



FISCAL YEARS 1999 AND 2000 BUDGET REQUESTS

INTRODUCTION

The following recommendation is submitted to the Department of Energy's Idaho Operations Office (DOE-ID) as the Idaho National Engineering and Environmental Laboratory (INEEL) Citizens Advisory Board's (CAB) comments on the Fiscal Year 1999 and 2000 Budget Requests.

DOE-ID recently asked the INEEL CAB to provide input that the agency could use to support its efforts to develop budget requests for the INEEL for Fiscal Years 1999 and 2000. The agency presently expects (based on budget targets provided by the Office of Management and Budget) that funding levels for the two fiscal years will be insufficient to stay in compliance with laws, regulations, and agreements, including (but not limited to):

- The Idaho Settlement Agreement;
- The Federal Facility Agreement/Consent Order;
- The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- The Resource Conservation and Recovery Act (RCRA)
- Signed Records of Decision that result from compliance with CERCLA and RCRA;
- The Hazardous Waste Management Act;
- The Clean Air Act;
- The Federal Facility Compliance Act;
- The Clean Water Act; and
- The Safe Drinking Water Act;

The INEEL CAB has been involved in numerous compliance decisions that have resulted in significant cost-savings and increases in efficiencies. It appears unlikely that many more significant cuts can be made without affecting the site's ability to staying in compliance.

Executive Order 10288 requires federal agencies to submit budget requests that will allow full compliance with all applicable enforceable laws, regulations, commitments, and agreements and with voluntary actions (like the Voluntary Consent Order). It does not allow agencies to "pick and choose" among compliance commitments.

The budget targets provided to DOE-ID by DOE-HQ would not provide adequate funding to meet DOE's compliance commitments to the State of Idaho and the Environmental Protection Agency. The INEEL CAB rejects the concept of choosing between compliance commitments with regard to the INEEL and urges DOE to submit budget requests in compliance with Executive Order 10288.