and areas at 114 geographic sites. These sites are located in 31 states and one territory and occupy an area equal to that of Rhode Island and Delaware combined - or about two million acres.

Reflects rescission reduction of \$2,457,000.

The Uranium Enrichment Decontamination and Decommissioning Fund was established by the Energy Policy Act of 1992 to carry out Environmental Management responsibilities at the nation's three gaseous diffusion plants. The plants are the Paducah site in Kentucky, the Portsmouth site in Ohio and the East Tennessee Technology Park in Tennessee. The Fund includes contributions from annual appropriations and assessments from commercial utilities based upon historical purchases of enrichment services. In accordance with the Energy Policy Act, funds are also used to reimburse licensees operating uranium or thorium processing sites for the cost of environmental cleanup at those sites, subject to a site-specific reimbursement limit. The two programs funded in this appropriation are the Decontamination and Decommissioning Fund Activities and the Uranium/Thorium Reimbursements.

The FY 2005 request for the Uranium Enrichment Decontamination and Decommissioning Fund appropriation is \$500,200,000, an increase of \$86,173,000, from the comparable FY 2004 appropriation of \$414,027,000.

Decontamination and Decommissioning Activities

Funding Schedule by Activity

(dollars in thousands) FY 2004 FY 2005 FY 2003 \$ Change % Change OR-0040/Nuclear Facility Decontamination and Decommissioning-East Tennessee Technology Park (Decontamination and Decommissioning Fund)..... 129,636 147,681 197,667 49,986 33.8% OR-0102/East Tennessee Technology Park Contract/Post-Closure Liabilities/Administration..... 15,917 2,271 16.6% 12,421 13,646 OR-0103/Oak Ridge Reservation Community and Regulatory Support (Decontamination and Decommissioning Fund)..... 1,414 1,426 1,466 40 2.8% PA-0013/Solid Waste Stabilization and Disposition..... 19,039 14,539 17,603 3,064 21.1% PA-0040/Nuclear Facility Decontamination and Decommissioning-Paducah (Uranium **Enrichment Decontamination and** Decommissioning Fund)..... 60,171 96,564 61,081 -35,483-36.7% PA-0102/Paducah Contract/Post-Closure Liabilities/Administration (Uranium **Enrichment Decontamination and** Decommissioning Fund)..... 16,754 5,089 11,549 6,460 126.9% PA-0103/Paducah Community and Regulatory Support (Uranium Enrichment Decontamination and Decommissioning Fund)..... 1,225 3,967 2,524 -1,443-36.4% PO-0013/Solid Waste Stabilization and 28,401 49,389 56,666 7,277 14.7% Disposition..... PO-0040/Nuclear Facility Decontamination and Decommissioning-Portsmouth (Uranium Enrichment Decontamination and Decommissioning Fund)..... 32,762 30,421 34,210 3,789 12.5% PO-0103/Portsmouth Contract/Post-Closure Liabilities/Administration (Uranium **Enrichment Decontamination and** Decommissioning Fund)..... 2,572 606 605 -1 -0.2%

	(dollars in thousands)				
	FY 2003	FY 2004	FY 2005	\$ Change	% Change
PO-0104/Portsmouth Community and Regulatory Support (Uranium Enrichment Decontamination and Decommissioning Fund)	272	0	298	298	100.0%
Total, Decontamination and Decommissioning Activities	304,667	363,328	399,586	36,258	10.0%

Description

The Decontamination and Decommissioning Activities program supports Environmental Management activities and responsibilities at the nation's three gaseous diffusion plants located at the Paducah site in Kentucky, the Portsmouth site in Ohio, and the East Tennessee Technology Park in Tennessee. This program addresses cleanup liabilities that are attributable to historical DOE operations for production of enriched uranium for weapons and commercial fuel. Environmental Management activities include the decontamination and decommissioning of contaminated facilities, remediation of contaminated environmental media, waste treatment and disposal operations, and surveillance and maintenance of facilities to ensure safety. Also included is funding for post closure contract liabilities.

Benefits

This program provides funding for environmental management responsibilities at the nation's three gaseous diffusion plants. These responsibilities include cleanup liabilities that are attributable to historical DOE operations for weapons and commercial fuel. EM activities include decontamination and decommissioning of contaminated facilities, waste treatment and disposal operations, and surveillance and maintenance of facilities to ensure safety.

As the cleanup and decommissioning at the gaseous diffusion plants progresses, the risk and hazard to human health and the environment is greatly reduced. In addition, as cleanup is completed, the financial resources needed to maintain site infrastructure and perform surveillance and maintenance will also be reduced.

Funding by Site

	(dollars in thousands)					
	FY 2003	FY 2004	FY 2005	\$ Change	% Change	
Oak Ridge						
East Tennessee Technology Park	142,057	161,327	213,584	52,257	32.4%	
Oak Ridge Reservation	1,414	1,426	1,466	40	2.8%	
Total, Oak Ridge Operations Office	143,471	162,753	215,050	52,297	32.1%	
Paducah						
Paducah Gaseous Diffusion Plant	97,189	120,159	92,757	-27,402	-22.8%	
Portsmouth						
Portsmouth Gaseous Diffusion Plant	64,007	80,416	91,779	11,363	14.1%	
Total, Decontamination and Decommissioning Activities	304,667	363,328	399,586	36,258	10.0%	

Detailed Justification

(dollars in thousands)						
FY 2003	FY 2004	FY 2005				

OR-0040 / Nuclear Facility Decontamination and Decommissioning - East Tennessee Technology Park (Uranium Enrichment Decontamination and Decommissioning Fund) (life-cycle estimate \$1,837,944K)......

129.636 147.681 197.667

This PBS scope covers decommissioning of facilities and remedial actions for contaminated sites at the East Tennessee Technology Park (the former K-25 Gaseous Diffusion Plant) in Oak Ridge, Tennessee. It also funds a portion of site infrastructure services, including fire protection, utility services, environmental, safety and health programs, real property management, power operations, and maintenance, capital improvements and repairs.

Of the 5,000-acre footprint, there are 2,000 acres with the potential of contamination. There are known groundwater contaminant plumes from former burial grounds and contaminated soils, resulting in 140 release sites to be remediated. In addition, there are approximately 163 facilities, including 125 major buildings, that require decommissioning or transfer to the private sector. This closure project is being accomplished in accordance with the Oak Ridge Performance Management Plan and a federal facilities cleanup agreement with the State of Tennessee and the Environmental Protection Agency. The plan is to close the East Tennessee Technology Park by the end of FY 2008; this will include remediation of the 140 release sites and decommissioning or transfer of the 163 major facilities. As of the end of FY 2003,

74 facilities have been decommissioned and 19 release sites have been remediated. The accelerated cleanup strategy is to complete targeted remedial actions in Zone 1 (1,400 acres located outside the fenced main plant area) and facility decommissioning and then follow with a comprehensive remedial action for the main plant area Zone 2 (800 acres inside the Main Plant area inside fence).

This PBS also funds the East Tennessee Technology Park Three-Building Decontamination and Decommissioning Recycle subproject. The East Tennessee Technology Park site is currently completing the largest decommissioning effort in DOE history. It includes over 110 acres of floor space (4.8 million square feet) for decontamination and decommissioning. This "three building" subproject is over 80 percent complete and will be completed in FY 2004. The appropriation for this subproject was \$67,500,000 in FY 2003, \$30,290,000 in FY 2004. There is no request for FY 2005.

Also included in this PBS is the K-25/K-27 building decontamination and decommissioning subproject and other facilities decontamination and decommissioning. The scope of the K-25/K-27 Buildings decontamination and decommissioning subproject is to abate the hazardous materials, remove the process equipment and excess materials stored in the buildings, demolish the building structures, and also appropriately characterize, package, transport and dispose of all the associated wastes. Hazardous material abatement began in FY 2001 with completion in FY 2004; and equipment removal will begin in FY 2004 with completion scheduled for FY 2008. The scope of other facilities decontamination and decommissioning includes the planning, deactivation of utilities, asbestos and other hazardous material abatement, equipment dismantlement and disposal, structure demolition and waste disposal.

In FY 2005, the following activities are planned to support the accelerated cleanup of East Tennessee Technology Park by the end of FY 2008.

- Continue to decontaminate and decommission the K-25 and K-27 Buildings, including: pre-demolition utility reconfiguration engineering for the K-25 and K-27 Buildings; removal and disposal of excess materials stored in the K-25 and K-27 Buildings; hazardous material abatement in the K-25 Building; and, removal and disposal of K-25 Building process equipment.
- Begin preparing the Request for Proposal for demolition of the K-25 and K-27 Buildings.
- Continue demolition of facilities within and outside the Main Plant Area.
- Complete scrap removal from K-770.

Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
Low-Level and Mixed Low-Level Waste Disposed (m ³)	0	0	0	5,178	5,178	100%
Nuclear Facility Completions (Number of Facilities)	0	0	6	8	12	67%
Radioactive Facility Completions (Number of Facilities)	0	3	2	6	6	100%

FY 2003	FY 2004	FY 2005	
		-	

Industrial Facility Completions (Number of Facilities)	5	14	27	112	145	77%
Remediation Complete (Number of Release Sites)	1	2	4	25	140	18%

Key Accomplishments (FY 2003)/Planned Milestones (FY 2004/FY 2005)

- Completed hazardous materials abatement in19 building units in the K-25 Building (FY 2003).
- Began removing and transferring the fuel pins stored in the K-25 Building to the Tennessee Valley Authority for reprocessing (FY 2003).
- Prepared for removal and transfer of lithium stored in the K-25 Building to Y-12 at the Y-12 National Nuclear Security Complex (FY 2003).
- Issued the Request for Proposals for K-25/K-27 Process Equipment Removal and Disposal (FY 2003).
- Completed equipment removal in building K-31 (FY 2003).
- Began dismantling and disposition of the building K-29 converters (FY 2003).
- Complete equipment removal in building K-29 (February 2004).
- Initiate equipment removal in buildings K-25 and K-27 (September 2004).
- Transfer five facilities to the Community Reuse Organization of East Tennessee (September 2004).
- Complete decontamination in buildings K-33, K-31 and K-29 (September 2004).
- Closeout three building decommissioning project and return buildings control to DOE for reuse (September 2004).
- Complete pre-demolition utility reconfiguration engineering for K25/K27 (January 2005).
- Complete hazardous material abatement in K-25 Building (FY 2005)
- Complete removal and disposal of excess materials stored in the K-25 and K-27 Buildings (FY 2005).

This PBS scope supports on-going, long-term obligations and central programs including post retirement medical benefits and long term disability for grandfathered employees, severance/reduction in force costs from workforce transition employees; legacy documents and litigation issues;

(dollars in thousands)				
FY 2003	FY 2004	FY 2005		

administration of the Sample Management Office and the National Center of Excellence for Metal Recycle; and Lockheed Martin Energy Systems contract closeout.

This PBS includes activities and expenses associated with post retirement life and medical benefits and long-term disability benefits to transitioned Bechtel Jacobs Company employees who supported enrichment facilities programs while working as first or second tier subcontractors. It also covers pre-April 1, 1998, retiree costs and employees on long-term disabilities associated with enrichment facilities programs.

This PBS also includes the Sample Management Office audits of commercial laboratories which the EM program uses and coordinates sampling in support of closure activities. Funding for the National Center of Excellence for Metal Recycle facilitates the cost-effective recycle of clean and decontaminated metals and equipment at DOE sites across the country is included in this PBS. Lockheed Martin Energy Systems contract closeout funds are not needed beyond FY 2004. Severance costs for Bechtel Jacobs Company grandfathered employees and workforce transition employees are included in this project. Also included is a task for legacy documents and litigation to provide support for processing legacy worker's compensation claims and the associated records that must be provided, as well as the cost of risk management and legal staff supporting this effort. This project also includes additional pension contributions which are required beginning in FY 2004 due to the stock market declines since 2001.

In FY 2005, the following activities are planned to support the accelerated cleanup of East Tennessee Technology Park.

- Severance cost, post retirement life and medical benefits, and long-term disability benefits will be paid as required.
- A contribution will be made to the pension plan for grandfathered employees.
- The Sample Management Office will continue to operate in support of the accelerated cleanup projects.
- Legal/risk management will continue to process legacy workers compensation claims.
- Support will continue for the National Center for Excellence for Metal Recycle.
- Support will continue for the DOE Information Center, which maintains the Public Documents related to the EM Program in Oak Ridge.

Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
No metrics associated with this PBS						
Key Accomplishments (FY 2003)/Planned Milestones (FY 2004/ FY 2005)						

FY 2003	FY 2004	FY 2005

- Post Retirement, Long-Term Disability, and severance benefits were paid as required (FY 2003).
- Supported the National Center of Excellence for Metal Recycle, the Sample Management Office, and Lockheed Martin Energy Systems contract close-out (FY 2003).
- Maintained legacy documents (FY 2003).
- Support the National Center of Excellence for Metal Recycle, Lockheed Martin Energy Systems contract closeout, post retirement life and medical benefits, legacy documents and litigation, Sample Management Office, severance, and long-term disability benefits (September 2004/September 2005).

OR-0103 / Oak Ridge Reservation Community and Regulatory Support (Uranium Enrichment Decontamination and Decommissioning Fund) (life-cycle estimate \$59,639K).........

1,414 1,426 1,466

This PBS scope supports the two Tennessee Agreement-In-Principle grants. The first grant supports the Tennessee Department of Environment and Conservation's independent environmental oversight and monitoring of DOE activities taking place both on-site and off-site at the Oak Ridge Reservation. The second grant provides for coordination with the Tennessee Emergency Management Agency in emergency response planning initiatives, including cooperative planning, conducting joint training exercises and developing public information regarding preparedness activities. This project also supports the Federal Facility Agreement regulatory grant with the Tennessee Department of Environment and Conservation, which provides for the administrative support necessary to oversee the requirements of the interagency agreement under the Comprehensive Environmental Response, Compensation and Liability Act. EM will support Agreement-In-Principle grants until Oak Ridge Operations Office/EM mission completion in FY 2015. Site Specific Advisory Board activities are covered in this PBS.

In FY 2005, the following activities are planned to support the accelerated cleanup of Oak Ridge Reservation.

- Complete media monitoring activities planned for FY 2005. This includes periodic sampling of all media and pathway indicators, monitoring of discharges, emissions and biological parameters as necessary to verify the effectiveness of DOE's monitoring and surveillance programs for releases and emissions of hazardous, toxic, and radiological materials.
- Complete FY 2004 media monitoring report.
- Complete annual reporting to the public on management and operations activities
- Complete FY 2006 media monitoring plan.
- Participate in the Natural Resource Damage Assessment program for the Oak Ridge Reservation.

(doll	ars in thousa	ands)
FY 2003	FY 2004	FY 2005

- Participate in the Watts Bar Interagency Working Group formed to monitor, evaluate, and make recommendations relative to potential sediment disturbance activities within the Watts Bar Reservoir.
- Complete review and approval of Federal Facility Agreement documents produced by DOE.
- Participate in the emergency preparedness training exercises.
- Update, if necessary, the multi-jurisdictional plan for the DOE Oak Ridge Reservation.
- Maintain emergency communications capabilities for notification, emergency management and information distribution relating to Oak Ridge Reservation emergencies.
- Coordinate and conduct drills and exercises in accordance with the multi-jurisdictional plan or other regulatory requirements.
- Continue activities by the Site-Specific Advisory Board sponsored by DOE EM to assist in the required public participation activities.

70	Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
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No metrics associated with this PBS.....

Key Accomplishments (FY 2003) / Planned Milestones (FY 2004/ FY 2005)

- The Site Specific Advisory Board prepared recommendations and advice on several topics concerning the cleanup activities, stewardship and waste management (FY 2003).
- Provided financial support to the State of Tennessee for conducting annual monitoring and reporting (FY 2003).
- Coordinated with and provide financial support to the Tennessee Emergency Management Agency for emergency preparedness activities (FY 2003).

PA-0013 / Solid Waste Stabilization and Disposition (life-cycle estimate \$329,699K).....

19,039 14,539 17,603

This PBS scope stores, treat, and disposes of all legacy waste generated by activities at the Paducah Gaseous Diffusion Plant prior to 1993, and small quantities of newly generated waste from waste storage, treatment, and disposal operations. Although the United States Enrichment Corporation handles its own waste treatment and disposal, through DOE's lease agreement with them, we remain responsible for some waste streams which are generated by the United States Enrichment Corporation's operation of the plant. DOE handles this waste as newly generated waste. The primary waste streams are low-level, mixed low-level, hazardous, transuranic, polychlorinated biphenyl, and sanitary/industrial/construction

wastes. The life-cycle scope for low-level and mixed low-level wastes addresses 17,331 m³ of waste. DOE plans to disposition all the remaining legacy waste by the end of FY 2008. The waste streams have been ranked for treatment and disposal using a risk-based prioritization system. Disposition of waste will reduce risk and storage costs. Disposition of the low-level/mixed low-level legacy waste is critical to accelerating the cleanup of the site. As of the end of FY 2003, Paducah has disposed of approximately 5,543 m³ of low-level/mixed low-level legacy waste either on-site or off-site. Most of the remaining 11,788 m³ of legacy waste will need to be sorted, repackaged and characterized prior to either off-site treatment/disposal or on-site disposal at the C-746-U Landfill.

In FY 2005, the following activities are planned to support the accelerated cleanup of Paducah.

- Ship 20 m³ of newly generated waste to Envirocare for disposal.
- Ship 30 m³ of newly generated waste to the Nevada Test Site for disposal.
- Ship 875 m³ of low-level legacy waste to the Nevada Test Site for disposal.

Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
Low-Level and Mixed Low-Level Waste Disposed (m ³)	2,248	75	875	6,493	17,331	37%

Key Accomplishments (FY 2003) / Planned Milestones (FY 2004/ FY 2005)

- Shipped 2,248 m³ of low-level and mixed low-level waste for disposal FY 2003).
- Disposition 75 m³ of low-level legacy waste (September 2004).
- Disposition the entire transuranic legacy waste inventory of 14 m³ (September 2004).
- Disposition 875 m³ of low-level/mixed low-level legacy waste, which will allow for 37% completion (September 2005).

PA-0040 / Nuclear Facility Decontamination and Decommissioning Paducah (Uranium Enrichment Decontamination and Decommissioning Fund) (life-cycle estimate \$2,739,824K).....

60,171 96,564 61,081

This PBS scope is for environmental cleanup and risk reduction through focused response actions and surveillance and maintenance activities at the Paducah Gaseous Diffusion Plant. Paducah Gaseous Diffusion Plant is an active uranium enrichment facility surrounded by a wildlife management area. Environmental problems include on- and off-site groundwater contamination, which had contaminated off-site residential water wells; and contaminated surface water, sediments and soil, with both radioactive and chemical contaminants. The current and future land uses at Paducah Gaseous Diffusion

(dollars in thousands)						
FY 2003	FY 2004	FY 2005				

Plant are assumed to be industrial areas located primarily inside the security fence, recreational areas located outside the security fence, with adjacent private property, including some residential areas. The Commonwealth of Kentucky and the DOE signed a Letter of Intent in August 2003 that outlined the commitment of accelerating environmental cleanup at the Paducah Gaseous Diffusion Plant. The parties will work to complete cleanup activities at the plant by 2019, in a manner that is safe, protects human health and the environment, and is in compliance with state and federal environmental laws. Initiatives for accelerating cleanup and reducing risks include the following: groundwater source term removal contributing to off-site contamination at the plant; decontamination and decommissioning of inactive facilities on site; investigation and any necessary mitigating actions at the on-site burial grounds; and characterization and removal of contaminated soils at the gaseous diffusion plant. The basic strategy includes implementation of a phased and sequenced approach. Summary detail on each of the strategic initiatives are shown below.

<u>Groundwater</u>: The scope of the groundwater operable unit is the identification, investigation, evaluation of risk and remedial alternatives, and selection and implementation of actions necessary to achieve protection of human health from exposure to groundwater contamination. Early actions have already been implemented to prevent exposure and reduce further off-site contamination.

<u>Decontamination and Decommissioning</u>: This scope includes the decontamination and decommissioning of the C-410 and C-340 facilities as well as the other 15 inactive DOE facilities, assuming the use of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 removal actions implemented in accordance with the Federal Facility Agreement. The strategy will take advantage of a trained work-force during infrastructure removal and maximize opportunities for achieving cost-efficiencies and economies of scale through coordination of structure demolition at C-410 and C-340.

Burial Grounds: The scope of the burial ground operable unit includes remedial investigation, baseline risk assessment, evaluation of remedial alternatives/feasibility study, remedy selection and implementation of actions as necessary for protection of human health and the environment, for the following burial grounds: C-749 (Solid Waste Management Unit 2); C-404 (Solid Waste Management Unit 3); C-747 (Solid Waste Management Unit 4); C-746-F (Solid Waste Management Unit 5); C-747-B (Solid Waste Management Unit 6); C-747-A (Solid Waste Management Units 7 & 30); and Solid Waste Management Unit 145, which includes both residential/inert borrow area and old north-south ditch disposal trench.

<u>Surface Water</u>: The scope of the surface water operable unit includes investigation, baseline risk assessment, evaluation of cleanup alternatives, remedy selection, and implementation of removal/remedial actions as necessary. This will prevent or minimize further off-site migration and reduce, control, or minimize surface water sources contributing to off-site surface water contamination. Off-site surface water areas have already undergone initial characterization as part of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 Administrative Consent Order and DOE's ongoing environmental monitoring program. Early actions include controls to prevent access to contaminated areas of Big and Little Bayou Creek; fishing advisories; re-routing surface water discharges and installation of storm water basins at north-south diversion ditch and outfall

ditch 001; previous polychlorinated biphenyl hot spot removals associated with Waste Area Group 23, outfall ditch 0011, and the C-333-A and C-337-A vaporizers; removal of drum mountain; as well as ongoing actions to remove 54,000 tons of scrap metal and excavation/removal of source material associated with north-south diversion ditch (sections 1 & 2).

<u>Soils</u>: The scope of the soils operable unit includes investigation, baseline risk assessment, evaluation of cleanup alternatives, remedy selection, and implementation of removal/remedial actions as necessary. There will be two initial removal actions implemented during plant operations and a final remedial action as part of the final decontamination and decommissioning at the gaseous diffusion plant once it ceases operations. The first early removal action will be implemented immediately following completion of the scrap metal project and outside DOE Material Storage Areas, addressing the potentially contaminated underlying surface soils. The second removal action will focus on the identification and mitigation of additional soil hot spots associated with radionuclude and polychlorinated biphenyl contamination from the remaining plant areas that are accessible and not impacted by plant operations.

There are ten scrap yards containing approximately 54,000 tonnes of scrap; twelve burial grounds containing a variety of radioactive and hazardous wastes; 160 DOE Material Storage Areas that must be characterized and dispositioned; and several contaminated surplus facilities which must be decontaminated and decommissioned. More than 235 release sites were originally identified. As of the end of FY 2003, 85 release sites have been completed at the Paducah Gaseous Diffusion Plant.

In FY 2005, the following activities are planned to support the accelerated cleanup of Paducah Gaseous Diffusion Plant.

- Begin fieldwork for full-scale deployment of the six phase heating technology system to treat trichloroethylene in the groundwater.
- Continue characterization and material disposition from the disposal of DOE Material Storage Areas.
- Continue processing scrap metal for disposal (12,400 tonnes).
- Continue decontamination and decommissioning of C-410 complex.

Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
Radioactive Facility Completions (Number of Facilities)	0	0	0	0	2	0%
Remediation Complete (Number of Release Sites)	1	1	0	86	236	36%

Key Accomplishments (FY 2003) / Planned Milestones (FY 2004/ FY 2005)

FY 2003	FY 2004	FY 2005

- Processed 2,000 tons of scrap metal and ship 2,000 tons of aluminum ingots to disposal (FY 2003).
- Received Environmental Protection Agency and Commonwealth of Kentucky approval of Action Memorandum for C-410 decontamination and decommissioning and begin infrastructure removal (FY 2003).
- Completed remedial action of North/South Diversion Ditch (December 2003).
- Process 3,000 tonnes of classified scrap metal and process and dispose of 12,000 tonnes of other scrap metal (September 2004).
- Complete the North/South Diversion Ditch excavation inside the plant fence (September 2004).
- Dismantle and remove all piping and equipment from Sector 1 in building C-410 and Sector 9 immediately outside of C-410; prepare Sectors 2 and 3 in C-410 for dismantling and removal of all piping equipment (September 2004).
- Dispose of 12,400 tons of scrap metal (September 2005).
- Continue decontamination and decommissioning of C-410 complex (September 2005).

PA-0102 / Paducah Contract/Post-Closure
Liabilities/Administration (Uranium Enrichment
Decontamination and Decommissioning Fund) (life-cycle
estimate \$85,575K)......

16,754

5,089

11,549

This PBS scope supports a contract liability to provide for record searches performed for DOE and the Department of Justice investigations/studies, pending litigation, Freedom of Information Act requests, and information requests from both state and Federal regulatory and elected officials.

In FY 2005, the following activities are planned to support the accelerated cleanup of Paducah.

- Search historical documents per court order in support of ongoing litigation.
- Provide support to DOE and Department of Justice for all investigations and litigations.

				Cumulative		FY 2005
				Complete	Life-cycle	%
Metrics	FY 2003	FY 2004	FY 2005	FY 2005	Quantity	Complete

No metrics associated with this PBS.....

Key Accomplishments (FY 2003) / Planned Milestones (FY 2004/ FY 2005)

Searched approximately 7,000 historical documents (FY 2003).

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FY 2003	FY 2004	FY 2005

 Provided support to DOE and Department of Justice for all investigations and litigations (FY 2003).

PA-0103 / Paducah Community and Regulatory Support (Uranium Enrichment Decontamination and Decommissioning Fund) (life-cycle estimate \$43,612K).....

1.225

3,967

2,524

This PBS scope supports the Agreement-in-Principle grant to the Commonwealth of Kentucky to provide independent oversight of the environmental programs at the Paducah Gaseous Diffusion Plant. Kentucky uses the grant funds to provide independent surface water, groundwater, air and other environmental monitoring at Paducah. These funds are not used by the State to provide regulatory oversight. This scope also supports the Federal Facility Agreement regulatory grant with the Commonwealth of Kentucky, which provides for the administrative support necessary to oversee the requirements of the interagency agreement under the Comprehensive Environmental Response, Compensation, and Liability Act. This project also covers the activities to be performed by the Paducah Site Specific Advisory Board. The funds from the decontamination and decommissioning account are for activities directly related to the cleanup of the gaseous diffusion plants. Other activities not directly related to decommissioning of the gaseous diffusion plants are covered in the Non-Defense Environmental Services appropriation. Support for these activities from the Uranium Enrichment Decontamination and Decommissioning Fund will continue until final decontamination and decommissioning and remediation of the plant is complete (approximately FY 2017- FY 2023).

In FY 2005, the following activities are planned to support the accelerated cleanup of Paducah.

- Complete media monitoring activities planned in FY 2005. This includes sampling of all media and pathway indicators, monitoring of discharges, emissions and biological parameters as necessary to verify the effectiveness of DOE's monitoring and surveillance programs for releases and emissions of hazardous, toxic, and radiological materials.
- Complete FY 2004 media monitoring report.
- Complete annual reporting to the public on management and operations activities.
- Complete FY 2006 media monitoring plan.
- Complete review and approval of the Comprehensive Environmental Response, Compensation, and Liability Act, Federal Facility Agreement documents produced by DOE.
- Participate in the emergency preparedness plan for the DOE Paducah Site. Includes the
 organizations, authorities, and responsibilities for local governments' response and the authorities
 and responsibilities for the Kentucky state government.
- Coordinate and conduct drills and exercises in accordance with the multi-jurisdictional plan or other regulatory requirements.

FY 2003	FY 2004	FY 2005

 Continue activities by the Site Specific Advisory Board sponsored by DOE EM to assist in the public participation activities required by the Comprehensive Environmental Response, Compensation, and Liability Act.

Metrics FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
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No metrics associated with this PBS.....

Key Accomplishments (FY 2003) / Planned Milestones (FY 2004/ FY 2005)

- Completed media monitoring activities planned for FY 2003 (FY 2003).
- The Site Specific Advisory Board prepared recommendations and advise on several topics concerning the cleanup activities, stewardship and waste management (FY 2003).
- Provide financial support to the Commonwealth of Kentucky as required by the Agreement-in-Principle (FY 2003, September 2004, September 2005).
- Provide financial support to the State for all Federal Facility
 Agreement administrative activities, including review/approval of
 Comprehensive Environmental Response, Compensation, and
 Liability Act documents (September 2005).

PO-0013 / Solid Waste Stabilization and Disposition (life-cycle estimate \$352,935K).

28,401 49,389

56,666

This PBS scope stores, characterizes, treats, and disposes of legacy waste generated by activities at the Portsmouth Gaseous Diffusion Plant prior to 1993. This will reduce risks and storage costs. The primary waste steams are low-level, mixed low-level, Toxic Substances Control Act-low level, hazardous, and sanitary wastes. The life-cycle estimate for the low-level and mixed low-level wastes to be addressed is 33,543 m³. As of the end of FY 2003, 16,400 m³ had been dispositioned. DOE plans to disposition all of the remaining legacy waste by the end of FY 2007. The waste streams have been ranked for treatment and disposal using a risk-based prioritization system. This project also implements pollution prevention projects to reduce the generation, volume, toxicity, and release of multi-media waste, to promote the use of non-hazardous materials, and to achieve operating efficiency though the application of pollution prevention principles. Disposal of legacy is critical to accelerating cleanup of the site.

In FY 2005, the following activities are planned to support the accelerated cleanup of Portsmouth.

 Begin disposition of currently stored converter shells and continue disposition of mixed low-level, toxic substances control act, and low-level waste. Total quantity planned for FY 2005 is 9,089 m³.

FY 2003	FY 2004	FY 2005

Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
Low-Level and Mixed Low-Level Waste Disposed (m ³)	2,580	1,143	9,089	26,632	33,543	79%

Key Accomplishments (FY 2003) / Planned Milestones (FY 2004/ FY 2005)

- Completed disposition of 2,580 m³ of mixed low-level and low-level waste (FY 2003).
- Treated and disposed of five Resource Conservation and Recovery Act low-level waste streams (FY 2003).
- Disposition 1,143 m³ of legacy waste (September 2004).
- Disposition 9,089 m³ of legacy waste (September 2005).

PO-0040 / Nuclear Facility Decontamination and Decommissioning-Portsmouth (Uranium Enrichment Decontamination and Decommissioning Fund) (life-cycle estimate \$4,132,651K).....

32,762 30,421 34,210

Remedial action, surveillance and maintenance, and decontamination and decommissioning activities at the Portsmouth Gaseous Diffusion Plant are necessary due to contamination resulting from the plant's uranium enrichment operations. The Portsmouth mission, which began in 1954, was to enrich uranium for naval and commercial reactors through the gaseous diffusion process. Enrichment operations were shut down in June 2001, and portions of the plant are currently in a cold-standby state. The plant covers 3,700 acres and is 70 miles south of Columbus, Ohio. Groundwater, sediment and soil contamination exists at the site; contaminants of concern include radioactive technetium-99, polychlorinated biphenyls, trichloroethene, and Resource Conservation and Recovery Act heavy metals. Contamination is not known to have spread off-site.

Since cleanup activities began, all initial assessments required under the Resource Conservation and Recovery Act have been completed, all groundwater plumes contained on site, and 15 hazardous and solid waste units remediated. In addition, there are several land disposal units being addressed under the State of Ohio Resource Conservation and Recovery Act Closure and Solid Waste programs. By the end of FY 2006, all remaining hazardous and solid waste units assessments and remedial actions for all non-deferred units except X-701B groundwater and soils will be completed. DOE will continue to operate active and passive groundwater treatment systems until regulatory-directed cleanup levels are achieved. Surveillance and maintenance or remedial actions and decontamination and decommissioning of facilities will also continue beyond FY 2006 because of the continuing presence of the United States Enrichment Corporation's activities at the site including advanced centrifuge technology deployment. The end state vision for the site is a controlled federal site with consideration for reindustrialization. This end-state will be accomplished as decisions are finalized on facility potential reindustrialization or facilities are deemed as "excess" with no further use. Eighteen such facilities are

(dollars in thousands)						
FY 2003	FY 2004	FY 2005				

scheduled for decommissioning to reduce site risks and surveillance and maintenance in FY 2007 and FY 2008.

In FY 2005, the following activities are planned to support the accelerated cleanup of Portsmouth.

- Repackaging of the returned classified laboratory samples.
- Perform annual data evaluation of Resource Conservation and Recovery Act remedial action sites to support the five year reviews.
- Investigation of soil and groundwater contamination at the X-747H scrap yard.
- Management of the site-wide environmental monitoring program and continuation of centralized groundwater oversight and evaluation activities. Including collection, analysis, and reporting of environmental information and findings, well installation and abandonment, task specific characterization, centralization of information, and critical review of remediation corrective actions.
- Initiate fate and transport modeling for X-701B contaminants and remediation technology installation.
- Installation of an In-Situ Chemical Oxidation with Recirculation system for the remediation of X-701B groundwater will be substantially completed. The system is expected to include:
 1) groundwater extraction and treatment;
 2) soil and groundwater analysis to support the design and operation, and evaluate and optimize the performance of the remediation system; and
 3) waste from the remedial action will be containerized, characterized, packaged and shipped offsite for treatment/disposal.
- Operate groundwater treatment facilities.
- Complete X-622T facility replacement.
- Operate and maintain winterization system for environmental management facilities.

Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
Remediation Complete (Number of Release Sites)	2	0	0	19	33	58%

Key Accomplishments (FY 2003) / Planned Milestones (FY 2004/ FY 2005)

- Environmental restoration project completed the installation of the approved Preferred Plan/Decision Document remedies for Quadrant I Release Sites: 0085: 5-Unit Area Groundwater Plume and 0002: X-749 Contaminated Materials Disposal Facility/X120 Groundwater Plume (FY 2003).
- The scrap metal disposition accomplishments in FY 2003 are 1) size reduced 1,600 tons; 2) containerized 2,000 tons; 3) dispositioned 2,700 tons (FY 2003).

FY 2003	FY 2004	FY 2005

- Dispose of approximately 3,800 tonnes of contaminated metal from the X-747 H scrap yard (FY 2003/September 2004).
- Operate the groundwater treatment system to control groundwater offsite migration (September 2004).
- Complete X-701B groundwater risk reduction and corrective measures implementation (September 2004).
- Initiate construction of X-701B Plume remediation technology, pending approved Decision Document (April 2005).
- Process approximately 42 million gallons of water through Groundwater Pump and Treat facilities (September 2005).

PO-0103 / Portsmouth Contract/Post-Closure Liabilities/Administration (Uranium Enrichment Decontamination and Decommissioning Fund) (life-cycle estimate \$5,267K)....

2,572

606

605

The scope of this PBS supports ongoing litigation expenses and record searches in support of litigation. These are ongoing level of effort tasks that require annual funding. The litigation funding supports the defense of numerous legal cases filed by plaintiffs alleging damages from or relating to the Portsmouth Gaseous Diffusion Plant. The record search task provides support to the legal effort as well as record searches for DOE and Department of Justice investigations/studies, Freedom of Information Act requests, and requests from both State and Federal regulatory and elected officials.

There is no clean end-state to these activities. DOE will be required to defend itself against current legal cases as well as cases that may be filed in the future. The record search activity will continue in support of litigation as well as miscellaneous request for information.

In FY 2005, the following activities are planned to support the accelerated cleanup of Portsmouth.

- Provide defense against legal claims filed against the Government's contractors.
- Record searches in support of legal claims, DOE and Department of Justice investigations/studies, Freedom of Information Act requests, and requests from both State and Federal regulatory and elected officials.

Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
Woulde	2000	1 1 200 1	1 1 2000	1 1 2000		Complete

No metrics associated with this PBS.....

Key Accomplishments (FY 2003) / Planned Milestones (FY 2004/ FY 2005)

- Funding provided to defend against legal claims filed against the Government's contractors (FY 2003/FY 2004/September 2005).
- Funding provided for record searches in support of legal claims, DOE and Department of Justice investigations/studies, Freedom of Information Act requests, and requests from both State and Federal regulatory and elected officials (FY 2003/FY 2004/September 2005).

PO-0104 / Portsmouth Community and Regulatory Support (Uranium Enrichment Decontamination and Decommissioning Fund) (life cycle estimate \$811K).....

272

0

298

This PBS supports the Ohio Environmental Protection Agency responsible for oversight of EM cleanup activities at the Portsmouth Gaseous Diffusion Plant. These activities help to promote active involvement with the state in the EM planning and decision making processes and the opportunity for meaningful involvement in managing the cleanup and closure of the site.

Support to the Ohio Environmental Protection Agency.

waste stabilization and disposition activities (FY 2003/

September 2005)

Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
No metrics associated with this PB	S					
Key Accomplishments (FY 2003) / Planned Milestones (FY 2004/FY2005)						
 Support to the Ohio Environmental Protection Agency associated with the Portsmouth Decontamination and Decommissioning and solid 						

Total, Decontamination and Decommissioning Activities......

304,667

363,328

399,586

Explanation of Funding Changes

FY 2005 vs. FY 2004 (\$000)

	(ΦΟΟΟ)
OR-0040 / Nuclear Facility Decontamination and Decommissioning - East Tennessee Technology Park (Uranium Enrichment Decontamination and Decommissioning Fund)	
■ The increase in funding reflects the increase and ramp up of activities associated with the cleanup and decontamination and decommissioning work in FY 2005 at the K-25/K-27 Buildings and Main Plant Area	49,986
OR-0102 / East Tennessee Technology Park Contract/Post-Closure Liabilities/Administration	
■ The increase in funding is attributable to a contribution to be paid into the Pension Fund	2,271
OR-0103 / Oak Ridge Reservation Community & Regulatory Support (Uranium Enrichment Decontamination and Decommissioning Fund)	
 Increased funding for Agreement in Principle with the State of Tennessee and support to the Site Specific Advisory Board under a Closure Plan. 	40
PA-0013 / Solid Waste Stabilization and Disposition	
 Increase is due to increased disposition of legacy low-level waste and additional waste infrastructure costs. 	3,064
PA-0040 / Nuclear Facility Decontamination and Decommissioning Paducah (Uranium Enrichment Decontamination and Decommissioning Fund)	
The decrease is due to planned progress in FY 2004 on activities such as the completion of the north/south diversion ditch project; the dismantling and removal of all the piping and equipment from Sectors 1 and 9 on the inside and outside, respectively, in building C-410, and preparation of Sectors 2 and 3 for dismantling	25 492
and piping equipment removal	-35,483
Enrichment Decontamination and Decommissioning Fund)	
■ Increase in funding reflects amount needed for litigation and record searches	6,460
PA-0103 / Paducah Community and Regulatory Support (Uranium Enrichment Decontamination and Decommissioning Fund)	
 Decrease is attributable to decreased grant scope with the Commonwealth of Kentucky and activities by the Site Specific Advisory Board. 	-1,443

FY 2005 vs. FY 2004 (\$000)

36,258

	(+000)
PO-0013 / Solid Waste Stabilization and Disposition	
■ Increase is due to the initiation of disposition of stored converter shells and an increase in disposal volume. This funding supports the legacy low-level waste project completion in FY 2007	7,277
PO-0040 / Nuclear Facility Decontamination and Decommissioning - Portsmouth (Uranium Enrichment Decontamination and Decommissioning Fund)	
 Increase to support planned completion of design activities, installation and startup testing of the In-Situ Chemical Oxidation and Recirculation system. 	3,789
PO-0103 / Portsmouth Contract/Post-Closure Liabilities/Administration (Uranium Enrichment Decontamination and Decommissioning Fund)	
No significant change	-1
PO-0104 / Portsmouth Community and Regulatory Support (Uranium Enrichment Decontamination and Decommissioning Fund)	
■ Increase to continue Ohio Environmental Protection Agency support for oversight and coordination of the EM cleanup activities	298

Total Funding Change, Decontamination and Decommissioning Activities.....

Uranium/Thorium Reimbursement

Funding Schedule by Activity

	(dollars in thousands)						
	FY 2003	FY 2004	FY 2005	\$ Change	% Change		
HQ-UR-0100/Reimbursements to Uranium/Thorium Licensees	15,896	50,699	100,614	49,915	98.5%		
Total, Uranium/Thorium Reimbursement	15,896	50,699	100,614	49,915	98.5%		

Description

The Uranium/Thorium Activities reimburse licensees (subject to a site specific limit) for the cost of environmental cleanup of uranium and thorium processing sites attributable to materials sold to the Government.

Benefits

This account provides funding for reimbursement of licensees operating uranium or thorium processing sites for the cost of environmental cleanup at those sites.

As the environmental cleanup at these sites progresses, the risk and hazard to human health and the environment is greatly reduced.

Funding by Site

	(dollars in thousands)					
	FY 2003	FY 2004	FY 2005	\$ Change	% Change	
Headquarters Headquarters	15,896	50,699	100,614	49,915	98.5%	
Total, Uranium/Thorium Reimbursement	15,896	50,699	100,614	49,915	98.5%	

Detailed Justification

(dollars in thousands)

FY 2003	FY 2004	FY 2005
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HQ-UR-0100 / Reimbursement to Uranium/Thorium Licensees (life-cycle estimate \$424,021K).....

15,896 50,699

100,614

This PBS scope reimburses the fourteen active uranium and thorium processing site licensees for a portion (the Federal-related byproduct material portion determined to be at each site) of their costs of cleanup pursuant to Title X of the Energy Policy Act of 1992 and 10 CFR Part 765. The maximum reimbursement to the individual uranium licensees is limited to \$6.25 per dry short ton of Federal-related by product material; and total reimbursement to all thirteen uranium licensees and the thorium licensee is limited to \$350 million and \$365 million respectively (Congress has increased the original reimbursement ceiling four times since the original Act was enacted in 1992). These monetary ceilings are adjusted annually for inflation. Funding for the reimbursements is appropriated from the Uranium Enrichment Decontamination and Decommissioning Fund. DOE is implementing the reimbursement program using Federal staff to review and process claims. The Defense Contract Audit Agency assists DOE in the auditing of claims. Reimbursements have been completed for two sites (ARCO-Bluewater mill site and the Moab mill site) with no further Title X liability. In addition, the Tennessee Valley Authority has completed remedial action at its Edgemont mill site but is eligible for reimbursement of some excess remedial action costs under Title X. The remaining eleven licensees anticipate completing remedial actions by 2013. Total estimated future liability, including excess claims, for the program is about \$256 million, which is within the remaining authority. Through FY 2003, DOE has reimbursed the thirteen uranium licensees \$214.5 million and the thorium licensee \$170.5 million, for an aggregate reimbursement amount of \$385 million.

• In FY 2005, complete audit of claims received in FY 2004 and issue prorated reimbursement payments by May 1, 2005, to uranium and thorium licensees on newly approved claim amounts and prior years' unpaid backlog claim balances.

Metrics	FY 2003	FY 2004	FY 2005	Cumulative Complete FY 2005	Life-cycle Quantity	FY 2005 % Complete
No metrics associated with this						

Key Accomplishments (FY 2003)/Planned Milestones (FY 2004/FY 2005)

 Issued reimbursements to licensees (\$15.896 million) by the regulatory deadline (FY 2003).

FY 2003	FY 2004	FY 2005

Annually reimburse uranium and thorium licensees for a portion (the Federal-related byproduct material at each site) of their costs of cleanup in accordance with Title X of the Energy Policy Act of 1992 and 10 Code of Federal Regulations Part 765 (September 2004/September 2005).

Explanation of Funding Changes

FY 2005 vs. FY 2004 (\$000)

HQ-UR-0100 / Reimbursements to Uranium/Thorium Licensees.....

Title X of the Energy Policy Act of 1992: Uranium/Thorium Reimbursement Program Status of Payments through Fiscal Year 2003 and Estimated Future Payments

<u>Licensees</u>	Total Payments FY 1994- FY 2003	Approved but Unpaid Claim Balances After FY 2003 Payment	Estimated Payments: FY 2004 through End of Program	Estimated Unpaid Uranium Claim Balances in Excess of Dry Short Ton Ceilings at End of Program
Uranium				
American Nuclear Corp. Site				
American Nuclear Corporation	820	0	0	0
State of Wyoming	1,224	0	758	0
Atlantic Richfield Company ^a	32,306	0	0	0
Atlas Corporation/Moab Mill Reclamation Trust ^a	9,694	0	0	0
Cotter Corporation	2,463	841	729	1,580
Dawn Mining Company	3,456	396	7,215	0
Homestake Mining Company	37,234	1,429	18,497	0
Pathfinder Mines Corporation	8,588	1,235	2,228	0
Petrotomics Company	2,644	51	189	0
Quivira Mining Company	15,422	911	7,817	0
Tennessee Valley Authority	12,704	12,426	3,753	8,672
Umetco Minerals Corporation-CO	44,571	10,319	13,168	14,398
Umetco Minerals Corporation-WY	15,006	2,756	6,293	2,696
Western Nuclear, Incorporated	28,348	541	3,053	0
Subtotal, Uranium	214,480	30,905	63,698	27,346

^a Reimbursements have been completed to the Atlantic Richfield Company and the licensees of the Moab site.

Thorium

Kerr-McGee Chemical Corp	170,538	71,615	164,932	0
Subtotal, Thorium	170,538	71,615	164,932	0
Total, Uranium and Thorium	385,018	102,520	228,630 ^b	27,346°

^b These amounts are the totals of approved, unpaid claims within the uranium dry short ton ceiling and estimates of future claims provided voluntarily by licensees in late 2003.

^c These amounts are estimates of approved claims that would be in excess of the uranium dry short ton ceiling near the end of the program. Under Sec. 1001. (b) (2) (E) of the Energy Policy Act of 1992, the Secretary may allow reimbursement of these claims if there is an excess of uranium reimbursement authority.