GAO

Resources, Community, and Economic Development Division

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Energy: Bibliography of GAO Documents January 1986— December 1989



Foreword

Growing dependence on imported oil, the need to develop new technologies to use energy cleanly and efficiently, and the tremendous problems at the Nation's nuclear weapons complex have all served to thrust the Department of Energy, and its programs, once again into the public spotlight. Because of these challenges, energy issues will continue to play a major role in economic and environmental public policy decisions during the 1990s. The question of how we, as a country, develop energy policy will depend largely upon the availability of accurate, timely information and an analysis of key energy concerns upon which we can make our decisions.

This bibliography includes information on U.S. General Accounting Office (GAO) documents directly or indirectly related to energy that were issued between January 1986 and December 1989. Although the Resources, Community, and Economic Development Division is GAO's lead division for energy work, a broad interrelationship exists between energy and other issues addressed by GAO, such as transportation, the environment, natural resources, and national defense. Accordingly, this bibliography includes information on all GAO documents that have linkages to energy issues.

This bibliography should be useful for general information and research purposes and for understanding energy issues that GAO is addressing. Questions regarding its contents should be directed to me at the U.S. General Accounting Office, Room 4905, 441 G Street, N.W., Washington, D.C. 20548, (202) 275-1441. Readers interested in ordering individual documents or in requesting bibliographic searches on a specific topic should call the Document Handling and Information Service, (202) 275-6241. The cards included in this book also may be used to order documents.

Victor S. Rezendes, Director Energy Issues Resources, Community, and Economic Development Division

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Introduction

This Energy Bibliography contains citations and abstracts of relevant documents released by GAO from January 1986 through December 1989. Included are references to reports, speeches, testimonies, and other GAO documents. This bibliography can be used for a variety of purposes, including in-depth research into a specific topic, searching for a particular document, maintaining current awareness, and general information.

How To Use The Bibliography

The bibliography is organized into two sections: an INDEX SECTION (yellow pages) and a CITATION SECTION (white pages).

The INDEX SECTION is the key for locating references to related documents cited in this bibliography. The section is comprised of four separate indexes that classify information according to:

Subject

Agency or organization

(Includes both Federal agencies and nongovernmental corporate bodies)

Congressional affiliation

(Includes entries under relevant congressional committees and individual Representatives and Senators)

Document number

(Includes entries arranged by report number and by B-number and date)

Reference from the index entries to the corresponding citations is provided by a unique six-digit accession number assigned to each citation. This accession number should also be used to request copies of the actual document described in the citation.

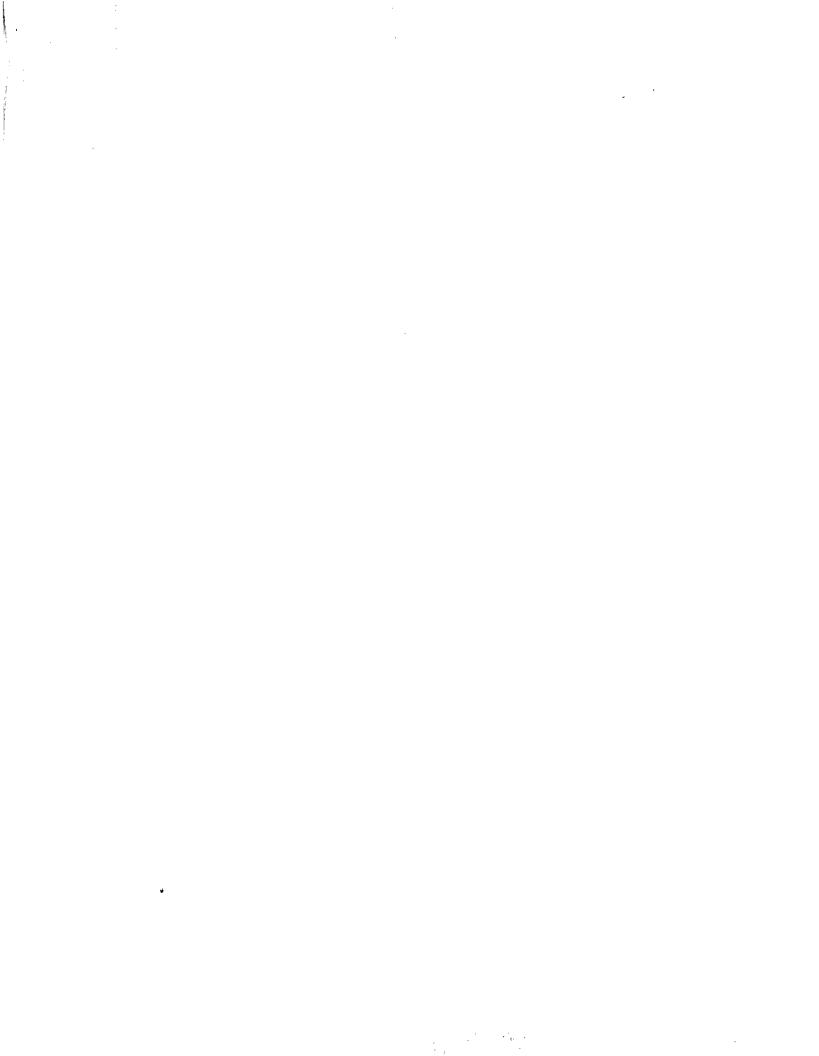
A sample entry is shown at the beginning of each index and at the beginning of the Citation Section.

The CITATION SECTION consists of brief descriptions of the documents and often includes an informative abstract. Some or all of the following information is in each citation, as appropriate:

- Title/Subtitle
- Type, date, and pagination
- Author or witness
- GAO issue areas
- Agencies or organizations concerned
- Congressional Committees, Members of Congress, or agencies to whom the document is specifically relevant
- Law and/or related statutory or regulatory authority on which the document is based
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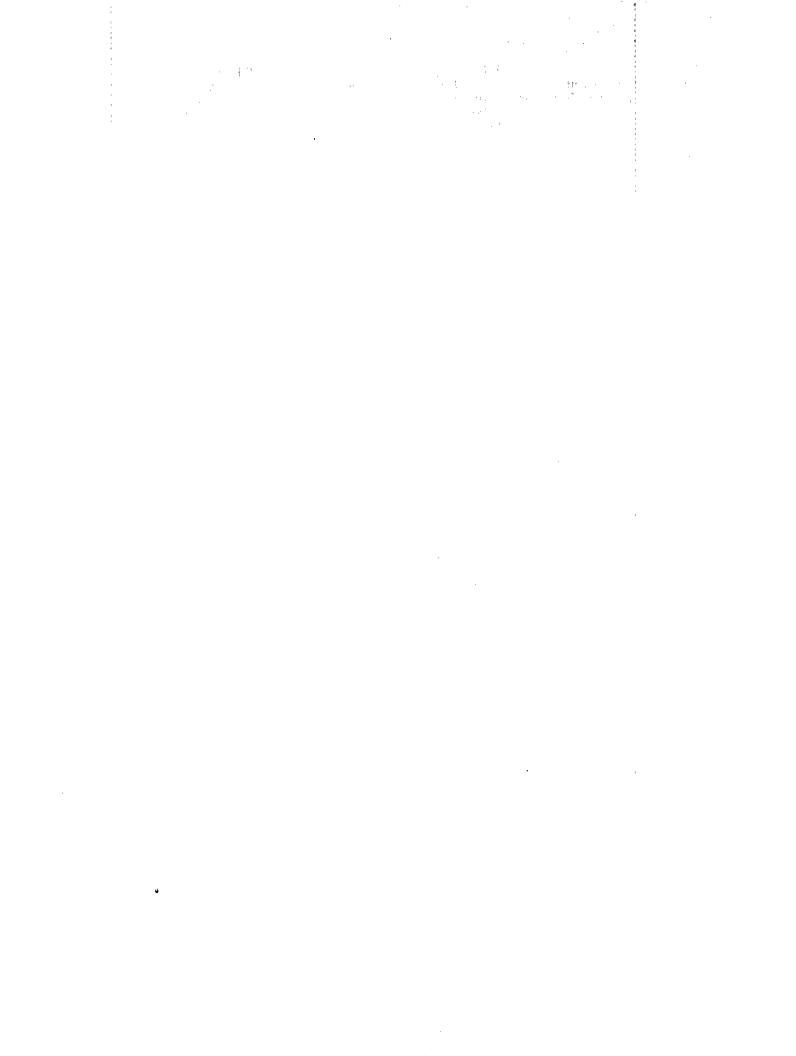
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139994



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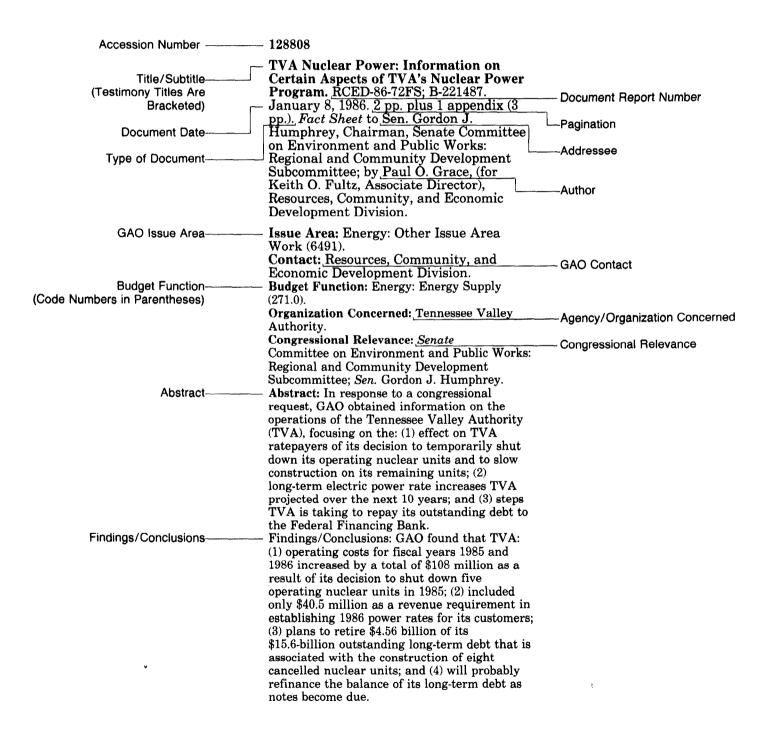
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Sample Entry



088021

Nuclear Propulsion: Repair Part Costs Being Reduced. NSIAD-86-167; B-221408. July 21, 1986. 4 pp. Report to Adm. K.R. McKee, Deputy Commander, Department of the Navy: Naval Sea Systems Command: Nuclear Propulsion Directorate; by John Landicho, Senior Associate Director, National Security and International Affairs Division.

Issue Area: Navy: Responsiveness of Naval Nuclear Propulsion Program to Increased Demand for Naval Nuclear Propulsion Systems and Disposal of Nuclear Propulsion Plants From Retired Vessels (5604).

Contact: National Security and International Affairs Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of the Navy: Naval Sea Systems Command: Nuclear Propulsion Directorate; Department of Defense; Defense Logistics Agency.

128808

TVA Nuclear Power: Information on Certain Aspects of TVA's Nuclear Power Program. RCED-86-72FS; B-221487. January 8, 1986. 2 pp. plus 1 appendix (3 pp.). Fact Sheet to Sen. Gordon J. Humphrey, Chairman, Senate Committee on Environment and Public Works: Regional and Community Development Subcommittee; by Paul O. Grace, (for Keith O. Fultz, Associate Director), Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Tennessee Valley Authority.

Congressional Relevance: Senate Committee on Environment and Public Works: Regional and Community Development Subcommittee; Sen. Gordon J. Humphrey.

Abstract: In response to a congressional request, GAO obtained information on the operations of the Tennessee Valley Authority (TVA), focusing on the: (1) effect on TVA ratepayers of its decision to temporarily shut down its operating nuclear units and to slow construction on its remaining units; (2) long-term electric power rate increases TVA projected over the next 10 years; and (3)

steps TVA is taking to repay its outstanding debt to the Federal Financing Bank.

Findings/Conclusions: GAO found that TVA: (1) operating costs for fiscal years 1985 and 1986 increased by a total of \$108 million as a result of its decision to shut down five operating nuclear units in 1985; (2) included only \$40.5 million as a revenue requirement in establishing 1986 power rates for its customers; (3) plans to retire \$4.56 billion of its \$15.6-billion outstanding long-term debt that is associated with the construction of eight cancelled nuclear units; and (4) will probably refinance the balance of its long-term debt as notes become due.

128924

Nuclear Regulation: Oversight of Quality Assurance at Nuclear Power Plants Needs Improvement. RCED-86-41; B-217754. January 23, 1986. 35 pp. plus 4 appendices (17 pp.). Report to Nunzio J. Palladino, Chairman, Nuclear Regulatory Commission; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-87-141, August 13, 1987, Accession Number 133981.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy: Energy Supply (271.0).

Organization Concerned: Nuclear Regulatory Commission.

Congressional Relevance: House
Committee on Interior and Insular
Affairs: Oversight and Investigations
Subcommittee; House Committee on
Appropriations: Energy and Water
Development Subcommittee; House
Committee on Energy and Commerce:
Energy Conservation and Power
Subcommittee; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Environment and Public
Works: Nuclear Regulation
Subcommittee.

Authority: Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.). Energy Reorganization Act of 1974 (42 U.S.C. 5841 et seq.). Executive Order 11834. Abstract: GAO reviewed the Nuclear Regulatory Commission's (NRC) efforts to: (1) identify declining performance trends in the operation of nuclear power plants that indicate the need for corrective action by utilities; and (2) require utilities to upgrade quality assurance programs when deficiencies are observed.

Findings/Conclusions: GAO found that NRC assessments have provided the agency and utilities with a useful perspective on the total operational effectiveness of nuclear power plants; however, they are limited in scope and could be more useful in promoting early detection of utility management weaknesses if the agency expanded the analyses and the way the assessment reports are used. In addition, GAO found that: (1) NRC decisions to require 12 utilities to upgrade their management capabilities and performance generally followed either numerous inspection violations or equipment failures; (2) NRC did not make such decisions on a consistent basis because of the discretionary authority granted to regional offices and a lack of criteria to mandate improvement programs or documentation of why they were not warranted; (3) NRC could improve the use of individual assessment reports, which identify utility management weaknesses by analyzing the results of the assessments over a number of years: and (4) NRC could gain a more accurate picture of how well a utility operates its nuclear plants by including plant operating data and reports of safety or operating incidents in its periodic assessments.

Recommendation To Agencies: The Chairman, NRC, should establish assessment-related criteria that, when met, would require the agency to either mandate a utility management improvement program or document the reasons why such a program is not warranted. The Chairman, NRC, should routinely analyze historical assessment results and discuss marginal and declining performance trends in individual assessment reports. The Chairman, NRC, should expand the information considered in periodic assessments to include readily available data on trends in nuclear power plant operating performance. The Chairman, NRC, should, include in the agency's assessment deliberations on a utility's quality program and administrative controls performance, the results of its assessments in the other nine technical areas.

129116

[The Department of Transportation's Pipeline Safety Program]. February 17, 1986. 10 pp. plus 1 attachment (8 pp.). Testimony before the Senate Committee on Labor and Human Resources: Children, Family, Drugs and Alcoholism Subcommittee; by James M. Blume, Group Director,

Resources, Community, and Economic Development Division. Refer to RCED-84-102, July 10, 1984, Accession Number 124689.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Transportation.

Congressional Relevance: Senate Committee on Labor and Human Resources: Children, Family, Drugs and Alcoholism Subcommittee.

Authority: Natural Gas Pipeline Safety Act of 1968. Hazardous Liquid Pipeline Safety Act of 1979.

Abstract: GAO discussed the Department of Transportation's (DOT) administration of the federal pipeline safety program. GAO noted that: (1) states may assume responsibility for enforcing safety standards interstate pipelines located within their borders; and (2) DOT is responsible for enforcing and monitoring standards for those pipelines for which states do not assume responsibility. GAO found that: (1) there were 32 states that had assumed jurisdiction over some intrastate gas operators; (2) DOT has not provided adequate inspection coverage of pipeline operators; (3) DOT has not had enough inspectors to meet its goal of annual comprehensive inspections of all pipeline operators; and (4) some operators are only inspected once every 3 to 5 years, while other types of intrastate operators are only inspected when a complaint is received or an accident occurs. GAO also found that: (1) DOT has not adequately defined criteria to determine whether state inspectors are qualified; (2) annual monitoring visits should include more and better ways of evaluating a state agency's performance; (3) reviews of state inspection data have not been sufficient to detect data errors and inconsistencies: (4) DOT does not have adequate program authority and resources to carry out its current program responsibilities; (5) since state participation in the program is voluntary, DOT does not have viable means of requiring states to correct program deficiencies; and (6) even though a few states have expanded their gas pipeline safety inspection programs, 15 states experiencing staffing or funding constraints will reduce their inspection activities.

129149

Oil Reserve: Status of Strategic Petroleum Reserve Activities as of December 31, 1985. RCED-86-84; B-208196. January 29, 1986. 3 pp. plus 3 appendices (23 pp.). Report to Rep.

Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to EMD-82-112, July 15, 1982, Accession Number 119031; RCED-83-29, October 15, 1982, Accession Number 119766; RCED-83-93, January 14, 1983, Accession Number 120539; RCED-83-136, April 15, 1983, Accession Number 121190; RCED-83-203, July 13, 1983, Accession Number 121939; RCED-84-11, October 14, 1983, Accession Number 122850; RCED-84-92, January 13, 1984, Accession Number 123281; RCED-84-148, April 13, 1984, Accession Number 124122; RCED-84-182, July 13, 1984, Accession Number 124781; RCED-87-194FS, August 26, 1987, Accession Number 133825; RCED-87-49, November 17, 1986, Accession Number 131687; and RCED-86-151, April 18, 1986, Accession Number 129807.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Cargo Preference Act (Merchant Marine) (46 U.S.C. 1241(b)). Supplemental Appropriation Act, 1985 (P.L. 99-88). Energy Policy and Conservation Act (P.L. 94-163). Balanced Budget and Emergency Deficit Control Act of 1985. P.L. 99-58.

Abstract: In response to a congressional request, GAO reported on the Department of Energy's (DOE) progress in filling, developing, and operating the Strategic Petroleum Reserve (SPR) during the first quarter of fiscal year (FY) 1986.

Findings/Conclusions: GAO found that DOE added 4.5 million barrels of oil to the SPR, bringing total SPR volume to 493.3 million barrels. The oil-fill rate averaged about 49,000 barrels per day during the quarter. DOE made payments of \$178 million for oil acquisition and transportation, had unpaid obligations of about \$140 million, and had about \$668 million in unobligated funds. On October

1, 1985, the administration reported a deferral of approximately \$537 million held in the SPR oil account for FY 1986. GAO found that the storage capacity development program proceeded during the quarter, but the West Hackberry, Louisiana site's leaching program was stopped in December due to a leak in the brine disposal line. At the Big Hill site in Texas, existing construction contracts have slipped from the planned September 1985 completion dates to January and February 1986. GAO also found that approximately 1 million barrels of oil were competitively sold to oil company bidders. On December 27, 1985, DOE formally notified cognizant congressional committees that it was planning to submit a deferral of funds for SPR storage facilities development, which would indefinitely delay Texas and Bayou Choctaw, Louisiana, storage sites and stop all leaching activities as of January 1, 1986.

129150

[DOE Administration of Entitlements and Oil Overcharge Funds]. February 24, 1986. 12 pp. Testimony before the House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Rollee H. Efros, Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel.

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee.

Authority: Administrative Procedure Act. Intergovernmental Cooperation Act of 1968 (P.L. 90-577; 31 U.S.C. 6501 et seq.; 82 Stat. 1103). 10 C.F.R. 205.287(c). 10 C.F.R. 600.121, P.L. 97-377, United States v. Exxon, 773 F.2d 1240 (Temp. Emer. Ct. App. 1985). 96 Stat. 1830. Abstract: GAO discussed the Department of Energy's (DOE) commitment to distribute overcharge funds in order to achieve restitution to the greatest extent possible. Issues of concern included: (1) the propriety of the terms of a proposed Memorandum of Understanding: (2) the propriety of the DOE Statement of Restitutionary Policy and the moratorium on crude-oil proceedings based on that policy; and (3) DOE administrative responsibilities. GAO found that: (1) DOE established the Entitlement Program to spread the benefits of price-controlled crude oil more equitably through money transfers

based on refiners' access to cheaper oil; (2) the extent to which the proposed settlement attempts to alter current procedures would be improper, since it establishes a mandatory even split of escrow funds between the Treasury and the states; (3) since DOE must comply with its regulations in distributing overcharge funds, it cannot refuse to initiate refund proceedings by implementing a moratorium; (4) DOE has the responsibility to ensure that the states use oil overcharge funds only for authorized purposes; and (5) although regulations were silent on the question of interest and Congress recognized that the funds would be deposited in interestbearing accounts, DOE concluded that Congress expected the states to retain the interest and apply it only to purposes and programs likely to benefit injured parties. GAO believed that DOE needs to: (1) ensure that the states use interest earned on the funds only for authorized purposes; and (2) provide states with criteria for determining what documentation is needed to justify energy conservation demonstration projects.

129151

[The U.S. Uranium Enrichment Services Program]. February 19, 1986. 9 pp. Testimony before the House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee.

Authority: Atomic Energy Act of 1954. Abstract: GAO discussed the status of the uranium enrichment program. GAO believes that Congress needs to reevaluate the basic purpose and structure of the enrichment program by: (1) defining program objectives that take into account the realities of the enrichment marketplace; and (2) examining alternatives to full-costrecovery pricing. GAO found that: (1) the Department of Energy (DOE) proposed modifications to uranium enrichment services criteria that would redirect the program's emphasis from full cost recovery to an increased emphasis on competition, recovery of less than all of the government's costs, and individual contract terms and conditions; (2) lower

prospects for growth, coupled with foreign competition and the emergence of a secondary enriched uranium market, have deteriorated the program's competitive position; and (3) DOE initiatives have affected the repayment of the government's unrecovered enrichment costs. GAO also found that: (1) the proposed criteria changes conflict with existing legislation; (2) the process used to modify enrichment criteria limits effective congressional participation in the enrichment program's reevaluation; (3) under the proposed criteria, DOE would determine which costs were not appropriate for recovery; (4) only half of the estimated unrecovered government costs would be repaid; (5) benchmarks that have been useful to monitor the program in the past would be removed; and (6) program changes which involve a major redirection in program emphasis should be accomplished by legislative changes which develop criteria consistent with the legislation.

129202

[Protest of DOE Procurement of Engineering Services]. B-220381. February 28, 1986. 6 pp. *Decision* re: Power Line Models, Inc.; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel.

Organization Concerned: Power Line

Models, Inc.; Uhl and Lopez Engineers.

and Narver, Inc.; Department of Energy.

Authority: Property and Administrative

Inc.; Burns and Peters Group; Holmes

Services Act (40 U.S.C. 541 et seq.).

Competition in Contracting Act of 1984 (41 U.S.C. 253), F.A.R. 36.606, F.A.R. 9.501. B-205754.2 (1983). B-217246 (1985). B-219989 (1985). B-217122 (1985). Abstract: A firm protested a Department of Energy (DOE) contract award to another firm for engineering services. contending that: (1) DOE denied its request for a site visit; (2) the evaluation panel would not make a fair selection because it included individuals who participated in the agency's plans to negotiate a sole-source contract; (3) a potential conflict of interest existed because the awardee, as an incumbent subcontractor, might have gained access to information; and (4) DOE did not base the award on the evaluation criteria. GAO held that: (1) the protester had the burden of proving bias on the part of selection officials; (2) DOE reasonably restricted meetings with interested firms after the procurement was announced in order to ensure that all prospective offerers were treated equally; and (3) there was no evidence of bias in the

agency's consideration of the awardee or that the awardee received a competitive advantage. Accordingly, the protest was denied.

129209

Pipeline Safety: Information on Gas Distribution System Operators Reporting Unaccounted for Gas. RCED-86-87BR; B-214352. February 25, 1986.

Released March 4, 1986. 20 pp. Briefing Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; by James M. Blume, (for Herbert R. McLure, Associate Director), Resources, Community, and Economic Development Division.

Issue Area: Transportation: Other Issue Area Work (6691).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Transportation: Other Transportation (407.0).

Organization Concerned: Department of Transportation: Research and Special Programs Administration: Office of Pipeline Safety.

Congressional Relevance: House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Rep. Philip R. Sharp. Authority: Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1671). Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. 2001). 49 C.F.R. 195. P.L. 98-464.

Abstract: In response to a congressional request, GAO provided information on: (1) the number of municipal gas distribution systems reporting high levels of unaccounted-for gas and whether those high levels represented severe gas pipeline leaks or presented a safety problem; and (2) the Department of Transportation's (DOT) authority to regulate liquid commodities that are not currently being regulated, such as methanol and carbon dioxide.

Findings/Conclusions: GAO found several causes for unaccounted-for gas, including: (1) gas pipeline breaks and leaks; (2) broken and defective gas meters; (3) errors in meter reading and bookkeeping; (4) stolen gas; and (5) unmetered gas used in a city or operator facility. Federal and industry officials consider unaccounted-for gas in excess of 15 percent of gas purchases to be high and worthy of investigation. GAO found that, of the 1,491 gas distribution system operators: (1) the federal government is responsible for inspection of 166, with the states assuming inspection

responsibilities for the rest; (2) 92. including 64 municipal operations. reported 15 percent or more unaccounted-for gas in 1984: (3) none of the 92 operators reporting a high percentage of unaccounted-for gas reported any accidents for 1984; (5) 369. including 243 municipal operations, reported between 5 and 15 percent of unaccounted-for gas; and (6) operators reported a total of 109 accidents involving either death, injury, or property damage in 1984. GAO also found that DOT has the authority to regulate any liquid deemed hazardous when transported by pipeline, such as petroleum and petroleum products, anhydrous ammonia, methanol, and carbon dioxide.

129211

[GAO Work Relating to the Strategic Petroleum Reserve]. March 4, 1986. 9 pp. Testimony before the House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-80, June 5, 1985, Accession Number 127146; and RCED-85-115, May 8, 1985, Accession Number 126927.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee.

Authority: Energy Policy and Conservation Amendments Act of 1985. Abstract: GAO discussed the Strategic Petroleum Reserve (SPR), focusing on the: (1) Department of Energy's (DOE) response to GAO recommendations concerning its plan for selling SPR oil; (2) recently completed test drawdown and sale of SPR oil; and (3) DOE distribution enhancement program and its effect on drawdown capability. GAO found that, although the plan's market approach would limit oil price increases in a severe supply disruption, a hostile foreign power could buy large quantities of oil and undermine public support for SPR. Congress required DOE to do a test sale of 1.1 million barrels of oil, and GAO found that: (1) 17 companies submitted bids for over 7 million barrels of oil; (2) DOE did not have enough staff available in the finance area and, in the event of a larger test, would need additional staff for sales, scheduling, billing, and collections; and (3) the

quantity of oil sold was not sufficient to fully test the site drawdown and terminal distribution capabilities. DOE developed a plan to construct additional pipelines and make terminal improvements so that the distribution capabilities would be increased to 4 million barrels per day, but decided not to include any enhancements because of high cost estimates. The DOE 1987 budget indicated a revision to the enhancement program which would meet immediate needs but would fall short of future distribution needs. Unless additional enhancements are made to the distribution system concurrently with site development and oil fill, distribution constraints will again limit SPR drawdown capability.

129222

Strategic Petroleum Reserve: Information on DOE's Fiscal Years 1986 and 1987 Budget Deferrals. RCED-86-116BR; B-208196. February 28, 1986. 55 pp. Briefing Report to Rep. Jack Brooks, Chairman, House Committee on Government Operations; Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-113, April 22 1985, Accession Number 126864; and RCED-85-117, April 22, 1985, Accession Number 126865.

Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy; Boeing Petroleum Services, Inc.

Congressional Relevance: House
Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; House
Committee on Government Operations;

Issue Area: Energy: Enhancing the

Authority: Energy Policy and Conservation Act (P.L. 94-163). Supplemental Appropriation Act, 1985 (P.L. 99-88). Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177). Energy Policy and Conservation Amendments Act of 1985 (P.L. 99-58). Congressional Budget and Impoundment Control Act of 1974 (P.L.

Rep. Michael L. Synar; Rep. Jack

93-344; 2 U.S.C. 681 et seq.; 88 Stat. 332). P.L. 99-190.

Abstract: Pursuant to a congressional request, GAO obtained information relating to Strategic Petroleum Reserve (SPR) budget deferrals and addressed questions concerning: (1) the status of the development of SPR sites; (2) the time and money needed to prepare SPR sites for continued oil fill; (3) the Department of Energy's (DOE) plan for SPR under a moratorium; (4) the effects of deferrals on completion of SPR; and (5) DOE plans for using funds appropriated for SPR.

Findings/Conclusions: GAO found that, in anticipation of the administration's proposed indefinite moratorium and funding deferrals, DOE: (1) has stopped all cavern leaching activities; (2) has suspended all further contract award proceedings and construction action at the Big Hill and Bayou Choctaw storage sites; (3) after purchasing sufficient oil to fill SPR to 500 million barrels, will discontinue oil purchases after May 1986; and (4) is developing a new transition plan describing all of the actions required to put SPR facilities in a standby status. Although the wells and caverns are completed and the surface construction for the initial caverns is nearly completed, the water, brine, and oil pipelines that were to be completed concurrently with the surface construction are not vet completed. GAO estimated that DOE would need approximately \$202 million to complete all the facilities and leach all the caverns and would need approximately 34 months after contracts have been awarded to complete and fill all of the caverns to their 140-million-barrel storage capacity. DOE estimated that the deferral would result in a delay of at least 1 month for every month that work is not resumed, plus contract reactivation time of unknown duration. DOE has proposed the deferral of \$198 million in facilities funds and \$577 million in oil funds and the continued deferral of oil account money until a decision is made on future oil purchases. The remainder of the funds would be used to maintain and fill SPR to 500 million barrels.

129234

Status of Budget Authority. OGC-86-7; B-220532. March 4, 1986. 2 pp. Report to Congress; by Charles A. Bowsher, Comptroller General.

Contact: Office of the General Counsel. **Budget Function:** Impoundment Control Act of 1974 (990.2).

Brooks.

Organization Concerned: Department of Energy.

Congressional Relevance: Congress. Authority: Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 684(a)). Supplemental Appropriation Act, 1985 (P.L. 99-88; 99 Stat. 293).

Abstract: As required by the Congressional Budget and Impoundment Control Act, GAO advised Congress of the status of budget authority which the President is withholding contrary to the act.

Findings/Conclusions: GAO found that, pursuant to the act, the President reported a deferral of funds appropriated to the Department of Energy (DOE) for the development, operation, and maintenance of the Strategic Petroleum Reserve. However, Congress passed supplemental appropriation legislation that expressly disapproved the deferral and directed that the funds be made available for obligation. Under the act, funds proposed for deferral must be made available for obligation if either house of Congress passes an impoundment resolution disapproving the deferral, GAO believes that the current withholding of funds is in violation of both the act and the supplemental appropriation and asked DOE to advise it when the funds would be released. DOE stated that it needed to examine certain legal issues before releasing the funds. The act authorizes the Comptroller General to institute litigation that requires the release of budget authority and to file an explanation with Congress on the action contemplated; however, litigation may not begin until the expiration of 25 calendar days of continuous congressional session after the date on which the explanation was filed. Because of an interruption in the congressional session, GAO may not take litigative action until April 11, 1986.

129247

[Low Income Home Energy Assistance Block Grant]. February 24, 1986. 5 pp. *Testimony* before the House Committee on Education and Labor: Human Resources Subcommittee; by J. William Gadsby, Associate Director, Human Resources Division.

Contact: Human Resources Division.
Organization Concerned: Department of Health and Human Services.
Congressional Relevance: House
Committee on Education and Labor:
Human Resources Subcommittee.

Authority: Balanced Budget and Emergency Deficit Control Act of 1985. Abstract: GAO discussed the impact of the 1984 Low Income Home Energy Assistance Program amendments on states' block grant funding, eligibility policies, and crisis assistance. GAO surveyed 13 states and found that the most significant changes related to the allocation formula, under which: (1) 7 of the 13 states received 1986 allotments that were 5-percent lower than 1985 levels; (2) 6 states received allotments up to 10-percent higher; and (3) of the 7 states receiving lower allotments, only 1 reported receiving state funding. GAO also found that: (1) the heating and crisis assistance components were at the same or higher funding levels as in previous years; (2) planned expenditures for administration in 1986 were higher in 9 of the 13 states; (3) all of the states were anticipating an overall 22-percent funding decline; (4) 8 states continued to transfer funds to other social service programs; and (5) the 6 states affected by the reductions in the Balanced Budget and Emergency Deficit Control Act were just starting to consider how to respond to the cuts. The 1984 amendments required few changes in most states' eligibility policies or in their crisis programs' operation and duration.

129261

Quarterly Report on DOE's Nuclear Waste Program as of December 31. 1985. RCED-86-86; B-202377. January 31, 1986. 41 pp. plus 6 appendices (7) pp.). Report to Sen. James A. McClure, Chairman, Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-86-42, October 30, 1985. Accession Number 128514: RCED-85-100, September 30, 1985, Accession Number 128021; RCED-85-156, July 31, 1985, Accession Number 127746; RCED-85-116, April 30, 1985, Accession Number 126921; RCED-85-65, January 31, 1985, Accession Number 126199; RCED-85-27, January 10, 1985, Accession Number 125996; RCED-85-42, October 19, 1984, Accession Number 125544; RCED-86-154FS, April 30, 1986, Accession Number 129833; RCED-87-48FS, November 5, 1986, Accession Number 131594; RCED-87-17, April 15, 1987, Accession Number 132701; and RCED-87-95FS,

February 19, 1987, Accession Number 132206.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston; Sen. James A. McClure.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425).

Abstract: Pursuant to a congressional request, GAO provided its annual report on the status of the Nuclear Waste Fund and the Department of Energy's (DOE) implementation of the Nuclear Waste Policy Act. Under the act, the DOE Office of Civilian Radioactive Waste Management (OCRWM) is responsible for: (1) conducting detailed site characterization studies at potential nuclear waste repository sites; (2) designing and constructing the first repository; and (3) consulting and cooperating with states and Indian tribes in implementing the program.

Findings/Conclusions: GAO found that: (1) OCRWM has made progress toward meeting the act's requirements, but continues to lag behind legislative and DOE-imposed deadlines for activities relating to the selection of the first repository; (2) OCRWM expects to complete environmental assessments of the first candidate sites in April 1986; (3) DOE issued a draft proposal for a monitored retrievable storage (MRS) facility; and (4) in January 1986, DOE issued a draft Area Recommendation Report, which narrowed the number of rock formations under consideration for the second repository site. GAO also found that: (1) in April 1985, the President advised DOE that, as a costsaving measure, it should deposit defense high-level radioactive waste in the repositories that it is designing for commercial waste; (2) during the final quarter of 1985, Tennessee sued DOE. contending that it violated the act by not consulting with the state before preparing the draft MRS proposal: (3) during the final quarter of 1985, two decisions on previously filed suits were handed down against DOE, but DOE had not vet assessed how the decisions would affect the waste program; (4) DOE issued

a Program Management System Manual to better enable managers to plan and direct the waste program; and (5) DOE continued its efforts to inform states, Indian tribes, and other concerned parties about its waste program activities. In addition, GAO found that the Nuclear Waste Fund balance as of December 31, 1985, was about \$1.6 billion.

129305

Synthetic Fuels: Status of the Great Plains Coal Gasification Project. RCED-86-109FS; B-207876. February 28, 1986. 22 pp. Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Sen. Mark Andrews; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-49FS, November 8, 1985, Accession Number 128559; RCED-86-36, December 24, 1985, Accession Number 128710; RCED-86-190FS, July 3, 1986, Accession Number 130305; RCED-87-90FS, February 27, 1987, Accession Number 132273; and RCED-88-53FS, November 10, 1987, Accession Number 134362.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410); Education and Employment: Effectiveness of Public and Private Efforts in Helping Dislocated Workers Become Reemployed (5311). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Great Plains Gasification Associates; ANG Coal Gasification Co. Congressional Relevance: House Committee on Energy and Commerce:

Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; *Rep.* Philip R. Sharp; *Sen.* Mark Andrews.

Authority: Department of Energy Act of 1978--Civilian Applications (P.L. 95-238). Nonnuclear Energy Research and Development Act of 1974 (P.L. 93-577; 42 U.S.C. 5919(g)(2)).

Abstract: In response to a congressional request, GAO provided updated information on the Great Plains Coal Gasification Project, including: (1) the loan default status; (2) the loan and gas pricing formula; (3) legal matters and agreements; (4) the Department of

Energy's (DOE) options and actions; and (5) Great Plains operations.

Findings/Conclusions: GAO found that, in August 1985, the project contractor terminated its participation in the project and defaulted on the \$1.54-billion DOE-guaranteed federal loan. To maintain continuity, DOE directed the plant operator to continue operations until the spring of 1986 to give DOE time to determine the plant's future. GAO found that DOE: (1) directed the plant operator to begin billing the pipeline companies purchasing gas from the plant using a substitute pricing formula to compute payments; (2) has broad authority to protect the government's interests in the project; (3) feels that a foreclosure sale could take place by late spring; (4) stated that it has no liability under current supply contracts; (5) billed the defaulting contractor for its remaining liability, which totalled about \$44 million; (6) objectives are to transfer the plant's ownership, remove the federal government from the gas production business, recover as much of the federal funds provided to cover the loan default as possible, and ensure continued longterm operation of the plant; and (7) did not believe that operating the project during the transition period would result in further costs or economic risks to the government, as long as project revenues continued to exceed expenses.

129328

[The Low Income Home Energy Assistance Block Grant]. March 13, 1986. 6 pp. Testimony before the Senate Committee on Labor and Human Resources: Children, Family, Drugs and Alcoholism Subcommittee; by J. William Gadsby, Associate Director, Human Resources Division.

Contact: Human Resources Division. Organization Concerned: Department of Health and Human Services. Congressional Relevance: Senate Committee on Labor and Human Resources: Children, Family, Drugs and Alcoholism Subcommittee. Authority: Balanced Budget and Emergency Deficit Control Act of 1985. Abstract: GAO discussed the impact of the 1984 amendments to the Low Income Home Energy Assistance block grant on program funding, eligibility policies, and crisis assistance for 13 states. GAO found that: (1) the 1984 amendments. which changed the allocation formula for home energy assistance, have begun to influence state spending patterns in fiscal year 1986; (2) 7 out of 13 states

received 1986 allotments that were 5percent lower than 1985 levels, while 6 states received allotments up to 10percent higher than 1985 levels; (3) overall, heating and crisis assistance is at the same or higher funding levels as in previous years; (4) as a result of the 1984 amendments, states can only carry over 15 percent of their net of transfers; and (5) although total program funding for 1986 was cut by 4.3 percent, reductions were not allocated proportionally to all states. GAO also found that: (1) 8 of the 13 states were operating programs that complied with 1984 eligibility changes; (2) most states did not have to change the operation and duration of their crisis assistance programs to comply with the 1984 amendments; and (3) all of the 13 states complied with the requirement that they identify the amount of funds available for energy crisis intervention and ensure their availability for assistance until March 15 of the program year.

129344

Environment, Safety, and Health: Status of Department of Energy's Implementation of 1985 Initiatives. RCED-86-68FS; B-222195. March 4, 1986. 12 pp. Fact Sheet to Sen. John H. Glenn, Ranking Minority Member, Senate Committee on Governmental Affairs: Energy, Nuclear Proliferation and Government Processes Subcommittee: by Keith O. Fultz. Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-192, September 8, 1986, Accession Number 131121.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs: Energy, Nuclear Proliferation and Government Processes Subcommittee; Sen. John H. Glenn.

Authority: DOE Order 5480.1. DOE Order 5481.1B. DOE Order 5482.1B. DOE Order 5700.6B.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) effectiveness in protecting worker health and safety and the surrounding environment at its nuclear facilities.

Findings/Conclusions: GAO monitored the implementation of several initiatives to strengthen DOE environmental, safety, and health (ES&H) programs and found that DOE has focused its attention on: (1) reorganizing the headquarters ES&H function; (2) revising DOE orders that will provide additional authority in ES&H matters; and (3) developing preliminary plans outlining the scope, methodology, and tentative schedules for environmental and technical safety survey appraisals. GAO also found that: (1) the Secretary of Energy has approved the revised ES&H organizational structure; (2) 118 out of 128 ES&H staff positions have been filled; (3) 6 draft ES&H orders for DOE-wide coordination and review have been approved; (4) 41 environmental surveys and 51 technical safety appraisals will be conducted at DOE nuclear and nonnuclear sites; (5) DOE is planning to develop an information system that it can use to monitor ES&H problems at its facilities; and (6) DOE is providing its program and field offices with additional and clearer environmental guidance to meet its regulatory deadlines.

129420

[Protest of DOE Contract Award for Technical and Analytical Support Services]. B-221058. March 20, 1986. 9 pp. *Decision* re: E.H. Pechan & Associates, Inc.; by Milton J. Socolar, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel.
Organization Concerned: E.H. Pechan &
Associates, Inc.; Charles River
Associates, Inc.; Department of Energy:
Office of Energy Emergencies.
Authority: 4 C.F.R. 21.6. F.A.R. 15.610.
B-219389.2 (1985). B-214011 (1984). B207285 (1983). B-213686 (1984). B-216258
(1985). B-220049 (1986). B-218260.4 (1985).
B-218192.2 (1985). B-219361.2 (1985).
Abstract: A firm protested the
Department of Energy's (DOE) award of

Department of Energy's (DOE) award of a small business set-aside contract for technical and analytical support services, contending that: (1) since its proposal was technically acceptable, DOE improperly awarded the contract at a considerably higher price; and (2) DOE failed to conduct adequate discussions with it, because clarifying questions to which it responded its best and final offer did not relate to the alleged deficiencies in its proposal. GAO held that: (1) the 50-page proposal limitation was unfair to all offerers; (2) DOE did not treat all offerers equally, since it did not apprise them of the deficiencies in their proposals; (3) DOE did not hold meaningful discussions with the offerers, since it did not notify them of the central weaknesses of their offers; and (4) the award was improper without consideration of the cost issue, since discussions were inadequate.

Accordingly, the protest was sustained, and GAO recommended that DOE reimburse the protester for its bid preparation costs.

129445

Nuclear Winter: Uncertainties Surround the Long-Term Effects of Nuclear War. NSIAD-86-62; B-222034. March 27, 1986. 43 pp. plus 6 appendices (10 pp.). Report to Congress; by Charles A. Bowsher, Comptroller General.

Issue Area: Security and International Relations: Assessing Whether Arms and Technology Transfers, Cooperative Projects, and Offsets on Foreign Military Sales Are Adequately Managed and Controlled (6103).

Contact: National Security and International Affairs Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Defense.

Congressional Relevance: Congress. Authority: Department of Defense Authorization Act. 1986. Foreign Relations Authorization Act, Fiscal Year 1986. Foreign Relations Authorization Act, Fiscal Year 1987. Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, Multilateral, 21 U.S.T. 483, T.I.A.S. No. 6839. Agreement on Measures to Improve the Direct Communications Link with Annex, Sep. 30, 1971, United States-Union of Soviet Socialist Republics, 22 U.S.T. 1598. T.I.A.S. No. 7187 . Agreement on Measures to Reduce the Risk of Outbreak of Nuclear War, Sep. 30, 1971, United States-Union of Soviet Socialist Republics, 22 U.S.T. 1590, T.I.A.S. No. 7186. Agreement on the Prevention of Nuclear War, June 22, 1973, United States-Union of Soviet Socialist Republics, 24 U.S.T. 1478, T.I.A.S. No. 7654. Memorandum of Understanding Regarding the Establishment of a Direct Communications ("Hot-Line") Link with Annex, June 20, 1963, United States-Union of Soviet Socialist Republics, 14 U.S.T. 825, T.I.A.S. No. 5362.

Abstract: GAO reviewed the scientific and policy implications of nuclear winter, including relevant literature and discussions with scientists, researchers, and policy analysts to provide Congress with: (1) an overview of the science of nuclear winter; (2) pertinent information for considering policy implications; and (3) the status of U.S. research.

Findings/Conclusions: Nuclear winter is the term used to describe the potential long-term climatic and environmental effects of nuclear war caused by the injection of soot, smoke, and dust into the atmosphere and the associated dramatic reduction of surface temperatures. GAO noted that a 1984 Department of Defense study assessing the nuclear winter theory: (1) stressed the many uncertainties in the theory's assumptions; (2) found the theory plausible and recommended further research; (3) could not quantify the potential long-term consequences; and (4) asserted that nuclear war analyses should consider nuclear winter implications. Current research has identified nuclear winter as a plausible theory with numerous uncertainties in such critical areas as war scenarios, fire research, and climate modelling. GAO found that: (1) war scenarios will remain uncertain because of the uncertainty of such critical warfighting variables as targets, warheads, weapons, and weather conditions; (2) present research has produced little information on a nuclear war's fire and smoke effects on sunlight; and (3) computer models have limited accuracy in representing physical laws of nature and the atmospheric disturbances integral to war. The administration's new Interagency Research Program ties together ongoing efforts at various government laboratories; however, although future funding and research are contemplated, the formal plan does not contain the necessary interagency controls. Because of a lack of consensus regarding defense policy implications, further analysis in this area should be fostered.

129585

Air Pollution: EPA's Efforts To Reduce and End the Use of Lead in Gasoline. RCED-86-80FS; B-222019. March 12, 1986.

Released April 11, 1986. 6 pp. Fact Sheet to Rep. Jim Slattery; by Hugh J. Wessinger, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-182, August 6, 1986, Accession Number 131105.

Issue Area: Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: Rep. Jim

Slattery.

Authority: Clean Air Act. Food Security Act (P.L. 99-198).

Abstract: In response to a congressional request, GAO provided information on the Environmental Protection Agency's (EPA) efforts to substantially reduce and possibly end the use of lead in gasoline and the extent to which EPA considered the impact on agricultural machinery using low-lead gasoline.

Findings/Conclusions: GAO found that: (1) in March 1985, EPA issued final rules to reduce the allowable amount of lead in gasoline to 0.10 grams per leaded gallon, concluding from the results of three motor vehicle studies that engines designed to operate with leaded gasoline needed between 0.04 and 0.07 grams of lead per gallon to prevent damage; and (2) EPA relied on data that the Army and Postal Service generated when they switched large fleets of vehicles from leaded to unleaded gasoline with no significant problems. In response to congressional concerns and those of the Department of Agriculture and the farm community about the impacts that the low-lead standard and the possible ban of leaded gasoline might have on farm equipment, EPA agreed to study farm equipment engines and to reevaluate the standards; and (4) by January 1987, EPA expects to determine whether its lowlead standards need to be changed to prevent adverse effects on farm machinery and what the final action should be on its proposal to ban lead.

129616

Alternative Fuels: Potential of Methanol as a Boiler or Turbine Fuel. RCED-86-136FS; B-217943. April 4, 1986. 20 pp. Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-97, May 3, 1985, Accession Number 126896; and RCED-87-10BR, October 17, 1986, Accession Number 131615.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410); Environmental Protection: Other Issue Area Work (6891). Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Congressional Relevance: House
Committee on Energy and Commerce:
Fossil and Synthetic Fuels
Subcommittee; Rep. Philip R. Sharp.
Abstract: Pursuant to a congressional request, GAO provided information on the potential for using methanol as a fuel for producing energy from stationary sources, such as boilers and gas turbines.

Findings/Conclusions: GAO found that methanol is not economically viable as a boiler fuel at present because: (1) it is extremely costly; (2) it has a lower thermal efficiency than other boiler fuels; and (3) fossil fuels are relatively plentiful. Methanol has been tested, but not commercially demonstrated, as a fuel that could be used in a two-stage boiler combustion system to reduce pollutant emissions. GAO also found that: (1) methanol has technical advantages over other gas turbine fuels; (2) while methanol is more expensive than other turbine fuels, it may become more attractive than other fuels because it creates fewer pollutants: and (3) methanol may be a potential standby fuel for gas turbines during fuel supply disruptions. In addition, GAO found that: (1) it could be cheaper to produce methanol in coal gasification plants because the gas such plants produce is chemically similar to that used to produce methanol: and (2) a combination of technical and cost factors prevent the widespread use of coal and methanol mixtures as boiler fuel.

129659

Status of DOE Budget Authority. OGC-86-13; B-220532. April 16, 1986. 1 p. Report to Congress; by Milton J. Socolar, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel. **Budget Function:** Impoundment Control Act of 1974 (990.2).

Organization Concerned: Department of Energy; Office of Management and Budget.

Congressional Relevance: Congress. Authority: Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 681 et seq.).

Abstract: GAO reported on the status of \$156.8 million in budget authority for the Department of Energy that it had previously reported as improperly impounded.

Findings/Conclusions: GAO found that no further action was necessary because

the Office of Management and Budget released the impounded funds for obligation.

129682

Offshore Oil and Gas: Views on Interior's Comments to GAO Reports on Leasing Offshore Lands. RCED-86-78BR; B-222120. March 14, 1986.

Released April 21, 1986. 30 pp. Briefing Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-85-9, November 20, 1984, Accession Number 125907; RCED-85-68, March 26, 1985, Accession Number 127112; and RCED-85-66, July 15, 1985, Accession Number 127498.

Issue Area: Natural Resources Management: Effectiveness of Interior's Oversight of Federal Minerals Revenues (6907).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of the Interior.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Outer Continental Oil Shelf Lands Act.

Abstract: Pursuant to a congressional request, GAO evaluated the Department of the Interior's: (1) responses to a series of GAO report recommendations and congressional questions; and (2) analysis of its tract selection and areawide leasing programs.

Findings/Conclusions: GAO found that: (1) while Interior has not estimated the extent to which areawide leasing has decreased its revenues, it has questioned the GAO estimate of that extent; (2) it disagreed with Interior that the lost revenues would be offset by faster receipt of bids and future rent, royalties, and corporate income taxes because of accelerated leasing; (3) Interior used unrealistic assumptions about the discount rate and corporate income taxes in formulating its estimate; (4) by the time Interior completes its regional tract-mapping program in the Gulf of Mexico, it will have held 11 areawide sales in that region; (5) it could not determine the adequacy of Interior's assessment of the adequacy of tractleasing data; (6) Interior has adopted

portions of recommendations to ensure that it has adequate tract data and to extend bid acceptance periods to provide more time to gather data; (7) Interior does not plan to follow a recommendation that it change its bidacceptance procedures to better ensure that it receives a fair price for leases; (8) Congress enacted legislation requiring Interior to pay companies only the reasonable cost of reproducing, but not processing, geological and geophysical data used to evaluate tracts; and (9) Interior has not complied with a legislative requirement that it annually report the cumulative effects of offshore leasing on human, marine, and coastal environments.

129698

Nuclear Waste: Department of Energy's Program for Financial **Assistance.** RCED-86-4; B-202377. April 1, 1986. 45 pp. plus 1 appendix (5 pp.). Report to John S. Herrington, Secretary, Department of Energy; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-86-154FS, April 30, 1986, Accession Number 129833; RCÉD-87-48FS, November 5, 1986, Accession Number 131594; RCED-87-17, April 15, 1987, Accession Number 132701; RCED-87-14, February 9, 1987, Accession Number 132140: and RCED-90-20, October 20, 1989, Accession Number 139802.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Department of Energy: Office of Civilian Radioactive Waste Management; Confederated Tribes of the Umatilla Indian Reservation; Nez Perce Tribe; Yakima Indian Nation.

Congressional Relevance: House
Committee on Science and Technology;
House Committee on Energy and
Commerce; House Committee on
Appropriations: Energy and Water
Development Subcommittee; House
Committee on Government Operations;
Senate Committee on Environment and
Public Works; Senate Committee on
Energy and Natural Resources; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Governmental
Affairs.

Authority: Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101). Energy and Water Development Appropriation Act, 1984. Single Audit Act of 1984 (P.L. 98-502). 10 C.F.R. 600. H. Rept. 99-55. H. Rept. 98-217. OMB Circular A-102, Attach. O. OMB Circular A-128. Abstract: GAO evaluated the Department of Energy's (DOE) program to provide grants under the Nuclear Waste Policy Act of 1982, focusing on: (1) DOE decisions on who received grants and for what activities; (2) the level of assistance provided; and (3) DOE grant administration and oversight. Findings/Conclusions: The act provides that state and public participation in the nuclear waste repository program is essential to promote public confidence in the safety of radioactive waste disposal. Financial assistance grants to the affected parties are a way to ensure this participation. DOE has used its discretionary funding authority to award grants to second-repository states, national associations, and Indian tribes. The guidelines, which provide general policy guidance for grant awards and administration of the repository programs, have not ensured consistent decisions on who receives grants and what activities are funded. In some instances, DOE decisions on grant awards have been influenced more by budgetary considerations than by grantees' needs. GAO believes that: (1) incorporating consideration of grantees' projected needs into program budget planning could help DOE more realistically anticipate those needs; (2) congressional oversight of the financial assistance program could be better facilitated if DOE presented specific budget estimates on the funding it expected to provide for the first and second repository programs and other parties; and (3) with more realistic budgets, DOE could focus on grantee application merits in making funding judgments. Although DOE regulations describe the grantee requirements and provide an opportunity to request a waiver of the requirements, grantees have neither consistently complied with nor requested waivers of the requirements, and DOE has not enforced them.

Recommendation To Agencies: To help ensure consistent program evaluation, the Secretary of Energy should direct the Director, Office of Civilian Radioactive Waste Management (OCRWM), to better define what activities should be funded in OCRWM internal grant guidelines for first- and second-repository states. To assist Congress in its oversight of the DOE financial assistance program under the

act, the Secretary of Energy should specify, in future budget requests for the Nuclear Waste Fund, grant funding for the first repository program, second repository program, and other parties. The Secretary should also survey grantees as to their projected needs for the budget period, in order to make appropriate financial assistance estimates. To ensure management control over grant awards, the Secretary of Energy should ensure compliance with the requirements of DOE financial assistance regulations. These requirements could, of course, be waived if DOE determines that the conditions for granting a waiver are present.

129706

Interior Has Not Solved Indian Oil and Gas Royalty Payment Problems. IMTEC-86-13; B-222321. March 31, 1986.

Released April 22, 1986. 38 pp. plus 3 appendices (11 pp.). Report to Rep. Jack Brooks, Chairman, House Committee on Government Operations; by Warren G. Reed, Director, Information Management and Technology Division.

Issue Area: Information Management and Technology: Other Issue Area Work (7191).

Contact: Information Management and Technology Division.

Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Bureau of Indian Affairs; Department of the Interior: Minerals Management Service; Department of the Interior.

Congressional Relevance: House
Committee on Interior and Insular
Affairs; House Committee on
Appropriations: Interior Subcommittee;
House Committee on Government
Operations: Environment, Energy and
Natural Resources Subcommittee; House
Committee on Government Operations;
Rep. Jack Brooks.

Authority: Oil and Gas Royalty Management Act. 25 C.F.R. 114. H. Rept. 99-214.

Abstract: In response to a congressional request, GAO examined the Department of the Interior's initiatives to ensure the timely and accurate collection and distribution of Indian oil and gas royalties, specifically Interior's efforts to: (1) provide useful royalty payment explanations to individual Indians; (2) resolve royalty overpayments; and (3) ensure that Indian leases are included in its exception processing system. GAO also evaluated the possibility of using the Mineral Management Service's

(MMS) new computer to help solve royalty payment problems. Findings/Conclusions: The Oil and Gas Royalty Management Act requires Interior to provide Indian royalty owners with explanations of their royalty payments. The Bureau of Indian Affairs (BIA) developed an automated system to provide this information. However, GAO found that BIA was not complying with the act, because: (1) 18,000 of 27,000 Indian royalty owners were not receiving royalty payment explanations; (2) the payment statements did not include the royalty rate; (3) 40 percent of those who received royalty explanation statements found them difficult to understand because of their small print and technical language; and (4) BIA has not taken action to resolve about \$450,000 in overpayments made prior to installation of the automated system. GAO also found that MMS: (1) has made progress in ensuring that Indian leases are included in its exception processing system; (2) identification of late payments could result in an additional \$375,000 in annual revenue to Indians; (3) has not implemented procedures for identifying other payment exceptions and for collecting an estimated \$2.3 million in backlogged Indian royalty revenues; (4) has proposed a new computer system for its royalty management program, but the system will not resolve Interior's problems in information dissemination, royalty overpayments, and exception processing; and (5) will modify its system to generate royalty rate information and to reduce the number of adjustments and overpayments.

Recommendation To Agencies: To ensure that Interior complies with section 105 of the Federal Oil and Gas Royalty Management Act of 1982, the Secretary of the Interior should direct the Assistant Secretary for Indian Affairs to promptly implement the Royalty Distribution and Reporting System throughout BIA. To ensure that Interior complies with section 105 of the Federal Oil and Gas Royalty Management Act of 1982, the Secretary of the Interior should direct the Assistant Secretary for Indian Affairs to change the BIA Royalty Distribution and Reporting System to provide royalty rates on the statements generated by the system. To ensure that Interior complies with section 105 of the Federal Oil and Gas Royalty Management Act of 1982, the Secretary of the Interior should direct the Assistant Secretary for Indian Affairs to redesign the royalty payment statement provided to allottees to make it easier for them to understand and use. The Secretary of the Interior should

require the Assistant Secretary for Indian Affairs to promptly resolve, by collection, offset, or write-off, the \$450,000 in overpayments resulting from not properly accounting for negative royalties in the Anadarko area. After the Auditing and Financial System becomes operational on the new MMS computer, the Secretary of the Interior should require the Director, MMS, to assess the feasibility of expanding the MMS exception processing system to include other exception types, as well as those currently being performed.

129709

Performance Evaluation: Energy Information Administration. PART-86-1. April 16, 1986. 37 pp. plus 5 appendices (9 pp.). Report to Congress; Executive Office of the President; by James Duffus, III, Chairman, Professional Audit Review Team. Refer to PART-82-1, May 19, 1982, Accession Number 118676; PART-84-1, June 15, 1984, Accession Number 124430; and PART-88-1, July 1988, Accession Number 136634.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Energy Information Administration; Executive Office of the President; Professional Audit Review Team.

Congressional Relevance: Congress. Authority: Department of Energy Organization Act (P.L. 95-91; 42 U.S.C. 7101). P.L. 97-415.

Abstract: The Professional Audit Review

Team (PART) presented the results of its evaluation of whether the Energy Information Administration (EIA) performed its activities independently, objectively, and professionally during fiscal years 1984 and 1985. Findings/Conclusions: PART found that: (1) although EIA has improved the management of its data and analyses, it has not established any standards detailing the scope and frequency of its quality audits; (2) the number and frequency of quality audits is determined by staffing considerations rather than quality assurance needs; (3) documentation for 7 of 27 EIA data collection systems did not meet EIA standards or was in need of evaluation or updating; and (4) in one instance, EIA did not disclose the extent of its

involvement in the establishment of

study criteria, which gave the appearance that it was not acting independently.

129725

Tax Policy: Investment Tax Credit for Offshore Drilling Rigs Needs Clarification. GGD-86-65; B-222291. April 10, 1986. 7 pp. plus 2 appendices (3 pp.). Report to Sen. Bob Packwood, Chairman, Joint Committee on Taxation; Rep. Daniel Rostenkowski, Vice Chairman, Joint Committee on Taxation; by William J. Anderson, Director, General Government Division.

Issue Area: Tax Policy and Administration: Achievement of Objectives of Specific Tax Expenditures Provisions and Related Administrative Problems for IRS (4603).

Contact: General Government Division. Budget Function: General Government: Tax Administration (803.1).

Organization Concerned: Internal Revenue Service.

Congressional Relevance: House
Committee on Budget; House Committee
on Appropriations: Treasury-Postal
Service and General Government
Subcommittee; House Committee on
Ways and Means; Senate Committee on
Budget; Senate Committee on
Appropriations: Treasury, Postal Service,
and General Government Subcommittee;
Senate Committee on Finance; Joint
Committee on Taxation; Congress; Rep.
Daniel Rostenkowski; Sen. Bob
Packwood.

Authority: Revenue Act of 1962 (P.L. 87-834). Revenue Act of 1971 (P.L. 92-178). Tax Reduction Act of 1975 (P.L. 94-12). H.R. 3838 (99th Cong.). IRS Ruling 69-509.

Abstract: GAO presented: (1) information on the history of investment tax credit and the applicable exceptions for offshore drilling rigs; (2) the basis on which the Internal Revenue Service (IRS) allows the credit for such rigs; and (3) estimates of the dollar amounts of credit that have been available for offshore drilling rigs placed after 1975 and used outside the designated portion of the Western Hemisphere. Findings/Conclusions: The tax investment credit was created to provide an additional incentive for expansion and modernization of capital investment to: (1) improve the U.S. competitive position abroad; and (2) aid in meeting the nation's balance of payments. The tax credit allows taxpayers reductions in their federal income tax liability in a dollar-for-dollar amount of the credit taken and is determined by multiplying

the cost of the property and a specified percentage. Both domestic- and foreign-built equipment are eligible for the tax credit if used in the United States, but property used outside the United States is not eligible unless a specific foreign-use exception applies. One foreign-use exception allows the credit for offshore drilling rigs used in the Outer Continental Shelf. However, a restriction to the exception was added to limit it to property used in the northern portion of the Western Hemisphere.

Notwithstanding the restriction, IRS

Notwithstanding the restriction, IRS continues to permit offshore drilling rigs operating outside the area to qualify for the tax credit under the foreign exception. GAO estimated that about \$375 million of tax credit was available on 94 new rigs placed since 1975. In addition, 16 other offshore rigs worth an estimated \$90 million to \$112 million in tax credit are under contract for construction, most outside the Western Hemisphere. GAO believes that, unless Congress clarifies the law, additional revenues may be lost.

Recommendation To Congress: If the investment credit is not repealed, Congress should consider clarifying the circumstances under which the investment tax credit is allowed for offshore drilling rigs used outside the northern portion of the Western Hemisphere.

129745

Mineral Revenues: Delays in Processing and Disbursing Onshore Oil and Gas Bid Revenues. RCED-86-69; B-221397. March 24, 1986. Released April 28, 1986. 15 pp. plus 2 appendices (18 pp.). Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Interior's Effectiveness in Managing Mineral Resources, Including Ensuring Fair Prices for Minerals Sold and Providing an Adequate Mineral Supply (6901).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior; Bureau of Isand Management; Department of the Interior: Minerals Management Service. Congressional Relevance: House Committee on Appropriations: Interior Subcommittee: House Committee on Interior and Insular Affairs; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Morris K. Udall.

Authority: Mineral Lands Leasing Act (30 U.S.C. 181 et seq.). Oil and Gas Royalty Management Act (30 U.S.C. 1701 et seq.).

Abstract: GAO reviewed the Department of the Interior's procedures for: (1) depositing and processing bid revenues from offshore and onshore competitive oil and gas lease sales; and (2) disbursing onshore bid revenues to the states. Findings/Conclusions: GAO found that Interior's procedures and guidelines for depositing and processing offshore bid revenues were adequate, but the procedures for depositing, processing, and disbursing onshore bid revenues could be more timely. More timely receipt and deposit of onshore bid revenues, in compliance with Department of the Treasury and Interior instructions, would make these funds available to the federal government sooner, thereby decreasing the need for the Treasury to borrow money and incur interest. Interior could also save the Treasury interest costs by streamlining its procedures for notifying winning bidders of bid acceptance and for requiring final bid payment from onshore bidders. GAO estimated that timely deposits of these funds and streamlined procedures could have saved the Treasury about \$152,000 for the 55 parcels it reviewed. GAO also found that Interior's procedures for disbursing states' shares of onshore bid revenues could be more timely. Timely deposit and payment of onshore bid revenues to the states could become more important because Congress is considering actions to increase acreage offered for competitive leasing.

Recommendation To Agencies: The Secretary of the Interior should direct the Director, Bureau of Land Management (BLM), to ensure that highbid checks are deposited on a daily basis after receipt by adopting alternative methods for deposit, such as using local commercial banks to wire transfer bid revenues to Treasury and by not holding the checks. The Secretary of the Interior should direct the Director, BLM, to establish time frames for the evaluation staff to accept high bids that meet or exceed the parcels' estimated values so that winning bidders can be notified more promptly. The Secretary of the Interior should direct the Director, BLM, to establish time frames for staff to perform the necessarily administrative tasks to notify winning bidders of bid acceptance. The Secretary of the Interior

should direct the Director, BLM, to establish procedures for notifying winning bidders by overnight delivery service when it is cost-effective for the government. The Secretary of the Interior should direct the Director, BLM. to establish a shorter time frame for winning bidders to submit their fourfifths balances. The Secretary of the Interior should direct the Directors of the Mineral Management Service (MMS) and BLM to take steps to expedite payments to the states, including developing new procedures, such as quicker delivery service, and weekly or biweekly time frames for notifying the MMS accounting center when the final four-fifths bid balances are deposited by BLM state offices. The Secretary of the Interior should direct the Directors, MMS and BLM, to take steps to expedite payments to the states including adjusting the automated system at the accounting center to notify Treasury to pay the states' shares more quickly.

129748

Nuclear Science: DOE Should Provide More Control in Its Accelerator Selection Process. RCED-86-108; B-222223. April 4, 1986.

Released April 29, 1986. 39 pp. Report to Sen. J. Bennett Johnston, Ranking Minority Member, Senate Committee on Appropriations: Energy and Water Development Subcommittee; by Neal P. Curtin, (for J. Dexter Peach, Director), Resources, Community, and Economic Development Division. Refer to RCED-85-96, April 1, 1985, Accession Number 126675; and RCED-87-175FS, August 6, 1987, Accession Number 133627.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: General Science, Space, and Technology: General Science and Basic Research (251.0).

Organization Concerned: Department of Energy; Southeastern Universities Research Association.

Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Science and Technology; Senate Committee on Energy and Natural Resources; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Sen. J. Bennett Johnston.

Authority: OMB Circular A-109. Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) review and selection process for approving the Southeastern Universities Research Association's proposal to plan, manage, and operate a continuous electron beam accelerator facility (CEBAF).

Findings/Conclusions: GAO found that DOE used unsolicited proposals in selecting the facility's design, which resulted in DOE: (1) approving a contractor that had no technical expertise to plan, manage, and operate CEBAF; (2) selecting a CEBAF design that had several technical uncertainties; and (3) not identifying and evaluating technologies that were better suited for CEBAF and available at the time of the original design selection. GAO also found that, while DOE has corrected the problems associated with using unsolicited proposals, including establishing a CEBAF project office with key personnel with experience in constructing, managing, and operating accelerators, it needs to use other procurement methods for future accelerators.

Recommendation To Agencies: The Secretary of Energy should direct the Division of Nuclear Physics to explore other procurement approaches in its future accelerator acquisitions, with a view towards ensuring that DOE: (1) considers all available relevant technologies; and (2) retains sufficient flexibility and control over all aspects of such acquisitions, before and after approval.

129759

[Protest of Any DOE Pipeline Construction Contract Award]. B-222519. April 25, 1986. 2 pp. Decision re: Longview Construction Co.; by Robert M. Strong, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel.
Organization Concerned: Longview
Construction Co.; Department of Energy:
Strategic Petroleum Reserve Project
Management Office.

Authority: F.A.R. 19.302(i). B-220771 (1985).

Abstract: A firm protested any contract award under a Department of Energy (DOE) solicitation for pipeline construction, requesting that GAO direct DOE to withhold award until the Small Business Administration (SBA) resolved its appeal of a determination that it was not a small business. GAO held that DOE was not required to withhold award pending an appeal of the SBA size status decision. Accordingly, the protest was dismissed.

129798

Petroleum Products: Effects of Imports on U.S. Oil Refineries and U.S. Energy Security. RCED-86-85; B-221750. April 15, 1986. 68 pp. plus 2 appendices (4 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; by J. Dexter Peach, Director, Resources. Community, and Economic Development Division. Refer to EMD-78-77, January 15, 1979, Accession Number 108370; RCED-83-135, May 20, 1983, Accession Number 121413; GGD-86-91, August 20, 1986, Accession Number 131062; RCED-86-165BR, September 25, 1986, Accession Number 131468; and RCED-88-170, August 31, 1988, Accession Number 136691.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Rep. Philip R. Sharp. Authority: Emergency Petroleum Allocation Act of 1973 (P.L. 93-159). S. 1507 (98th Cong.). S. 1412 (98th Cong.). Abstract: In response to a congressional request, GAO examined the effects of petroleum product imports on the U.S. refining industry and U.S. energy security, focusing on: (1) recent petroleum product import patterns, reasons for the trends, and their impact on refinery closures; (2) the outlook for U.S. product imports in coming years and the prospect of further refinery closures: (3) the impact of refinery closures on the nation's ability to meet its refining requirements, including a Strategic Petroleum Reserve drawdown, during a major oil supply disruption: and (4) the effects of policy options designed to ensure the availability of adequate refining capacity. Findings/Conclusions: GAO found that crude oil imports are not the only cause of the bulk of recent U.S. refinery closures, and other explanations for those closures include: (1) a 55-percent expansion of refining capacity between 1970 and 1981 and an unexpected 15percent decline in petroleum consumption between 1979 and 1985; and

(2) the 1981 elimination of a crude oil

price allocation program that supported

operations of many small refiners. GAO found that: (1) trade policies of other major oil-consuming countries and the utilization rates of export refineries in the Middle East will affect U.S. crude oil imports; (2) the import of gasoline, distillate fuel oil, jet fuel, and kerosene may increase to 1 million barrels per day in 1990; and (3) an additional 1 million barrels per day of U.S. refinery capacity may shut down during the next 5 years. GAO also found that: (1) at present, U.S. crude oil refineries would be able to process all domestic crude supplies during an oil emergency and still have about 3 million barrels per day of capacity to refine available crude oil imports; and (2) based on Department of Energy data and projections related to crude oil and product prices, imports, and domestic production, a \$10-perbarrel tariff on product imports and \$5per-barrel tariff on crude oil imports would cost consumers about \$56 billion annually.

129807

Status of Strategic Petroleum Reserve Activities as of March 31, 1986. RCED-86-151; B-208196. April 18, 1986.

Released May 6, 1986. 3 pp. plus 3 appendices (27 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-86-84, January 29, 1986, Accession Number 129149; RCED-85-115, May 8, 1985, Accession Number 126927: RCED-85-40, October 15, 1984, Accession Number 125542; RCED-87-35FS, May 14, 1987, Accession Number 133310; and RCED-87-49, November 17, 1986, Accession Number 131687.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Congressional Budget and Impoundment Control Act of 1974. Energy Policy and Conservation Act (P.L. 94-163). Supplemental Appropriation Act, 1985. Consolidated 1985 (P.L. 99-272). Energy Policy and Conservation Amendments Act of 1985 (P.L. 99-58). H.R. 4515 (99th Cong.). Abstract: In response to a congressional request, GAO reported on the Department of Energy's (DOE) progress in filling, developing, and operating the Strategic Petroleum Reserve (SPR) during the second quarter of fiscal year (FY) 1986.

Omnibus Budget Reconciliation Act of

Findings/Conclusions: GAO found that the administration's FY 1987 budget included nearly \$150 million for SPR development and management, but deferred about \$776 million in storagecapacity development and oil-purchase funds under a proposed SPR moratorium. The proposed SPR moratorium and related funding deferrals have extended the planned SPR completion date beyond 1990, but DOE does not believe that the delay will adversely impact the reliability of storage site equipment. GAO found that: (1) DOE added 4.1 million barrels of oil to SPR, bringing total SPR volume to 496.9 million barrels; (2) the oil fill rate averaged about 45,500 barrels per day; (3) DOE made payments of \$92 million for oil acquisition and transportation; (4) DOE had unpaid obligations of about \$72 million; (5) DOE had about \$644 million in unobligated funds; (6) the storage capacity development program remained stopped and DOE was preparing sites for standby operations; (7) ongoing construction projects at the Big Hill, Texas, site were not completed as scheduled; (8) DOE completed its SPR drawdown test sale and distribution exercise: (9) approximately 1 million barrels of oil were competitively sold to oil company bidders and subsequently withdrawn from DOE storage sites for delivery; and (10) distribution enhancement plans were changed, and all improvements to the Texoma complex and substitutions changes to the Capline complex were cancelled.

129823

[International Response to Nuclear Power Reactor Safety Concerns]. May 8, 1986. 7 pp. plus 1 attachment (1 p.). Testimony before the Senate Committee on Governmental Affairs: Energy, Nuclear Proliferation and Government Processes Subcommittee; by Allan I. Mendelowitz, Associate Director, National Security and International Affairs Division.

Contact: National Security and International Affairs Division. Organization Concerned: International Atomic Energy Agency; Nuclear

Regulatory Commission; Organization for Economic Cooperation and Development: Nuclear Energy Agency. Congressional Relevance: Senate Committee on Governmental Affairs: Energy, Nuclear Proliferation and Government Processes Subcommittee. Abstract: GAO discussed international nuclear reactor safety problems and the status of international efforts to address those problems. GAO found that: (1) as of September 1985, a total of 408 nuclear power plants were operating outside of the United States, but many developing countries had little or no prior experience in operating nuclear power plants or adequate technical resources to support effective, independent nuclear safety programs; (2) although problems resulting from serious nuclear accidents might be beyond the response capability of many countries, the International Atomic Energy Agency (IAEA), the Nuclear Energy Agency (NEA), and the Nuclear Regulatory Commission (NRC) have initiated efforts to develop safety standards or guidelines, exchange information, and provide training and expert assistance to help developing countries improve nuclear safety; (3) NRC information showed that from 1971 to August 1984, there were data on only two significant and 149 potentially significant incidents at foreign reactors; (4) while there may be some duplication in the sharing of information, the IAEA system includes a large number of countries that are not in the NEA system; and (5) although the extent to which nuclear accidents might be avoided cannot be measured, the severity of abnormal events could be mitigated through the international sharing of reactor experience.

129830

Nuclear Science: Information on DOE Accelerators Should Be Better Disclosed in the Budget. RCED-86-79; B-221692. April 9, 1986. Released May 8, 1986. 48 pp. plus 3 appendices (49 pp.). Report to Sen. J. Bennett Johnston, Ranking Minority Member, Senate Committee on Appropriations: Energy and Water Development Subcommittee; by J. Dexter Peach, Director, Resources. Community, and Economic Development Division. Refer to EMD-80-58, September 16, 1980, Accession Number 113329; RCED-85-96, April 1, 1985, Accession Number 126675; AFMD-85-35, February 1985, Accession Number 126342; PSAD-78-12, February 2, 1978, Accession Number 104934; and RCED-89-18, Janusry 30, 1989, Accession Number 137824.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science,

Budget Function: General Science, Space, and Technology: General Science and Basic Research (251.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House
Committee on Science and Technology;
House Committee on Appropriations:
Energy and Water Development
Subcommittee; House Committee on
Appropriations; Senate Committee on
Energy and Natural Resources; Senate
Committee on Appropriations; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Sen. J. Bennett Johnston.

Authority: Atomic Energy Act of 1954 (P.L. 83-703). Energy Reorganization Act of 1974 (P.L. 93-438). Department of Energy Organization Act (P.L. 95-91). Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177). OMB Circular A-11. OMB Circular A-109. DOE Order 5700.3B. DOE Order 4240.1E. DOE Order 5700.1C.

Abstract: In response to a congressional request, GAO reported on issues concerning: (1) the size and nature of the Department of Energy's (DOE) investment, prior to congressional approval, in new high-energy and nuclear physics accelerator facilities or major upgrades; and (2) the events and procedures leading to DOE review and approval for building a continuous electron beam accelerator facility. Findings/Conclusions: GAO found that: (1) the DOE practice of incrementally funding projects and omitting project technical uncertainties in budget requests makes it difficult for Congress to assess the affordability of such projects; (2) past DOE budget requests for the upgrade of an existing accelerator or the construction of a new one were often based on incomplete information; (3) the DOE definition of a project lacks specific criteria on when a project starts and ends and what components should be included; and (4) the DOE physics program offices have defined an accelerator project as the effort during construction. GAO also found that: (1) DOE budget requests frequently do not include costs for equipment and other project-specific components that planning documents indicate are needed to make an upgrade or new facility complete and operational; (2) including these omitted costs would increase the DOE-estimated cost of the total upgrade from about \$212 million to \$579 million; and (3) accelerator projects

which incur substantial costs were not disclosed as project-related expenses before Congress approved the construction costs. GAO estimated the cost for the projects' preconstruction at about \$400 million, \$352 million of which DOE did not identify in its budget request.

Recommendation To Congress: The House and Senate Committees on Appropriations should include a directive in the DOE appropriations legislation requiring disclosure of accelerator project information in accordance with the GAO recommendations to DOE. Recommendation To Agencies: The Secretary of Energy should require the Office of Energy Research to identify and clearly disclose the preconstruction costs of major accelerator projects in the DOE annual budget submission to Congress before committing large resources to these projects. To achieve this end, the Secretary should: (1) direct the Office of Energy Research to follow applicable internal DOE regulations under which major undertakings should be identified as projects; and (2) consider requiring early identification at the time research is started or when projects reach the stage at which they are specific enough to be proposed to or recommended by applicable advisory committees. The Secretary of Energy should require the Office of Energy Research to clarify the definition of an accelerator project to ensure that specific identifiable upgrades or new facilities include all the necessary components to make the projects complete and operational. The Secretary of Energy should require the Office of Energy Research to report complete costs of projects along with their technical uncertainties in the budgets furnished to Congress so that the projects' need, affordability, and priority can be appropriately evaluated prior to committing resources to the projects.

129833

Quarterly Report on DOE's Nuclear Waste Program as of March 31, 1986. RCED-86-154FS; B-202377. April 30, 1986. 21 pp. Fact Sheet to Sen. James A. McClure, Chairman, Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-27, January 10, 1985, Accession Number 125996;

RCED-85-100, September 30, 1985, Accession Number 128021; RCED-85-42, October 19, 1984, Accession Number 125544; RCED-85-65, January 31, 1985, Accession Number 126199; RCED-85-116, April 30, 1985, Accession Number 126921; RCED-85-156, July 31, 1985, Accession Number 127746; RCED-86-42, October 30, 1985, Accession Number 128514; RCED-86-86, January 31, 1986, Accession Number 129261; RCED-86-4, April 1, 1986, Accession Number 129698; and RCED-87-95FS, February 19, 1987, Accession Number 132206.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; National Academy of Sciences. Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston; Sen. James A. McClure.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). Safe Drinking Water Act. Administrative Procedure Act. Abstract: Pursuant to congressional requests, GAO provided its quarterly status report on the Department of Energy's (DOE) implementation of its nuclear waste program.

Findings/Conclusions: GAO found that, during the quarter: (1) the National Academy of Sciences completed its independent review of the methodology DOE used to evaluate and rank firstrepository sites and concluded that the methodology was satisfactory and appropriate; (2) DOE completed its proposal for a monitored retrievable storage facility, but a federal court ruled that DOE could not submit the proposal to Congress, and DOE was awaiting a decision on its appeal to a higher court; (3) DOE issued a draft area recommendation report which identified 12 areas in 7 states as potentially acceptable sites for a second waste repository; (4) the Nuclear Waste Fund collected over \$128 million in fees and investment income and obligated over \$100 million for program activities; and

129851

[Protest of DOE Determination That Proposal Was Technically

(5) the Fund balance as of March 31,

1986, was about \$1.6 billion.

Unacceptable]. B-222891. May 6, 1986. 2 pp. *Decision* re: Kenneth J. Pedersen; by Robert M. Strong, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel.

Organization Concerned: Department of Energy.

Authority: 4 C.F.R. 21.2. B-214603 (1984). B-212537 (1984). B-213643 (1984). B-221058 (1986).

Abstract: An individual protested the Department of Energy's (DOE) determination that his proposal was technically unacceptable, contending that GAO should have waived protest timeliness requirements, since he was unaware of them. GAO held that: (1) the fact that the protester was unaware of the filing deadline did not constitute a valid basis for waiving the requirement; (2) the protester untimely protested to DOE more than 10 working days after he became aware of his basis for protest; and (3) since GAO had previously considered the matter of a protester's technical unacceptability, it would not consider the allegations under the significant-issue exception to its timeliness rules. Accordingly, the protest was dismissed.

129887

Nuclear Waste: Monitored Retrievable Storage of Spent Nuclear Fuel. RCED-86-104FS; B-202377. May 8, 1986.

Released May 15, 1986. 32 pp. Fact Sheet to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; Rep. Edward J. Markey, Chairman, House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-48FS, November 5, 1986, Accession Number 131594; RCED-86-198FS, August 15, 1986, Accession Number 130812; RCED-87-92, June 1, 1987, Accession Number 133202; and T-RCED-88-55, July 26, 1988, Accession Number 136406.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management; Tennessee. Congressional Relevance: House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; House Committee on Interior and Insular Affairs; Rep. Edward J. Markey; Rep. Morris K. Udall.

Authority: Nuclear Waste Policy Act of 1982.

Abstract: Pursuant to a congressional request, GAO provided information on the Department of Energy's (DOE) program for monitored retrievable storage (MRS) of spent nuclear fuel, including: (1) the purpose of the MRS program; (2) Tennessee's role in the development of the DOE MRS proposal and its role in future MRS activities; (3) the potential benefits and disadvantages of the MRS program; (4) the impact of siting an MRS facility in Tennessee; and (5) the results of a survey of utilities affected by DOE nuclear waste management activities.

Findings/Conclusions: GAO found that: (1) the primary purpose of the MRS program is to develop a facility to receive and prepare spent nuclear fuel for shipment to a permanent geological repository; (2) DOE identified three sites in Tennessee as acceptable for an MRS facility and chose one site as most preferable; (3) Tennessee sued DOE, alleging that DOE failed to timely consult with it about the site selection: (4) the court enjoined DOE from making any MRS proposal to Congress that was based on information DOE obtained before it consulted with Tennessee; and (5) the injunction will remain effective until a DOE appeal has been resolved. GAO also found that an MRS facility would: (1) improve the development of nuclear waste management by allowing DOE to begin regulatory activities earlier; (2) improve the reliability, flexibility, and efficiency of DOE waste management; (3) improve waste transportation operations: (4) increase system costs and regulatory requirements; (5) increase the complexity of the system and geographically redistribute waste shipments: (6) significantly increase the Nuclear Waste Fund's short-term cash requirements; and (7) have significant local economic impacts, but minimal environmental impacts. GAO also found that: (1) most of the utilities it surveyed believe that they can provide for their spent-fuel storage needs until DOE makes a repository available, unless the repository program falls seriously behind schedule; and (2) while more utilities support an MRS facility than oppose one, more utilities would prefer a system with only a geological repository.

129889

[DOE's Control Over Nuclear Technology Exports]. May 15, 1986. 8 pp. Testimony before the House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-144, May 1, 1986, Accession Number 129934.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of

Energy; Nuclear Regulatory Commission.

Congressional Relevance: House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee.

Authority: Atomic Energy Act of 1954. Nuclear Non-Proliferation Act of 1978. Abstract: GAO discussed the Department of Energy's (DOE) administration of the nuclear export controls the Atomic Energy Act and Nuclear Non-Proliferation Act require. GAO found that: (1) rather than adopting nonproliferation standards for making specific authorization determinations, DOE weighs six factors in making export decisions: (2) four of the factors are similar to Nuclear Regulatory Commission standards; and (3) the other two factors address the availability of technology from other sources and U.S. political, economic, and security interests. GAO also found that: (1) until 1983. DOE did not have procedures for determining when an export involved the transfer of sensitive nuclear technology (SNT); (2) on 11 occasions from 1980 to 1983, the Secretary of Energy approved exports of equipment and information related to sensitive facilities, including lasers for uranium enrichment research and DOE assistance to foreign reprocessing efforts: and (3) in eight of those cases, DOE did not review the proposed exports to determine whether they included SNT. GAO identified seven new analyses that were not publicly available, which DOE authorized for export under the general authorization provision for information related to sensitive nuclear facilities. GAO further found that the other problems that limit effective administration of DOE export control regulations are the lack of: (1) clarity on what types of export activities require specific authorization; (2) requirements that persons report when authorized activities have been completed; and (3) public disclosure of information on authorized exports.

129907

(051.0).

Hazardous Waste: DOD's Efforts To Improve Management of Generation, Storage, and Disposal. NSIAD-86-60; B-213706. May 19, 1986. 63 pp. plus 5 appendices (28 pp.). Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to NSIAD-87-87, April 22, 1987, Accession Number 133387; and T-RCED-88-24, March 10, 1988, Accession Number 135246.

Issue Area: Environmental Protection: Other Issue Area Work (6891); Air Force: Other Issue Area Work (5491). Contact: National Security and

International Affairs Division. **Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0); National Defense: Department of Defense - Military (Except Procurement and Contracting)

Organization Concerned: Department of Defense; Defense Logistics Agency.
Congressional Relevance: House
Committee on Appropriations: Defense Subcommittee; House Committee on Armed Services; Senate Committee on Appropriations: Defense Subcommittee; Senate Committee on Armed Services; Congress.

Authority: Resource Conservation and Recovery Act of 1976.

Abstract: GAO reviewed the Department of Defense's (DOD) progress in managing hazardous waste generation, storage, and disposal at its U.S. installations, specifically: (1) the extent to which the facilities are meeting hazardous waste requirements under the Resource Conservation and Recovery Act of 1976; (2) the Defense Logistics Agency's effectiveness in disposing of waste and constructing storage facilities; and (3) DOD progress in reducing the volume of hazardous waste that requires disposal. Findings/Conclusions: GAO noted that DOD: (1) gave its services, commands, and installation commanders the authority to achieve compliance under the act; (2) requires audits of installations' compliance; and (3) will measure the services' success in implementing DOD policies and programs. GAO found that: (1) over half the facilities and 90 percent of the generators inspected were not in compliance with the act; (2) some installations stored hazardous waste for too long because contractors did not pick up the waste in a timely fashion or defaulted on their contracts, or DOD failed to issue delivery orders: (3) construction of storage facilities is behind schedule; and (4) DOD is not

operating waste treatment plants at full capacity.

Recommendation To Agencies: The Secretary of Defense should monitor the implementation of the new policy to ensure that, in practice, it succeeds in providing the services, commands, and installations with the authority and flexibility needed to accomplish DOD goals, and the requirements of the act with regard to the generation, storage, and disposal of hazardous waste.

129916

[Protest of FERC Contract Award for Information Management Services]. B-221906. May 19, 1986. 3 pp. *Decision* re: Automated Services, Inc.; by Robert M. Strong, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel. Organization Concerned: Automated Services, Inc.; Downes Group/Rail Trac Associates; Federal Energy Regulatory Commission.

Authority: 4 C.F.R. 21.1(a). B-213046.3 (1984). B-220646.2 (1986). B-217038.2 (1985). B-219636 (1985).

Abstract: A firm protested a Federal **Energy Regulatory Commission (FERC)** contract award for information management services, contending that: (1) FERC improperly required the awardee to hire its employees; and (2) since the integrity of the competitive procurement process was compromised, FERC should resolicit for the required services. GAO held that: (1) since the protester was not in line for award, it was not sufficiently interested to protest; (2) it was not improper for the prospective awardee to recruit the incumbent contractor's employees; (3) the protester's allegations concerned the awardee's alleged improper business practices, and it would not consider a dispute between private parties; and (4) it had no authority to determine what information government agencies had to disclose in connection with a bid protest. Accordingly, the protest was dismissed.

129934

Nuclear Proliferation: DOE Has Insufficient Control Over Nuclear Technology Exports. RCED-86-144; B-221179. May 1, 1986. 73 pp. plus 2 appendices (5 pp.). Report to Rep. Edward J. Markey, Chairman, House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; Sen. William Proxmire; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division.

Refer to EMD-81-9, November 18, 1980, Accession Number 113789; EMD-78-104, October 6, 1978, Accession Number 107377; OCG-81-2, May 21, 1981, Accession Number 115322; Testimony, May 15, 1986, Accession Number 129889; and RCED-87-150, August 17, 1987, Accession Number 133906.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: General Science. Space, and Technology: General Science and Basic Research (251.0). Organization Concerned: Department of Energy; Nuclear Regulatory Commission; Department of State. Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Foreign Affairs; House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee: Senate Committee on Governmental Affairs; Senate Committee on Foreign Relations; Congress; Rep. Edward J. Markey; Sen. William Proxmire.

Authority: Nuclear Non-Proliferation Act of 1978. Atomic Energy Act of 1954 (42 U.S.C. 2011). Freedom of Information Act. 10 C.F.R. 810. 22 C.F.R. 121. 10 C.F.R. 1004. Executive Order 12532. Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, Multilateral, T.I.A.S. No. 6839. Treaty for the Prohibition of Nuclear Weapons in Latin America, Feb. 14, 1967, Multilateral, T.I.A.S. No. 7137.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) control over assistance to foreign atomic energy programs, specifically those involving sensitive nuclear technology (SNT).

Findings/Conclusions: GAO noted that: (1) the Secretary of Energy may only authorize the export of SNT if he determines that the authorization does not adversely affect U.S. interests, and the Department of State concurs; (2) SNT requires specific authorization for export to recipient countries, which must agree to certain conditions regarding its use; and (3) the Nuclear Regulatory Commission (NRC) shares responsibility with DOE for controlling nuclear exports. GAO found that DOE: (1) failed to establish objective standards for authorizing exports as recommended, and its controls were, therefore, inconsistent with NRC controls; (2) authorized exports for SNT without

review and based on factors not contained in the Nuclear Non-Proliferation Act of 1978; and (3) authorized, without reviewing, reports that contained information on sensitive nuclear facilities and operations. Recommendation To Congress: If DOE does not act to establish standards for authorizing U.S. assistance to foreign nuclear programs, Congress may wish to consider whether DOE-regulated exports should be subjected to export control standards similar to those currently required of NRC-licensed exports. Recommendation To Agencies: To better ensure federal control over U.S. assistance provided to foreign atomic energy programs, the Secretary of Energy should revise the general authorization provision of DOE regulations to: (1) allow only previously published documents readily available to the public for the cost of reproduction to be provided under the general authorization; and (2) require that any new documents, even if based on publicly available information, be submitted to DOE for specific authorization if they are being sent to restricted countries or involve sensitive facilities. The Secretary of Energy should establish objective standards and incorporate such standards in DOE regulations. As a part of this effort, the Secretary should describe how political and economic factors will be weighed in conjunction with objective nonproliferation standards, such as facility safeguards. The Secretary of Energy should develop a clear interpretation of SNT and establish criteria to be used in evaluating proposed activities for SNT. The criteria should be developed using rulemaking procedures and included in the agency's SNT regulation. The Secretary of Energy should provide opportunities for Subgroup on Nuclear Export Coordination (SNEC) agencies to review and comment on all proposed activities reviewed by DOE, including technical exchange activities, that involve providing assistance to sensitive foreign nuclear facilities. The interagency review procedures should be amended to reflect these opportunities. The Secretary of Energy should clarify regulations to clearly detail what activities qualify as indirect assistance requiring authorization and undertake efforts to increase the awareness of the regulations in both the private and public sectors, to preclude inadvertent violations of the regulations. The Secretary of Energy should revise the reporting requirements of the regulations to require persons granted

specific authorizations to provide DOE updates of the status of their activities when they are completed or if they are not conducted. The Secretary of Energy should establish procedures requiring DOE to provide routine and timely dissemination of data on activities authorized by the Department.

129935

Strategic Petroleum Reserve: Low Oil Prices Favor Increased Purchases. RCED-86-158; B-208196. May 22, 1986. 7 pp. Report to John S. Herrington, Secretary of Energy, Department of Energy; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-86-205, July 25, 1986, Accession Number 130595; and RCED-87-49, November 17, 1986, Accession Number 131687.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy; Office of Management and Budget.

Congressional Relevance: House
Committee on Government Operations;
House Committee on Appropriations:
Interior Subcommittee; House
Committee on Energy and Commerce:
Fossil and Synthetic Fuels
Subcommittee; Senate Committee on
Appropriations: Interior Subcommittee;
Senate Committee on Energy and
Natural Resources: Mineral Resources
Development and Production
Subcommittee.

Authority: Consolidated Omnibus Budget Reconciliation Act of 1985. Abstract: GAO commented on the Department of Energy's (DOE) plans to stop filling the Strategic Petroleum Reserve (SPR) in July 1986: (1) as a budget-cutting measure; and (2) because it believes it will have stored sufficient oil to meet a 90-day contingency supply commitment to cover import disruptions. Findings/Conclusions: GAO found that SPR will have an inventory level of 502 million barrels of oil, which will meet the 90-day supply commitment; however, if oil imports increase as expected, it will need a larger inventory to meet the commitment. GAO questioned the DOE decision to stop filling SPR because of: (1) the statutory requirement to fill SPR to 527 million barrels by fiscal year (FY)

1988; (2) the recent drop in oil prices; (3) the expected loss of some domestic production with an increased dependence on imported oil; and (4) the expectation that oil prices would increase in the future. GAO believes that the current level of crude oil prices, the availability of storage capacity, and nearly \$580 million in unobligated oil account funds provide DOE an opportunity to continue acquiring SPR oil and meet its statutory requirement at a lower cost and with no additional appropriations. GAO also believes that DOE needs to take advantage of the opportunity to increase its SPR storage capacity to 600 million barrels within a relatively short time.

Recommendation To Agencies: The Secretary of Energy should direct the SPR project manager to continue oil purchases at maximum fill rates beyond the July 1986 cutoff date and attain the 527-million-barrel inventory level. The Secretary of Energy should direct the SPR project manager to resume cavern leaching activities as soon as possible with the objective of having 600 million barrels of capacity available by the end of FY 1987. The Secretary of Energy should direct the SPR project manager to continue filling the SPR beyond the 527-million-barrel level at rates commensurate with oil prices, import levels, and availability of funding and storage capacity. In order to undertake the above steps, the Secretary of Energy should request Office of Management and Budget approval to release whatever amount of the deferred funds is needed.

129937

Budgeting Issues: Budgeting for Inflation in DOD Purchases of Petroleum Products. NSIAD-86-125; B-222917. May 1, 1986. 9 pp. Report to Sen. David H. Pryor; Sen. Thomas F. Eagleton; Sen. William Proxmire; Sen. Patrick J. Leahy; by Frank C. Conahan, Director, National Security and International Affairs Division. Refer to NSIAD-87-71, February 23, 1987, Accession Number 132219.

Issue Area: Navy: Budget Line Item Reviews in Support of Congressional Appropriations Committees (5681). Contact: National Security and International Affairs Division. Budget Function: National Defense:

Budget Function: National Defense: Department of Defense - Military (Except Procurement and Contracting) (051.0).

Organization Concerned: Department of Defense.

Congressional Relevance: Sen. Patrick J. Leahy; Sen. William Proxmire; Sen. Thomas F. Eagleton; Sen. David H. Pryor.

Authority: Balanced Budget and Emergency Deficit Control Act of 1985. Abstract: Pursuant to a congressional request, GAO reviewed how the Department of Defense (DOD): (1) estimates funding for its fuel purchases; and (2) realizes inflation dividends in its budget.

Findings/Conclusions: GAO found that: (1) the inflation dividend for fuel purchases will total \$5 billion between fiscal year (FY) 1982 and FY 1986; (2) DOD uses forecasts of crude oil prices to predict the prices it will pay for refined petroleum products; (3) because crude and refined oil prices showed similar trends between 1982 and 1986, DOD forecasting did not lead to any substantial errors in price projections; (4) the defense fuel budget for FY 1985 was developed assuming a slight increase in fuel prices, but when prices actually fell 4.3 percent, there was a 4.8 percent excess in fuel funds; and (5) the difference between the FY 1986 estimate and the FY 1985 estimate resulted from changes in the years' dividends. GAO also found that: (1) the amount of fuel inflation dividends remaining available to DOD for obligation could not be determined because all of the dividends occurred in the Stock Fund or Operations and Maintenance accounts; (2) as DOD became aware that excess balances in fuel funds were accumulating in the Stock Fund, it reduced its fuel budgets to compensate for the excess balances; and (3) congressional cuts for FY 1985 and FY 1986 offset most, but not all, of the dividends realized for those years.

129947

[Request for Reconsideration of Dismissal of Protest Under DOE IFB]. B-221530.2. May 23, 1986. 3 pp. Decision re: Woodson Construction Co., Inc.; by Robert M. Strong, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel.
Organization Concerned: Woodson
Construction Co., Inc.; Gregory & Cook;
Department of Energy.
Authority: 4 C.F.R. 21.3(f)(5). 4 C.F.R.
21.2(a)(1). 54 Comp. Gen. 145. B-219999.2
(1985). B-218374 (1985). B-218267.2 (1985).
Abstract: A firm requested
reconsideration of the dismissal of its
protest under a Department of Energy
(DOE) solicitation, contending that: (1) it
had additional information concerning

its allegations of collusive bidding: (2) the solicitation specifications restricted competition; and (3) DOE improperly reinstated a cancelled solicitation. GAO held that: (1) allegations of collusive bidding were matters for the Department of Justice to consider; (2) it would not review an agency's responsibility determination absent a showing of bad faith; (3) the protester could not introduce a new basis for protest in its reconsideration request that it could have raised in its original protest; (4) since the protester did not allege solicitation improprieties prior to bid opening, its protest was untimely: and (5) although DOE cancelled the solicitation because of funding difficulties, it properly reinstated the solicitation when funding was no longer a problem and award under the original solicitation would meet its actual needs. Accordingly, the original decision was affirmed.

129979

DOE Uranium Enrichment Activity Financial Statements: September 30, 1984. AFMD-86-19; B-220995. May 7, 1986. 31 pp. Report to John S. Herrington, Secretary, Department of Energy; by Frederick D. Wolf, Director, Accounting and Financial Management Division.

Issue Area: Financial Statement Audits of Government Entities: Audit Agency, Corporation, Legislative Branch, and Pension Fund Financial Statements

Contact: Accounting and Financial Management Division.

Budget Function: Financial Management and Information Systems (998.0).

Organization Concerned: Department of Energy.

Authority: Atomic Energy Act of 1954 (42 U.S.C. 2201(v)). Administrative Procedure Act (5 U.S.C. 551 et seq.). Department of Energy Organization Act (42 U.S.C. 7191). 31 U.S.C. 3523.

Abstract: GAO examined the balance sheets of the Department of Energy's Uranium Enrichment Activity (UEA) as of September 30, 1984, and the related statements of operations, changes in government equity, and changes in the financial position for the year then anded

Findings/Conclusions: GAO found that the financial statements presented fairly the UEA financial position as of September 30, 1984, and the results of its operations and the changes in its financial position for the year then ended, in conformity with generally accepted accounting principles. GAO noted several substantive issues that could materially affect the UEA financial position in subsequent accounting periods.

129995

Low Income Energy Assistance: State Responses to 1984 Amendments. HRD-86-92; B-214417. May 16, 1986. 3 pp. plus 5 appendices (26 pp.). Report to Sen. Paula Hawkins, Chairman, Senate Committee on Labor and Human Resources: Children, Family, Drugs and Alcoholism Subcommittee; Rep. Dale E. Kildee, Chairman, House Committee on Education and Labor: Human Resources Subcommittee; Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Rep. Edward J. Markey, Chairman, House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee: by Edward A. Densmore, (for Richard L. Fogel, Director), Human Resources Division. Refer to HRD-88-92BR, April 29, 1988, Accession Number 135959.

Issue Area: Intergovernmental
Relations: Effects of Shifts in
Intergovernmental Policies on States,
Localities, and People Served (9201).
Contact: Human Resources Division.
Budget Function: Income Security:
Other Income Security (609.0).
Organization Concerned: Department of
Health and Human Services: Family
Services Administration: Office of
Energy Assistance; Department of
Energy.

Congressional Relevance: House Committee on Energy and Commerce: **Energy Conservation and Power** Subcommittee: House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; House Committee on Education and Labor: Human Resources Subcommittee; Senate Committee on Labor and Human Resources: Children, Family, Drugs and Alcoholism Subcommittee; Rep. Edward J. Markey; Rep. Philip R. Sharp; Rep. Dale E. Kildee; Sen. Paula Hawkins. Authority: Balanced Budget and Emergency Deficit Control Act of 1985. Omnibus Budget Reconciliation Act of

Abstract: Pursuant to a legislative requirement, GAO evaluated states' use of the Low-Income Home Energy Assistance (LIHEA) Block Grant, focusing on the effects of: (1) 1984

amendments to the block grant legislation: (2) budget reductions that the Balanced Budget and Emergency Deficit Control Act requires; and (3) a \$2.1billion oil overcharge settlement. Findings/Conclusions: The 1984 amendments: (1) changed the fund allocation formula; (2) imposed additional restrictions on state eligibility criteria to promote program participation among poverty-stricken families not receiving welfare benefits; and (3) clarified the LIHEA program's crisis assistance component rules. GAO found that: (1) many states significantly decreased weatherization expenditures in response to the changes; (2) states only minimally changed their expenditures for heating and crisis assistance; (3) states are continuing to transfer LIHEA funds to other block grant programs, especially those that the Social Services Block Grant funds: (4) most states expected to continue to increase their program administration expenditures; and (5) some states had to expand eligibility criteria to comply with the new requirements. GAO also found that: (1) some states absorbed funding reductions of up to 11.7 percent under the act; (2) pursuant to that act's requirements, the Department of Health and Human Services reduced its fiscal year 1986 LIHEA budget by 4.3 percent; and (3) most states intended to reduce weatherization, heating, crisis assistance, administration, and transfer expenditures to meet the act's requirements. In addition, GAO found that: (1) the Department of Energy released almost \$2.1 billion to the states after it collected that amount in an oil overcharge settlement, but the states were responsible for determining how those funds should be spent; and (2) the level of federal LIHEA funding is likely to determine how states allocate the settlement funds.

130004

[Protest of Exclusion From Competitive Range Under NRC RFP]. B-222328. June 2, 1986. 6 pp. Decision re: LNR Associates; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel.
Organization Concerned: LNR
Associates; Nuclear Regulatory
Commission.

Authority: Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.). 55 Comp. Gen. 636. B-216406 (1985). B-216789 (1985). B-218338 (1985).

Abstract: A firm protested its exclusion from the competitive range under a

Nuclear Regulatory Commission (NRC) solicitation, contending that NRC unjustifiably rejected its proposal. GAO held that the protester failed to: (1) prove that the NRC evaluation was unreasonable; and (2) comply with the solicitation specifications. Accordingly, the protest was denied.

130067

SDI Program: Evaluation of DOE's Answers to Questions on X-Ray Laser Experiment. NSIAD-86-140BR; B-223094. June 2, 1986. 2 pp. plus 1 appendix (6 pp.). Briefing Report to Rep. Samuel S. Stratton, Chairman, House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee; by Harry R. Finley, Senior Associate Director, National Security and International Affairs Division. Refer to NSIAD-88-181BR, June 30, 1988, Accession Number 136334.

Issue Area: Air Force: Assessing Whether U.S. Strategic Defense Programs Are Effectively Planned and Conducted (5403).
Contact: National Security and International Affairs Division.
Budget Function: National Defense:

Defense-Related Activities (054.0).

Organization Concerned: Department of Defense: Office of the Secretary:
Strategic Defense Initiative
Organization; Department of Energy:
Lawrence Livermore National

Laboratory. Congressional Relevance: House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee; Rep. Edward J. Markey; Rep. Bill Green; Rep. Marjorie S. Holt; Rep. Samuel S. Stratton. Abstract: Pursuant to a congressional request, GAO evaluated the Department of Energy's (DOE) responses to a series of congressional questions on the X-Ray Laser Program, under which DOE is conducting a series of tests for the Department of Defense (DOD). Findings/Conclusions: GAO found that the questions derived from a press account of the program which stated that DOE obtained inaccurate test data because its diagnostic instrumentation was flawed. GAO also found that: (1) DOE reconfigured its test equipment; (2) DOE did not need to delay the latest laser test; (3) the laser has a number of potential military applications; (4) DOD has not accelerated the program; (5) there appeared to be no basis upon which to question DOE and DOD claims that the program has been a success to

date; and (6) DOE does not intend to test the laser in space or in the atmosphere.

130069

Nuclear Energy: A Compendium of Relevant GAO Products on Regulation, Health, and Safety. RCED-86-132; B-223176. June 6, 1986. 3 pp. plus 2 appendices (44 pp.). Report to Congress; by Charles A. Bowsher, Comptroller General. Refers to numerous reports and testimonies on nuclear energy from January 1, 1979 to May 15, 1986.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission; Department of Energy: Savannah Nuclear Power Station; Department of Energy: Hanford Power Station.

Congressional Relevance: Congress. Authority: Nuclear Waste Policy Act of 1982. Price-Anderson Act (Atomic Energy Damages) (42 U.S.C. 2210). Energy Reorganization Act of 1974. Abstract: GAO summarized its previous reports and testimonies from January 1, 1979 to May 15, 1986 on nuclear: (1) energy; (2) regulation; (3) environment, health, and safety issues; and (4) waste management and disposal procedures. Findings/Conclusions: GAO noted that: (1) awareness of the environment, health, and safety issues concerning nuclear power in the United States has increased as a result of the Chernobyl nuclear power plant accident in the Soviet Union: (2) the adequacy of the Nuclear Regulatory Commission's oversight of domestic commercial nuclear facilities is a major concern; and (3) in previous reports it had recommended methods for improving oversight of Department of Energy (DOE) nuclear facilities. GAO found that, although DOE has made some improvements to correct oversight deficiencies, organizational independence of the oversight function may still be a problem area.

130080

Canadian Power Imports: A Growing Source of U.S. Supply. RCED-86-119; B-208231. April 30, 1986. 33 pp. plus 3 appendices (25 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-88-22, October 19, 1987, Accession Number 134302; and RCED-89-51, March 3, 1989, Accession Number 138445.

Issue Area: Energy: Effectiveness of Government in Fulfilling Its Role of Ensuring That an Adequate and Reliable Power Supply Is Provided by the Electric Utility Industry (6403).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Canada. Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Environmental Policy Act of 1969 (National). Executive Order 10485. Abstract: In response to a congressional request, GAO reported on the impact of Canadian power imports on the United States, specifically: (1) import pricing methods; (2) the cost-effectiveness of imports versus building new power plants in the United States; (3) increasing U.S. dependence on a foreign power source; (4) the technical reliability of importing large quantities of Canadian electricity; and (5) the use of imported power rather than domestic power surpluses.

Findings/Conclusions: GAO noted that the United States will probably increase its use of imported Canadian electricity through the year 2000. GAO found that: (1) although import prices differ between the New England and Midwest regions, importing Canadian power creates cost advantages for domestic utilities and consumers; (2) the United States is not overly dependent on Canadian power; and (3) industry groups and utilities are examining the issue of technical reliability and the potential for transmitting surplus domestic power between regions.

130082

Naval Petroleum Reserves: Sales Procedures and Prices Received for Elk Hills Oil. RCED-86-163FS; B-208196. May 9, 1986. 7 pp. Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-180, July 30, 1984, Accession Number 124961; Testimony, June 11, 1986, Accession Number 130100; and RCED-87-75FS, January 29, 1987, Accession Number 132121.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Rep. Philip R. Sharp. Authority: Naval Petroleum Reserves Production Act of 1976 (P.L. 94-258; 10 U.S.C. 7422 et seq.).

Abstract: In response to a congressional request, GAO reported on the Department of Energy's (DOE) oil sales from the Elk Hills Naval Petroleum Reserve (NPR-1) at apparently unreasonably low prices.

Findings/Conclusions: GAO found that: (1) from October 1, 1985 to April 1, 1986, DOE sold about 86,000 barrels of oil per day from NPR-1; (2) from the start of that period through the first week of February 1986, posted crude oil prices remained fairly stable, ranging from \$24.88 to \$24.95 per barrel; and (3) discount bids by the contractors purchasing NPR-1 oil during the 6month period ranged from \$0.197 to \$1.16 per barrel; and (4) although DOE base prices decreased drastically during the period from February 10, 1986 to April 3, 1986, the contracted discounts remained the same and therefore, the net prices to the government for this period were not too far below the posted prices. GAO also found that: (1) for the 6-month contract period which began on April I, 1986, DOE awarded contracts to 15 companies to purchase about 82,000 barrels per day from NPR-1; (2) these companies bid discounts from the posted prices ranging from \$0.97 to \$6.98 per barrel; and (3) DOE base prices remained relatively constant during this period.

130083

[Protest of DOE Contract Award]. B-222468. June 10, 1986. 3 pp. Decision re: Nickum & Spaulding Associates, Inc.; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Nickum & Spaulding Associates, Inc.; Department of Energy: Operations Office. Albuquerque, NM; Glosten Associates, Inc.: Department of Energy: Sandia National Laboratory. Authority: Freedom of Information Act. 4 C.F.R. 21.2(a)(2). B-215922.2 (1984). B-220000.4 (1985). B-221306 (1986). Abstract: A firm protested a Department of Energy (DOE) contract award, contending that DOE: (1) erroneously evaluated its proposal; (2) used unfair practices in the past; and (3) should reimburse it for its bid and protest preparation costs. GAO found that: (1) the alleged error in the technical evaluation did not adversely affect the protester's competitive standing; and (2)

130087

Department of Energy's Transuranic Waste Disposal Plan Needs Revision. RCED-86-90; B-221801. March 21, 1986. Released June 4, 1986. 36 pp. Report to Rep. Michael L. Synar, Chairman, Hou

the protest against past practices was

untimely. Accordingly, the protest was

denied in part and dismissed in part,

and the claim was denied.

Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-86-61, December 31, 1985, Accession Number 128807: T-RCED-87-7. March 17, 1987, Accession Number 132405; RCED-87-153, July 27, 1987, Accession Number 133794: T-RCED-87-12, March 25, 1987, Accession Number 132484; T-RCED-87-4, March 12, 1987, Accession Number 132384; T-RCED-88-30, March 31, 1988, Accession Number 135455; and RCED-88-130, March 28, 1988, Accession Number 135666.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Science and
Technology; House Committee on
Government Operations: Environment,
Energy and Natural Resources
Subcommittee; Senate Committee on
Energy and Natural Resources: Energy
Research and Development

Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Rep. Michael L. Synar.

Authority: Department of Energy, National Security and Military Applications of Nuclear Energy Authorization Act, 1980 (P.L. 96-164). Department of Energy, National Security and Military Applications of Nuclear Energy Authorization Act, 1982 (P.L. 97-90). Environmental Policy Act of 1969 (National) (P.L. 91-190). 10 C.F.R. 61.55.

Abstract: Pursuant to a congressional request, GAO reviewed certain aspects of the Department of Energy's (DOE)
Transuranic (TRU) Waste Disposal and Defense Waste Management Plan to determine: (1) whether the plan covered the permanent disposal of all TRU waste; (2) whether the plan identified all costs for the permanent disposal of TRU waste; and (3) the status of DOE efforts to resolve environmental and safety issues related to the permanent disposal of TRU waste.

Findings/Conclusions: TRU waste consists of discarded materials contaminated with manmade radioactive elements that can be dangerous if inhaled or ingested and can remain radioactive for thousands of years. DOE generates TRU waste from its defense weapons production, research, development, and testing activities. Prior to 1970, DOE buried TRU waste in shallow pits; however, it determined that TRU waste should be stored at six facilities until there was a safe. permanent disposal method, and Congress required DOE to set a plan for the permanent disposal of TRU waste. GAO found that the plan does not: (1) explain the DOE position concerning the permanent disposal of pre-1970 buried waste and is silent concerning contaminated soil; (2) disclose that some TRU waste, such as large equipment, may not meet its disposal facility's disposal criteria; (3) include costs for disposing of buried waste, contaminated soil, and waste not acceptable to the disposal facility; and (4) provide details on environmental and safety issues or discuss the types of or timing for environmental analyses needed before operations begin. DOE has begun efforts to resolve TRU waste environmental and safety issues to comply with National Environmental Policy Act requirements and continues to assess: (1) its facilities' structural integrity; (2) the safe transportation of TRU waste; and (3) the safe disposal of buried waste and contaminated soil.

Recommendation To Agencies: The Secretary of Energy should revise the plan and submit it to all legislative. authorization, appropriations, and oversight committees to include: (1) specific plans for the permanent disposal of buried waste, contaminated soil, and difficult-to-certify waste; (2) cost estimates for the permanent disposal of TRU waste, including the options for buried waste, contaminated soil, and difficult-to-certify waste, processing and certifying newly generated TRU waste, decontamination and decommissioning of TRU waste processing facilities, and interim operations; and (3) specific and detailed discussions of environmental and safety issues for the permanent disposal of TRU waste.

130090

An Evaluation of the Commerce Department Study on U.S. Steam Coal Imports. NSIAD-86-83BR; B-222049. March 28, 1986.

Released June 2, 1986. 2 pp. plus 2 appendices (9 pp.). Briefing Report to Sen. Arlen Specter, Chairman, Senate Coal Caucus; by Allan I. Mendelowitz, Associate Director, National Security and International Affairs Division.

Issue Area: International Trade and Finance: Other Issue Area Work (6391). Contact: National Security and International Affairs Division. Budget Function: Energy (270.0); International Affairs (150.0).

Organization Concerned: Department of Energy; Department of Commerce. Congressional Relevance: Senate Coal Caucus; Sen. Arlen Specter.

Abstract: In response to a congressional request, GAO analyzed the major assumptions of the Department of Commerce's study on the potential for U.S. steam coal imports, to determine: (1) how increased coal imports would affect the U.S. coal industry; (2) the solvency of the Black Lung Disability Trust Fund; and (3) the extent of U.S. energy independence.

Findings/Conclusions: GAO found that: (1) Commerce used appropriate methodology and data in carrying out its study; (2) the major assumptions in the study appeared reasonable; and (3) its findings were fairly insensitive to changes in its underlying assumptions. The study included two scenarios showing that: (1) under the first scenario, U.S. coal imports were estimated at 6.4 million tons, or about 1 percent of total utility consumption of coal; (2) under the second scenario, coal imports were estimated at 17.7 million tons, or about 3 percent of total utility

consumption of coal; and (3) the mining jobs that would be displaced by coal imports were estimated at 1.120 under the first scenario and 2,780 under the second scenario. The study also indicated that: (1) if U.S. coal imports were to increase, revenues for the Fund would fall, but the effect on the Fund would be relatively small; (2) the effect of increased coal imports on U.S. energy independence appears minimal; and (3) even if U.S. coal imports were to increase, the United States would still have the world's largest supply of coal reserves that could be mined should foreign supply conditions change.

130100

[Sales of Crude Oil by Elk Hills Naval Petroleum Reserve]. June 11, 1986. 5 pp. plus 1 attachment (6 pp.). Testimony before the House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; House Committee on Armed Services: Investigations Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-163FS, May 9, 1986, Accession Number 130082.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Armed Services: Investigations Subcommittee; House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee.

Authority: Naval Petroleum Reserves Production Act of 1976 (P.L. 94-258). Abstract: GAO discussed the Department of Energy's (DOE) sale of crude oil from the Elk Hills Naval Petroleum Reserve. GAO summarized the sales data contained in an earlier DOE fact sheet, noting that: (1) DOE sells shares of the crude oil under 6month contracts by competitive bidding; (2) DOE determines the price of the oil by taking the average of the crude oil price schedules of the major oil companies and factoring in the contract discount and the oil quality; (3) although prices remained stable between October 1, 1985 and February 5, 1986, they began to decline as a result of the decrease in world oil prices; and (4) large base oil price discounts will continue to apply to all oil deliveries through October 1, 1986. 130122

Naval Petroleum Reserves: Preliminary Analysis of Future Net Revenues From Elk Hills Production. RCED-86-169BR; B-208196. June 5, 1986.

Released June 9, 1986. 6 pp. Briefing Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-151, August 25, 1988, Accession Number 136934.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Rep. Philip R. Sharp. Authority: OMB Circular A-94.

Abstract: Pursuant to a congressional request, GAO analyzed the proposed sale of the federal interest in the Elk Hills Naval Petroleum Reserve, focusing on: (1) the present value of net revenues from Elk Hills production; and (2) the effects on Elk Hills revenues of possible variations in crude oil prices and the Treasury discount rate.

Findings/Conclusions: GAO found that: (1) Elk Hills revenues would range from \$1.8 billion to \$8.2 billion dollars, depending on average petroleum prices and the varying discount rate; (2) high oil prices and a low discount rate would produce the highest revenues; and (3) if oil prices returned to their pre-1986 level, Elk Hills revenues could total as much as \$9.1 billion, given the current discount rate of 11.5 percent.

130128

Patent Policy: Department of Commerce Involvement in Department of Energy Activities. RCED-86-83; B-219920. March 25, 1986

Released June 6, 1986. 15 pp. Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Issue Area: Energy: Other Issue Area Work (6491); Science and Technology Policy and Programs: Patent Policies and Programs (9303).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Commerce; Department of Energy; Office of Management and Budget. Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. Doug Walgren; Rep. John D. Dingell; Sen. Robert J. Dole. Authority: Trademark Clarification Act of 1984 (P.L. 98-620; 98 Stat. 3335). Atomic Energy Act of 1954 (42 U.S.C. 2182). Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5908). Administrative Procedure Act (5 U.S.C. 553). 63 Comp. Gen. 624. F.A.R. 927.3, P.L. 96-517, H.R. 5003 (98th Cong.). OMB Circular A-19. Home Box Office, Inc. v. Federal Communications Commission, 567 F.2d 957 (D.C. Cir. 1977). 35 U.S.C. 200 et seq. 18 U.S.C. 1913. 94 Stat. 3015.

Abstract: In response to a congressional request, GAO examined several Department of Commerce actions aimed at influencing Department of Energy (DOE) patent policy to determine if they were in violation of the law, specifically: (1) Commerce's involvement in an Office of Management and Budget (OMB) initiative to change DOE patent policies and reduce its patent attorney staff; (2) Commerce's role in an OMB decision not to clear a DOE letter to Congress expressing concerns regarding patent legislation being considered; (3) Commerce's role in drafting a letter to OMB critical of DOE actions relating to federal patent policy; and (4) regulations Commerce was developing to implement newly enacted patent legislation governing certain aspects of DOE handling of patent rights at its nonprofit contractor-operated laboratories. Findings/Conclusions: GAO found that Commerce: (1) recommended that OMB change DOE patent policy to include budget and staffing reductions; (2) opposed clearance of a DOE letter to a congressional member commenting on proposed patent legislation that would affect its government-owned, contractoroperated facilities; (3) was involved in preparing a Senate letter to OMB calling attention to DOE opposition to the implementation of the President's new policies regarding contractor ownership of inventions developed under federal research and development contracts and suggesting that OMB review DOE patent

regulations; (4) did not maintain a record of the oral communications it received on its proposed regulations to implement certain sections of the law dealing with government research and development patent policy; and (5) changed the regulations because of comments it solicited after the close of the comment period. GAO held that: (1) there was a potential defect in the validity of the regulations caused by Commerce's failure to record oral comments and changing the final draft regulations after the close of the comment period; and (2) none of Commerce's other activities violated any law or regulation.

130170

Surface Mining: Issues Associated With Indian Assumption of Regulatory Authority. RCED-86-155; B-221171. May 30, 1986. 5 pp. plus 3 appendices (19 pp.). Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-87-34, October 6, 1986, Accession Number 131526.

Issue Area: Natural Resources
Management: OSM and State
Effectiveness in Meeting Regulatory
Responsibilities Under SMCRA (6910).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Conservation and
Land Management (302.0).

Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Navajo Tribes; Hopi Tribes: Crow Tribes.

Congressional Relevance: House Committee on Interior and Insular Affairs; Rep. Morris K. Udall. Authority: Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201 et seq.). Civil Rights Act (Indians).

Abstract: In response to a congressional request, GAO reviewed issues concerning the regulation of surface coal mining on Indian lands, focusing on: (1) the Indian assumption of regulatory authority over surface coal-mining operations; and (2) the Department of the Interior's proposal to reallocate the abandoned mine land (AML) reclamation funds currently set aside for Indian tribes. Findings/Conclusions: GAO determined that several issues could affect future legislative efforts to grant primacy to Indian tribes, including: (1) disputes over the definition of Indian lands outside the

boundaries of the reservations and the states' historical regulatory role on these lands; (2) multiple regulatory authorities for mines that span federal, Indian, and state lands; (3) the adequacy of tribal judicial systems to enforce the Surface Mining Control and Reclamation Act's requirements; and (4) the ability of the tribes to impartially regulate coal mining operations in which they have vested interests. GAO found that, under the act, Interior has the legal authority to reallocate any AML funds not used by a state or Indian tribe within 3 years of the initial allocation.

130210

Mineral Revenues: Opportunities To Increase Onshore Oil and Gas Minimum Royalty Revenues. RCED-86-110; B-207556. June 24, 1986. 6 pp. plus 4 appendices (20 pp.). Report to Donald P. Hodel, Secretary, Department of the Interior; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-87-164, August 25, 1987, Accession Number 133852.

Issue Area: Natural Resources Management: Effectiveness of Interior's Oversight of Federal Minerals Revenues (6907).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior; Bureau of Land Management; Department of the Interior: Minerals Management Service. Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs; . Senate Committee on Appropriations: Interior and Related Agencies Subcommittee; Senate Committee on Energy and Natural Resources.

Authority: Mineral Lands Leasing Act of 1920 (30 U.S.C. 181 et seq.). Oil and Gas Royalty Management Act. 30 U.S.C. 226. Abstract: GAO reviewed the Department of the Interior's administration of federal oil and gas leases to determine: (1) whether Interior has collected all minimum royalties due the government; and (2) if the current minimum rate is still appropriate.

Findings/Conclusions: GAO noted that the Bureau of Land Management maintains the official records on lease status and acreages subject to rents or royalties, and the Minerals Management Service (MMS) collects and disburses

lease revenues to recipients. GAO found that: (1) although oil and gas rental rates have increased during the past 40 years, the minimum royalty rate of \$1 per acre has not; and (2) in fiscal year 1985, MMS did not collect \$1.7 million because it received no royalties from approximately 1.4 million acres. Recommendation To Agencies: The Secretary of the Interior should require the Director, MMS, to recover uncollected or undercollected minimum royalties and related interest, as required by statute. The Secretary of the Interior should require the Director, MMS, to monitor existing leases to ensure that minimum royalties are paid. The Secretary of the Interior should develop and submit to Congress a legislative package amending the Mineral Lands Leasing Act of 1920 to specifically authorize him to adjust the minimum royalty rate. In the event legislation passes authorizing Interior to do so, the minimum royalty rates for newly issued leases should be adjustable during the lease terms according to their current circumstances. Until an automated computer monitoring system is developed, MMS should use the existing Minimum Royalty Schedule Data Listing report to carry out recommended actions.

130212

[The Bonding Systems for Reclamation of Strip-Mined Lands in Pennsylvania and West Virginia]. June 26, 1986. 16 pp. plus 1 attachment (2 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Michael Gryszkowiec, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-147, August 8, 1985, Accession Number 127769.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement. Congressional Relevance: House

Congressional Relevance: House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee.

Authority: Surface Mining Control and Reclamation Act of 1977.

Abstract: In response to a congressional request, GAO reviewed the bonding systems for funding the reclamation of strip-mined land in Pennsylvania and West Virginia, specifically: (1) reclamation procedures after bond

forfeiture: (2) the bonding system fund's adequacy; and (3) the bond releases' appropriateness. GAO found that: (1) many acres of unreclaimed mined land exist because of the lengthy reclamation process; (2) both states took too much time to reclaim bond-forfeiture lands; (3) existing bonds were insufficient to cover the cost of reclaiming the interimprogram forfeiture lands; (4) the Department of the Interior's Office of Surface Mining Reclamation and Enforcement failed to ensure that permanent program alternative bonding systems will be adequate; and (5) although both states complied with procedural requirements for releasing bonds, inspectors identified three sites with reclamation deficiencies and questioned the appropriateness of the bond release.

130260

Nuclear Safety: Safety Analysis Reviews for DOE's Defense Facilities Can Be Improved, RCED-86-175; B-222195. June 16, 1986. Released June 17, 1986. 5 pp. plus 2 appendices (20 pp.). Report to Sen. John H. Glenn, Ranking Minority Member, Senate Committee on Governmental Affairs: Energy, Nuclear Proliferation and Government Processes Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to EMD-81-108, August 4, 1981, Accession Number 115979; RCED-84-50, November 30, 1983, Accession Number 123131; RCED-86-192, September 8, 1986, Accession Number 131121; RCED-87-124, June 2, 1987, Accession Number 133093; T-RCED-88-6, October 22, 1987, Accession Number 134218; T-RCED-87-32, June 16, 1987, Accession Number 133223; RCED-87-93, April 14, 1987, Accession Number 132869; T-RCED-87-12, March 25, 1987, Accession Number 132484; T-RCED-87-4, March 12, 1987, Accession Number 132384; T-RCED-88-30, March 31, 1988, Accession Number 135455; RCED-88-130, March 28, 1988, Accession Number 135666; T-RCED-88-61, August 23, 1988, Accession Number 136742; RCED-88-195, September 27, 1988, Accession Number 137216; and RCED-90-47, October 23, 1989, Accession Number 139806.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy; Nuclear Regulatory Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Science and
Technology; Senate Committee on
Commerce, Science and Transportation;
Senate Committee on Appropriations:
Energy and Water Development
Subcommittee; Senate Committee on
Governmental Affairs: Energy, Nuclear
Proliferation and Government Processes
Subcommittee; Sen. John H. Glenn.
Authority: DOE Order 5481.1A. DOE
Order 6430.1.

Abstract: Pursuant to a congressional request, GAO reported on the adequacy of the Department of Energy's (DOE) safety analysis reviews (SAR) for its existing nuclear defense facilities. GAO examined eight facilities to determine the effectiveness of DOE efforts to protect workers and the environment. Findings/Conclusions: GAO found that: (1) DOE did not approve the reviews for three of the eight facilities, each of which had the potential for significant on-site or off-site releases of radioactive material in a major accident; (2) the reviews' safety design criteria varied considerably between the facilities; (3) the reviews used different approaches to identify and analyze potential accidents at DOE facilities, with some approaches being more comprehensive than others; and (4) DOE reviewed and approved the reviews internally, which precluded an independent review process.

Recommendation To Agencies: The Secretary of Energy should complete and approve SAR for all high-hazard facilities in a timely fashion. The Secretary of Energy should require that SAR include a detailed comparison of the plant against current DOE design criteria, highlighting and explaining any deviations. The Secretary of Energy should develop more consistent requirements to be followed in preparing reviews, outlining appropriate methodologies and assumptions to be used in analyzing accidents and their consequences. The Secretary of Energy should establish an arrangement with an outside independent organization to review those SAR for the most hazardous facilities. This could be accomplished either by establishing a working arrangement with the Nuclear Regulatory Commission or an independent review panel.

130275

Rural Cooperatives: Information on Two Rural Electrification Administration Proposals. RCED-86-101; B-222848. May 30, 1986. 7 pp.

Commission.

plus 5 appendices (26 pp.). Report to Sen. Jesse A. Helms, Chairman, Senate Committee on Agriculture, Nutrition, and Forestry; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to B-195437.2, September 17, 1986, Accession Number 131180; and RCED-87-74, March 17, 1987, Accession Number 132531.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Agriculture (350.0).

Organization Concerned: Department of Agriculture: Rural Electrification

Administration; National Rural Electric Cooperative Association.

Congressional Relevance: Senate
Committee on Agriculture, Nutrition,
and Forestry; Sen. Jesse A. Helms.
Authority: OMB Circular A-119.
Abstract: Pursuant to a congressional
request, GAO obtained information on:
(1) the advantages and disadvantages of
the Rural Electrification

Administration's (REA) engineering standards proposal; and (2) the basis for and potential impacts of the REA proposal to revise its loan approval criteria.

Findings/Conclusions: GAO found that: (1) advantages of REA performing its standards-setting function included lower facilities construction costs. greater security for REA loans, and increased efficiency for materials and equipment manufacturers; (2) one disadvantage was that the government, rather than the consumer, would bear the cost of the standards-setting function; (3) three out of five private organizations surveyed were unwilling to develop and maintain engineering standards for rural utility cooperatives; (4) revised loan approval criteria would provide a better measure of cooperatives' available funds to meet financing needs; (5) approximately 70 percent of the REA electric distribution cooperatives would not qualify initially for loan advances under the proposed criteria; (6) REA estimated that many cooperatives would again be eligible for loans within a year; and (7) the National Rural Electric Cooperative Association believes many cooperatives would permanently lose their eligibility for REA funds and turn to non-REA financing of construction projects.

130305

Synthetic Fuels: Status of the Great Plains Coal Gasification Project.

RCED-86-190FS; B-207876. July 3, 1986. 26 pp. Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Sen. Mark Andrews; by James Duffus, III, Associate Director, Resources. Community, and Economic Development Division. Refer to RCED-86-109FS, February 28, 1986 Accession Number 129305; RCED-86-36, December 24, 1985, Accession Number 128710; RCED-86-49FS, November 8, 1985, Accession Number 128559; RCED-87-90FS, February 27, 1987, Accession Number 132273; and RCED-88-53FS, November 10, 1987, Accession Number 134362.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410); Education and Employment: Effectiveness of Public and Private Efforts in Helping Dislocated Workers Become Reemployed (5311). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; ANG Coal Gasification Co. Congressional Relevance: House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Rep. Philip R. Sharp; Sen. Mark Andrews.

Authority: Department of Energy Act of 1978--Civilian Applications (P.L. 95-238). Nonnuclear Energy Research and Development Act of 1974 (P.L. 93-577; 42 U.S.C. 5919(g)(2)).

Abstract: GAO provided additional information on the status of the Great Plains Coal Gasification Project in North Dakota, specifically: (1) the loan default; (2) loan and gas pricing formula; (3) legal matters and agreements; (4) the Department of Energy's (DOE) options and actions; and (5) Great Plains operations.

Findings/Conclusions: GAO found that: (1) the pipeline companies that purchased the Great Plains gas are using a substitute pricing formula, between \$3.3744 per million British thermal units (BTU) and \$5.7106 per million BTU, for billing; (2) DOE cannot sell the property; (3) DOE continues to negotiate an interim agreement with the project operator to continue to operate the project; (4) DOE has no liability under current supply contracts; (5) the validity of the gas purchase agreements is still being debated; (6) a special

operating agreement was effected to keep the plant in operation during negotiations and to delay interest and guarantee fee payments; (7) DOE has not made a decision on any option regarding the future of the project; (8) the operator will continue to operate the plant until a decision is made on the project's future; and (9) DOE believes that operating the plant in the interim will not result in higher costs or economic risks.

130341

[Protest of DOE Contract Award for Technical Support Services]. B-221863, B-221863.2. June 20, 1986. 16 pp. *Decision* re: NUS Corp.; Austin Co.; by Milton J. Socolar, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel. Organization Concerned: NUS Corp.; Austin Co.; Department of Energy; Roy F. Weston, Inc.

Authority: Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.). Competition in Contracting Act of 1984 (41 U.S.C. 253(a)(1)(A)). Automatic Data Processing Equipment Act (40 U.S.C. 759). 55 Comp. Gen. 1111. 54 Comp. Gen. 783. 62 Comp. Gen. 577. 52 Comp. Gen. 358. 56 Comp. Gen. 712. F.A.R. 15.603(a). F.A.R. 15.609(a). F.A.R. 15.610. F.A.R. 15.611. F.A.R. 15.613. DEAR 915.613. DEAR 915.612. GSBCA 8134-P-R. B-206138 (1983). B-188272 (1977). B-208871 (1983). B-218338 (1985). B-220661 (1986). B-219404 (1985).

Abstract: Two firms protested a Department of Energy (DOE) contract award for technical support services, contending that DOE improperly selected only the awardee for final contract negotiations after it failed to evaluate competing proposals. GAO held that: (1) the small difference in technical scores between one firm's proposal and the awardee's proposal did not reflect the awardee's superiority and, therefore, DOE should have entered into final negotiations with both firms; (2) the source selection official was responsible for determining whether technical point advantages outweighed the cost of a proposal; (3) DOE should not base award on the difference in technical merit scores alone, but should consider the difference in terms of performance and cost; (4) the awardee's superior proposal merely reflected its prior capability and was not a clear indication of its ability to perform the new effort; and (5) since there was no evidence that the responsible firm was less technically competent than the awardee, DOE should reopen discussions with both

offerers to obtain best and final offers. Accordingly, one protest was sustained and one protest was denied.

130413

[Protest of DOE Termination of Contract Award for Default]. B-223435, B-223436, B-223437. July 15, 1986. 2 pp. *Decision* re: ST&E Technical Services, Inc.; by Robert M. Strong, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel. Organization Concerned: ST&E Technical Services, Inc.; Department of Energy; Department of Agriculture. Authority: 4 C.F.R. 21.3(f)(1). B-218179.2 (1985). B-206272.3 (1984).

Abstract: A firm protested the Department of Energy's (DOE) termination of its contract for chemical analysis technology research and the Department of Agriculture's (USDA) termination of its two grants for the same type of services. The agencies terminated the awards after they determined that the protester falsely represented to each that it had not submitted a similar proposal to any other federal agency. The protester contended that the proposals were different. GAO held that it would not consider the: (1) DOE contract termination because it did not consider matters of contract administration; or (2) USDA grant terminations because it did not consider matters of grant awards or administration. Accordingly, the protest was dismissed.

130437

Surface Mining: Information on Coal Mining Citations Issued by Kentucky Inspectors. RCED-86-180FS; B-223410. June 30, 1986. Released July 16, 1986. 7 pp. Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Michael Gryszkowiec, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources
Management: OSM and State
Effectiveness in Meeting Regulatory
Responsibilities Under SMCRA (6910).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Conservation and
Land Management (302.0).

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Surface Mining Control and Reclamation Act of 1977.

Abstract: Pursuant to a congressional request, GAO examined all noncompliance notices and cessation orders Kentucky submitted to the Department of Interior's Office of Surface Mining Reclamation and Enforcement in the past year to determine whether Kentucky mining inspectors have failed to issue such citations.

Findings/Conclusions: GAO found that: (1) 175 inspectors issued 3,986 citations from March 1985 through March 1986; (2) 40 of the 175 inspectors issued 5 or fewer citations during that period; (3) 20 of the 40 inspectors were chief inspectors who supervised other inspectors and did not normally issue citations; and (4) 5 of the remaining 20 inspectors issued no citations. GAO determined that these 20 inspectors issued few or no citations because they: (1) inspected large mines that historically experienced few problems; (2) reviewed permits rather than inspected mines; or (3) were recently hired employees.

130438

Energy R&D: Current and Potential Use of Enhanced Oil Recovery. RCED-86-181BR; B-214429. June 24, 1986.

Released July 1, 1986. 80 pp. Briefing Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Abstract: Pursuant to a congressional request, GAO provided information on: (1) domestic crude oil production and consumption: (2) current enhanced oil recovery (EOR) activities and future prospects for increased production; (3) the impact of price changes on the number of stripper wells, which are a major potential EOR resource; and (4) the effects of price changes and the Department of Energy's (DOE) fiscal year 1987 budget on EOR research. Findings/Conclusions: GAO found that: (1) there are currently about 28 billion barrels of producible domestic crude oil; (2) U.S. oil reserves are being depleted rapidly; (3) domestic production is expected to continue to decline; and (4) oil industry sources estimate that another 15 to 30 billion barrels of oil could be produced through the use of EOR techniques. GAO also found that: (1) EOR techniques involve the use of heat, chemicals or gases to thin oil, increase its volume, decrease the pressure holding it in reservoir rock, or help it flow more easily to increase recovery; (2) DOE has proposed to eliminate direct support of EOR research and establish, with universities and the oil industry, joint venture pools for applied research and development; (3) this change would be inconsistent with the traditional DOE emphasis on funding long-term, high-risk research; (4) DOE plans to sell its major EOR research facility in 1988; (5) DOE may not have thoroughly considered the proposed change; and (6) the number of stripper wells decreases as oil prices decrease.

130447

Financial Consequences of a Nuclear Power Plant Accident. RCED-86-193BR; B-223582. July 16, 1986. 31 pp. Briefing Report to Sen. George J. Mitchell; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-85-11, June 19, 1985, Accession Number 127238.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission.

Congressional Relevance: Sen. George J. Mitchell.

Authority: Price-Anderson Act (Atomic Energy Damages). Atomic Energy Act of

1954. H.R. 3653 (99th Cong.), S. 1225 (99th Cong.).

Abstract: Pursuant to a congressional request, GAO provided information on: (1) the dollar consequences of off-site damages to persons and property that might result from a catastrophic nuclear power plant accident; and (2) the limit that Congress should set on the liability for accident damages.

Findings/Conclusions: GAO found that: (1) the financial consequences of a catastrophic accident could range up to \$15 billion, while the financial consequences of a severe accident could range up to \$220 million; (2) plant size, population density, and land use patterns determine where each plant falls within the range of consequences; (3) property damages represent 76 to 90 percent of the total potential consequences; and (4) the consequences of a catastrophic accident under severe weather conditions could be up to approximately 10 times greater than under average conditions. Under the Price-Anderson Act, the existing liability limit is \$665 million and would cover only 4 percent of the plants. The Senate has proposed legislation that would increase this limit to \$2.5 billion, which would cover 64 percent of the plants, and the House has proposed a limit of \$6.5 billion, which would cover 95 percent. However, if severe weather conditions are considered in estimating the financial consequences, even these limits might not cover the majority of the plants.

130520

Energy Regulation: Hydropower Impacts on Fish Should Be Adequately Considered. RCED-86-99; B-222655. May 20, 1986.

Released July 22, 1986. 26 pp. Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Federal Energy Regulatory Commission.
Congressional Relevance: House
Committee on Appropriations: Energy and Water Development Subcommittee;
House Committee on Energy and
Commerce; House Committee on Energy

and Commerce: Oversight and Investigations Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. John D. Dingell. Authority: Department of Energy Organization Act. Federal Power Act. Public Utility Regulatory Policies Act of 1978. Energy Security Act. Windfall Profit Tax Act (Crude Oil). Fish and Wildlife Coordination Act.

Abstract: Pursuant to a congressional request, GAO reviewed: (1) the adequacy of the 30-day period that agencies are given to request a hearing after the Federal Energy Regulatory Commission (FERC) issues an order authorizing the construction and operation of a hydroelectric project; and (2) the FERC role in determining whether fish protection measures are working properly.

Findings/Conclusions: GAO found that: (1) federal and state fish and wildlife officials often did not receive FERC orders until 2 weeks after issuance; (2) when these delays occurred, officials selectively responded to the projects with the largest impacts and interrupted their operations to prepare timely requests for hearings; (3) about one-third of the 30-day period is used for printing, distribution, and mailing processes; and (4) although the Federal Power Act (FPA) allows FERC 30 days to respond to the construction of a hydroelectric project, FERC could increase available response time by reducing processing and mailing time. GAO also found that: (1) FERC inspectors do not have the expertise to determine how well fish protection measures are working; and (2) although FERC relies on state agencies to perform this function, but does not have formal working agreements with state agencies, and it is difficult to determine the extent to which fish protection measures are working. Recommendation To Agencies: To ensure that federal and state fish and wildlife agencies in the Northwest have sufficient time to review and respond to FERC orders on hydroelectric projects, the Chairman, FERC, should have the Director, Office of Hydropower Licensing, implement alternatives which would allow interested parties more time within the 30-day period. Such alternatives might include: (1) expediting the processing and mailing of orders impacting the Northwest; (2) accepting a rehearing request if postmarked within 30 days of issuance; and (3) designating its Portland, Oregon office as the official receiving point for such requests. To fulfill its responsibilities under FPA for protecting fish, the Chairman, FERC,

should have the Director, Office of Hydropower Licensing, enter into written working agreements with fish and wildlife agencies in those states with significant fish populations potentially impacted by hydroelectric dams. These agreements should specify: (1) to what extent FERC will rely on the agencies to ensure that fish protection measures are working properly; and (2) how FERC and the agencies will coordinate their respective activities, including inspections and sharing reports, analyses, and other pertinent data.

130523

Offshore Oil and Gas Resources: Differences in Estimates by Interior and Industry for Offshore California. RCED-86-179BR; B-223477. July 10, 1986.

Released July 21, 1986. 20 pp. Briefing Report to Sen. Pete Wilson; by Richard L. Hembra, (for Michael Gryszkowiec, Associate Director), Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Interior's Federal Coal and Other Onshore Minerals Programs (6909).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of the Interior: Minerals Management Service.

Congressional Relevance: Sen. Pete Wilson.

Authority: Outer Continental Oil Shelf Lands Act (67 Stat. 462). Department of the Interior and Related Agencies Appropriation Act, 1982. Outer Continental Shelf Lands Act Amendments of 1978 (P.L. 95-372).

Abstract: Pursuant to a congressional request, GAO examined the procedures and assumptions the Department of the Interior and the petroleum industry used to develop estimates of offshore oil and gas resources in federal lands off California.

Findings/Conclusions: GAO found that: (1) the department's Minerals
Management Service (MMS) uses a
computer model to estimate the
potential volume and value of offshore
energy resources in a given area; (2) the
model's outputs are considered
conditional estimates of the quantities of
offshore resources in a given area; (3) the
oil industry's methods for estimating
offshore resources are essentially the
same as those MMS uses; (4) many

industry sources consider their resource estimation methods proprietary; (5) the accuracy of any offshore resource estimate depends on the amount, type, and quality of available geophysical and other data; (6) MMS estimated in 1984 that the unleased federal lands off California contain the equivalent of 2.47 billion barrels of oil; and (7) an oil industry source estimated in 1985 that the same lands contain the equivalent of 5 billion barrels of oil.

130533

[Protest of NRC Rejection of Bid as Nonresponsive]. B-222746. July 28, 1986. 3 pp. *Decision* re: Hirt Telecom Co.; by Milton J. Socolar, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel. Organization Concerned: Hirt Telecom Co.; Nuclear Regulatory Commission. Authority: B-218123 (1985). B-216954 (1985). B-214673 (1984).

Abstract: A firm protested the Nuclear Regulatory Commission's (NRC) rejection of its bid as nonresponsive under a solicitation for signal cables and connectors, contending that, while it made a clerical error in its bid and listed the wrong part number for one connector, the bid made clear the part it intended to offer. GAO held that: (1) when read in its entirety, it was clear that the bid proposed to supply the required part, since the incorrect part number the protester entered referred to a part that NRC was not procuring and the text associated with the part number correctly described a responsive part; and (2) NRC should terminate the awarded contract and award the remainder to the protester, if otherwise appropriate, or reimburse the protester for its bid and protest preparation costs if termination was not feasible. Accordingly, the protest was sustained.

130561

[Protest of Any DOE Contract Award for Analytical and Technical Assistance]. B-222577. July 28, 1986. 5 pp. *Decision* re: Econ, Inc.; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Econ, Inc.; Department of Energy.

Authority: B-222423 (1986), B-216624 (1984), B-194895 (1979).

Abstract: A firm protested any award under a Department of Energy (DOE) solicitation for analytical and technical assistance, contending that DOE

improperly rejected its bid as late because a DOE security guard delayed its representative from entering the building and delivering the bid on time. GAO held that, since the security guard's actions were based on a reasonable interpretation of the procedures, the proposal's late receipt was due to the protester's failure to allow sufficient time to deliver the proposal. Accordingly, the protest was denied.

130565

[Protest of TVA IFB for Power Transformers]. B-222440. July 28, 1986. 5 pp. *Decision* re: SMIT Transformatoren B.V.; by Milton J. Socolar, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel. Organization Concerned: Tennessee Valley Authority; SMIT Transformatoren B.V. Authority: Competition in Contracting Act of 1984 (31 U.S.C. 3551 et seq.). Property and Administrative Services Act (40 U.S.C. 472). Energy and Water Development Appropriation Act, 1986 (P.L. 99-141; 99 Stat. 579). Buy American Act. 64 Comp. Gen. 756. Cong. Rec. [131] S13448. H.R. 2959 (99th Cong.). H. Rept. 99-195. S. Rept. 99-110. H. Rept. 99-307. Abstract: A firm protested the Tennessee Valley Authority's (TVA) cancellation of a solicitation for power transformers and other equipment, contending that: (1) TVA improperly included a Buy American differential in its modified solicitation readvertising the procurement; and (2) TVA should have reinstated the original solicitation and awarded it the contract, since it was the original low bidder. GAO held that: (1) it had the authority to decide protests against TVA decisions; (2) TVA should cancel the second solicitation, since it erred in using more stringent evaluation criteria, and reinstate the original solicitation; and (3) TVA should award the contract to the lowest bidder as of initial bid opening. Accordingly, the protest was sustained.

130595

Oil Reserve: Status of Strategic Petroleum Reserve Activities as of June 30, 1986. RCED-86-205; B-208196. July 25, 1986. Released August 1, 1986. 3 pp. plus 3 appendices (24 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-86-158, May 22, 1986, Accession Number 129935; RCED-87-35FS, May 14, 1987, Accession Number 133310; and RCED-87-49 November 17, 1986, Accession Number 131687.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Energy Policy and Conservation Act (P.L. 94-163). Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272). Urgent Supplemental Appropriation Act, 1986. Congressional Budget and Impoundment Control Act of 1974. S. 2375 (99th Cong.).

Abstract: Pursuant to a congressional request, GAO discussed the Department of Energy's (DOE) progress in developing, filling, and operating the Strategic Petroleum Reserve (SPR) as of June 30, 1986.

Findings/Conclusions: GAO found that: (1) although the administration had planned no revisions to the moratoriumbased 1987 SPR budget, DOE informally provided documentation on its revised 1986 and 1987 funding needs to Congress; (2) DOE estimated that for 1987, it would need appropriations of \$108.6 million with no leaching, and \$147.4 million if it resumed leaching; (3) as of June 30, 1986, DOE planned to stop oil fill at 503 million barrels; (4) DOE added 4.9 million barrels of crude oil to SPR, which brought the inventory level to 501.8 million barrels; (5) during the quarter, unpaid obligations totalled \$63 million and unobligated funds available for oil purchases totalled \$590 million; (6) after delays resulting from attempted deferrals and imposition of a moratorium on development, DOE resumed construction and oil distribution enhancement activities at two SPR sites: (7) various contracts for SPR operation and foreign oil purchases were nearing their expiration or optionrenewal dates; (8) the first award-fee payment to an SPR management, operations, and maintenance contractor was based on an overall satisfactory performance rating; and (9) DOE had taken or planned various corrective

actions for improving future SPR sales as a result of its assessment of oil drawdown and sale exercises.

130597

[GAO Work on Nuclear Waste Issue]. July 31, 1986. 6 pp. plus 1 enclosure (2 pp.). Testimony before the House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refers to numerous reports on the nuclear waste program.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee.

Authority: Nuclear Waste Policy Act of 1982.

Abstract: In response to a congressional request, GAO: (1) provided an overview of its work on the nuclear waste issue; and (2) testified on relations between the Department of Energy (DOE), states, and Indian tribes regarding the waste program. In its previous reports, GAO determined that the DOE: (1) plan for constructing a monitored retrievable storage facility could hinder the repository program's progress because of limited technical staff and financial resources; (2) siting approach interpreting the Nuclear Waste Policy Act as requiring only one suitable site would jeopardize the first-repository program's success; and (3) guidelines for financial assistance were not clear because they did not cover all funding circumstances. GAO noted that DOE officials acknowledged that they were slow to involve states and tribes in the first-repository program, but stated that they had taken substantial steps to react to state comments and to allow more state and tribal participation in the program.

130648

Nuclear Waste: Impact of Savannah River Plant's Radioactive Waste Management Practices. RCED-86-143; B-202377. July 29, 1986. Released August 5, 1986. 7 pp. plus 6 appendices (52 pp.). Report to Sen. Ernest F. Hollings; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-87-48FS, November 5, 1986, Accession Number 131594; and T-RCED-

87-7, March 17, 1987, Accession Number 132405.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy: Savannah Nuclear Power Station

Congressional Relevance: Sen. Ernest F. Hollings.

Abstract: In response to a congressional request, GAO reviewed radioactive waste management practices at the Department of Energy's (DOE) Savannah River Plant (SRP) to determine if these practices had adverse environmental impacts.

Findings/Conclusions: GAO noted that SRP: (1) primarily produces plutonium, tritium, and other special nuclear materials for national defense; (2) generates radioactive airborne, liquid, and solid waste during its operations, some of which it disposes of by shallow land burial or by controlled releases into the atmosphere and surface streams; and (3) stores a large part of its radioactive waste in interim storage while awaiting completion of permanent offsite disposal facilities. GAO found that: (1) radioactive releases from SRP operations have very little impact outside the plant's boundaries; (2) within the plant, some of the surface streams contain elevated radioactivity levels and the soil and groundwater at several waste storage and disposal sites have high levels of radioactivity; (3) there is a remote possibility that some of this contamination could reach the deep Tuscaloosa aquifer, although the concentration of radioactivity would be very low by the time it discharged into the Savannah River; and (4) DOE may have to maintain long-term institutional control over the waste storage and disposal sites because of contamination. SRP has taken several actions to reduce radioactive releases into the environment, including: (1) transferring extremely hazardous high-level waste to safer storage tanks; (2) preparing for the permanent disposal of high-level and transuranic waste in offsite repositories; (3) changing certain low-level waste disposal practices; (4) evaluating new low-level disposal methods; and (5) modifying its tritium production facilities.

130662

Nuclear Safety: Comparison of DOE's Hanford N-Reactor With the Chernobyl Reactor. RCED-86-213BR; B-223754. August 5, 1986. 62 pp. Briefing Report to Sen. Mark O. Hatfield, Chairman, Senate Committee on Appropriations; Rep. James H. Weaver, Chairman, House Committee on Interior and Insular Affairs: General Oversight, Northwest Power, and Forest Management Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to EMD-78-110, March 30, 1979 Accession Number 108990; EMD-81-108, August 4, 1981, Accession Number 115979; RCED-84-50, November 30, 1983, Accession Number 123131; RCED-88-8. November 13, 1987, Accession Number 134670; RCED-87-93, April 14, 1987, Accession Number 132869; and T-RCED-87-4, March 12, 1987, Accession Number 132384.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0); Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy: Operations Center, Richland, WA.

Congressional Relevance: House Committee on Interior and Insular Affairs: General Oversight, Northwest Power, and Forest Management Subcommittee; Senate Committee on Appropriations; Rep. James H. Weaver; Sen. Mark O. Hatfield.

Abstract: Pursuant to a congressional request, GAO provided information on: (1) the similarities and differences in design and safety features of the Department of Energy's (DOE) N-Reactor and the Soviet Union's Chernobyl nuclear reactor; (2) the DOE program to extend the life of N-Reactor; and (3) emergency preparedness plans for N-Reactor.

Findings/Conclusions: GAO found that differences between N-Reactor and the Chernobyl reactor included: (1) different inherent physical responses to increases in coolant temperature; (2) N-Reactor safety systems that the Chernobyl reactor did not have; (3) N-Reactor use of a metal form of uranium fuel rather than an oxide form of uranium fuel; (4) N-Reactor using once-through emergency cooling and the Chernobyl reactor using a recirculating emergency

cooling system; and (5) N-Reactor using a reactor confinement system to control steam pressures and the release of radioactive materials during an accident, while the Chernobyl reactor used a containment system. GAO also found that: (1) it would cost approximately \$1.2 billion to upgrade N-Reactor for safe operation; (2) DOE has complied with 7 of 10 GAO emergency preparedness recommendations; and (3) DOE and state and local officials must jointly participate in N-Reactor site-wide emergency drills.

130677

Nuclear Waste: Issues Concerning DOE's Postponement of Second Repository Siting Activities, RCED-86-200FS; B-202377. July 30, 1986. Released August 12, 1986. 21 pp. Fact Sheet to Rep. Gerry Sikorski; Sen. George J. Mitchell; Rep. Edward J. Markey, Chairman, House Committee on **Energy and Commerce: Energy** Conservation and Power Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-48FS, November 5, 1986, Accession Number 131594; and RCED-87-17, April 15, 1987, Accession Number 132701.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; Rep. Gerry Sikorski; Rep. Edward J. Markey; Sen. George J. Mitchell.

Authority: Nuclear Waste Policy Act of 1982.

Abstract: In response to a congressional request, GAO reported on the Department of Energy's (DOE) second nuclear waste repository program in light of its decision to indefinitely postpone all DOE site-specific work on a second repository.

Findings/Conclusions: GAO found that: (1) as the result of the postponement decision, DOE planned to curtail all second-repository site-specific activities, including financial assistance to individual states involved in the program, by the end of 1986; (2) a continued program would focus on technical issues and alternate siting

strategies for a second repository, with an emphasis on cooperating with other countries on related research programs; (3) projections of the amount of defense waste for disposal in future repositories were uncertain; (4) as of May 31, 1986, the cumulative cost of the secondrepository program was about \$63.5 million; (5) DOE expected that a monitored retrievable storage facility would provide added flexibility to a single-repository system, and allow DOE to temporarily meet waste acceptance commitments to utilities in the event of a problem at the repository site; and (6) DOE had not initiated socioeconomic studies on tentatively identified secondrepository sites at the time of the postponement decision.

130696

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of June 30, 1986. RCED-86-206FS; B-202377. August 11, 1986. 22 pp. Fact Sheet to Sen. James A. McClure, Chairman, Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-48FS, November 5, 1986, Accession Number 131594; and RCED-87-95FS, February 19, 1987, Accession Number 132206.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston; Sen. James A. McClure.

Authority: Balanced Budget and Emergency Deficit Control Act of 1985. Administrative Procedure Act. Nuclear Waste Policy Act of 1982 (P.L. 97-425). Safe Drinking Water Act. 10 C.F.R. 72.

Abstract: In response to a congressional request, GAO provided a status report on the Department of Energy's (DOE) implementation of its nuclear waste program for the quarter ending June 30, 1986.

Findings/Conclusions: GAO found that: (1) in April 1986, the National Academy of Sciences determined that DOE satisfactorily evaluated and ranked the first nuclear waste repository sites; (2) in May 1986, DOE issued final environmental assessments for firstrepository sites and recommended other sites; (3) DOE postponed site work on a second repository because of the progress in siting the first repository and the uncertainty over when and if a second repository might be needed; and (4) the Nuclear Waste Fund obligated \$40 million of \$166 million in fees and investment income for program activities, and its balance as of June 30, 1986 was \$1.7 billion.

130714

Mineral Resources: Forest Service Has a Limited but Influential Role. RCED-86-157; B-223638. August 18, 1986. 24 pp. plus 5 appendices (14 pp.). Report to Rep. E (Kika) De La Garza, Chairman, House Committee on Agriculture; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Other Issue Area Work (6991).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Bureau of Land Management; Forest Service.

Congressional Relevance: House Committee on Agriculture; Rep. E (Kika) De La Garza.

Authority: Wilderness Act. Mineral Lands Leasing Act (30 U.S.C. 181; 41 Stat. 437). Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.; 61 Stat. 913). Federal Coal Leasing Amendments Act of 1975 (30 U.S.C. 201; 90 Stat. 1083). Federal Coal Leasing Amendments Act of 1976. Materials Disposal Act (Public Lands) (30 U.S.C. 601 et seq.). 30 U.S.C. 22 et seq. 16 U.S.C. 520.

Abstract: In response to a congressional request, GAO: (1) reviewed the Forest Service's role in the management of federal minerals; and (2) determined if an effective management relationship exists between the Forest Service and the Bureau of Land Management (BLM). Findings/Conclusions: GAO found that: (1) the Forest Service's role in federal minerals management is to protect surface resources while mineral exploration and development takes place on its lands; (2) most environmental

groups believe that the Forest Service's actions in carrying out its role are reasonable; and (3) one environmental group and some mineral industry groups criticized the Forest Service for insensitivity to environmental concerns and poor management of mineral development. GAO also found that: (1) in the cases it reviewed, the Forest Service's minerals management decisions were based on professional analysis that balanced the competing demands of surface protection with mineral development; and (2) the current minerals management relationship between BLM and the Forest Service is generally effective.

130728

The U.S. Uranium Enrichment Services Program I. August 14, 1986. 9 pp. Testimony before the House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy

Congressional Relevance: House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee.

Authority: Atomic Energy Act of 1954. B-207463 (1986).

Abstract: GAO discussed the Department of Energy's (DOE) recent revisions to uranium enrichment services criteria. The revised criteria reflected a shift from full cost recovery and standard contractual terms to increased emphasis on competition. GAO found that: (1) three criteria provisions conflicted with the statutory requirements governing the enrichment program; (2) the criteria permitted DOE to determine that some future government enrichment costs were not appropriate for recovery: (3) the revised criteria eliminated the standardization that Congress intended; (4) the flexibility of the revised criteria will make congressional oversight difficult; (5) although the criteria provided DOE with maximum flexibility, there were few feedback provisions or accountability measures; and (6) the criteria would remove benchmarks that have been useful in the past to monitor the program. GAO believes that: (1) legislation amending the Atomic Energy Act is the correct approach for effecting change in the uranium enrichment program; (2) if Congress accepts the

criteria, full recovery of enrichment services costs would become a secondary objective; and (3) under the revised criteria, any recovery of future costs would be uncertain.

130785

Mining Violations: Interior Needs Management Control Over Automation Effort. IMTEC-86-27; B-223487. July 28, 1986. Released August 5, 1986. 14 pp. plus 2 appendices (5 pp.) Report to Rep

appendices (5 pp.). Report to Rep.
Michael L. Synar, Chairman, House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; by Warren G.
Reed, Director, Information
Management and Technology Division.
Refer to IMTEC-86-18, June 20, 1986,
Accession Number 130196; and GGD-829, February 22, 1982, Accession Number
117551. This report contains a
supplement that presents a GAO
analysis of the Office of Surface Mining's
testimony on the report.

Issue Area: Natural Resources Management: OSM and State Effectiveness in Meeting Regulatory Responsibilities Under SMCRA (6910). Contact: Information Management and Technology Division.

Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Department of the Interior: Office of Information Resources Management.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Interior Subcommittee; Rep. Michael L. Synar.

Authority: Small Business Act (15 U.S.C. 637(a)). Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.). 59 Comp. Gen. 522. F.A.R. 19.000.

Abstract: In response to a congressional request, GAO reviewed various aspects of the Department of the Interior's effort to revise its automated Collection Management Information System. Findings/Conclusions: GAO found that: (1) Interior did not adequately justify its rationale for revising the system; (2) the contract to revise the system was not subject to federal procurement regulations because Interior awarded it under the Small Business Act; (3) in

evaluating contractor proposals, Interior did not document the evaluation's results and the selection process it used; (4) its quality assurance test was not statistically valid; and (5) as of June 20, 1986, it had not finalized its approach for ensuring data accuracy and providing trained staff to update and maintain the data. GAO could not determine the system's ability to track cases and generate reports because the revised system was not operational and Interior had not finalized documentation on its design.

Recommendation To Agencies: To ensure that appropriate management controls are established over the effort to develop and implement a Collection Management Information System, the Secretary of the Interior should not provide further funding for the contract to revise the system until the Office of Surface Mining (OSM) has prepared a requirements analysis, a software conversion study, a work-load estimate, and an economic cost analysis that conform to the requirements in its Departmental Manual. The Secretary of the Interior should also direct the Director, OSM, to: (1) conduct another quality assurance test using statistically valid random sampling techniques; (2) develop a statistically valid methodology for use in conducting monthly quality assurance tests on a sample of the data base cases; and (3) develop within OSM the capability needed to successfully develop and operate the collection system. In view of the possibility that review requirements are not being followed for other procurements under \$10 million, the Secretary of the Interior should direct the Director, Office of Information Resources Management, to establish management controls over the acquisition of computer services under \$10 million to ensure that such acquisitions are justified and properly managed.

130812

Nuclear Waste: Cost of DOE's Proposed Monitored Retrievable Storage Facility. RCED-86-198FS; B-202377. August 15, 1986. Released August 21, 1986. 21 pp. Fact Sheet to Rep. Edward J. Markey, Chairman, House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-104FS, May 8, 1986, Accession Number 129887; RCED-87-48FS, November 5, 1986,

Accession Number 131594; RCED-87-92, June 1, 1987, Accession Number 133202; RCED-87-17, April 15, 1987, Accession Number 132701; and T-RCED-88-55, July 26, 1988, Accession Number 136406.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Ralph M. Parsons Co.

Congressional Relevance: House
Committee on Energy and Commerce:
Energy Conservation and Power
Subcommittee; House Committee on
Interior and Insular Affairs; Rep.
Edward J. Markey; Rep. Morris K.
Udall.

Authority: Nuclear Waste Policy Act of 1982.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) cost estimates for a monitored retrievable storage (MRS) facility.

Findings/Conclusions: DOE contracted with a engineering firm to prepare detailed cost estimates for facility engineering, design, and construction. The cost estimates included definitive engineering work, design verification, and other facility support functions, but did not include costs related to land acquisition, site testing, cost escalation, or sales taxes. DOE officials identified additional costs, such as state and local taxes and annual impact assistance to local governments. DOE used the contractor's estimates as a basis for its cost projections and developed nine program elements that it considered necessary for an MRS facility. GAO found that: (1) DOE may have underestimated the proposed operating costs of MRS by 10 to 15 percent; (2) the costs that DOE excluded from the estimate could be of substantial magnitude; (3) according to the fee adequacy report, the current fee is adequate to offset system life-cycle costs; and (4) DOE officials believe that the cost to integrate MRS into the total waste management system will be less than \$2.9 billion because MRS will provide benefits to the total system, such as decreased transportation costs and a reduction of spent-fuel handling facilities at the repository, which will partially offset the cost of the facility.

130940

Public Lands: Interior Should Recover the Costs of Recording Mining Claims. RCED-86-217; B-223875. September 10, 1986. 6 pp. plus 1 appendix (1 p.). Report to Donald P. Hodel, Secretary, Department of the Interior; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-48, March 27, 1986, Accession Number 129435; and RCED-83-94, September 6, 1983, Accession Number 122299.

Issue Area: Natural Resources Management: Other Issue Area Work (6991); Natural Resources Management: Effectiveness of Programs Designed To Promote and Regulate the Development, Rehabilitation, and Management of Public Rangelands (6913).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior; Bureau of Land Management.

Congressional Relevance: House
Committee on Interior and Insular
Affairs; House Committee on
Appropriations: Interior Subcommittee; .
House Committee on Government
Operations: Environment, Energy and
Natural Resources Subcommittee; .
Senate Committee on Energy and
Natural Resources; Senate Committee on
Appropriations: Interior Subcommittee.
Authority: Land Policy and Management
Act (43 U.S.C. 1734 et seq.). Independent
Offices Appropriation Act, 1952 (31
U.S.C. 9701).

Abstract: GAO reviewed the Bureau of Land Management's (BLM) cost-recovery analyses to determine whether it has been recovering the costs associated with recording mining claims.

Findings/Conclusions: GAO found that: (1) BLM analyses do not consider many of the costs that the Department of the Interior's cost recovery guidelines specify; and (2) BLM has not performed a new analysis to determine the extent of the unrecovered costs, even though it is aware that its \$5 recording fee does not recover program costs. GAO believes that: (1) on the basis of the guidelines, BLM can recover the direct and indirect costs associated with recording mining claims; (2) compliance with Interior's cost recovery policy and guidelines could have increased fee collections by up to \$1.7 million in fiscal year 1984; and (3) BLM could realize comparable savings in the future if it followed the guidelines

for determining recoverable costs associated with recording mining claims. Recommendation To Agencies: Before increasing the mining claim recording fee, the Secretary of the Interior should direct that a new cost recovery analysis be undertaken for the BLM mining claim recording program. This analysis should use Interior's departmental manual as the criterion for determining all appropriate costs, both direct and indirect, that are incurred in recording mining claims and that can legally be recovered. If warranted, the fee should be adjusted, on the basis of Interior's analysis, to bring it into compliance with administration and departmental policy to recover Interior's costs of recording mining claims.

130980

Offshore Oil and Gas: Final Annual Report on Shut-In and Flaring Wells. RCED-86-224; B-202428. September 12, 1986. 4 pp. plus 1 appendix (1 p.). Report to Congress: by Charles A. Bowsher, Comptroller General. Refer to EMD-80-3, November 21, 1979, Accession Number 110914; EMD-81-63, April 17, 1981, Accession Number 114598; EMD-82-17, November 19, 1981. Accession Number 116915; RCED-83-10, October 5, 1982, Accession Number 119649; RCED-84-19, October 24, 1983, Accession Number 122847; RCED-85-10, October 30, 1984, Accession Number 125546; RCED-85-161, September 30, 1985, Accession Number 128070; and EMD-81-23, November 25, 1980, Accession Number 113851.

Issue Area: Natural Resources Management: Interior's Leasing and Development of Offshore Minerals Resources (6908).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior: Minerals Management Service.

Congressional Relevance: Congress. Authority: Outer Continental Shelf Lands Act Amendments of 1978 (P.L. 95-372). Outer Continental Shelf Paperwork and Reporting Act (P.L. 99-367). Outer Continental Oil Shelf Lands Act. P.L. 83-212

Abstract: GAO presented its final annual report to Congress on the methodology the Department of the Interior uses in allowing offshore oil and

gas wells to be suspended from production or to burn off natural gas. Findings/Conclusions: GAO found that: (1) in past years, Interior relied primarily on shut-in and flaring well data, which well operators submitted to it, and its Minerals Management Service (MMS) inspectors verified through onsite inspections; (2) Interior requires operators to report monthly on the status of shut-in and flaring wells; (3) MMS inspectors verify shut-in and flaring well status through onsite platform checks and reviews of platform records; and (4) MMS inspectors routinely inspect platforms in the Gulf of Mexico. GAO believes that: (1) Interior's methodology for allowing oil and gas wells to be shut in or to flare natural gas was reasonable; and (2) the elimination of Interior's reporting requirement will not diminish its responsibility for administering mineral exploration and development and conserving offshore natural resources.

130992

Alternative Fuels: Synthetic Fuels Corporation Officer Separation Benefits. RCED-86-199FS; B-223418. July 30, 1986.

Released September 11, 1986. 15 pp. Fact Sheet to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-126, June 18, 1987, Accession Number 133471

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: United States Synthetic Fuels Corporation.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: P.L. 99-190.

Abstract: Pursuant to a congressional request, GAO provided information on the U.S. Synthetic Fuels Corporation's (SFC) board of directors and officers to determine whether their separation benefits would change after SFC abolition.

Findings/Conclusions: GAO found that:
(1) the chairman, vice chairman, and the

other nine officers received SFC policy benefits, while the three directors received no benefits; (2) the officers' benefits were the same as other SFC employees', except that the officers' liability insurance provided extensions for up to 3 years; and (3) the benefits for both officers and other employees included severance pay, unused earned vacation pay, funds from liquidated retirement and tax-deferred savings accounts, eligibility for unemployment compensation, and life, health, and dental insurance. The 11 officers received a total of \$471,441 in compensation and other benefits.

130999

[Status of Efforts of OSMRE To Improve Administration of the Surface Mining Control and Reclamation Act]. September 16, 1986. 4 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Howard G. Rhile, Jr., Associate Director, Information Management and Technology Division.

Contact: Information Management and Technology Division.

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Authority: Surface Mining Control and Reclamation Act of 1977.

Abstract: GAO discussed the Office of Surface Mining Reclamation and Enforcement's efforts to revise its automated Collection Management Information System, GAO noted that although the Office attempted to develop a case management system, it developed a system containing inaccurate data. GAO found that: (1) data problems still exist 4 years after the automation effort began; (2) the problems with the system were caused by a lack of management expertise, which contributed to an error rate in excess of 50 percent; and (3) the system did not have any internal controls over data input. The Office commented that: (1) the lack of internal controls over data input occurred because it did not recognize the need for such controls; and (2) it does not intend to use a statistically valid quality assurance test to verify the accuracy of information in its new data base because it emphasizes the portion of the data base which appears to be the most errorridden.

131070

[The Condition of Information on Hazardous Waste]. September 24, 1986. 32 pp. plus 1 appendix (14 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Eleanor Chelimsky, Director, Program Evaluation and Methodology Division.

Contact: Program Evaluation and Methodology Division. Organization Concerned: Chemical Manufacturers Association; Environmental Protection Agency; Congressional Budget Office; Office of Technology Assessment.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Resources Subcommittee. . Authority: Resource Conservation and Recovery Act of 1976. Solid and Hazardous Waste Amendments of 1984. Abstract: GAO discussed whether hazardous waste storage, treatment, and disposal capacity will be available to meet future waste production levels. GAO focused on studies that estimated national hazardous waste volume and capacity, specifically national studies and national-sectoral studies. GAO found that national-level estimates: (1) were based on different definitions of hazardous waste; (2) were methodologically diverse and included different limitations: and (3) did not represent a consensual estimate on the current volume of waste produced nationally. GAO also found that: (1) there was little information on total waste management capacity; (2) the most current data were inconsistent for specific time periods: (3) three studies used the definition of hazardous waste differently; (4) national-sectoral studies provided data and information about hazardous waste that were narrowly scoped or at lower-than-national levels; and (5) the studies reviewed did not provide consistent information concerning the volume of hazardous waste generated by location. GAO concluded that although four current, national estimates of hazardous waste reached similar numerical estimates. they could not reinforce each other given their differing qualitative bases. statistical precision, and approaches to definition and measurement.

131105

Vehicle Emissions: EPA Program To Assist Leaded-Gasoline Producers Needs Prompt Improvement. RCED-86-182; B-223554. August 6, 1986.

Released September 24, 1986. 26 pp. plus 1 appendix (3 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division. Refer to RCED-86-80FS, March 12, 1986, Accession Number 129585.

Issue Area: Environmental Protection: Adequacy of Federal and State Efforts To Regulate Toxic Air Pollutants (6805). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Appropriations: HUD-Independent Agencies Subcommittee; House Committee on Energy and Commerce; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Senate Committee on Appropriations: HUD-Independent Agencies Subcommittee; Senate Committee on Environment and Public Works; Rep. John D. Dingell. Authority: Clean Air Act. Administrative Procedure Act. 50 Fed. Reg. 13116. 45 Fed. Reg. 59812. P.L. 99-

Abstract: In response to a congressional request, GAO reviewed: (1) certain Environmental Protection Agency (EPA) management controls over its Lead Rights Banking Program; and (2) the program's legal basis.

Findings/Conclusions: GAO found that EPA: (1) controls the program primarily through its reviews of participants' reports; (2) has not established a requirement to verify the reported data; (3) received erroneous information from participants on the amount of lead used in production and leaded gasoline produced; (4) is developing a methodology for audit participants to verify reported data and to ensure compliance with program requirements; (5) has no complete, current data on the balance of lead rights available for use through the end of the program in 1987; (6) has not enforced regulations regarding the 25 potential banking requirements violations; and (7) expects to implement enforcement action once it finalizes its lead rights banking enforcement policy.

Recommendation To Agencies: The Administrator, EPA, should establish specific time frames to develop: (1) a

methodology for auditing refiners to verify reported data and ensure compliance with program requirements, and initiate such audits promptly; and (2) an enforcement policy, including the identification of program violations, enforcement actions to be taken, and the penalties to be assessed, and take appropriate actions against identified program violators. The Administrator, EPA, should: (1) require periodic reviews or assessments of agency actions being taken to expedite the review, processing, and reconciliation of refiners' reports; and (2) take other actions, such as providing additional staff or further modifying computer capabilities, if satisfactory progress is not being made.

131121

Nuclear Energy: Environmental Issues at DOE's Nuclear Defense Facilities. RCED-86-192; B-222195. September 8, 1986.

Released September 25, 1986. 49 pp. Report to Sen. John H. Glenn, Ranking Minority Member, Senate Committee on Governmental Affairs: Energy, Nuclear Proliferation and Government Processes Subcommittee: by J. Dexter Peach. Director, Resources, Community, and Economic Development Division. Refer to RCED-86-51FS, November 29, 1985, Accession Number 128653; RCED-86-61, December 13, 1985, Accession Number 128807; RCED-86-68FS, March 4, 1986, Accession Number 129344; RCED-86-175, June 16, 1986, Accession Number 130260; EMD-80-78, July 11, 1980, Accession Number 112850; EMD-81-108, August 4, 1981. Accession Number 115979; RCED-84-50, November 30, 1983, Accession Number 123131; T-RCED-87-7, March 17, 1987, Accession Number 132405; RCED-87-153, July 27, 1987, Accession Number 133794; RCED-88-62, December 16, 1987, Accession Number 134766; RCED-87-30, November 4, 1986, Accession Number 131661; RCED-87-93, April 14, 1987, Accession Number 132869; T-RCED-87-12, March 25, 1987, Accession Number 132484; T-RCED-87-4, March 12, 1987, Accession Number 132384; T-RCED-88-24, March 10, 1988, Accession Number 135246; T-RCED-88-30, March 31, 1988, Accession Number 135455; and RCED-88-130, March 28, 1988, Accession Number 135666.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense:
Atomic Energy Defense Activities (053.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Science and
Technology; Senate Committee on
Governmental Affairs; Senate Committee
on Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Governmental Affairs:
Energy, Nuclear Proliferation and
Government Processes Subcommittee;
Sen. John H. Glenn.

Authority: Atomic Energy Act of 1954 (42 U.S.C. 2140 et seq.). Clean Water Act of 1977 (33 U.S.C. 1251 et seq.). Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.). Energy Reorganization Act of 1974 (42 U.S.C. 5801). Department of Energy Organization Act (42 U.S.C. 7101). Clean Air Act (42 U.S.C. 7401 et seq.). DOE Order 5480.1A. DOE Order 5480.2. DOE Order 5480.5. DOE Order 5480.6. DOE Order 5481.1B. DOE Order 5482.1B. DOE Order 5700.6B.

Abstract: Pursuant to a congressional request, GAO: (1) identified key environmental issues at nine Department of Energy (DOE) nuclear defense facilities; and (2) evaluated the status of DOE efforts to strengthen its environmental, safety, and health oversight programs.

Findings/Conclusions: GAO found that: (1) eight facilities have groundwater contaminated with radioactive or hazardous substances at levels higher than the proposed standards; (2) although six facilities have soil contamination in unexpected areas, including off-site locations, DOE sees a potential public health threat at only one of the facilities; (3) four facilities are not in full compliance with the Clean Water Act; (4) to obtain permits under the Resource Conservation and Recovery Act (RCRA), all nine facilities are significantly changing their waste disposal practices by closing existing disposal facilities or building new treatment facilities; and (5) it may cost over \$1 billion to bring the facilities into full compliance with environmental laws and obtain the necessary permits. Recommendation To Agencies: The Secretary of Energy should establish a groundwater and soil protection strategy that would reflect DOE policy on the extent groundwater and soil can become contaminated and include specific guidelines, to the extent practical, to protect groundwater and soil around DOE facilities. The Secretary of Energy should provide to Congress a comprehensive report setting forth DOE plans, milestones, and cost estimates for bringing DOE defense facilities into

compliance with all applicable environmental laws. The Secretary of Energy should provide for independent inspections of DOE operations in regard to the treatment and disposal of any mixed waste that may be exempt from RCRA regulation. The Secretary of Energy should revise DOE Order 5480.2 governing hazardous and mixed waste to reflect how waste operations will be managed in the future.

131134

[Decision on Disposition of Monies Received From Sale of Coal Mined During Emergency Reclamation Projects]. B-219257. September 26, 1986. 5 pp. Decision re: Disposition of Receipts From the Sale of Coal; by Milton J. Socolar, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel.
Organization Concerned: Department of
the Interior: Office of Surface Mining
Reclamation and Enforcement.
Authority: Surface Mining Control and
Reclamation Act of 1977 (P.L. 95-87; 30
U.S.C. 1201 et seq.; 91 Stat. 447). 30
C.F.R. 872.11. 30 C.F.R. 874.13. 64 Comp.
Gen. 217. 45 Fed. Reg. 14810. 31 U.S.C.
3302(b).

Abstract: The Office of Surface Mining (OSM) requested a decision regarding the proper disposition of monies it received from the sale of coal mined under emergency projects to extinguish mine fires. GAO held that: (1) in one case, a federal court properly ordered OSM to deposit receipts from such a sale in the Abandoned Mine Reclamation Fund as recovered monies: and (2) OSM should deposit any such future receipts in the Fund because it has statutory authority to retain funds recovered incident to reclamation activities. Accordingly, OSM should deposit such receipts in the Abandoned Mine Reclamation Fund.

131179

Federal Electric Power: Repairs Made on Turbines at Two Arkansas River Dams. RCED-86-208FS; B-223835. August 28, 1986. Released September 29, 1986. 6 pp. Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of the Army: Corps of Engineers; Southwestern Power Administration. Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Abstract: In response to a congressional request, GAO provided information on the results of: (1) its inquiry on the current status of the power-generating units at two Arkansas River dams; and (2) the basis for the Army Corps of Engineers' decision to pay for repairs to the dams rather than seek legal recourse against the turbine manufacturer. Findings/Conclusions: GAO found that: (1) all eight turbines at the two dams were repaired and in service as of May 23, 1986; (2) there has been no recurrence of problems related to the repairs; and (3) the Corps decided against seeking legal action against the turbine manufacturer, since the Corps' consultant supported the manufacturer's contention that the failures were due to defects that were beyond state-of-the-art turbine design at the time of construction.

131371

[Protest of DOE Representative Cancellation of RFQ for Waste Water Operator Training Course]. B-224683. October 15, 1986. 2 pp. Decision re: Water Resources Education; by Ronald Berger, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel. Organization Concerned: Water Resources Education; E.I. du Pont de Nemours and Co., Inc.; Department of Energy.

Authority: 4 C.F.R. 21.2(a)(2). F.A.R. 33.101. B-221661 (1986). B-222891 (1986). B-221824 (1986).

Abstract: A firm protested the Department of Energy's (DOE) cancellation of a solicitation for a wastewater operator training course, contending that it should have received the award, since it submitted the low bid. GAO held that: (1) the protester untimely protested more than 10 days after it knew the basis for protest; and (2) the protester's lack of knowledge about protest filing deadlines was not a basis for waiving timeliness requirements. Accordingly, the protest was dismissed.

131387

Surface Mining: Difficulties in Reclaiming Mined Lands in Pennsylvania and West Virginia. RCED-86-221; B-223430. September 22, 1986.

Released October 21, 1986. 61 pp. plus 6 appendices (9 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-85-147, August 8, 1985, Accession Number 127769; and T-RCED-89-13, March 7, 1989, Accession Number 138096.

Issue Area: Natural Resources Management: OSM and State Effectiveness in Meeting Regulatory Responsibilities Under SMCRA (6910); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House
Committee on Interior and Insular
Affairs; House Committee on
Government Operations: Environment,
Energy and Natural Resources
Subcommittee; Senate Committee on
Energy and Natural Resources; Senate
Committee on Appropriations: Interior
and Related Agencies Subcommittee;
Rep. Michael L. Synar.

Authority: Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.). Surface Mining Conservation and Reclamation Act (Pennsylvania). Surface Coal Mining and Reclamation Act (West Virginia).

Abstract: Pursuant to a congressional request, GAO reported on the bonding systems for reclamation of strip-mined land in Pennsylvania and West Virginia. Findings/Conclusions: GAO found that: (1) unreclaimed acreage exists in both states, posing risks to the health and safety of the public and environment; (2) the interim program bond amounts in Pennsylvania and, to a lesser extent, in West Virginia, have not been adequate to reclaim all interim program lands; and (3) the Department of the Interior's Office of Surface Mining Reclamation and Enforcement (OSMRE) has not formally assessed the adequacy of the

permanent program bonding systems in either state or the impact of using reclamation funds for program administration on the ability of the states to reclaim their bond forfeiture lands.

Recommendation To Agencies: In order to ensure the reclamation of coal-mined lands, the Secretary of the Interior should require the Director, OSMRE, to work with the states to ensure that all bond forfeiture lands are quickly assessed and the most hazardous sites are reclaimed rapidly. Because environmental problems may arise if sites remain unreclaimed for extended periods of time, the Secretary of the Interior should require the Director, OSMRE, to study, compare, and contrast the state reclamation processes and work with the states to implement the most efficient and effective reclamation process. In order to ensure that adequate funds are available to reclaim forfeited mine sites, the Secretary of the Interior should require the Director, OSMRE, to take the lead in examining the interim program funding problem and report to Congress its recommendations for ensuring the reclamation of these lands. In order to ensure that adequate funds are available to reclaim forfeited mine sites, the Secretary of the Interior should require the Director, OSMRE, to develop formal criteria for evaluating the adequacy of alternative bonding systems, and determine the adequacy of existing alternative bonding systems. including the impact that expenditures for program administration have on the ability of the states to reclaim abandoned lands.

131419

Energy Regulation: DOE Should Ensure Oil Industry Retains Records To Resolve Violations. RCED-86-153; B-222720. August 18, 1986.

Released October 28, 1986. 35 pp. Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation

Organization Concerned: Department of Energy; Department of Energy: Economic Regulatory Administration.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee: Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources: Energy Regulation and Conservation Subcommittee; Rep. John D. Dingell. Authority: Emergency Petroleum Allocation Act of 1973. Economic Stabilization Act of 1970 (12 U.S.C. 1904). Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). Department of Energy Organization Act (42 U.S.C. 7151), 5 C.F.R. 1320. Executive Order 12287. Executive Order 11790. Executive Order 12009, 38 Fed. Reg. 22536. Abstract: In response to a congressional request, GAO provided information on the Department of Energy's (DOE) development and implementation of the Economic Regulatory Administration's (ERA) rule amending the recordkeeping requirements for the oil industry to determine whether DOE: (1) risked the loss of records needed to resolve alleged violations by issuing the rule in January 1985; and (2) had an adequate basis for selecting June 30, 1985, as the cut-off date for certain firms to retain their records. GAO also reviewed one oil producer's efforts to have DOE significantly reduce the oil industry's recordkeeping burden, specifically whether correspondence between executive branch officials and DOE should have been included in the public

Findings/Conclusions: GAO found that: (1) DOE issued its amended rule in January 1985 because it mistakenly believed that it would subsequently have difficulty enforcing its recordkeeping requirements; (2) since DOE failed to document and coordinate the actions it took to identify which oil firms should retain records and which records they should retain, some firms may have destroyed records needed for enforcement proceedings; (3) DOE unrealistically selected the June 30, 1985, cut-off date for certain firms to retain their records before it had completed its enforcement program; (4) it could not determine to what extent the oil producer's correspondence influenced the rulemaking process; and (5) the correspondence between the executive branch and DOE was not required to be part of the public file, since it did not directly respond to ongoing DOE rulemaking or a DOE request for approval of the recordkeeping requirement. Recommendation To Agencies: To ensure that the records still needed for the ERA

enforcement program are being retained by the oil firms, the Secretary of Energy should direct the Administrator, ERA, to determine which of the 19 third-party firms that did not receive notification letters still need to retain records, and appropriately notify those firms. The Administrator, ERA, should determine whether the 80 letters to the third-party firms, whose letters were not adequately supported by ERA documentation, were accurate. If the letters were not accurate, the firms should be notified of the correct recordkeeping requirements. To help ensure that all relevant records are being retained by the oil firms, the Secretary of Energy should direct the Administrator, ERA, to determine which of the firms that were not notified of their recordkeeping status still need to retain their records, and resume efforts to locate and inform the firms accordingly.

131454

Federal Electric Power: Pricing Alternatives for Power Marketed by the Department of Energy. RCED-86-186BR; B-223438. September 30, 1986

Released October 30, 1986. 42 pp. Briefing Report to Sen. Howard M. Metzenbaum; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-128, July 26, 1985, Accession Number 127717; RCED-86-18FS, October 10, 1985, Accession Number 128403: RCED-86-44FS. November 12, 1985, Accession Number 128617; B-167712, January 13, 1970, Accession Number 094034; CED-82-3, October 22, 1981, Accession Number 116701; EMD-81-94, June 16, 1981, Accession Number 115510; and RCED-84-25, October 26, 1983, Accession Number 122678.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Sen. Howard M. Metzenbaum.

Authority: Columbia River Transmission System Act (16 U.S.C. 838k).

Abstract: Pursuant to a congressional request, GAO identified alternatives to the Department of Energy's (DOE) power marketing administrations' (PMA) power-pricing practices.

Findings/Conclusions: The alternatives discussed are those based on a cost-ofservice objective and those based on criteria other than cost. GAO noted that the: (1) cost-of-service objective requires that the government or utility recover costs through electric rates; and (2) alternatives based on criteria other than cost-of-service include methods for recovering some irrigation project costs through power sale revenues and marginal-cost pricing. GAO found that: (1) changes to current PMA powerpricing practices could identify and recover the government's costs or result in revenues in excess of costs: (2) the cost-of-service alternative would result in pricing methods that are more consistent with nonfederal electric utilities; (3) the government could recover an additional \$449 million of its future interest costs and increase the reported value of the total federal investment if PMA implemented changes in the computation of interest; and (4) PMA must consider the effects of price increases on power customers, regional economics, and U.S. Treasury revenues when determining powerpricing practices.

131456

Pipeline Safety: Actions Taken To Improve the Program. RCED-86-235FS; B-214352. September 30, 1986. Released October 30, 1986. 15 pp. Fact Sheet to Rep. Bruce F. Vento; by Herbert R. McLure, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-84-102, July 10, 1984, Accession Number 124689; CED-78-99, April 26, 1978, Accession Number 105904; Testimony, April 16, 1985, Accession Number 126707; and T-RCED-87-22, May 5, 1987, Accession Number 132873.

Issue Area: Transportation: DOT
Effectiveness in Managing Its Safety
Enforcement Program (6601).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Transportation (400.0).
Organization Concerned: Williams
Pipeline Co.; Department of
Transportation: Research and Special
Programs Administration.
Congressional Relevance: Rep. Bruce F.
Vento.
Authority: Natural Gas Pipeline Safety

Authority: Natural Gas Pipeline Safety Act of 1968.

Abstract: In response to a congressional request, GAO: (1) provided information on what actions the Department of Transportation's Research and Special Programs Administration (RSPA) took in response to prior recommendations; (2)

discussed problems with RSPA pipeline safety data systems; and (3) summarized the results of RSPA pipeline contractor inspections since 1980.

Findings/Conclusions: GAO found that: (1) the only recommendation that remains under review relates to redefining the federal role and responsibilities for ensuring safety of intrastate pipelines; (2) since state participation is voluntary, RSPA cannot require states to maintain an adequate inspection activity level, assume responsibility for additional intrastate pipelines, or correct deficiencies in their programs; (3) RSPA has initiated controls over data entry to improve its accuracy and is using a microcomputer to timely enter data into the system; and (4) of the 20 inspections RSPA conducted of the pipeline operator, 6 required no enforcement action, while 12 required notices of probable violation, of which 3 remained unresolved.

131468

Energy Prices: Gasoline Price Increases in Early 1985 Interrupted Previous Trend. RCED-86-165BR; B-224102. September 25, 1986. Released October 2, 1986. 38 pp. plus 3 appendices (24 pp.). Briefing Report to Rep. Thomas A. Luken; by Gerald H. Elsken, (for III James Duffus, Associate Director), Resources, Community, and Economic Development Division. Refer to RCED-86-85, April 15, 1986, Accession Number 129798.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Federal Trade Commission; Texaco, Inc.; Getty Oil Co.; Chevron Corp.; Gulf Oil Corp.

Congressional Relevance: Rep. Thomas A. Luken.

Authority: Antitrust Improvements Act (Hart-Scott-Rodino) (15 U.S.C. 18a). Department of Energy Organization Act (42 U.S.C. 7135(h)(2)).

Abstract: Pursuant to a congressional request, GAO provided information on the factors contributing to the rise in gasoline prices in the first half of 1985, including the effect of two mergers in 1984 and actions the Federal Trade Commission (FTC) took regarding the mergers.

Findings/Conclusions: GAO found that: (1) a shift occurred in the sources of gasoline supplied in 1985 compared with the previous 4 years; (2) only a small percentage of the gasoline supplied in

the first few months of 1985 was from domestic production: (3) the increase in market concentration as a result of two oil company mergers would have had only a small effect on wholesale gasoline prices; and (4) FTC required the merging companies to divest specified assets and take other actions to reduce the potential anticompetitive effects of the mergers. GAO also found that the increase in gasoline prices could be related to: (1) increased costs associated with the required reduction in the amount of lead in gasoline; (2) the refining industry's low profitability in 1984; and (3) reduced domestic gasoline production.

131474

TVA Nuclear Power: Management of the Nuclear Program Through Personal Services Contracts. RCED-87-43BR; B-222334. October 24, 1986. 27 pp. Briefing Report to Rep. Patricia Schroeder, Chairman, House Committee on Post Office and Civil Service: Civil Service Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy: Energy Supply (271.0).

Organization Concerned: Tennessee Valley Authority.

Congressional Relevance: House Committee on Post Office and Civil Service: Civil Service Subcommittee; Rep. Patricia Schroeder.

Authority: Price-Anderson Act (Atomic Energy Damages) (42 U.S.C. 2210). Tennessee Valley Authority Act of 1933 (16 U.S.C. 831b).

Abstract: Pursuant to a congressional request, GAO examined certain employment arrangements the Tennessee Valley Authority (TVA) entered into under personal services contracts to: (1) compare the TVA Office of Nuclear Power manager's salary with that of executives in other utilities; (2) compare the manager's employment contract provisions limiting his personal liability for his actions with liability provisions contained in other TVA personal services contracts; (3) identify other contractor personnel employed by TVA under arrangements similar to the manager's; and (4) describe the organizational and functional changes made to TVA's Nuclear Safety Review Staff since the manager's employment.

Findings/Conclusions: GAO found that: (1) the manager's rate of pay was within the range of the salaries paid to utilities' top executives and was over 2.5 times the average salary paid to executives whose positions appeared to have responsibility for managing the utilities' power or nuclear power operations; (2) the manager's contract liability provisions were similar to those of other TVA contracts for personal services; and (3) TVA employed 25 additional persons under similar arrangements, but those employment arrangements were questionable. GAO also found that the manager has: (1) made the Nuclear Safety Review Staff into an organizational component of the TVA Office of Nuclear Power, and it no longer reports directly to the TVA Board of Directors and General Manager; (2) renamed the review staff the Nuclear Manager's Review Group; and (3) relocated the staff in Chattanooga, Tennessee.

131526

Surface Mining: Regulatory Capability of Indian Tribes Should Be Assessed. RCED-87-34; B-221171. October 6, 1986.

Released November 5, 1986. 5 pp. plus 1 appendix (5 pp.). Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-155, May 30, 1986, Accession Number 130170.

Issue Area: Natural Resources Management: OSM and State Effectiveness in Meeting Regulatory Responsibilities Under SMCRA (6910). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Conservation and

Land Management (302.0).

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Navajo Tribes; Hopi Tribes; Crow Tribes; Department of the Interior.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs; Senate Committee on Appropriations: Interior and Related Agencies Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Morris K. Udall.

Authority: Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.).

Abstract: In response to a congressional request, GAO reviewed issues involving the regulation of surface coal mining on Indian lands, specifically the success of cooperative agreements between the Department of the Interior's Office of Surface Mining Reclamation and Enforcement (OSMRE) and the Navajo, Crow, and Hopi tribes, in advancing tribal regulatory proficiency. Findings/Conclusions: GAO found that OSMRE: (1) successfully monitors the tribes' progress in completing the cooperative agreements' tasks; and (2) has not comprehensively assessed whether the tribes' regulatory proficiency is such that the tribes could assume primary responsibility for regulating coal mining and reclamation activities on their lands. The tasks that the tribes must perform include: (1) developing and maintaining a general administration system to manage the regulatory and reclamation program activities; (2) assisting OSMRE in mine plan reviews, inspection and enforcement activities, and performance bond release reviews; (3) participating in technical and administrative training courses; (4) developing tribal mining laws and regulations; (5) determining the known or suspected eligible lands and waters that require reclamation; (6) developing a tribal abandoned mine land reclamation plan; and (7) writing reports to support implementation of specific

Recommendation To Agencies: The Secretary of the Interior should require the Director, OSMRE, to assess the current tribal regulatory capabilities to determine their readiness for assuming primacy. In those areas where the tribes are judged not ready, OSMRE should identify the specific weaknesses. OSMRE should direct future cooperative agreements toward improving specific regulatory deficiencies identified and evaluating the tribes' performance in correcting those deficiencies.

reclamation projects.

131587

[Protest of DOE Rejection of Proposal From Competitive Range and Contract Award for Digital Fault Recording Systems]. B-224913.2. November 10, 1986. 2 pp. Decision re: Rochester Instrument Systems, Inc.; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel.
Organization Concerned: Rochester
Instrument Systems, Inc.; Western Area
Power Administration.

Authority: 4 C.F.R. 21.1. 4 C.F.R. 21.2(a)(2). B-222818 (1986). B-224735.2 (1986).

Abstract: A firm protested the Department of Energy's (DOE) elimination of its bid from the competitive range and contract award to another firm for two digital fault recording systems, contending that: (1) its bid offered to meet the government's minimum needs; (2) DOE should not have eliminated its bid from the competitive range; and (3) DOE should award it the contract at a cost saving to the government. GAO noted that the protester: (1) initially failed to state a basis for its protest; and (2) later submitted a detailed statement of its protest grounds. GAO held that the protester untimely protested more than 10 working days after becoming aware of the basis for protest. Accordingly, the protest was dismissed.

131594

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of September 30, 1986. RCED-87-48FS; B-202377. November 5, 1986. 20 pp. Fact Sheet to Sen. James A. McClure, Chairman, Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston, Ranking Minority Member, Senate Committee on Energy and Natural Resources: by Keith O. Fultz. Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-27, January 10, 1985, Accession Number 125996; RCED-85-100, September 30, 1985, Accession Number 128021; RCED-85-42 October 19, 1984, Accession Number 125544; RCED-85-65, January 31, 1985, Accession Number 126199; RCED-85-116, April 30, 1985, Accession Number 126921; RCED-85-156, July 31, 1985, Accession Number 127746; RCED-86-42, October 30, 1985, Accession Number 128514; RCED-86-86, January 31, 1986, Accession Number 129261; RCED-86-198FS, August 15, 1986, Accession Number 130812; RCED-86-206FS, August 11, 1986, Accession Number 130696; RCED-86-200FS, July 30, 1987, Accession Number 130677; RCED-86-143, July 29, 1986, Accession Number 130648; RCED-86-104FS, May 8, 1986, Accession Number 129887; RCED-86-4, April 1, 1986, Accession Number 129698; and RCED-87-95FS, February 19, 1987, Accession Number 132206.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston; Sen. James A. McClure.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). 10 C.F.R. 72.

Abstract: Pursuant to a congressional request, GAO provided its quarterly status report on the Department of Energy's (DOE) implementation of the Nuclear Waste Policy Act, which established: (1) a comprehensive national program to construct geologic repositories for the permanent disposal of high-level radioactive nuclear waste; (2) the Office of Civilian Radioactive Waste Management (OCRWM) within DOE to carry out the act's provisions; and (3) the Nuclear Waste Fund to finance the program.

Findings/Conclusions: GAO found that: (1) on May 28, 1986, the President approved potential first-repository sites in Nevada, Texas, and Washington for site characterization studies intended to provide the basis for deciding on the preferred site for the nation's first nuclear waste repository; (2) OCRWM has placed primary emphasis on preparing site characterization plans, which it must complete for each site before the exploratory shafts are constructed; (3) Congress passed a continuing resolution in October 1986 that provided no funding for drilling exploratory shafts at any site in fiscal year 1987; (4) on May 28, 1986, DOE announced an indefinite postponement of any site-specific work on a second repository and initiated planning for a broad-based technology development program; (5) the pending court cases regarding nuclear waste remained unresolved, and nine new actions were initiated against DOE; (6) the Nuclear Waste Fund collected over \$84.6 million in fees and investment income and obligated about \$144 million for program activities; and (7) the fund balance as of September 30, 1986, was about \$1.4 billion.

131615

Alternative Fuels: Status of Methanol Vehicle Development.

RCED-87-10BR; B-224084. October 17, 1986.

Released November 17, 1986. 94 pp. plus 3 appendices (7 pp.). Briefing Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-97, May 3, 1985, Accession Number 126896; RCED-86-136FS, April 4, 1986, Accession Number 129616; and RCED-84-36, October 27, 1983, Accession Number 122727.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy
Supply (271.0).

Congressional Relevance: House
Committee on Energy and Commerce:
Fossil and Synthetic Fuels
Subcommittee; Rep. Philip R. Sharp.
Authority: Energy Policy and
Conservation Act. Clean Air Act. Motor
Vehicle Information and Cost Savings
Act. 50 Fed. Reg. 10606. P.L. 96-425. H.
Rept. 94-340. H.R. 3355 (99th Cong.). H.R.
2955 (99th Cong.). S. 1097 (99th Cong.).
Abstract: In response to a congressional

Abstract: In response to a congressional request, GAO provided information on the methanol supply and the status of methanol vehicle development in the United States.

Findings/Conclusions: GAO found that: (1) only 1 percent of the methanol produced in 1985 was used for vehicle fuel; (2) the total domestic methanol production capacity would meet less than 1 percent of automotive fuel demand; (3) automobile manufacturers and state and private research groups need to conduct further research to resolve certain problems with methanolfueled vehicles, such as cold-weather starting; (4) automobile manufacturers are not producing methanol vehicles because the lack of retail methanol fuel and low gasoline prices render methanol not economically viable; (5) federal emissions and fuel economy standards could influence the introduction of methanol as an alternative vehicle fuel; and (6) several mass transit authorities are using methanol-fueled buses to reduce pollutant emissions.

131626

[Protest of DOE Contract Award for Nuclear Material Surveys]. B-

224096. November 18, 1986. 4 pp. Decision re: Professional Analysis, Inc.; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel.
Organization Concerned: Professional
Analysis, Inc.; Science Applications
International Corp.; Department of
Energy: Operations Center, Savannah
River, SC.

Authority: 62 Comp. Gen. 577. B-224504 (1986). B-216886 (1985). B-216076 (1985). Abstract: A firm protested a Department of Energy (DOE) contract award to another firm for nuclear material control and accountability surveys, contending that DOE: (1) failed to evaluate its proposal according to stated criteria; (2) misled it regarding the procurement's status; and (3) failed to cooperate in scheduling a debriefing. GAO held that the protest that DOE: (1) did not evaluate the proposal in accordance with criteria was without merit, since DOE based its evaluation primarily on a lack of information in the protester's proposal; and (2) misled the protester and failed to cooperate in scheduling a debriefing concerned procedural issues and did not relate to the protester's competitive standing in

the procurement or to the validity of the

award. Accordingly, the protest was

131661

denied.

Nuclear Waste: Unresolved Issues Concerning Hanford's Waste Management Practices. RCED-87-30; B-224784. November 4, 1986. Released November 18, 1986. 66 pp. plus 1 appendix (2 pp.). Report to Sen. John H. Glenn, Ranking Minority Member, Senate Committee on Governmental Affairs: Energy, Nuclear Proliferation and Government Processes Subcommittee; Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, **Energy and Natural Resources** Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-192, September 8, 1986, Accession Number 131121; T-RCED-87-7, March 17, 1987, Accession Number 132405; RCED-87-153, July 27, 1987, Accession Number 133794; RCED-88-62, December 16, 1987, Accession Number 134766; T-RCED-87-12, March 25, 1987, Accession Number 132484; T-RCED-87-4, March 12, 1987, Accession Number 132384; RCED-88-130, March 28, 1988, Accession Number 135666; RCED-88-158, May 25, 1988, Accession Number 136111; RCED-88-115, July 19, 1988, Accession Number 136383; and RCED-88-227FS, September 23, 1988, Accession Number 137127.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy: Hanford Power Station; Department of Energy; Environmental Protection Agency.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Government
Operations: Environment, Energy and
Natural Resources Subcommittee; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Governmental
Affairs: Energy, Nuclear Proliferation
and Government Processes
Subcommittee; Rep. Michael L. Synar;
Sen. John H. Glenn.

Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Atomic Energy Act of 1954. Clean Air Act. Clean Water Act of 1977. Toxic Substances Control Act. DOE Order 5480.14. DOE Order 5820.2. DOE Order 5480.2.

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) management and disposal of defense nuclear waste at its Hanford, Washington, facility to determine how Hanford complies with the Resource Conservation and Recovery Act of 1976 (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).

Findings/Conclusions: RCRA regulates hazardous waste from its generation through its ultimate disposal, and CERCLA regulates the cleanup of inactive waste sites; DOE is exempt from RCRA where compliance would be inconsistent with the Atomic Energy Act. GAO found that Hanford: (1) has not identified all the disposal units for RCRA permit applications; (2) drafted a report identifying potential CERCLA sites, which excluded at least 400 sites; (3) disposes of liquid low-level byproduct waste directly into the soil, despite state and Environmental Protection Agency (EPA) opposition, because it believes that its RCRA Atomic Energy Act exclusions allow it to do so without a permit; (4) does not meet RCRA groundwater monitoring requirements at four hazardous or mixed-waste units; and (5) compliance with RCRA and CERCLA

has become more complex because recent amendments have caused uncertainties concerning the corrective actions required to receive RCRA permits.

Recommendation To Agencies: The Secretary of Energy should require Hanford to report to EPA and Washington State: (1) all sites and units previously and currently used to treat, store, and dispose of waste, including those considered to be byproduct and those contaminated by unplanned releases; and (2) the regulatory authority, RCRA, CERCLA, or the Atomic Energy Act, that controls the management, disposal, and corrective actions for all sites and units identified.

Oil Reserve: Status of Strategic

131687

Petroleum Reserve Activities as of September 30, 1986. RCED-87-49; B-208196. November 17, 1986. Released November 24, 1986. 3 pp. plus 3 appendices (21 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-84, January 29, 1986, Accession Number 129149; RCED-86-158, May 22, 1986, Accession Number 129935; RCED-86-205, July 25, 1986, Accession Number 130595; RCED-86-151, April 18, 1986, Accession Number 129807; and RCED-87-101FS, March 2, 1987, Accession Number 132378. The report also contains a list of other GAO SPR quarterly reports.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509). Energy Policy and Conservation Act (P.L. 94-163). Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272). Urgent Supplemental Appropriation Act, 1986 (P.L. 99-349). Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). Abstract: Pursuant to a congressional request, GAO discussed the Department of Energy's (DOE) progress in developing, operating, and filling the Strategic Petroleum Reserve (SPR) as of September 30, 1986.

Findings/Conclusions: GAO found that: (1) the funds in the oil account for fiscal year (FY) 1987 provide for a purchase level of 35,000 barrels of crude oil per day at an estimated cost of \$16.45 per barrel; (2) in August 1986, DOE issued a notice of intent to acquire up to 35,000 barrels per day of domestically produced crude oil for 1 year starting in FY 1987; (3) beginning on October 1, 1986, DOE planned to acquire 8,000 barrels of oil per day from the Naval Petroleum Reserve and transfer it by pipeline from California to a Louisiana SPR storage site; and (4) DOE has not decided whether to acquire additional crude oil from a Mexican supplier beyond October 31, 1986. GAO also found that: (1) as of September 30, 1986, the SPR inventory totalled 506.4 million barrels; (2) personnel at the Bryan Mound site are continuing oil distribution enhancement and cavern improvement activities; and (3) in August 1986, DOE awarded a contract for surface facility construction to make the Big Hill site fully operational.

131877

Emergency Planning: Federal Involvement in Preparedness Exercise at Shoreham Nuclear Plant. RCED-87-45; B-225103. December 2, 1986.

Released December 24, 1986. 6 pp. plus 3 appendices (28 pp.). Report to Sen. Daniel P. Moynihan; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-50, December 2, 1986, Accession Number 131878.

Issue Area: Housing and Community Development: Other Issue Area Work (6791)

Contact: Resources, Community, and Economic Development Division.

Budget Function: Community and Regional Development: Disaster Relief and Insurance (453.0).

Organization Concerned: Federal Emergency Management Agency; Nuclear Regulatory Commission; Long Island Lighting Co.

Congressional Relevance: Sen. Daniel P. Moynihan.

Authority: 44 C.F.R. 350. 10 C.F.R. 50.4. P.L. 96-295.

Abstract: In response to a congressional request, GAO examined the Federal **Emergency Management Agency's** (FEMA) responsibility for evaluating the off-site emergency response test at the Shoreham Nuclear Power Station. Findings/Conclusions: GAO found that: (1) FEMA does not have permanent statutory responsibility to review a utility's off-site emergency response plan or assess an exercise that a utility conducts: (2) FEMA agreed to review the utility's emergency response plan and monitor the exercise under a memorandum of understanding with the Nuclear Regulatory Commission (NRC), but would not make a finding on off-site preparedness; and (3) because the state and local governments would not participate in the test, FEMA could not measure their capabilities and preparedness, and its report contained only an evaluation of the actual exercise. Although FEMA cited five deficiencies that could cause a finding of inadequate off-site emergency preparedness, the legal authority issue, which arose because there was no state and local participation, overshadowed these deficiencies. NRC stated that it would use the information in the same manner as a report with an overall negative finding.

131878

Nuclear Regulation: Unique Features of Shoreham Nuclear Plant Emergency Planning. RCED-87-50; B-225103.2. December 2, 1986. Released January 2, 1987. 5 pp. plus 2 appendices (18 pp.). Report to Sen. Alfonse M. D'Amato; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-78-110, March 30, 1979, Accession Number 108990; and RCED-87-45, December 2, 1986, Accession Number 131877.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Nuclear Regulatory Commission; Federal Emergency Management Agency; Long Island Lighting Co.; New York. Congressional Relevance: Sen. Alfonse M. D'Amato.

Authority: Atomic Energy Act of 1954. 44 C.F.R. 350, 10 C.F.R. 50,47, P.L. 96-295, P.L. 97-415, P.L. 98-553.

Abstract: In response to a congressional request, GAO reviewed the procedures the Nuclear Regulatory Commission

(NRC) used in preparing, assessing, and testing off-site emergency response planning around the Shoreham Nuclear Power Station to determine whether the procedures were different from those at other commercial nuclear plants. Findings/Conclusions: GAO noted that: (1) NRC requires that a utility seeking an operating license submit an on-site emergency plan for review; (2) affected state and local governments usually prepare and submit the required off-site emergency plans to the Federal **Emergency Management Agency** (FEMA) for review; (3) NRC then considers the results of the FEMA plan review and its own review in making its overall licensing decision; (4) the Shoreham plant's owner submitted an off-site emergency plan, since the state and the county declined to prepare the plan, based on their determination that unique local conditions made effective emergency planning impossible; (5) Congress specifically authorized NRC to consider off-site emergency plans submitted by utilities in the absence of state and local plans; and (6) NRC has made no final decision on the adequacy of the Shoreham off-site emergency plan. GAO found that, in the review of the Shoreham plan, as compared to other plans: (1) utility personnel tested the plan's effectiveness without state and local participation; (2) FEMA did not require the utility to hold a formal public meeting following the test; and (3) because of the challenge to the utility's legal authority to carry out its plan, FEMA did not provide overall findings on the plan's adequacy. The NRC licensing board will conduct hearings in 1987 to try to resolve several outstanding issues relating to the state and local decisions not to participate in off-site planning.

131881

Energy Conservation: Federal Home Energy Audit Program Has Not Achieved Expectations. RCED-87-38; B-223210. December 30, 1986. 97 pp. plus 4 appendices (11 pp.). Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to EMD-81-8, February 11, 1981, Accession Number 114319; and EMD-82-70, March 29, 1982, Accession Number 118041.

Issue Area: Energy: Effectiveness and Efficiency of Federal and Nonfederal Energy Conservation Programs and Efforts (6406).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Conservation (272.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Congress. P.L. 99-412. Energy Conservation Policy Act (P.L. 95-619). Energy Security Act (P.L. 96-294). S. 410 (99th Cong.). Cong. Rec. [103] S10214.

Abstract: GAO provided information on the Department of Energy's (DOE) Residential Conservation Service Program (RCS), specifically: (1) its potential for achieving energy savings; (2) its costs and benefits, including measured energy savings; and (3) utilities' implementation efforts and adoption of other residential conservation programs.

Findings/Conclusions: GAO found that: (1) in 1984, 86 percent of single-family homes were less than fully insulated, since they did not have a combination of attic insulation, wall insulation, and storm windows on 90 percent of their windows; (2) only 5.9 percent of eligible customers have participated in RCS, which is lower than the DOE estimate; (3) through 1985, DOE, states, and utilities spent about \$521 million implementing RCS, of which utilities spent 94 percent; (4) the increase in residential customers' utility bills ranged from \$.01 to \$2.85 per customer in 1985; (5) states and utilities experienced improved utility-customer relations and increased conservation awareness by participants as a result of RCS; (6) utilities inserted notices in customer bills to announce the program: (7) utilities with higher participation rates used more marketing strategies, charged customers less for audits, and spent more per eligible customer to implement the program than utilities with lower participation rates; and (8) most utilities offered other residential conservation programs, including weatherization and less comprehensive home energy audits.

131944

[Protest of DOE Contractor's Subcontract Award for Wastewater Treatment Course]. B-224684. January 7, 1987. 5 pp. *Decision* re: Water Resources Education; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel.
Organization Concerned: Water
Resources Education; Aiken Technical
College; E.I. du Pont de Nemours and
Co., Inc.; Department of Energy.
Authority: 4 C.F.R. 21.3(f)(10). 4 C.F.R.
21.2(a)(1). B-218121 (1985). B-210800
(1984). B-202735 (1981). B-215922.3 (1985).

Abstract: A firm protested a subcontract award for a wastewater treatment course under a Department of Energy prime contractor's solicitation, contending that: (1) the contractor improperly evaluated the proposals; (2) the course price should have included the cost of textbooks; (3) the accuracy of the awardee's proposal in its representation of the firm's experience and abilities was questionable; (4) the awardee did not include the optional pricing for additional sessions in its offer; and (5) the contractor ordered the texts and training materials before it awarded the contract. GAO held that: (1) the contractor properly evaluated the offers on the basis of the success rates stated in the proposals; (2) the allegation regarding the inclusion of the textbook price in the cost evaluation was untimely filed after bid opening; (3) the protester failed to show that the contractor improperly evaluated its proposal; (4) the protester failed to show that the awardee did not meet the solicitation requirements; and (5) it would not conduct investigations to establish the validity of a protester's assertions. Accordingly, the protest was denied in part and dismissed in part.

131958

Energy Regulation: More Effort Needed To Recover Costs and Increase Hydropower User Charges. RCED-87-12; B-219857. November 25, 1986.

Released January 12, 1987. 5 pp. plus 2 appendices (21 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation

Organization Concerned: Federal Energy Regulatory Commission: Office of Program Management; Forest Service; Federal Energy Regulatory Commission. Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Rep. John D. Dingell.

Authority: Land Policy and Management Act. Federal Power Act.

Abstract: In response to a congressional request, GAO evaluated the Federal Energy Regulatory Commission's (FERC) responsibilities under the Federal Power Act (FPA) to assess and collect three annual charges from licensees participating in its hydropower licensing program.

Findings/Conclusions: GAO found that: (1) FERC has taken steps to increase its administrative cost collection by including other federal agency costs in its annual billings to licensees: (2) FERC is finalizing rulemaking that revises the basis for valuing federal lands used for hydropower projects; (3) an analysis of the potential impact of increased landuse charges on licensees and their customers showed that the impact would likely be minimal; and (4) land exchanges have not affected the FERC assessment process except where legislatively exempted. GAO also found that efforts to: (1) provide additional guidance and clarification of cost data requirements appears to be a positive step in encouraging agencies to provide their administrative costs to FERC for billing licensees; and (2) ensure the recovery of reasonable charges for use of federal lands and reduce interest costs from delayed billings to licensees also are in progress.

Recommendation To Agencies: To ensure that all administrative costs attributable to the hydropower licensing program are recovered, the Chairman, FERC, should have the Director, Office of Program Management, work with officials of the Forest Service to apportion their administrative costs between activities under the Federal Land Policy and Management Act and FPA and seek recovery of all FPA-related costs. To ensure that FERC assesses reasonable hydropower charges for usage of federal lands and minimizes federal interest costs, the Chairman, FERC, should take steps to ensure that a final rule to revise land-use charges and change the current annual administrative charge billing cycle is completed in a manner that authorizes land-use charges to become effective January 1, 1987.

132121

Naval Petroleum Reserves: Oil Sales Procedures and Prices at Elk Hills, April Through December 1986. RCED-87-75FS; B-208196. January 29, 1987.

Released February 2, 1987. 8 pp. plus 1 appendix (1 p.). Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and

Synthetic Fuels Subcommittee; by John W. Sprague, (for James Duffus III, Associate Director), Resources, Community, and Economic Development Division. Refer to RCED-86-163FS, May 9, 1986, Accession Number 130082; and GGD-88-114, September 8, 1988, Accession Number 137031.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Rep. Philip R. Sharp. Authority: Naval Petroleum Reserves Production Act of 1976 (P.L. 94-258). P.L. 99-413.

Abstract: In response to a congressional request, GAO provided information on the Department of Energy's (DOE) procedures and prices for oil sales from the Elk Hills Naval Petroleum Reserve (NPR-1) from April through December 1986.

Findings/Conclusions: GAO found that: (1) DOE received between \$3.91 and \$11.27 per barrel for NPR-1 crude oil between April 1, 1986 and September 30, 1986; (2) the DOE bonus/discount bidding procedure to sell NPR-1 oil resulted in net bonuses to DOE of about \$272 million; (3) the DOE sales procedures required bidders to submit a specific price for the oil rather than a bonus or discount to a base price, reduced the contract period from 6 months to 3 months, shortened the time period between the invitation for bids. contract award, and oil delivery, and strengthened its right to reject bids deemed unfavorable to the taxpaver: (4) under its new procedures, DOE awarded contracts to seven companies in September 1986 for the sale of 53,000 barrels of oil per day for the contract period October 1, 1986 to December 31, 1986; and (5) to avoid future NPR-1 oil sales at less than fair market value. DOE tests the sale and shipment of NPR-1 oil to the Strategic Petroleum Reserve and prepares unused storage tanks at NPR-1 for possible storage of oil.

132140

Nuclear Waste: Institutional Relations Under the Nuclear Waste Policy Act of 1982. RCED-87-14; B-

202377. February 9, 1987. 57 pp. plus 2 appendices (3 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-85-100, September 30, 1985, Accession Number 128021; EMD-79-77, June 21, 1979, Accession Number 109784; RCED-86-4, April 1, 1986, Accession Number 129698: RCED-87-139FS, May 13, 1987, Accession Number 132947; RCED-87-17, April 15, 1987, Accession Number 132701; RCED-87-103FS, March 20, 1987, Accession Number 132594; and RCED-88-131, September 28, 1988, Accession Number 136919.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Office of Civilian Radioactive Waste Management.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Interior and
Insular Affairs; House Committee on
Energy and Commerce; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Energy and
Natural Resources; Sen. James A.
McClure; Sen. J. Bennett Johnston.
Authority: Price-Anderson Act (Atomic
Energy Damages). Nuclear Waste Policy
Act of 1982 (P.L. 97-425; 42 U.S.C. 10101
et seq.; 96 Stat. 2201).

Abstract: In response to a congressional request to assess the Department of Energy's (DOE) relations with the states and Indian tribes that its Nuclear Waste Repository Program affects, GAO: (1) identified the states' and tribes' concerns with the program, including their level of participation in the decisionmaking process for waste sites; (2) examined the DOE program for involving states and tribes and the DOE positions on their concerns; and (3) determined what steps DOE should take to improve its program.

Findings/Conclusions: GAO found that the states and tribes involved in the

program: (1) were concerned about the potential environmental and socioeconomic impacts of siting a nuclear waste repository in their region because they did not believe that it could safely withstand groundwater seepage and other natural phenomena and prevent radiation from escaping to the surrounding environment; (2) believed that DOE restricted them from participation in making decisions that affected them, particularly in the firstrepository siting process; and (3) claimed that the DOE Mission Plan was deficient and vague. GAO noted that DOE claimed that attempts to negotiate formal agreements with states and tribes have been unsuccessful because of controversial issues such as federal liability, and because states and tribes were reluctant to agree with DOE concerning nuclear waste issues. DOE cited numerous steps it took over the past 2 years to involve states and tribes in the program, including: (1) holding periodic meetings and using other means to inform states and tribes and obtain input on program activities; (2) issuing detailed comment response documents to inform states and tribes about the disposition of their comments on program documents; (3) allowing states and tribes to participate in internal DOE management groups considering environmental issues and other relevant matters; and (4) using an independent peer group to review the DOE decisionaiding methodology for repository site selection.

Recommendation To Agencies: The Secretary of Energy should take steps to improve DOE efforts to involve affected states and Indian tribes in the nuclear waste program and to enhance the overall credibility of the program by providing states and tribes access, at least on a trial basis, to all of the Office of Civilian Radioactive Waste Management's (OCRWM) coordinating group meetings. The Secretary of Energy should take steps to improve DOE efforts to involve affected states and Indian tribes in the nuclear waste program and to enhance the overall credibility of the program by employing independent advisory groups during site characterization and other program activities. The Secretary of Energy should take steps to improve DOE efforts to involve affected states and Indian tribes in the nuclear waste program and to enhance the overall credibility of the program by adopting a strategy of negotiating incremental agreements with the states and tribes in an effort to build a foundation for resolving controversial issues. The Secretary of Energy should take steps to improve

DOE efforts to involve affected states and Indian tribes in the nuclear waste program and to enhance the overall credibility of the program by better defining consultation and cooperation in the Mission Plan.

132152

Surface Mining: Interior Department and States Could Improve Inspection Programs. RCED-87-40; B-224852. December 29, 1986.

Released February 11, 1987. 38 pp. plus 2 appendices (4 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-129, June 5, 1987, Accession Number 133369; and RCED-89-82FS, February 22, 1989, Accession Number 138391.

Issue Area: Natural Resources
Management: OSM and State
Effectiveness in Meeting Regulatory
Responsibilities Under SMCRA (6910).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Conservation and
Land Management (302.0).

Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Montana; Ohio; Pennsylvania; West Virginia.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Interior and Insular Affairs; House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; Senate
Committee on Appropriations: Interior
Subcommittee; Senate Committee on
Energy and Natural Resources; Rep.
Michael L. Synar.

Authority: Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.).

Abstract: In response to a congressional request, GAO provided information on federally approved mine inspection and enforcement programs in four states to determine whether: (1) the states were citing all violations observed during mine inspections; and (2) if the Department of the Interior's Office of Surface Mining Reclamation and Enforcement's (OSMRE) sampling process to select mines for review is appropriate for assessing states' performance in citing mining violations.

Findings/Conclusions: GAO found that: (1) the states made most of the required inspections and ensured that mine operators timely corrected cited violations; (2) state inspectors failed to cite 78 of the 129 total violations GAO and federal inspectors observed during visits to 82 sites; (3) 56 percent of the uncited violations included problems with sediment controls, mining outside permit boundaries, improper topsoil handling, and other violations that could cause off-site environmental damage; (4) states did not cite the 78 violations because they missed the violations or disagreed that a violation existed; (5) states did not issue violation notices if problems were not occurring when they followed up; and (6) states' failures to record all violations could affect penalty determinations and permit suspensions or revocations, since OSMRE bases its decisions on an operator's history of violations. GAO also found that federal inspectors: (1) did not determine if the violations they found were also present during the last state inspection; (2) did not attempt to schedule oversight inspections as close to the latest complete state inspection as possible; and (3) were not required to determine the potential environmental impact of observed violations or their likely causes.

Recommendation To Agencies: To ensure that all violations of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) performance standards are cited, the Secretary of the Interior should require the Director, OSMRE, to determine the reasons why state inspectors are not citing all violations and, based on this information, work with the states to ensure that each violation of SMCRA performance standards is cited. To ensure that all violations of the Surface Mining Control and Reclamation Act of 1977 performance standards are cited, the Secretary of the Interior should require the Director, OSMRE, to work with the states to develop criteria for state use of OSMRE evidence of violations observed during oversight inspections in issuing notices of violation, which will become part of an operator's violation history. To provide more creditable information on state regulatory authorities' performance in administering their mine inspection programs, the Secretary of the Interior should direct the Director, OSMRE, to modify the OSMRE sampling approach to give primary emphasis to measuring state performance in ensuring compliance with the act. OSMRE should include procedures for timing oversight inspections as close to the time of the last complete state

inspection as possible, and then require its inspectors to record whether each observed violation was present at the time of the last complete state inspection, but was not cited by the state. To provide more creditable information on state regulatory authorities' performance in administering their mine inspection programs, the Secretary of the Interior should direct the Director, OSMRE, to require OSMRE inspectors to record in inspection reports the potential for harm to the environment or public safety, and the causes of violations observed at each site to help demonstrate the overall effectiveness of state inspection programs and identify areas in need of corrective action.

132153

Energy Management: Effects of Recent Changes in Department of Energy Patent Policies. RCED-87-5; B-220911. December 31, 1986. Released February 11, 1987, 7 pp. plus 11 appendices (56 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee: by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-70, March 5, 1987, Accession Number 132676; RCED-88-116BR, March 4, 1988, Accession Number 135241; and RCED-88-194, August 12, 1988, Accession Number 136974.

Issue Area: Energy: Other Issue Area Work (6491); Science and Technology Policy and Programs: Patent Policies and Programs (9303).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Martin Marietta Energy Systems.

Congressional Relevance: House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee; Rep. John D. Dingell.
Authority: P.L. 96-517. 31 U.S.C. 3302.
Abstract: In response to a congressional request, GAO reviewed various changes in Department of Energy (DOE) policies relating to the retention of patent rights to inventions developed at government expense.

Findings/Conclusions: GAO noted that: (1) it could not precisely evaluate how the new DOE patent policies would affect commercialization of inventions, competition in the marketplace, and

mission-related work at DOE facilities, because DOE had not implemented them vet; and (2) the policies' effects on competition and on contractors' performance of mission-related work were unclear, because DOE was still developing procedures and controls. GAO found that: (1) the DOE practice of requiring contractors who operate DOE facilities to obtain approval before taking title to individual inventions delayed contractors' ability to commercialize some inventions and may have dissuaded contractors from requesting title to inventions; and (2) the policies' effects on contractor performance of mission-related work would depend on the financial rewards that contractors and their employees receive from commercializing inventions and the effectiveness of DOE controls to prevent financial incentives from adversely affecting facility operations. GAO also found that: (1) DOE has the flexibility to establish royalty provisions for inventions it licenses; and (2) under a planned arrangement, DOE would provide a contractor with an advance waiver covering many inventions, with the contractor retaining the royalty funds for technology transfer.

132187

Nuclear Weapons: Emergency Preparedness Planning for Accidents Can Be Better Coordinated. NSIAD-87-15; B-224658. February 10, 1987. 40 pp. plus 8 appendices (30 pp.). Report to Rep. Sala Burton; Rep. Ronald V. Dellums; Rep. Don Edwards; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to EMD-78-110, March 30, 1979, Accession Number 108990; RCED-84-43, August 1, 1984, Accession Number 124844; RCED-85-1, April 18, 1985, Accession Number 126763; NSIAD-85-123, July 29, 1985, Accession Number 127562; RCED-86-15, November 8, 1985, Accession Number 128548; and NSIAD-86-146, June 3, 1986, Accession Number 130068.

Issue Area: Navy: Other Issue Area Work (5691).

Contact: National Security and International Affairs Division.

Budget Function: National Defense:
Atomic Energy Defense Activities (053.0).

Organization Concerned: Department of Defense; Department of the Navy.

Congressional Relevance: Rep. Don Edwards; Rep. Ronald V. Dellums; Rep. Sala Burton.

Abstract: In response to a congressional request, GAO reviewed the Department of Defense's (DOD) policies and practices for coordinating emergency planning for nuclear weapon accidents with states and localities.

Findings/Conclusions: GAO found that: (1) although the Air Force coordinates its emergency planning for all types of disasters, the Army and Navy generally exclude state and local governments from coordinated planning efforts for national security reasons; (2) some state and local emergency preparedness officials desire more communication with Army and Navy installations in emergency planning; (3) a national nuclear weapon accident exercise showed a need for more coordination because of the complexities involved in responding to such accidents and the hazards of radioactive contamination; (4) the services and civilian authorities coordinate emergency planning for other disasters; and (5) the Army and Navy could achieve emergency planning with states and localities for accidents involving nuclear weapons without violating DOD security policies. Recommendation To Agencies: The Secretary of Defense should direct the Secretary of the Navy to ensure that officials at its home ports for nuclearcapable ships allow the opportunity for state and local authorities to coordinate emergency plans for nuclear weapon accidents by sharing unclassified planning information regarding such factors as: (1) the potential hazards associated with such accidents; (2) accident notification policies and procedures; (3) DOD response capabilities; and (4) procedures for requesting assistance. The Secretary of Defense should direct the Secretary of the Navy to ensure that officials at its home ports for nuclear-capable ships allow the opportunity for state and local authorities to coordinate emergency plans for nuclear weapon accidents by allowing for state and local participation in installation response exercises.

132205

Federal Electric Power: A Five-Year Status Report on the Pacific Northwest Power Act. RCED-87-6; B-225290. February 19, 1987. 58 pp. plus 5 appendices (12 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce; Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by J.

Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refers to numerous documents on Northwest power legislation. Refer to RCED-88-199, September 14, 1988, Accession Number 137033.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Bonneville Power Administration; Pacific Northwest Electric Power and Conservation Planning Council.
Congressional Relevance: House Committee on Interior and Insular

Affairs; *House* Committee on Energy and Commerce; *Senate* Committee on Energy and Natural Resources; *Rep.* Morris K. Udall; *Rep.* John D. Dingell; *Sen.* J. Bennett Johnston.

Authority: Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839). Federal Power Act (16 U.S.C. 806). B-214960 (1984).

Abstract: GAO reviewed the Pacific Northwest region's compliance with the Northwest Power Act in developing and implementing its electric power plans and fish and wildlife programs and its progress in achieving public involvement in decisionmaking activities.

Findings/Conclusions: GAO found that: (1) although the Northwest Power Planning Council established and developed a regional power plan which gives priority to the development of energy conservation resources, the Bonneville Power Administration and other regional entities have not fully met implementation expectations; (2) clear delineation of regional power planning between the Council and Bonneville needs resolution: (3) the current surplus power supply has delayed the need for regional utilities to acquire future power supplies; (4) the Council's program has had a positive effect in protecting and enhancing the region's fish and wildlife resources, but the Council will require more time to assess its impact because it has not completed full life-cycle reviews on some fish species; and (5) since the act's passage, regional power planning and fish and wildlife programs have shown progress in improving public involvement activities.

132206

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of December 31, 1986. RCED-87-

95FS: B-202377. February 19, 1987. 22 pp. plus 1 appendix (1 p.). Fact Sheet to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources: Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-100, September 30, 1985. Accession Number 128021; RCED-87-48FS, November 5, 1986, Accession Number 131594; RCED-86-206FS, August 11, 1986, Accession Number 130696; RCED-86-154FS, April 30, 1986, Accession Number 129833; and RCED-86-86, January 31, 1986, Accession Number 129261. Also refers to numerous other GAO reports on nuclear waste.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management; Tennessee.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). Safe Drinking Water Act. 10 C.F.R. 60.

Abstract: Pursuant to a congressional request. GAO provided its quarterly status report on the Department of Energy's (DOE) implementation of its nuclear waste management program for the quarter ended December 31, 1986. Findings/Conclusions: GAO found that: (1) the DOE Office of Civilian Radioactive Waste Management, which is primarily responsible for DOE nuclear waste activities, focused its efforts on preparing site characterization plans for the three sites deemed acceptable for a first waste repository; (2) DOE established a separate division to manage issues related to repository technology and the transportation of high-level radioactive waste; (3) a federal circuit court overturned a district court decision that DOE failed to properly consult with Tennessee before submitting a monitored retrievable storage proposal, but Tennessee received a stay to allow it time for further

appeals; (4) DOE released a draft amendment to its Mission Plan that would extend for 5 years its target date for initiating repository operations; (5) 8 new program-related legal actions were filed in federal courts during the quarter, bringing the total number of pending lawsuits to 43; and (6) the Nuclear Waste Fund collected over \$175.2 million in fees and investment income, obligated about \$171 million for program activities, and had a balance of about \$1.5 billion at the end of the quarter.

132218

Energy R&D: Changes in Federal Funding Criteria and Industry Response. RCED-87-26; B-225884. February 9, 1987.

Released February 11, 1987. 58 pp. plus 3 appendices (10 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-83-6, November 5, 1982, Accession Number 119853; RCED-83-120, April 21, 1983, Accession Number 121185; EMD-82-79, July 12, 1982, Accession Number 118932; EMD-82-60. March 26, 1982, Accession Number 118097; and RCED-89-17, December 6, 1988, Accession Number 137492.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Fossil and Synthetic Fuels Subcommittee; Rep. Philip R. Sharp. Authority: Public Utility Regulatory Policies Act of 1978. Energy Tax Act of 1978 (P.L. 95-618). Windfall Profit Tax Act (Crude Oil) (P.L. 96-223). Energy Security Act.

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) research and development (R&D) policy of emphasizing long-term, high-risk, high-payoff technologies, to determine whether: (1) DOE fairly applied the policy across the board; and (2) industry has undertaken energy R&D as a result of this policy.

Findings/Conclusions: GAO found that: (1) DOE has generally applied its R&D policy consistently, reorienting most R&D activities toward the early stages of the innovation process; (2) the civilian nuclear reactor R&D budget has been an exception, with DOE support for these technologies insulating them from major reductions; and (3) civilian reactor programs sustained substantial reductions at the beginning of fiscal year 1984 for other considerations, such as safety issues and the need to satisfy certain military objectives, as well as the long-term, high-risk, high-payoff criteria. GAO also found that: (1) there is little indication that the private sector has compensated for cutbacks in DOE R&D; (2) market factors have generally reduced the potential profitability of technology development; (3) many of the activities DOE curtailed involved largescale activities too risky to finance without government support; and (4) reduced DOE and industry support for energy R&D has delayed U.S. technology development.

132248

[Protest of DOE Contract Award for Modeling and Forecasting Support Services]. B-225648. February 17, 1987. 5 pp. Decision re: E.H. Pechan & Associates, Inc.; by Robert M. Strong, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel.
Organization Concerned: E.H. Pechan &
Associates, Inc.; Decision Analysis Corp.
of Virginia; Department of Energy.
Authority: 4 C.F.R. 21.3(f). 4 C.F.R.
21.2(a). F.A.R. 9.103. B-219791.2 (1986). B-221723 (1986). B-220823 (1985).

Abstract: A firm protested a Department of Energy (DOE) contract award for modelling and forecasting support services, contending that DOE: (1) improperly awarded the contract to a higher bidder; and (2) failed to respond to a written request for specific information as to why it eliminated the protester from competition. GAO noted that DOE notified the protester that it rejected the bid as technically unacceptable and subsequently conducted an oral debriefing at the protester's request to discuss proposal deficiencies. GAO held that: (1) the protester untimely filed the protest 5 months after the debriefing, when it became aware of the basis for protest; (2) the protester did not provide any evidence to show that the award to the higher bidder was improper; and (3) the protester untimely filed the portion of the protest based on alleged solicitation

improprieties. Accordingly, the protest was dismissed.

132273

Synthetic Fuels: Status of the Great Plains Coal Gasification Project. RCED-87-90FS; B-207876. February 27, 1987. 34 pp. plus 1 appendix (1 p.). Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-49FS, November 8, 1985, Accession Number 128559; RCED-86-109FS, February 28, 1986, Accession Number 129305; RCED-86-190FS, July 3, 1986, Accession Number 130305; and RCED-88-53FS. November 10, 1987, Accession Number 134362.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Great Plains Gasification Associates; ANG Coal Gasification Co. Congressional Relevance: House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; Rep. Philip R. Sharp. Authority: Nonnuclear Energy Research and Development Act of 1974 (P.L. 93-577; 42 U.S.C. 5919(g)(2)). Department of Energy Act of 1978--Civilian Applications (P.L. 95-238).

Abstract: In response to a congressional request, GAO provided information on the Great Plains Coal Gasification Project, including: (1) the loan and gas pricing formula; (2) legal matters and agreements; (3) the Department of Energy's (DOE) options and actions; and (4) Great Plains operations. Findings/Conclusions: GAO found that: (1) although a gas purchase agreement pricing formula controlled the price of the gas, it became necessary to devise an alternative pricing formula because the Bureau of Labor Statistics ceased publication of the base price of fuel oil; (2) after the operating contractor defaulted on a loan, DOE believed it necessary to obtain title to the project before making any final decisions concerning the project's future; (3) DOE finalized a new agreement with another

firm to continue to operate the project under DOE direction; (4) DOE will continue to evaluate its options for the project's future in terms of the potential value or costs to the federal government and socioeconomic impact on the state of North Dakota, and will continue plant operations as long as that does not expend additional taxpayer funds; (5) during 1985, the plant met production performance standards for commercial operations, but some technical problems remained, and it needed modifications to meet design specifications and environmental control agreements; and (6) DOE does not believe that operating the project during its transition period will result in further costs or economic risk to taxpayers, as long as revenues continue to exceed expenses.

132294

Nuclear Health and Safety: DOE's Progress in Implementing Its 1985 Initiatives. RCED-87-73FS; B-222195. March 3, 1987. 11 pp. plus 1 appendix (1 p.). Fact Sheet to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-68FS, March 4, 1986, Accession Number 129344.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs; Sen. John H. Glenn.

Authority: Resource Conservation and Recovery Act of 1976. Clean Air Act. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. DOE Order 5480.1B. DOE Order 5480.5. DOE Order 5480.6. DOE Order 5482.1B. DOE Order 5700.6B. DOE Order 5480.2. DOE Order 5420.14. DOE Order 5480. DOE Order 5481.1B.

Abstract: Pursuant to a congressional request, GAO monitored the Department of Energy's (DOE) implementation of initiatives to strengthen environmental, safety, and health (ES&H) programs, to provide information oh: (1) the status of the initiatives; and (2) planned DOE actions to complete the initiatives. Findings/Conclusions: GAO found that DOE has: (1) made progress in implementing all but one of the

initiatives; (2) completed reorganization of ES&H activities; (3) revised six ES&H orders governing the conduct of its operations; (4) completed field work for its environmental surveys at eight facilities; (5) completed safety technical proposals for 10 facilities; (6) begun operating an ES&H information reporting and tracking system; and (7) issued several specific environmental memorandums to field offices governing various environmental aspects of its operations. GAO noted that DOE has not yet developed a plan outlining specific ES&H training needs.

132336

[Protest of Los Alamos National Laboratory Contract Award for Cryogenic Refrigerator System]. B-225520. March 4, 1987. 5 pp. *Decision* re: Cryogenic Consultants, Inc.; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel.
Organization Concerned: Department of
Energy: Los Alamos National
Laboratory; Cryogenic Consultants, Inc.;
Koch Process Systems; CVI, Inc.
Authority; 4 C.F.R. 21.2(a)(1). 53 Comp.
Gen. 586. B-222468 (1986). B-213691
(1984). B-203589.2 (1981). B-220778 (1986).
B-223915 (1986). B-223614.2 (1986). B-221330 (1986).

Abstract: A firm protested a Department of Energy (DOE) contract award for a cryogenic refrigerator system, contending that DOE: (1) improperly evaluated its proposal; (2) conducted the procurement in favor of the awardee: and (3) made errors in calculating its total offered price, which adversely affected its competitive standing, GAO held that: (1) the award was proper, since it met the needs of the government; (2) the alleged misinterpretation of the protester's proposal did not adversely affect its competitive standing, since price was the determinative factor and the protester's offer was not low; (3) DOE did not evaluate the cost of upgrading the awardee's equipment because the solicitation did not provide for such an evaluation: (4) the protester untimely protested after bid opening that the solicitation restricted competition; and (5) the protester failed to prove that DOE conducted the procurement in favor of the awardee. Accordingly, the protest was denied in part and dismissed in part.

132339

Surface Mining: State Management of Abandoned Mine Land Funds.

RCED-87-57; B-226046. February 6, 1987.

Released March 9, 1987. 40 pp. plus 1 appendix (1 p.). Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources
Management: OSM and State
Effectiveness in Meeting Regulatory
Responsibilities Under SMCRA (6910).
Contact: Resources, Community, and
Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Morris K. Udall.

Authority: Surface Mining Control and Reclamation Act of 1977. Single Audit Act of 1984 (31 U.S.C. 7501). Federal Managers' Financial Integrity Act of 1982. Intergovernmental Cooperation Act of 1968. OMB Circular A-102. OMB Circular A-128.

Abstract: In response to a congressional request, GAO evaluated how effectively states manage their abandoned mine reclamation funds, specifically whether they: (1) have adequate financial controls to ensure the proper use of reclamation funds; (2) are reclaiming eligible sites in proper priority sequence; (3) are managing projects in accordance with federal procurement, monitoring, and reporting standards; and (4) are correcting problems through completed projects.

Findings/Conclusions: GAO reviewed five states' reclamation programs and found that: (1) the states implemented financial control procedures and practices to ensure the proper expenditure of reclamation funds; (2) only one state complied with all related grant payment, audit, and inventory requirements; (3) the states generally reclaimed eligible, high-priority projects; (4) the states managed their reclamation projects in compliance with applicable procurement and project monitoring standards, except for Kentucky's selection of design contractors, which lacked documentation; (5) the states

conducted inspections both immediately after completing construction and later to ensure that projects successfully resolved their reclamation problems; and (6) although none of the states compiled summary data, most completed projects successfully reduced the number of problems. GAO noted that it could not readily assess the overall success of the projects in reducing identified problems because summary data were not available.

Recommendation To Agencies: The Secretary of the Interior should require the Director, Office of Surface Mining Reclamation and Enforcement (OSMRE), to emphasize to the states the importance of complying with Office of Management and Budget (OMB) Circular A-102 requirements related to disbursing federal grant funds in a timely manner, inventorying physical equipment, and conducting audits. To ensure that states have taken any necessary steps to bring their programs into compliance, the Director, OSMRE, should follow up on their compliance as part of Interior's annual oversight evaluations. To correct remaining weaknesses in state management of abandoned mine lands projects and Office of Surface Mining Reclamation and Enforcement (OSMRE) oversight of that management, the Secretary of the Interior should require the Director, OSMRE, to: (1) direct those states, like Kentucky, that do not comply with federal procurement standards, to bring their programs into compliance; (2) direct the states to provide all information required by federal performance reporting standards in the states' semiannual reports on specific projects to OSMRE; and (3) strongly encourage those states not documenting the results of postconstruction inspections to begin doing SO.

132378

Oil Reserve: Status of Strategic Petroleum Reserve Activities as of December 31, 1986. RCED-87-101FS; B-208196. March 2, 1987.

Released March 11, 1987. 25 pp. plus 1 appendix (1 p.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-84-92, January 13, 1984, Accession Number 123281; RCED-86-205, July 25, 1986, Accession Number 130595; RCED-87-49, November 17, 1986, Accession Number 131687; RCED 87-35FS, May 14, 1987, Accession

Number 133310; RCED-87-101FS, March 2, 1987, Accession Number 132378; and numerous quarterly reports on the Strategic Petroleum Reserve.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Energy Policy and Conservation Act (P.L. 94-163). Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272). Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509). P.L. 99-591.

Abstract: In response to a congressional request, GAO presented its quarterly report on the Department of Energy's (DOE) progress in developing, operating, and filling the Strategic Petroleum Reserve (SPR) as of December 31, 1986. Findings/Conclusions: GAO found that: (1) the SPR inventory totalled 511.6 million barrels of oil; (2) during the quarter, DOE added 5.2 million barrels of crude oil at an average rate of about 56,300 barrels per day; (3) DOE did not request additional appropriated funds for oil-fill acquisition, since existing unobligated fund balances were adequate; (4) the 1986 fiscal budget request proposed a fill rate of 35,000 barrels per day and would remove the requirement to discontinue oil sales from the Naval Petroleum Reserve if the SPR fill rate drops below 75,000 barrels per day; (5) DOE discontinued the purchase of Naval Petroleum Reserve oil on October 31, 1986, after it transferred 267,000 barrels of oil for storage in Louisiana; (6) construction and development of surface facilities at the Big Hill, Texas, site continued during the quarter; (7) DOE plans to close the Sulphur Mines, Louisiana, site until replacement storage space is available; (8) DOE signed agreements with two firms for the purchase of 27.35 million barrels of domestically produced oil; (9) as of December 31, 1986, the oil distribution pipeline from the Bryan Mound, Texas, SPR site to Texas City, Texas, was 70-percent complete, with other planned distribution enhancements in the development stage;

and (10) DOE awarded the prime contractor for SPR management, operation, and maintenance 65 percent of the \$2.6 million award fee available for the second 6-month period.

132383

[Management and Safety Issues Concerning DOE's Production Reactors at Savannah River, S.C.] T-RCED-87-5. March 12, 1987. 12 pp. Testimony before the Senate Committee on Governmental Affairs; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to T-RCED-88-30, March 31, 1988, Accession Number 135455; RCED-88-137, July 13, 1988, Accession Number 136307; and RCED-90-61FS, October 23, 1989, Accession Number 139914.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy: Savannah Nuclear Power Station; E.I. du Pont de Nemours and Co., Inc.

Congressional Relevance: Senate Committee on Governmental Affairs. Abstract: GAO discussed its ongoing audit of the Department of Energy's (DOE) production reactors at its Savannah River Plant, specifically: (1) the testing methods DOE uses to determine potential cracks in the reactor tank walls; (2) a recent reduction in the operating power of the plant's reactors for safety reasons; and (3) the lack of prompt management attention in addressing reactor operations and maintenance problems. GAO found that: (1) the contractor operating the plant for DOE relies on a visual method for testing for cracks, which does not ensure identification of all the weld areas; (2) the commercial nuclear industry and the Nuclear Regulatory Commission feel that the ultrasonic method is the preferred inspection method; (3) the plant operator does not plan to begin even partial ultrasonic testing until 1988; (4) in 1986, the plant operator reduced the operating reactors' power levels by 26 percent after a review raised questions about the emergency cooling system's ability to prevent a fuel meltdown during an accident; and (5) the reactors had operated for about 6 years at a power level that may have been unsafe in the event of an accident. GAO noted that management inattention may have contributed to several problems including: (1) a backlog of recommended actions stemming from the reactor incident report system; (2) inadequate

information and guidance concerning reactor repairs and maintenance; and (3) inadequate on-the-job training for mechanics.

132384

[Environmental, Safety, and Health Aspects of the Department of Energy's Nuclear Defense Complex]. T-RCED-87-4. March 12, 1987. 14 pp. plus 1 attachment (2 pp.). Testimony before the Senate Committee on Governmental Affairs: by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-175, June 16, 1986, Accession Number 130260; RCED-86-213BR, August 5, 1986, Accession Number 130662; EMD-81-108, August 4, 1981, Accession Number 115979; RCED-86-192, September 8, 1986, Accession Number 131121; RCED-86-90, March 21, 1986. Accession Number 130087; RCED-87-30, November 4, 1986, Accession Number 131661; T-RCED-88-30, March 31, 1988, Accession Number 135455; T-RCED-87-12, March 25, 1987, Accession Number 132484; RCED-88-130, March 28, 1988, Accession Number 135666; T-RCED-88-61, August 23, 1988, Accession Number 136742; and numerous reports related to environmental, safety, and health aspects of Department of Energy operations.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs. Authority: Clean Water Act of 1977. Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Abstract: GAO discussed environmental, safety, and health aspects of the Department of Energy's (DOE) nuclear defense complex. GAO found that DOE has: (1) operated reactors beyond their expected lifetimes; (2) processed plutonium in old facilities; and (3) depended too heavily on visual inspections to detect cracks in reactor vessels. GAO noted that: (1) DOE inattention to environmental problems caused by facility operations has created an undefined backlog of needed cleanup actions; and (2) DOE will spend billions of dollars remodelling or building new facilities so that they comply with environmental laws. GAO stressed the need for DOE to allow outside

independent reviews of its defense production activities to ensure that they are safe and environmentally acceptable. GAO concluded that DOE needs an overall strategic plan that includes: (1) projected facility requirements for continued nuclear weapons production; (2) the extent of the environmental and safety issues it faces; and (3) actions it needs to take to ensure safe operation of its facilities.

132405

[Environmental Aspects of the Department of Energy's Nuclear Defense Activities]. T-RCED-87-7. March 17, 1987. 12 pp. plus 2 attachments (2 pp.). Testimony before the Senate Committee on Governmental Affairs; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-51FS, November 29, 1985 Accession Number 128653; RCED-86-61, December 13, 1985, Accession Number 128807; RCED-86-143, July 29, 1986, Accession Number 130648; RCED-86-192, September 9, 1986 Accession Number 131121; RCED-87-30, November 4, 1986, Accession Number 131661; and RCED-86-90, March 21, 1986, Accession Number 130087.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs. Authority: Clean Air Act. Clean Water Act of 1977. Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Abstract: GAO discussed its work concerning environmental aspects of the Department of Energy's (DOE) nuclear defense facilities. GAO found that, because DOE has not given sufficient emphasis to environmental protection at its facilities: (1) their operations have contaminated groundwater and soil with high levels of both radioactive and hazardous substances; (2) the facilities do not fully comply with environmental laws; (3) it will have to spend billions of dollars to acquire the necessary environmental permits, change some of its operating and disposal practices, and clean up existing contamination; and (4) some sites may be irreversibly contaminated and may require long-term institutional control. GAO believes that DOE should: (1) provide Congress with a comprehensive report on its plans, milestones, and cost estimates to bring

its facilities into full compliance with applicable environmental laws; and (2) develop an overall groundwater and soil protection strategy. GAO believes that this will provide Congress and DOE with a better perspective on the environmental risks and impacts of DOE operations and of the budgetary implications and time frames associated with the cleanup activities required.

132435

[Decision Concerning Airport Authority's Request for Reimbursement of Oil Spill Clean-Up Expenses]. B-221604. March 16, 1987. 4 pp. Decision re: Manchester, NH: Airport Authority; by Milton J. Socolar, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel.
Organization Concerned: Department of
the Army; Manchester, NH: Airport
Authority.

Authority: Tort Claims Act. 62 Comp. Gen. 337. 64 Comp. Gen. 727. GAO [4] 5 1

Abstract: A city claimed reimbursement for the costs of cleaning up an oil spill that it alleged the Army primarily caused. The Army recommended that GAO favorably consider the claim on a quantum meruit basis, since it would have had to contract to clean up the oil spill had the city not done so. GAO held that: (1) the Army could have contracted for the cleanup work; (2) the Army received a benefit, since it would have had to clean up the oil; and (3) the amount of the claim was reasonable and reflected a competitive value for the services. Accordingly, the claim was allowed.

132446

[The Adequacy of the National Security Council Study for Setting National Defense Stockpile Goals]. T-NSIAD-87-18. March 18, 1987. 16 pp. Testimony before the House Committee on Armed Services: Seapower and Strategic and Critical Materials Subcommittee; by Martin M. Ferber, Associate Director, National Security and International Affairs Division. Refer to NSIAD-86-177BR, August 4, 1986, Accession Number 130631.

Contact: National Security and International Affairs Division. Organization Concerned: National Security Council; Department of Commerce; Department of Defense; Department of the Interior; Department of the Treasury; Department of Energy; Federal Emergency Management Agency.

Congressional Relevance: House Committee on Armed Services: Seapower and Strategic and Critical Materials Subcommittee.

Authority: Strategic and Critical Materials Stock Piling Act. Executive Order 12155. National Security Decision Directive 47.

Abstract: GAO testified on its evaluation of the National Security Council's (NSC) stockpile study and discussed participating agencies' comments on the study. GAO noted that the NSC study recommended a stockpile of \$700 million. a drastic reduction from the previous goal of \$16.1 billion. GAO found that: (1) NSC used supply- and demand-related assumptions in its study that were very sensitive to change; (2) NSC developed foreign source reliability ratings so different from the Federal Emergency Management Agency's (FEMA) 1982 ratings that substituting the FEMA ratings for the NSC rating could increase the NSC base stockpile goal estimate by almost \$2 billion; and (3) since NSC used the less demanding mobilization scenario in its study, it may need to increase its assumed defense material requirements by 50 percent. GAO also found that key participating agencies expressed concerns about the study and its recommendations, including: (1) the assumptions NSC used; (2) the way NSC coordinated the study; and (3) the way NSC obtained presidential approval of the study results. GAO also noted that the study did not fairly present the nature or content of participants' input. GAO concluded that FEMA or the Department of Defense should determine stockpile goals by: (1) involving agencies with the necessary experience and expertise; (2) analyzing a reasonable range of assumptions; (3) providing the sensitivity analyses that Administration decisionmakers and Congress may require in performing their oversight roles; and (4) using consistent assumptions and planning factors.

132450

Mineral Resources: Interior Has Improved Its Administration of Coal Exchanges. RCED-87-53; B-214727. February 17, 1987.
Released March 19, 1987. 6 pp. plus 7 appendices (25 pp.). Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development

Division. Refer to EMD-81-87, August 6, 1981, Accession Number 116035; RCED-83-58, March 7, 1983, Accession Number 120848; and RCED-85-103, April 4, 1985, Accession Number 126794.

Issue Area: Natural Resources Management: Interior's Effectiveness in Managing Mineral Resources, Including Ensuring Fair Prices for Minerals Sold and Providing an Adequate Mineral Supply (6901).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior; Bureau of Land Management.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Morris K. Udall.

Authority: Land Policy and Management Act. Federal Coal Leasing Amendments Act of 1976. Surface Mining Control and Reclamation Act of 1977. Environmental Policy Act of 1969 (National).

Abstract: In response to a congressional request, GAO evaluated the Department of the Interior's procedures for administering the trade or exchange of federal coal lands, interest, or leases for privately owned property to determine whether they ensure the: (1) exchange of coal of equal value only; (2) protection of environmental values; (3) protection of the public interest; and (4) prevention of potentially competitive coal land exchanges.

Findings/Conclusions: GAO found that the Bureau of Land Management (BLM): (1) developed guidelines for determining the value of coal lands, interests, or leases involved in an exchange, and for the most part, followed them in the cases reviewed; (2) followed established procedures for assessing the environmental effects of the exchanges for which it prepared environmental assessments: (3) had public interest criteria for fee exchanges but not for lease exchanges; and (4) did not have a policy to consider alternatives to exchanging potentially competitive lands.

Recommendation To Agencies: The Secretary of the Interior should develop formal criteria for determining whether a lease exchange is in the public interest. The Secretary of the Interior should develop an agencywide policy and procedures for lease and fee exchanges that require all BLM state offices to determine whether other companies have expressed an interest in leasing the federal land proposed for exchange and, if so, to consider alternative lands for exchange.

132468

[Protest of DOE Exclusion of Proposal From Competitive Range]. B-225502. March 18, 1987. 3 pp. Decision re: ANEFCO, Inc.; by Ronald Berger, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel. Organization Concerned: ANEFCO, Inc.; Department of Energy: Operations Office, Albuquerque, NM. Authority: 4 C.F.R. 21.2(a)(2). 56 Comp. Gen. 172. B-191162 (1978). Abstract: A firm protested the Department of Energy's (DOE) rejection of its proposal for nuclear waste storage casks. GAO noted that DOE: (1) requested that the protester provide additional details for its proposal, but subsequently rejected its bid; and (2) sent the protester a letter detailing its bases for rejection. GAO held that: (1) since the agency's letter formed the basis for protest, the protester should not have waited for a debriefing to file its protest; and (2) the protester untimely filed its protest more than 10 days after it knew the basis for protest. Accordingly, the protest was dismissed.

132484

[Environmental, Safety, and Health Oversight of the Department of Energy's Operations]. T-RCED-87-12. March 25, 1987. 12 pp. plus 1 attachment (2 pp.). Testimony before the House Committee on Science and Technology: Natural Resources, Agriculture Research and Environment Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to T-RCED-87-4, March 12, 1987, Accession Number 132384; T-RCED-88-30, March 31, 1988, Accession Number 135455; EMD-81-108, August 4, 1981, Accession Number 115979; RCED-84-50, November 30, 1983, Accession Number 123131; RCED-86-175, June 16, 1986, Accession Number 130260; RCED-86-192, September 8, 1986. Accession Number 131121; RCED-87-30, November 4, 1986, Accession Number 131661; and RCED-86-90,

March 21, 1986, Accession Number 130087.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Science and Technology: Natural Resources, Agriculture Research and Environment Subcommittee.

Authority: Clean Water Act of 1977. Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Abstract: GAO discussed the Department of Energy's (DOE) oversight of environmental safety and health (ES&H) programs. In the past several years, GAO has addressed several issues concerning the need for internal ES&H oversight programs and outside independent assessments of safety analysis reports and waste disposal practices. GAO found that: (1) some DOE facilities were irreversibly contaminated and required long-term institutional care; (2) as a result of earlier recommendations, DOE established initiatives aimed at revising the conduct of ES&H activities and safety appraisals at DOE sites; (3) some DOE safety reviews provided little or no comparison with design criteria or used different approaches to analyze serious accidents; and (4) DOE reluctance to allow for outside independent reviews facilitated a conflict between production goals and safety functions. GAO believes that the solution to existing environmental problems depends on the development of a groundwater and soil protection strategy and a comprehensive plan for bringing DOE facilities into full compliance with environmental laws.

132518

Mine Safety: Inspector Hiring, Penalty Assessments, and Injury Reporting. HRD-87-71BR; B-226461. March 10, 1987.

Released March 26, 1987. 4 pp. plus 5 attachments (5 pp.). Briefing Report to Sen. Howard M. Metzenbaum; by Stephen P. Backhus, (for William J. Gainer, Associate Director), Human Resources Division. Refer to HRD-87-115BR, September 14, 1987, Accession Number 133886.

Issue Area: Education and Employment: Assessing Whether Department of Labor Worker Protection Programs Adequately Ensure Safe and Healthful Workplaces and Fair Compensation (5312).

Contact: Human Resources Division.

Budget Function: Education, Training, Employment, and Social Services: Training and Employment (504.0).

Organization Concerned: Mine Safety and Health Administration.

Congressional Relevance: Sen Howard

Congressional Relevance: Sen. Howard M. Metzenbaum.

Abstract: In response to a congressional request, GAO provided information on the Department of Labor's Mine Safety and Health Administration's (MSHA) mine inspections, specifically: (1) MSHA efforts to hire more inspectors; (2) penalties MSHA assessed mine operators in 1986 for not reporting injuries; (3) mining associations' and union officials' opinions on whether the MSHA penalty policy deters underreporting; and (4) a comparative statistical analysis of small and large mines that have had fatalities. Findings/Conclusions: GAO found that MSHA: (1) undertook an inspector hiring program to increase its work force to 1,201 by April 1987; (2) will employ 828 coal inspectors and 373 metal inspectors when it has completed its hiring and training; and (3) will need 3 to 6 months to train its rehired inspectors and 18 to 24 months to train new inspectors. GAO also found that: (1) in 1986, MSHA assessed \$31,388 in penalties against mine operators for failing to report injuries; (2) the increase in the 1986 assessments of \$3,600 over the previous 4 vears combined was due to a policy change requiring a citation for each instance of a failure to report an injury, rather than citing multiple instances of underreporting as one instance; (3) all of the labor organizations and four of the nine mining associations GAO interviewed stated that the current penalty policy did not deter underreporting of injuries because the fines were too low, and they recommended minimum fines of \$100 to \$500 per violation; and (4) officials of five mining associations stated that the current penalties served as a deterrent and that instances of underreporting occurred mostly for nonserious injuries, in situations where MSHA reporting criteria were unclear, or through administrative error. A comparative analysis of large and small mines that experienced fatalities indicated that small mines significantly underreported injuries, and MSHA officials felt that confusing rules contributed to these reporting differences.

132541

[Protest of DOE Sale of Natural Gas From Naval Petroleum Reserve]. B-225707. March 23, 1987. 2 pp. *Decision* re: Lone Star Gas Liquids Processing, Inc.; by Ronald Berger, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel.
Organization Concerned: Department of
Energy; Lone Star Gas Liquids
Processing, Inc.

Authority: Competition in Contracting Act of 1984 (31 U.S.C. 3551(1)). 4 C.F.R. 21.11. 64 Comp. Gen. 697.

Abstract: A firm protested the sale of natural gas under a Department of Energy (DOE) solicitation. GAO noted that, under the Competition in Contracting Act, it was authorized to review protests concerning federal contracts for the procurement of property or services. GAO would not review the protest, since it did not involve a procurement and DOE did not agree to a review. Accordingly, the protest was dismissed.

132563

Reduction-In-Force Activities: Department of Energy's Actions Generally Comply With Requirements. RCED-87-25; B-224139. January 30, 1987.

Released April 1, 1987. 4 pp. plus 3 appendices (18 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Western Area Power Administration; Department of Energy: Energy Technology Center, Morgantown, WV.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: OMB Circular A-76.

Abstract: In response to a congressional request, GAO evaluated the legality, adequacy, and appropriateness of a reduction in force (RIF) and related contracting actions by two Department of Energy (DOE) program offices.

Findings/Conclusions: GAO found that: (1) the offices' actions generally complied with Office of Management and Budget (OMB) Circular A-76 requirements; (2) one office did not fully comply with the

requirement to inventory or review all potentially affected positions prior to contracting for the work of those positions: (3) the bases for the cost savings and the estimates the two offices developed were reasonable; (4) with respect to their RIF and contracting actions, both offices properly implemented the RIF process and acted within OMB guidelines in making their contracting decisions; and (5) one office only partly achieved the DOE objectives of increased efficiency, productivity, and cost reductions, since it reduced its costs by less than three full-time equivalent positions. GAO also found that: (1) one office abolished 1 position without subsequent contract action and contracted with several commercial firms to do the work of the remaining 12 employees; and (2) the other office abolished five staff positions in fiscal year 1986, which resulted in subsequent RIF and contract actions.

132594

Nuclear Waste: Status of DOE's Nuclear Waste Site Characterization Activities, RCED-87-103FS; B-202377. March 20, 1987. Released April 3, 1987. 40 pp. plus 1 appendix (1 p.). Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-14, February 9, 1987, Accession Number 132140; and RCED-88-56FS, November 19, 1987, Accession Number 134477.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management.

Congressional Relevance: House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; Rep. Philip R. Sharp. Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). 10 C.F.R. 60. 40 C.F.R. 191. 10 C.F.R. 960. 10 C.F.R. 20.

Abstract: Pursuant to a congressional request, GAO reviewed the status of the Department of Energy's (DOE) planned site characterization activities under the Nuclear Waste Policy Act of 1982.

Findings/Conclusions: GAO found that: (1) in January 1987, DOE extended some site characterization milestones by 5 years; (2) each site had unique technical problems that DOE needed to resolve, including the potential for radioactive groundwater contamination, and unforeseen construction problems; (3) existing cost estimates were very tentative because site characterization costs were greatly affected by the amount of time needed to complete the phase; and (4) the Office of Civilian Radioactive Waste Management developed a comprehensive quality assurance program as a viable part of its construction license application.

132631

[The Future of DOE's Uranium Enrichment Program]. T-RCED-87-15A. April 8, 1987. 10 pp. Testimony before the House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: **Energy Conservation and Power** Subcommittee. . Price-Anderson Act (Atomic Energy Damages). Abstract: GAO discussed the future of the Department of Energy's (DOE) Uranium Enrichment Program, specifically: (1) its financial difficulties arising from growing foreign competition; (2) increases in the Tennessee Valley Authority's (TVA) charges for unused electricity; and (3) the large debt it owes to the Treasury. Although DOE sent Congress a proposal to restructure the program as a federally chartered corporation, it did not sufficiently address several major issues, including: (1) the repayment of its outstanding debt to the Treasury; (2) development of the next generation of uranium enrichment technology; (3) responsibility for the multi-billion dollar TVA demand charges; (4) administration of the enriched uranium needed for defense; (5) licensing and regulatory requirements; and (6) indemnification authority to cover liability for accidents. GAO believes that Congress should: (1) redefine the program's goals and objectives within the current business environment; (2) examine alternatives for full-cost recovery pricing; (3) determine the repayment amount of the

debt to the Treasury; and (4) continue congressional oversight through mechanisms such as annual reports if it enacts legislation to support the DOE proposal.

132633

[Security Clearance Reinvestigations of Employees Has Not Been Timely at the Department of Energy]. T-RCED-87-14. April 9, 1987. 13 pp. plus 2 attachments (2 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-72, March 10, 1987, Accession Number 132645.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy; Department of Energy:
Operations Center, Richland, WA;
Department of Energy: Operations
Center, Oak Ridge, TN; Department of Energy: Operations Office, Albuquerque, NM.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee. .

Abstract: GAO discussed its review of the Department of Energy's (DOE) reinvestigation of employee security clearances at DOE headquarters and at three operations centers. GAO found that: (1) DOE has not performed timely periodic reinvestigations to determine if previously cleared employees have developed personal problems which could endanger national security; (2) some cleared DOE employees were engaged in activities, such as drug use, that raised questions about their suitability for clearance; and (3) if reinvestigations had been timely, DOE would have been able to identify potential problems before assigning personnel to sensitive positions. DOE attributes its inability to meet reinvestigation requirements to: (1) management inattention; (2) inadequate budget and staff resources; and (3) an increase in the work load that a revised clearance questionnaire generated. GAO found that: (1) DOE headquarters and two of the three centers it reviewed did not fully implement the reinvestigation policy prior to December 1985; (2) from fiscal years 1984 through 1987, DOE budget submissions reported adequate funds to meet clearance requirements;

and (3) new DOE security requirements resulted in an immediate backlog of 76,000 employees requiring reinvestigation because DOE provided no additional resources. GAO believes that DOE should: (1) develop a plan to bring headquarters and the field offices into compliance with its December 1985 Personnel Security Program Order; (2) reduce clearance numbers and levels to ensure that only those employees who require clearances have them; and (3) report annually on its compliance with the plan.

132645

Nuclear Security: DOE's Reinvestigation of Employees Has Not Been Timely. RCED-87-72; B-226192. March 10, 1987.

Released April 10, 1987, 8 pp. plus 6 appendices (22 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-87-14, April 9, 1987, Accession Number 132633; RCED-87-150, August 17, 1987, Accession Number 133906; RCED-87-171BR, July 17, 1987, Accession Number 134527; RCED-88-28, December 29, 1987, Accession Number 134985; and RCED-89-34, November 9, 1988, Accession Number

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House
Committee on Energy and Commerce;
House Committee on Government
Operations: Environment, Energy and
Natural Resources Subcommittee; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Energy and
Natural Resources; Rep. Michael L.
Synar.

Authority: Atomic Energy Act of 1954. Abstract: In response to a congressional request, GAO provided information on the adequacy of the Department of Energy's (DOE) periodic reinvestigations of employees' security clearances for access to nuclear defense programs. Findings/Conclusions: GAO found that DOE: (1) has been unable to meet its goals to reinvestigate security clearances

at headquarters and some field offices: (2) may have cleared employees in its work force who were unsuitable for clearance because of serious drug. alcohol, or other problems; (3) should develop a plan to ensure timely reinvestigations; and (4) should review the appropriateness of the number and level of active clearances, since these factors largely determine the reinvestigation work load. Recommendation To Agencies: The Secretary of Energy should develop a plan to bring headquarters and the field offices into compliance with the December 1985 Personnel Security Program Order. The first step in the planning process should focus on how the numbers and levels of active clearances can be reduced. DOE may be able to reduce clearance numbers and levels by ensuring that only employees who require clearances have them, that employees have the lowest clearance level needed to do their jobs, and that clearances for individuals who are no longer associated with DOE are promptly terminated. The plan should consider: (1) reinvestigation work-load requirements; and (2) resources needed to meet those requirements. In addition, the Secretary should direct the Assistant Secretary for Defense Programs (ASDP) to review and approve the plans, monitor their implementation, and annually report to him on compliance with the order.

132664

Naval Petroleum Reserve-1: Data Inaccuracies Complicate Production and Ownership Issues. RCED-87-105BR; B-215489. March 24, 1987.

Released April 14, 1987. 56 pp. plus 2 appendices (3 pp.). Briefing Report to Sen. Lloyd Bentsen; Sen. Albert Gore, Jr.; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-84-180, July 30, 1984, Accession Number 124961; T-RCED-88-17, January 29, 1988, Accession Number 134966; RCED-88-174, June 28, 1988, Accession Number 136200; RCED-88-151, August 25, 1988, Accession Number 136934; and RCED-90-16, December 13, 1989, Accession Number 140514.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Emergency Energy Preparedness (274.0). Organization Concerned: Department of Energy; Chevron, U.S.A., Inc.
Congressional Relevance: House
Committee on Budget; House Committee on Appropriations: Energy and Water
Development Subcommittee; House
Committee on Energy and Commerce:
Energy Conservation and Power
Subcommittee; House Committee on
Armed Services; Senate Committee on
Budget; Senate Committee on
Appropriations: Interior Subcommittee;
Senate Committee on Armed Services;
Sen. Albert Gore, Jr.; Sen. Lloyd
Bentsen.

Authority: Naval Petroleum Reserves Production Act of 1976 (P.L. 94-258). 41 Stat. 813.

Abstract: In response to a congressional request, GAO examined: (1) whether the rate of oil production at the Naval Petroleum Reserve (NPR-1) meets the requirements of the Naval Petroleum Reserves Production Act; and (2) the effects of production data inaccuracies and omissions on the Department of Energy's (DOE) final settlement of each owner's account.

Findings/Conclusions: GAO found that production data for NPR-1 showed that: (1) the allocation of oil, gas, and water produced from commingled wells was inaccurate; (2) computer-generated reports were inaccurate because of programming and data entry errors: (3) DOE made unexplained changes to records; (4) since production data were inaccurate, production rates may not have met statutory requirements; and (5) there was an absence of effective internal controls that could have prevented or limited the impact of these problems. In addition, the methods that DOE used to determine the production of various pools and strata in commingled wells compounded production inaccuracies and added to the uncertainties about oil production from each pool and computation of owners' shares. Although DOE acknowledged its production data problems and took action to correct its data entry and computer program errors and allocation factors for commingled wells, it was not concerned about the potential effects of these problems on divestiture of the government's share of NPR-1 or the ability to produce at the maximum efficient rate.

Recommendation To Agencies: The Secretary of Energy should give priority attention to correcting the production data inaccuracies, establishing an allocation system that more accurately reflects the source of petroleum production in commingled wells, and developing a system to better define

production ownership. The Secretary of Energy should establish an effective internal control program to: (1) prevent problems similar to those identified in this report from recurring; (2) provide the necessary assurances that corrective actions are, and will be, fully implemented; and (3) provide continuous oversight of NPR-1 operations. The Secretary of Energy should ensure that the government's interests concerning the allocation of past production and remaining recoverable reserves are protected in any proposed sale of NPR-1.

132676

Energy Management: Problems With Martin Marietta Energy Systems' Affiliate Relationships. RCED-87-70; B-223185. March 5, 1987.

Released April 15, 1987. 45 pp. plus 1 appendix (1 p.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-5, December 31, 1986, Accession Number 132153; and RCED-87-147, July 6, 1987, Accession Number 133656.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Martin Marietta Energy Systems; Martin Marietta Corp.; Martin Marietta Corp.: Tennessee Innovation Center; Department of Energy: Operations Center, Oak Ridge, TN; Bell Communications Research, Inc.; Department of Energy.

Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. John D. Dingell. Authority: Freedom of Information Act. Abstract: Pursuant to a congressional request, GAO evaluated a Department of Energy (DOE) contractor's actions in operating the DOE Oak Ridge National Laboratory to determine whether: (1) the contractor's relationship with an

affiliate violated DOE conflict-of-interest regulations; and (2) DOE maintained adequate control over the contractor's procedure for acquiring personal services from its parent company.

from its parent company. Findings/Conclusions: GAO found that the contractor: (1) helped to set up an affiliated venture capital firm for the purpose of transferring technology developed at Oak Ridge to the private sector; (2) failed to follow DOE conflictof-interest procedures when dealing with the affiliate; (3) failed to advise DOE of its relationship with the affiliate; (4) twice released technology-related information to the affiliate before obtaining DOE approval to do so; and (5) allowed the affiliate an unfair competitive advantage over a firm that was attempting to acquire certain Oak Ridge-developed technology. GAO also found that: (1) DOE does not review the contractor's compliance with the contract's conflict-of-interest provisions; and (2) in order to mitigate concerns over the apparent conflict of interest, DOE and the contractor negotiated an agreement limiting the contractor's parent company's gain from DOE technologies commercialized through the affiliate. In addition, GAO found that: (1) DOE and the contractor did not follow established procedures for approving the noncompetitive acquisition of services from the contractor's parent company; (2) the procedures that DOE and the contractor established for such acquisitions required neither written justifications for noncompetitive procurement nor documentation of labor costs: and (3) the contractor sometimes failed to submit required documentation of other costs.

Recommendation To Agencies: To strengthen DOE oversight of Martin Marietta Energy Systems' compliance with conflict-of-interest requirements. the Secretary of Energy should direct the Oak Ridge Operations Office Manager to require Energy Systems to identify all of its current affiliates and report them to the DOE contracting officer. This could be accomplished through a one-time review, then updated by determining whether any new business contact is an affiliate and periodically reporting such contacts to DOE. To strengthen DOE oversight of Energy Systems' compliance with conflict-of-interest requirements, the Secretary of Energy should direct the Oak Ridge Operations Manager to carry out periodic reviews of Energy Systems to ensure that business contacts with affiliates and potential conflict-ofinterest situations are identified and reported to DOE. The Secretary of Energy should direct the Manager of the

Oak Ridge Operations Office to strengthen controls governing the use of Interdivisional/Intercompany Operating Directives (IDOD), including: (1) directing that Energy Systems amend its IDOD procedure to require specifically that advance DOE approval be obtained before work may begin on IDOD, and ensure that IDOD have been approved by DOE before performance begins; (2) requiring that sole-source justifications, as defined in Energy Systems' procurement manual, be included in the submission of IDOD involving substantial dollar amounts; (3) requiring supporting documents on costs incurred, including labor charges, to be submitted to Energy Systems for review and verifications before payment is made; and (4) directing that audits of IDOD be included in regularly scheduled DOE audits of Energy Systems' activities.

132684

Energy Conservation: Funding State Energy Assistance Programs. RCED-87-114FS; B-226517. March 31, 1987.

Released April 16, 1987. 21 pp. plus 6 appendices (9 pp.). Fact Sheet to Sen. Pete V. Domenici, Ranking Minority Member, Senate Committee on Budget; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Federal and Nonfederal Energy Conservation Programs and Efforts (6406).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Conservation (272.0).

Organization Concerned: Department of Energy; Department of Health and Human Services.

Congressional Relevance: Senate Committee on Budget; Sen. Pete V. Domenici.

Authority: Energy Policy and Conservation Act. National Energy Extension Service Act. Energy Conservation and Production Act. Energy Conservation Policy Act. Energy Security Act. Human Services Reauthorization Act. Omnibus Budget Reconciliation Act of 1981. P.L. 97-377.

Abstract: In response to a congressional request, GAO determined: (1) total funding for state energy assistance programs from both congressional appropriations and oil company overcharge settlements; (2) how much the Department of Energy (DOE) collected from oil companies as a result

of overcharge settlements; and (3) how states used oil overcharge funds. Findings/Conclusions: GAO found that: (1) during fiscal years 1982 through 1986, Congress appropriated \$1.4 billion for four DOE energy conservation programs and \$9.9 billion for a Department of Health and Human Services (HHS) lowincome energy assistance program; (2) as of September 30, 1986, DOE had collected about \$5.6 billion from oil companies for overcharge violations; and (3) DOE distributed about \$1.4 billion of these funds to injured parties and about \$3.2 billion to states. GAO also found that: (1) as of September 30, 1986, states had used about \$200 million of the oil overcharge funds for energy assistance programs; and (2) states spent about 81 percent of the funds for DOE programs and 19 percent for the HHS program.

132701

Nuclear Waste: Status of DOE's Implementation of the Nuclear Waste Policy Act. RCED-87-17; B-202377. April 15, 1987. 87 pp. plus 12 appendices (32 pp.). Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to RCED-85-27, January 10, 1985, Accession Number 125966; RCED-85-100, September 30, 1985, Accession Number 128021; RCED-86-86, January 31, 1986, Accession Number 129261; RCED-86-4, April 1, 1986 Accession Number 129698; RCED-86-200FS, July 30, 1986, Accession Number 130677; RCED-86-104FS, May 8, 1986, Accession Number 129887; RCED-86-198FS, August 15, 1986, Accession Number 130812; RCED-87-14, February 9, 1987, Accession Number 132140; RCED-87-121, August 31, 1987, Accession Number 133814; and RCED-88-131, September 28, 1988, Accession Number 136919.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Congress. Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425; 42 U.S.C. 10101). Price-Anderson Act (Atomic Energy Damages). Executive Order 12291.

Abstract: GAO reviewed the Department of Energy's (DOE) progress in implementing Nuclear Waste Policy Act (NWPA) requirements from October 1984 through December 31, 1985, specifically DOE efforts to identify locations for a second repository site. Findings/Conclusions: GAO noted that NWPA required DOE to conduct a study of the need for a monitored retrievable storage facility to stop and monitor the waste prior to its permanent disposal in a repository. GAO found that DOE did not issue environmental assessments in 1985 because it needed additional time to revise its site-selection methodology. GAO also found that: (1) in December 1985, DOE issued a draft monitored retrievable storage proposal, but a federal district court prohibited DOE from submitting the proposal because it did not properly cooperate with the potential host state for a storage facility; (2) DOE developed a cost allocation proposal that established a fee for defense waste disposal; (3) the lack of cooperation among states resulted in a more costly waste management program; and (4) as of September 1986, there were 20 court cases challenging the DOE siteselection process and the decision to postpone site-specific work on the second repository.

132750

[Request for Reconsideration of Dismissal of Protest Against DOE Contract Award]. B-225648.3. April 15, 1987. 4 pp. Decision re: E.H. Pechan & Associates, Inc.; by Harry R. Van Cleve, General Counsel.

Contact: Office of the General Counsel. Organization Concerned: E.H. Pechan & Associates, Inc.; Decision Analysis Corp. of Virginia; Department of Energy. Authority: 4 C.F.R. 21.2(a)(2). 4 C.F.R. 21.0(a). B-222313.6 (1987). B-223462 (1986). B-222533.2 (1986).

Abstract: A firm requested reconsideration of the dismissal of its protest against a Department of Energy (DOE) contract award to another firm. GAO had held that the protester untimely filed its protest more than 10 days after it knew the basis for protest. In its request for reconsideration, the protester contended that: (1) its initial protest was timely, since the DOE oral debriefing did not provide it with a basis for protest; and (2) DOE improperly awarded the contract. GAO held that: (1) the oral debriefing provided the protester with sufficient information to protest the award; (2) the protester was not sufficiently interested to protest the propriety of the award; and (3) the protester failed to show that GAO based

the dismissal on legal errors or on information not previously considered. Accordingly, the original decision was affirmed.

132783

[Federal Oil and Gas Royalties]. T-AFMD-87-10. April 28, 1987. 10 pp. Testimony before the House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by John F. Simonette, Associate Director, Accounting and Financial Management Division. Refer to AFMD-83-43, January 27, 1983, Accession Number 120438.

Contact: Accounting and Financial Management Division.

Organization Concerned: Department of the Interior: Minerals Management Service.

Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee.

Abstract: GAO discussed the Department of the Interior's procedures for collecting and accounting for oil and gas royalty payments. GAO found that: (1) Interior experienced difficulties in developing acceptable product valuation guidance, implementing an effective accounting system for royalty collections, and establishing an adequate auditing program to verify the accuracy of royalty payments; (2) Interior accepted industry-calculated payments as correct; (3) valuation problems accounted for \$110 million in underpayments between October 1981 and August 1986; and (4) valuation regulations were complex and subject to varying interpretations. GAO also found that Interior: (1) implemented the royalty accounting system despite problems with inadequate system documentation, testing, and computer capacity; (2) was unable to verify royalty payments for 23,000 onshore leases because it did not have a system in place to make the necessary comparisons between production and sales volumes: and (3) did not have enough auditors to monitor production in leased fields or a system to compare production and sales volumes.

132869

Nuclear Materials: Alternatives for Relocating Rocky Flats Plant's Plutonium Operations. RCED-87-93; B-216376. April 14, 1987. Released May 6, 1987. 51 pp. plus 3 appendices (4 pp.). Report to Sen. Timothy E. Wirth; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-213BR, August 5, 1986, Accession Number 130662; RCED-86-192, September 8, 1986, Accession Number 131121; RCED-84-50, November 30, 1983, Accession Number 123131; EMD-81-108, August 4, 1981, Accession Number 115979; and RCED-86-175, June 16, 1986, Accession Number 130260.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy; Department of Energy: Rocky Flats Nuclear Weapons Production Facility: Rockwell International Corp. Congressional Relevance: House Committee on Armed Services; House Committee on Appropriations: Energy and Water Development Subcommittee: House Committee on Energy and Commerce; Senate Committee on Armed Services; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Sen. Timothy E. Wirth. Authority: Department of Energy Organization Act (42 U.S.C. 7151). Clean Water Act of 1977. Environmental Policy Act of 1969 (National). Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (P.L. 96-510). Abstract: In response to a congressional request, GAO examined operations at the Department of Energy's (DOE) Rocky Flats Plant to determine: (1) whether relocating the plutoniumprocessing operations to other DOE sites is a viable alternative to correcting problems with the processing building: (2) what effect such a relocation would have on public health and safety in the Denver, Colorado, area; and (3) whether the costs associated with correcting the processing building's problems are significant enough to warrant relocating the entire plant.

Findings/Conclusions: GAO found that DOE has several options to choose from for eliminating or reducing plutonium activities at Rocky Flats, including relocating: (1) all Rocky Flats operations; (2) the processing of residues, oxides, and site returns; (3) the processing of oxides; and (5) the processing of oxides and site returns. GAO noted that: (1) relocating all operations would cost about \$4

billion; (2) relocating a portion of recovery operations would cost from \$206 million to \$7 million, depending on what operations were moved and where they were moved; and (3) repairing the processing building and keeping all operations at Rocky Flats would cost about \$303 million. GAO also found that: (1) the plant's contractor believes that the risks associated with its operations are within DOE limits; (2) the primary hazard at the plant is from an earthquake, not from wind; (3) since fabrication, not plutonium processing, is the major contributor to safety and health risks at the plant, relocating the processing operations would not drastically change the overall risk from the plant; (4) the time required for relocating some or all of the plutonium operations could help minimize adverse socioeconomic effects; and (5) relocating all operations would not affect employment for 14 years. GAO concluded that: (1) DOE is not close to a decision on the future of plutonium processing at Rocky Flats; and (2) the most attractive alternative depends on the emphasis DOE places on the cost and the environmental, safety, and health risks of each alternative. Recommendation To Agencies: The Secretary of Energy should ensure that the selection of the best solution is closely coordinated with this study to ensure that construction/modernization funding is used efficiently.

132873

The Department of
Transportation's Recent Efforts To
Strengthen Pipeline Safety]. TRCED-87-22. May 5, 1987. 14 pp.
Testimony before the House
Committee on Public Works and
Transportation: Investigations and
Oversight Subcommittee; by
Kenneth M. Mead, Associate
Director, Resources, Community,
and Economic Development Division.
Refer to RCED-86-235FS, September
30, 1986, Accession Number 131456;
and RCED-84-102, July 10, 1984,
Accession Number 124689.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Transportation: Research and Special Programs Administration: Office of Pipeline Safety.

Congressional Relevance: House Committee on Public Works and Transportation: Investigations and Oversight Subcommittee.

Abstract: GAO discussed the Department of Transportation's pipeline safety program, which its Research and

Special Programs Administration (RSPA) administers. GAO noted that RSPA has responded positively to GAO recommendations by: (1) linking the level of states' pipeline inspection involvement to the size of their program grants; (2) revising procedures for monitoring state programs; and (3) improving its work-load management. However, GAO also noted that RSPA still needs to: (1) redefine the federalstate relationship regarding jurisdiction over various pipeline safety activities; (2) determine the cost-effectiveness of requiring pipeline operators to maintain quality assurance systems; and (3) assess whether it should regulate additional portions of the nation's pipeline system.

132918

[Protest of DOE Solicitation for Assistance in Conducting Environmental Survey]. B-225708. May 7, 1987. 4 pp. Decision re: A.T. Kearney, Inc.; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel.
Organization Concerned: A.T. Kearney,
Inc.; Department of Energy.
Authority: B-220593 (1986). B-218416
(1985). B-224213 (1987). 41 U.S.C. 253a(a).

Abstract: A firm protested the evaluation criteria in a Department of Energy (DOE) solicitation for an environmental survey, contending that: (1) requiring knowledge of specific sites restricted competition to current DOE contractors because only those firms had the security clearances necessary to inspect the sites; and (2) in previous procurements, DOE used site-specific knowledge as a requirement to exclude firms that did not have access to them. GAO held that: (1) the evaluation criteria were not restrictive, since they did not require knowledge of specific sites; (2) required site information was available from public sources and did not require access to the sites; and (3) the allegation that DOE unreasonably applied evaluation criteria in other procurements did not provide grounds for protest in this procurement. Accordingly the protest was denied.

132947

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of March 31, 1987. RCED-87-139FS; B-202377. May 13, 1987. 23 pp. plus 1 appendix (1 p.). Fact Sheet to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure,

Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-14, February 9, 1987, Accession Number 132140; and RCED-87-186FS, August 11, 1987, Accession Number 133673.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0)

Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). Safe Drinking Water Act.

Abstract: Pursuant to a congressional request, GAO reviewed the status of the Department of Energy's (DOE) nuclear waste program activities for the quarter ending March 31, 1987.

Findings/Conclusions: GAO found that: (1) DOE released a draft amendment to its mission plan which extended the target date for first-repository operations, and postponed site-specific activities for the second repository; (2) DOE submitted its monitored retrievable storage proposal to Congress; (3) DOE surveyed state regulators' comments concerning its need to ensure that waste disposal fees are equivalent to fees paid under civilian spent-fuel contracts; and (4) the Nuclear Waste Fund collected over \$135.4 million in revenue during the quarter and totalled about \$1.5 billion at the end of the quarter.

132948

Small Business Act: Energy's Disadvantaged Business Advocate Not Reporting to Proper Management Level. GGD-87-69; B-222903.8. May 26, 1987. 4 pp. plus 1 appendix (2 pp.). Report to John S. Herrington, Secretary, Department of Energy; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-79-83, June 26, 1979, Accession Number 109786.

Issue Area: Civil Procurement and Property Management: Other Issue Area Work (4991).

Contact: General Government Division. Budget Function: Procurement - Other Than Defense (990.4).

Organization Concerned: Department of Energy; Department of Energy: Office of Small and Disadvantaged Business Utilization.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Energy and
Commerce; House Committee on Small
Business; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources; Senate Committee on Small
Business.

Authority: Small Business Act.
Department of Energy Organization Act.
Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) compliance with section 15 of the Small Business Act, which requires that the Director, Office of Small and Disadvantaged Business Utilization (OSDBU), be responsible only to and report directly to the agency head or deputy.

Findings/Conclusions: GAO found that, although OSDBU reported directly to the agency head, it did not comply with the statutory requirements of the act, since it received day-to-day supervision from another management level.

Recommendation To Agencies: To bring DOE into compliance with section 15(k)(3) of the Small Business Act, the Secretary of Energy should require that the Director, OSDBU, be responsible only to, and report directly to, his office or the Deputy Secretary of Energy.

132959

National Defense Stockpile: **National Security Council Study** Inadequate To Set Stockpile Goals. NSIAD-87-146; B-223657. May 4, 1987. 38 pp. plus 1 appendix (5 pp.). Report to Rep. Charles E. Bennett, Chairman, House Committee on Armed Services: Seapower and Strategic and Critical Materials Subcommittee; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to NSIAD-86-177BR, August 4, 1986, Accession Number 130631; EMD-78-83, July 27, 1978, Accession Number 106497; and

NSIAD-88-44, October 21, 1987, Accession Number 134335.

Issue Area: Logistics: Other Issue Area Work (5991); Security and International Relations: Other Issue Area Work (6191).

Contact: National Security and International Affairs Division.

Budget Function: National Defense: Defense-Related Activities (054.0).

Organization Concerned: National Security Council; Department of Defense; Federal Emergency Management Agency.

Congressional Relevance: House
Committee on Appropriations: Defense
Subcommittee; House Committee on
Armed Services: Seapower and Strategic
and Critical Materials Subcommittee;
Senate Committee on Appropriations:
Defense Subcommittee; Senate
Committee on Armed Services; Senate
Committee on Energy and Natural
Resources; Congress; Rep. Charles E.
Bennett; Sen. James A. McClure.
Authority: Strategic and Critical
Materials Stock Biling Act Strategic and

Materials Stock Piling Act. Strategic and Critical Materials Stock Piling Revision Act of 1979 (P.L. 96-41; 50 U.S.C. 98). Trade Expansion Act of 1962. Department of Defense Authorization Act, 1986. Department of Defense Authorization Act, 1987. Executive Order 12155. Executive Order 11490. National Security Decision Directive 47.

Abstract: In response to a congressional request, GAO: (1) evaluated the methodology and assumptions the National Security Council (NSC) used in its study of national defense stockpile goals; and (2) compiled the views of the participating agencies.

Findings/Conclusions: GAO noted that the NSC report recommended the: (1) reduction of the current stockpile goals of \$16.1 billion to \$700 million; and (2) filling of stockpile shortfalls with the receipts from the sale of surplus stocks. GAO also noted that Congress prohibited reductions in stockpile goals until October 1, 1987. GAO found that the study: (1) did not adequately reflect major disagreements about its assumptions or reflect that its results could vary greatly with changes in those assumptions; (2) planned for less than total mobilization, which limited the size of the planned force; (3) did not fairly represent the nature or content of participating agencies' input; (4) often did not disclose participants' qualifications and objections; (5) failed to identify some agencies' responsibilities accurately; and (6) did not include direct participation by industry representatives, although such participation could have improved the

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accuracy of study data. GAO believes that a lack of accurate information on raw material supply and demand and a lack of organizational capability to plan and manage the stockpile continue to hinder assessments of stockpile requirements.

Recommendation To Congress: In view of the Administration's position that the NSC study is a valid basis for stockpile planning, and of existing Administration directives to implement the NSC study's stockpile goals and recommendations, Congress may wish to consider continuing its restrictions on changes in the stockpile.

Recommendation To Agencies: The Director of the Federal Emergency Management Agency (FEMA) should ensure that future analyses of stockpile requirements: (1) be directed and performed by the individuals and organizations with subject-area experience and expertise; (2) contain direct input from the industries involved in materials mining and processing; (3) consider a reasonable range of assumptions and provide results of major options to decision makers; (4) fairly present study participants' inputs, and clearly report major dissenting views, if any; (5) verify or supplement economic models, where practical, by the best available direct measures of material requirements; and (6) use assumptions and planning factors consistent with those used by federal departments for similar purposes.

132976

[Request for Reconsideration of Dismissal of Protest Against DOE Exclusion of Proposal From Competitive Range]. B-225502.2. May 14, 1987. 2 pp. *Decision* re: ANEFCO, Inc.; by Harry R. Van Cleve, General Counsel.

Contact: Office of the General Counsel. Organization Concerned: ANEFCO, Inc.: Department of Energy: Operations Office, Albuquerque, NM. Authority: 4 C.F.R. 21.2(a)(2). Abstract: A firm requested reconsideration of the dismissal of its protest against the Department of Energy's (DOE) exclusion of its proposal from the competitive range. GAO had dismissed the protest, which the protester untimely filed more than 10 days after it knew the basis for protest. In its request for reconsideration, the protester contended that DOE indicated that it was willing to meet with the protester to discuss possible reinstatement of the proposal but failed to arrange a meeting. GAO held that: (1)

the protester knew the basis for protest, since the letter of rejection contained specific reasons for the rejection; and (2) there was no evidence to indicate that DOE agreed to initiate a review of its evaluation of the protester's proposal. Accordingly, the original decision was affirmed.

132994

Patent Policy: Recent Changes in Federal Law Considered Beneficial. RCED-87-44; B-207939. April 16, 1987

Released May 20, 1987, 41 pp. plus 7 appendices (21 pp.). Report to Rep. Robert W. Kastenmeier, Chairman, House Committee on the Judiciary: Courts, Civil Liberties, and the Administration of Justice Subcommittee: by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to PAD-82-32, May 20, 1982, Accession Number 118498; RCED-84-26, February 28, 1984, Accession Number 123528; RCED-85-94, August 29. 1985, Accession Number 127808; RCED-86-93, April 4, 1986, Accession Number 129499; RCED-86-13, October 25, 1985, Accession Number 128342; RCED-86-113FS, March 21, 1986, Accession Number 129385; T-RCED-87-26, June 11, 1987, Accession Number 133194; and RCED-88-116BR, March 4, 1988, Accession Number 135241.

Issue Area: Science and Technology Policy and Programs: Patent Policies and Programs (9303).

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science, Space, and Technology: General Science and Basic Research (251.0).

Organization Concerned: Department of Defense; Department of Energy; Department of Commerce: Patent and Trademark Office.

Congressional Relevance: House Committee on Appropriations: Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee; House Committee on Science and Technology: Science, Research and Technology Subcommittee: House Committee on the Judiciary: Courts, Civil Liberties, and the Administration of Justice Subcommittee; Senate Committee on Appropriations: Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee; Senate Committee on the Judiciary: Patents, Trademarks and Copyrights Subcommittee; Rep. Robert W. Kastenmeier.

Authority: Patent and Trademark Amendments of 1980 (P.L. 96-517). Small Business Act. Technology Transfer Act (Federal) (P.L. 99-502). Patent Law Amendments Act of 1984 (P.L. 98-622). Department of Defense Authorization Act, 1987. Atomic Energy Act of 1954 (42 U.S.C. 2182). Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5908). Aeronautics and Space Act (42 U.S.C. 2457). 13 C.F.R. 121. 37 C.F.R. 1.139. P.L. 97-247. P.L. 98-620. S. Rept. 98-663. 35 U.S.C. 102 et seq. Abstract: Pursuant to a congressional request, GAO reviewed federal agency implementation of three recent patent.

Abstract: Pursuant to a congressional request, GAO reviewed federal agency implementation of three recent patent policy changes and their impact on universities, small businesses, and other nonprofit organizations.

Findings/Conclusions: GAO noted that federal agencies are in the process of implementing legislative amendments that: (1) change title rights to inventions that nonprofit organizations and small businesses develop with federal funds; (2) extend title rights to federal contractors to inventions they developed with federal funds; and (3) establish a Statutory Invention Registration (SIR) procedure to reduce the federal patent inventory. GAO found that implementation of these amendments was delayed because the Department of Commerce disagreed with the Department of Energy (DOE) over proposed regulations affecting DOE government-owned, contractor-operated facilities. GAO also found that; (1) the amendments have been significant in stimulating business sponsorship of university research and the removal of licensing restrictions on nonprofit organizations; (2) the Small Business Innovation Research program and lower maximum capital gains tax rates had an equal or greater impact on small business research and innovation efforts: and (3) DOE plans to issue a regulation establishing criteria and procedures for large business contractors to retain title rights to some or all of their inventions. Recommendation To Agencies: The Secretaries of Defense and Energy should encourage the use of SIR by establishing written criteria for determining whether to file for a patent or SIR. The Secretaries of Defense and Energy should encourage the use of SIR by recognizing SIR in their incentive awards programs. The Secretaries of Defense and Energy should encourage the use of SIR by establishing annual percentage goals for using SIR.

133061

International Trade: Libya Trade Sanctions. NSIAD-87-132BR; B-226687. May 21, 1987.

Released May 28, 1987. 4 pp. plus 2 appendices (14 pp.). Briefing Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations
Subcommittee; Rep. John Bryant, House Committee on Energy and Commerce: Oversight and Investigations
Subcommittee; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs
Division. Refer to The GAO Journal, No. 2, Summer 1988, pp. 47-51, Accession Number 136529.

Issue Area: International Trade and Finance: Assessing the Effectiveness and Desirability of Export Controls and Trade Sanctions (6302).

Contact: National Security and International Affairs Division.

Budget Function: International Affairs: Conduct of Foreign Affairs (153.0).

Organization Concerned: Department of the Treasury; Socialist People's Libyan Arab Jamahiriya.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John Bryant; Rep. John D. Dingell.

Abstract: Pursuant to a congressional request, GAO evaluated the extent and effectiveness of restrictions on trade with Libya, and options for strengthening those restrictions. Findings/Conclusions: GAO found that: (1) current sanctions prohibit all direct trade with Libya except for donated articles intended to relieve human suffering; (2) the sanctions also restrict the extent to which foreign manufacturers may incorporate U.S. goods and technology into materials intended for export to Libya; and (3) the sanctions allow the export of U.S. goods to Libya that first go to a third country for purposes other than predesignated export to Libva. GAO also found that: (1) although the sanctions have eliminated direct trade with Libya, the impact on the Libvan oil industry has been minimal because Libya now produces and markets oil formerly produced by U.S. companies; (2) extensive foreign availability of oil production equipment has also limited the sanctions' effect; (3) if the U.S. government cannot reach agreement with Libya on the resumption of U.S. oil companies' Libyan operations, the oil companies could lose their equity interest in large quantities of oil reserves; (4) foreign subsidiaries of U.S. firms are allowed to trade with Libya,

but the level of such trade has declined significantly since January 1986; and (5) given limited foreign support for the sanctions, expanded sanctions could impose additional costs on U.S. firms without adversely affecting Libya.

133090

International Energy Agency: Assessment of U.S. Participation in the Fifth Allocation System Test. NSIAD-87-159BR; B-217506. May 29, 1987.

Released June 2, 1987. 5 pp. plus 6 appendices (70 pp.). Briefing Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Allan I. Mendelowitz, Senior Associate Director, National Security and International Affairs Division.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405); International Trade and Finance: Other Issue Area Work (6391). Contact: National Security and International Affairs Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: International Energy Agency.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Michael L. Synar; Sen. James A. McClure; Sen. J. Bennett Johnston.

Abstract: In response to a congressional request, GAO reviewed U.S. participation in the most recent test of the International Energy Agency's (IEA) emergency oil sharing system (AST-5), focusing on: (1) how members designed the test and how well it met its objectives; (2) U.S. participation and performance; and (3) the extent to which AST-5 and U.S. participation in it meaningfully exercised U.S. energy emergency preparedness plans and provided useful training. Findings/Conclusions: GAO noted that:

(1) the IEA Secretariat, member countries, and an industry advisory board designed AST-5, with the final design focusing on training personnel in the system's essential international procedures; (2) nearly all participants

concluded that the test met its training objectives; and (3) participants identified several problems, including the fact that large, unexplained discrepancies remained in supply data submitted by individual trading partners and some companies offered oil which was unusable by the intended recipient. GAO found that the United States: (1) opposed policy and program reviews in AST-5: (2) approved proposals to extend the scope in several areas; (3) tried to have IEA realistically test its data reporting capabilities for the first time: (4) performed well during the test, but its requirement that oil companies volunteer an enormous volume of oil for redistribution caused problems, since IEA received too much oil to allocate; and (5) impeded IEA oil reallocation because it applied a more restrictive stock-building rule on oil companies than the IEA-wide standard. GAO also found that: (1) AST-5 did not fully exercise key elements of U.S. energy emergency plans, since the United States did not simulate economic response measures, mandatory supply orders, or public information programs; (2) the United States should have tested some domestic policies and programs, despite its decision that testing them was impractical; and (3) U.S. participants received training in IEA administrative and operational procedures.

133093

Nuclear Regulation: A Perspective on Liability Protection for a Nuclear Plant Accident. RCED-87-124; B-223582. June 2, 1987. 35 pp. plus 3 appendices (13 pp.). Report to House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee; Rep. Jack Brooks, Chairman, House Committee on Government Operations: Sen. John B. Breaux, Chairman, Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee: Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; Rep. Jamie L. Whitten, Chairman, House Committee on Appropriations; Rep. Tom Bevill, Chairman, House Committee on Appropriations: Energy and Water Development Subcommittee; Rep. Les Aspin, Chairman, House Committee on Armed Services; Rep. William H. Gray, III, Chairman, House Committee on Budget; Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce; Rep. Philip R. Sharp,

Chairman, House Committee on **Energy and Commerce: Energy** Conservation and Power Subcommittee; Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; Rep. Robert A. Roe, Chairman, House Committee on Science, Space, and Technology; Rep. Marilyn Lloyd, Chairman, House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee; Sen. John C. Stennis, Chairman, Senate Committee on Appropriations; Sen. J. Bennett Johnston, Chairman, Senate Committee on Appropriations: Energy and Water Development Subcommittee; Sen. Sam Nunn, Chairman, Senate Committee on Armed Services: Sen. Lawton Chiles, Chairman, Senate Committee on Budget: Senate Committee on Energy and Natural Resources; Sen. Howard M. Metzenbaum, Chairman, Senate Committee on Energy and Natural Resources: Energy Regulation and Conservation Subcommittee; Sen. Wendell H. Ford, Chairman, Senate Committee on Energy and Natural Resources: Energy Research and Development Subcommittee; Sen. Quentin N. Burdick, Chairman, Senate Committee on Environment and Public Works; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-193BR, July 16, 1986, Accession Number 130497; RCED-85-11, June 19, 1985, Accession Number 127238; EMD-80-80, August 18, 1980, Accession Number 113089; EMD-81-111, September 14, 1981, Accession Number 116393; RCED-86-175, June 16, 1986, Accession Number 130260; and T-RCED-87-33, June 17, 1987, Accession Number 133229.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation

(276.0).

Organization Concerned: Nuclear
Regulatory Commission; Department of
Energy.

Congressional Relevance: House Committee on Science, Space, and Technology: Energy Research and

Development Subcommittee; House Committee on Science, Space, and Technology; House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee; House Committee on Interior and Insular Affairs: House Committee on Government Operations: Environment, **Energy and Natural Resources** Subcommittee; House Committee on Government Operations; House Committee on Energy and Commerce: **Energy Conservation and Power** Subcommittee: House Committee on Energy and Commerce: House Committee on Budget; House Committee on Armed Services; House Committee on Appropriations: Energy and Water Development Subcommittee: House Committee on Appropriations; Senate Committee on Governmental Affairs; Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Appropriations; Senate Committee on Environment and Public Works: Senate Committee on Energy and Natural Resources: Energy Research and Development Subcommittee; Senate Committee on Energy and Natural Resources: Energy Regulation and Conservation Subcommittee; Senate Committee on Energy and Natural Resources; Senate Committee on Budget; Senate Committee on Armed Services: Senate Committee on Appropriations: Energy and Water Development Subcommittee; Congress; Rep. Marilyn Lloyd; Rep. Robert A. Roe; Rep. Morris K. Udall; Rep. Michael L. Synar; Rep. Jack Brooks; Rep. Philip R. Sharp; Rep. John D. Dingell; Rep. William H. Gray, III; Rep. Les Aspin; Rep. Tom Bevill; Rep. Jamie L. Whitten; Sen. George J. Mitchell; Sen. John H. Glenn; Sen. John B. Breaux; Sen. John C. Stennis; Sen. Quentin N. Burdick; Sen. Wendell H. Ford; Sen. Howard M. Metzenbaum; Sen. Lawton Chiles; Sen. Sam Nunn; Sen. J. Bennett Johnston.

Authority: Atomic Energy Act of 1954 (42 U.S.C. 2011). Price-Anderson Act (Atomic Energy Damages) (42 U.S.C. 2210). P.L. 85-804. H.R. 3653 (99th Cong.). S. 1225 (99th Cong.).

Abstract: In response to a congressional request, GAO provided information on issues pertaining to the Price-Anderson Act, which establishes funding to compensate for personal injury and property damage from a nuclear accident and limits the nuclear industry's liability for such accidents. GAO assessed the: (1) potential consequences of various nuclear power plant accidents; (2) likelihood of accident occurrence; and (3) impact of inflation on

the protection the act originally provided.

Findings/Conclusions: GAO noted that the act will expire on August 1, 1987 unless Congress extends it. GAO found that: (1) the potential for a major commercial nuclear accident still exists: (2) private insurance would not fully cover the expected consequences of a major accident; (3) since indemnity agreements under the act cover the life of Nuclear Regulatory Commission (NRC) licenses and Department of Energy (DOE) contracts, expiration of the act's indemnity authority could have an immediate impact on the people living near and the contractors operating DOE nuclear facilities; and (4) DOE officials feel that, without the act's indemnity, contractors may be reluctant to operate DOE nuclear-defense facilities, and states may not agree to the transportation and storage of highlevel nuclear waste. GAO also found that: (1) due to inflation, the act's liability protection is too low to provide reasonable compensation for the worst nuclear plant accident: (2) because of a lower liability limit for DOE nuclear activities, the level of protection for the public is lower than that of commercial plants; and (3) although the act covers all off-site accident damages resulting from the release of radioactive material, it is not clear if the act covers the costs for a precautionary evacuation when a release appears imminent but does not actually occur.

Recommendation To Congress: Congress should: (1) reassess the commercial liability limit on the basis of inflation, estimates of accident consequences and probabilities, and the uncertainties in these estimates; (2) set the liability limit for DOE at the same level as for commercial licensees; and (3) clarify the act to provide equal protection for the public in the event of a precautionary evacuation.

133104

Tax Policy: Selected Tax Provisions Affecting the Hard Minerals Mining and Timber Industries. GGD-87-77FS; B-226646. June 3, 1987. 2 pp. plus 4 appendices (24 pp.). Fact Sheet to Sen. John Melcher; by Jennie S. Stathis, Associate Director, General Government Division.

Issue Area: Tax Policy and Administration: Achievement of Objectives of Specific Tax Expenditures Provisions and Related Administrative Problems for IRS (4603); Food and Agriculture: Relevance of Policies and Programs Developed Decades Ago To Improve the Marketing of Food (6523). Contact: General Government Division. Budget Function: General Government: Tax Administration (803.1).

Organization Concerned: Internal Revenue Service; Forest Service; Department of the Interior: Bureau of Mines.

Congressional Relevance: Sen. John Melcher.

Authority: Tax Reform Act of 1986. Abstract: Pursuant to a congressional request, GAO reviewed how the Tax Reform Act of 1986 affected the mining and timber industries.

Findings/Conclusions: GAO found that, although certain provisions for mining exploration and development and tax credit for reforestation expenses remained unchanged, the act: (1) repealed the capital gains treatment of income and the investment tax credit, which raised the tax rate on capital and the cost of acquiring capital; (2) increased the tax burden on the industries; and (3) reduced corporate tax rates.

133121

Oil Reserves: An Analysis of Oil Fill Alternatives, RCED-87-145BR; B-208196. May 21, 1987.

Released June 5, 1987. 47 pp. plus 2 appendices (3 pp.). Briefing Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources: Sen. Bill Bradley: Sen. Donald L. Nickles; by Flora H. Milans. Associate Director, Resources. Community, and Economic Development Division. Refer to RCED-83-135, May 20, 1983, Accession Number 121413; RCED-87-204FS, September 29, 1987, Accession Number 134123; and RCED-87-171BR, July 17, 1987, Accession Number 134527.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. Donald L. Nickles; Sen. Bill Bradley; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Energy Policy and Conservation Act (P.L. 94-163). Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509; 42 U.S.C. 6240(c)). Cargo Preference Act (Merchant Marine).

Abstract: Pursuant to a congressional request, GAO reviewed possible oil-fill-rate options for the Strategic Petroleum Reserve (SPR), specifically: (1) the Department of Energy's (DOE) current construction and fill-rate policy; (2) the maximum achievable fill rate for available storage capacities under construction; and (3) a fill rate of 100,000 barrels per day.

Findings/Conclusions: GAO found that DOE planned to: (1) obligate \$670 million in fiscal year (FY) 1987 to develop and manage SPR; (2) increase storage capacity to 581 million barrels; (3) fill the reserve at a 75,000-barrel-a-day rate; and (4) stop development of additional storage capacity through its cavern leaching program after September 1987, which would result in 47 million barrels of storage capacity available for fill in FY 1988. However, GAO also found that: (1) lower oil-fill rates would increase the time needed to fill SPR and would probably increase total oil costs; (2) if DOE limited future oil fills to 35,000 barrels per day, it would not complete a 750-million-barrel SPR until 2004; (3) continued development of cavern storage after FY 1987 would result in a 750million-barrel inventory level earlier, but would add about \$22.4 million to the FY 1988 budget and \$118 million from FY 1989 through 1992; and (4) it would be generally less costly to fill SPR at the maximum rate under all assumed oil prices.

133180

Nuclear Regulation: Public Knowledge of Radiological Emergency Procedures. RCED-87-122; B-213114. June 2, 1987.

Released June 2, 1987. 9 pp. plus 2 appendices (3 pp.). Report to Rep. Edward J. Markey; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-78-110, March 30, 1979, Accession Number 108990; and RCED-84-43, August 1, 1984, Accession Number 124844.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Federal Emergency Management Agency; Nuclear Regulatory Commission. Congressional Relevance: House Committee on Government Operations; Senate Committee on Governmental Affairs; Rep. Edward J. Markey. Authority: Atomic Energy Act of 1954. Paperwork Reduction Act of 1980. 44 C.F.R. 350. 10 C.F.R. 50.

Abstract: In response to a congressional

request, GAO provided information on the actions the Federal Emergency Management Agency (FEMA) and utilities take to familiarize people living within the 10-mile-radius emergency planning zones (EPZ) around commercial nuclear power plants with the procedures they should follow if a nuclear accident should occur. Findings/Conclusions: GAO found that: (1) although FEMA is responsible for ensuring the adequacy of off-site emergency plans at nuclear power plants and has periodically conducted surveys to determine whether EPZ residents have basic emergency planning information, it has not assessed whether the public knows what to do in the event of an emergency; (2) as part of the Nuclear Regulatory Commission's plant licensing process, FEMA assesses the adequacy of state and local off-site emergency preparedness; (3) the regulations governing development of radiological emergency plans do not specify how utilities should educate the public on emergency procedures; (4) in 1980, FEMA developed a lengthy questionnaire to assess EPZ residents' knowledge of emergency procedures, but the Office of Management and Budget denied it permission to use the questionnaire because that might have resulted in an excessively burdensome survey; and (5) although FEMA believes that assessing public knowledge is within its responsibilities, it has not revised and resubmitted its survey proposal. FEMA believes that, although it does not formally assess the level of public education on emergency procedures, its work with the utilities to improve their public education programs has been effective because utilities have: (1) changed their information brochures'

Recommendation To Agencies: The Director, FEMA, should develop a survey to assess EPZ residents' knowledge of radiological emergency procedures. In doing this, FEMA should first explore the possibility of expanding its current EPZ survey to include questions on this issue.

format and style; (2) changed the reading

level of the brochures to coincide with

the particular geographic area; and (3)

used different materials.

133194

[Federal Patent Policy]. T-RCED-87-26. June 11, 1987. 5 pp. plus 1 attachment (1 p.). Testimony before the House Committee on the Judiciary: Courts, Civil Liberties, and the Administration of Justice Subcommittee; by Sarah P. Frazier, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-44, April 16, 1987, Accession Number 132994.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Defense; Department of Energy. Congressional Relevance: House Committee on the Judiciary: Courts, Civil Liberties, and the Administration of Justice Subcommittee. . Authority: Patent and Trademark Amendments of 1980 (P.L. 96-517). Executive Order 12591. P.L. 98-622. Abstract: GAO discussed its work on federal patent policy, focusing on the effects of recent patent law changes and the use of the statutory invention registration (SIR) procedure, which provides some patent protection for inventions at a lower cost than the patent procedure. GAO noted that it surveyed university and small business representatives and found that: (1) most believed that the patent changes had a moderate-to-significant positive impact on universities and small businesses; (2) the universities felt that the changes stimulated business sponsorship of university research; and (3) small businesses believed that other federal initiatives had equal or greater significance on small business research and innovation. GAO also noted that: (1) the SIR procedure does not allow inventors to exclude others from making, using, or selling their inventions; (2) no university, small business, or nonprofit organization has yet filed an SIR application, primarily because most organizations are not aware of the procedure; (3) universities are not likely to use the SIR procedure because they have less need for defensive patent protection; (4) small businesses are more likely to use their limited resources to pursue exclusive patent rights to their inventions; and (5) while Congress intended the Departments of Defense (DOD) and Energy (DOE) to make extensive use of the SIR procedure, DOD and DOE have not done so because of concerns over inventor morale and the cost of the SIR procedure. GAO believes that DOD and DOE should encourage the use of the SIR procedure.

133202

Nuclear Waste: DOE Should Provide More Information on Monitored Retrievable Storage. RCED-87-92; B-202377. June 1, 1987. Released June 12, 1987. 59 pp. plus 3 appendices (11 pp.). Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General. Resources, Community, and Economic Development Division. Refer to RCED-86-104FS, May 8, 1986, Accession Number 129887; RCED-86-198FS, August 15, 1986, Accession Number 130812; T-RCED-87-35, June 1, 1987, Accession Number 133286; RCED-87-121, August 31, 1987, Accession Number 133814; T-RCED-87-30, June 11, 1987, Accession Number 133217; T-RCED-88-55, July 26, 1988, Accession Number 136406; and RCED-88-131, September 28, 1988, Accession Number 136919.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management; Tennessee; Department of Energy.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Energy and
Commerce: Energy and Power
Subcommittee; House Committee on
Interior and Insular Affairs; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Energy and
Natural Resources; Congress; Rep. Philip
R. Sharp; Rep. Morris K. Udall.
Authority: Nuclear Waste Policy Act of
1982 (P.L. 97-425).

Abstract: Pursuant to a congressional request, GAO evaluated the Department of Energy's (DOE) plans for monitored retrievable storage (MRS) of spent nuclear fuel, focusing on whether the DOE MRS proposal provided Congress with enough information to determine whether to authorize an MRS facility. Findings/Conclusions: GAO found that: (1) DOE proposed an MRS system whose principal role would be waste preparation rather than long-term waste storage, as the Nuclear Waste Policy Act

envisioned; (2) the DOE proposal did not show how a system that included MRS would differ from a system that did not; (3) DOE did not analyze potential alternatives to determine whether it could improve the nuclear waste management process without MRS; (4) DOE did not compare the costs of MRS and non-MRS alternatives; (5) DOE believes that, while MRS would increase total system costs by \$1.5 billion to \$1.6 billion, it would offset the costs by savings of up to \$1 billion in spent-fuel storage costs at reactors; and (6) DOE did not estimate the cost of state and local taxes for MRS or the cost of mitigating the local impact of an MRS facility.

Recommendation To Congress: DOE has submitted its proposal to Congress seeking authorization to construct and operate an MRS facility primarily for waste preparation and packaging rather than for long-term waste storage. In evaluating the proposal, Congress needs to recognize that the MRS concepts embodied in the Nuclear Waste Policy Act and the DOE proposal are different. Recommendation To Agencies: In order to assist Congress in its determination of whether MRS should be integrated into the nuclear waste management system, the Secretary of Energy should obtain reactor-specific information from utilities on: (1) their need for MRS and how it would affect their operations; (2) whether they are willing and able to implement alternatives for improving the authorized waste management identified by DOE, such as rod consolidation, dry storage, and upgrading for rail transport, at reactor sites; and (3) whether utilities have identified other potentially viable alternatives for the management of nuclear wastes that may be more beneficial than either MRS or the alternatives identified by DOE. In order to assist Congress in its determination of whether MRS should be included into the nuclear waste management system, the Secretary of Energy should identify the best configuration of the authorized waste management system that combines the most feasible alternatives for maximizing the effectiveness, efficiency, and safety of the system in lieu of MRS and present Congress with the benefits and costs of both systems. This analysis should include the final results of the DOE Program Research and Development Announcement and ongoing systems integration studies. In order to assist Congress in its determination of whether MRS should be included in the nuclear waste management system, the Secretary of

Energy should determine the estimated costs of each program element which has been identified, but not yet quantified.

133217

[DOE Should Provide More Information on Monitored Retrievable Storage]. T-RCED-87-30. June 11, 1987. 9 pp. Testimony before the House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-92, June 1, 1987, Accession Number 133202.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee.

Authority: Nuclear Waste Policy Act of 1982.

Abstract: GAO discussed its evaluation of the Department of Energy's (DOE) proposal for a monitored retrievable storage (MRS) facility to package and store spent nuclear fuel for transshipment to a permanent repository. GAO noted that: (1) the Nuclear Waste Policy Act authorizes MRS for a permanent repository, while DOE envisions MRS for a temporary storage facility; (2) DOE did not analyze, or provide Congress with enough information on, MRS alternatives: and (3) DOE did not fully develop its MRS cost estimates and failed to consider the cost of state and local taxes, site acquisition, or mitigating the local impacts of an MRS facility, among other elements. GAO believes that DOE should provide Congress with more comprehensive information on MRS before Congress decides whether to authorize it.

133223

[Key Elements of Effective Independent Oversight of DOE's Nuclear Facilities]. T-RCED-87-32. June 16, 1987. 13 pp. Testimony before the Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-30, March 31, 1988, Accession Number 135455; EMD-81-108, August 4, 1981, Accession Number 115979; RCED-86-

175, June 16, 1986, Accession Number 130260; RCED-88-130, March 28, 1988, Accession Number 135666; RCED-88-221, September 21, 1988, Accession Number 136983; and RCED-88-222, September 21, 1988, Accession Number 136971.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs. Authority: S. 1085 (100th Cong.). S. 748 (100th Cong.).

Abstract: GAO discussed proposed legislation which would establish an independent board to oversee the Department of Energy's (DOE) nuclear facilities. GAO believes that, for any such oversight body to be successful, it must: (1) be independent; (2) possess a high degree of technical expertise; (3) be able to review safety at DOE facilities, as required; (4) possess clear authority to force DOE to comply with its recommendations; and (5) provide public access to its findings and recommendations. GAO also believes that: (1) the proposed Nuclear Safety Board would incorporate all of the requisite elements; (2) Congress could improve the legislation by requiring the board to review DOE contractors' facility safety reports; and (3) the legislation should more clearly define the standards the Board should use in assessing health and safety.

133229

[Price-Anderson Act Nuclear Accident Liability Protection]. T-RCED-87-33. June 17, 1987. 11 pp. plus 1 appendix (13 pp.) . Testimony before the House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-124, June 2, 1987, Accession Number 133093; EMD-80-80, August 18, 1980, Accession Number 113089; and EMD-81-111, September 14, 1981, Accession Number 116393.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Nuclear Regulatory Commission; Department of Energy.

Congressional Relevance: House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee. Authority: Price-Anderson Act (Atomic Energy Damages). H.R. 1414 (100th Cong.).

Abstract: GAO discussed its work on the Price-Anderson Act's expiring indemnification provisions. GAO noted that: (1) the act's financial protection would not apply to contracts the Department of Energy (DOE) awarded after expiration; and (2) the existing act does not provide the public with the same level of protection for accidents at DOE nuclear facilities as at commercial facilities. GAO believes that Congress should extend the indemnification provisions because: (1) the potential for a serious accident still exists; (2) private insurance to fully cover the expected consequences of a catastrophic accident is unavailable; (3) the nuclear industry is unwilling to operate without adequate financial protection; and (4) the public might not be able to expect injury and damage compensation if an accident bankrupted the responsible organization. GAO also believes that: (1) Congress should make liability coverage identical for DOE and commercial facilities; (2) Congress may wish to explicitly extend the act's coverage to the costs of precautionary evacuations: (3) legislation to amend the act should include a statutory limitation on claims; and (4) Congress should consider who should be responsible for penalties imposed by the act.

133246

Mineral Resources: Timely Processing Can Increase Rent Revenue From Certain Oil/Gas Leases. RCED-87-98; B-221397. June 18, 1987. 8 pp. plus 3 appendices (7 pp.). Report to Donald P. Hodel, Secretary, Department of the Interior; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Effectiveness of Interior's Oversight of Federal Minerals Revenues (6907).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior; Bureau of Land Management; Bureau of Land Management: Wyoming State Office; Bureau of Land Management: Colorado State Office.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs; . Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources.

Authority: Mineral Lands Leasing Act (30 U.S.C. 181 et seq.).

Abstract: GAO reviewed Bureau of Land Management (BLM) procedures in Colorado and Wyoming to determine whether BLM increased rental rates in a timely manner for leases overlying known geologic structures (KGS). Findings/Conclusions: GAO noted that, as of September 1986, BLM increased rents on 8.5 percent of Colorado's and Wyoming's federal oil and gas leases because BLM determined that they were overlying KGS. GAO found that the Colorado and Wyoming BLM offices: (1) did not make timely increases in 1984 and 1985, resulting in lost revenue of \$552,614; and (2) did not increase rental rates for all leases determined to overlie KGS, causing an additional revenue loss of at least \$15,123. GAO also found that BLM had inadequate internal controls to ensure that: (1) it informed state offices of all KGS determinations; (2) state offices increased rental rates once they were informed; and (3) state offices processed rental rates in a timely manner.

Recommendation To Agencies: To preclude further lost rent revenue for leases overlying KGS, the Secretary of the Interior should direct the Director, BLM, to establish adequate internal controls to ensure that BLM staff responsible for increasing rental rates are made aware of all KGS determinations. For example, such controls might include consecutive numbering of KGS determination memoranda and maintaining a log of all leases in processing. To preclude further lost rent revenue for leases overlying KGS, the Secretary of the Interior should direct the Director, BLM, to establish a specific time frame for processing KGS rental rate increases, such as the 8-week time frame used by the Interior Inspector General, and ensure that responsible BLM staff are aware of the established time frame. To preclude further lost rent revenue for leases overlying KGS, the Secretary of the Interior should direct the Director, BLM, to instruct each state office to determine if other lease's subject to KGS determinations have not had rental rates increased as required and ensure that rental rates are increased appropriately.

133278

Alternative Fuels: Information on DOD's Methanol Vehicle Program. RCED-87-91; B-226783. May 22, 1987. Released June 23, 1987. 9 pp. plus 2 appendices (3 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-84-36, October 27, 1983, Accession Number 122727; and RCED-88-38BR, October 7, 1987, Accession Number 134134.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy
Supply (271.0).

Organization Concerned: Department of the Army.

Congressional Relevance: House
Committee on Energy and Commerce:
Energy Conservation and Power
Subcommittee; Rep. Philip R. Sharp.
Authority: Department of Defense
Authorization Act, 1985 (P.L. 98-525).
Abstract: Pursuant to a congressional request, GAO reviewed the Army's efforts to: (1) procure new methanol vehicles; (2) establish the reliability and durability of methanol vehicles in laboratory and fleet tests; and (3) resolve related support functions for the safe and efficient storage, distribution, and use of methanol fuel.

Findings/Conclusions: GAO found that the Army: (1) purchased 27 new vehicles which it modified to operate on methanol fuel: (2) examined methanol vehicle operation under cold, moderate, and hot climate conditions; (3) developed methanol fuel and lubricant specifications, methods for transporting. storing, and dispensing the fuel, and technical specifications for vehicle conversion; and (4) provided some data on the technical and environmental aspects of methanol vehicle operation, but budget limitations precluded it from testing enough vehicles to establish reliability and durability.

133280

Natural Gas Regulation: Pipeline Transportation Under FERC Order 436. RCED-87-133BR; B-226737. June 9, 1987.

Released June 23, 1987. 54 pp. plus 1 appendix (1 p.). *Briefing Report* to Rep.

Bill Richardson; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0)

Organization Concerned: Federal Energy Regulatory Commission. Congressional Relevance: Rep. Bill Richardson.

Authority: Natural Gas Policy Act of 1978. FERC Order 436. Maryland People's Counsel v. Federal Energy Regulatory Commission, 761 F.2d 768 (D.C. Cir. 1985).

Abstract: Pursuant to a congressional request, GAO examined how the Federal Energy Regulatory Commission (FERC) is implementing a regulation that allows natural gas pipelines to transport gas without FERC approval if they provide services on a nondiscriminatory basis. Findings/Conclusions: GAO found that: (1) 26 of the 45 major interstate natural gas pipelines have applied to participate in the program; (2) the participating pipelines accounted for 78 percent of the operating revenues received by gas pipelines in 1985; (3) in considering pipeline applications, FERC has had to consider such issues as pipeline capacity allocation, contract reduction or conversion provisions, penalties for deviations from transportation agreements, and pipelines' rate-setting practices: and (4) FERC has, under certain conditions, allowed interstate pipelines to transport gas without complying with the regulation's provisions.

133286

[DOE Should Provide More Information On Monitored Retrievable Storage]. T-RCED-87-35. June 18, 1987. 9 pp. Testimony before the Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-92, June 1, 1987, Accession Number 133202.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate
Committee on Environment and Public

Works: Nuclear Regulation Subcommittee.

Authority: Nuclear Waste Policy Act of 1982

Abstract: GAO discussed the Department of Energy's (DOE) proposal to construct and operate a monitored retrievable storage (MRS) facility for spent nuclear fuel, focusing on whether the proposal provided adequate information for a congressional decision on whether to authorize the facility. GAO noted that the Nuclear Waste Policy Act: (1) authorized DOE to dispose of commercial spent fuel and other highly radioactive wastes in a geologic repository; and (2) required DOE to study long-term waste storage in one or more MRS facilities as an option for safe and reliable spent-fuel management, and to submit to Congress a proposal for adding such facilities to the authorized waste system. GAO found that the DOE proposal: (1) recommended MRS for handling and temporary storage, rather than for long-term storage as described in the act; (2) did not fully explore non-MRS alternatives for improving the current waste management system; and (3) did not estimate the full costs of building and operating an MRS facility. GAO believes that the MRS proposal does not provide enough information for Congress to determine: (1) if other improvements to the current waste system can provide many of the perceived benefits of the MRS facility at less cost; or (2) whether the added benefits DOE expects outweigh the additional costs.

133310

Oil Reserve: Status of Strategic Petroleum Reserve Activities as of March 31, 1987. RCED-87-135FS; B-208196. May 14, 1987.

Released June 26, 1987. 20 pp. plus 1 appendix (1 p.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by John W. Sprague, (for Flora H. Milans, Associate Director), Resources, Community, and Economic Development Division. Refer to RCED-87-101FS, March 2, 1987, Accession Number 132378; RCED-87-49, November 17, 1986, Accession Number 131678; RCED-86-205, July 25, 1986, Accession Number 130595; RCED-86-151. April 18, 1986, Accession Number 129807; RCED-86-37, October 15, 1985, Accession Number 128256; and RCED-87-194FS, August 26, 1987, Accession Number 133825.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency

of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Energy Policy and Conservation Act (P.L. 94-163). Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35).

Abstract: In response to a congressional request, GAO reported on the Department of Energy's (DOE) progress in developing, operating, and filling the Strategic Petroleum Reserve (SPR) during the second quarter of fiscal year (FY) 1987.

Findings/Conclusions: GAO found that: (1) as of March 31, 1987, the SPR inventory totalled 520 million barrels of crude oil; (2) during the quarter, DOE added 8.4 million barrels at an average rate of 93,575 barrels per day; (3) DOE planned to purchase both imported and domestic crude oil during the remainder of FY 1987; (4) several SPR sites completed inspection and testing for pipeline deterioration and undertook corrective action; (5) an equipment exercise at the Weeks Island, Louisiana site revealed significant operational problems; and (6) DOE conducted a major security exercise which met basic objectives.

133369

Surface Mining: States Not Assessing and Collecting Monetary Penalties. RCED-87-129; B-226910. June 5, 1987.

Released July 6, 1987. 35 pp. plus 1 appendix (1 p.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-40, December 29, 1986, Accession Number 132152.

Issue Area: Natural Resources Management: OSM and State Effectiveness in Meeting Regulatory Responsibilities Under SMCRA (6910). Contact: Resources, Community, and Economic Development Division. **Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Kentucky; Indiana; Colorado; Internal Revenue Service.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Interior and Insular Affairs; House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; Senate
Committee on Appropriations: Interior
and Related Agencies Subcommittee;
Senate Committee on Energy and
Natural Resources; Rep. Michael L.
Synar.

Authority: Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.). S. Rept. 95-128.

Abstract: In response to a congressional request, GAO reviewed the performance of Kentucky, Indiana, and Colorado in assessing and collecting civil penalties against coal mining operators who violated environmental standards. Findings/Conclusions: GAO found that: (1) of 201 violations it randomly selected for the period January through June 1985, the states determined that 18 violations never actually occurred: (2) of the remaining 183 violations, the states assessed a monetary penalty on 40 percent, used their discretionary authority to waive the penalty on 50 percent, and made no penalty determination on 10 percent; (3) of the violations with assessed values of less than \$1,100, Indiana and Kentucky waived 88 and 63 percent, respectively, while Colorado did not waive penalties of any amount; (4) the states were lenient in considering violators' demonstrated good faith in abating the cited violation and prior violation histories; and (5) Kentucky did not always impose the mandatory penalty for each violation and improperly reduced or eliminated penalties during negotiations and hearings prior to issuing final orders. GAO also found that: (1) as of June 30, 1986, the states had not collected about \$84.8 million of the \$89.8 million in penalties they assessed; (2) Colorado collected 55 percent of assessed penalties, Indiana collected 7 percent, and Kentucky collected 5 percent; (3) none of the states have penalty collection systems that are consistent with established Internal Revenue Service (IRS) debt collection procedures: (4) Colorado lacks a system to track unpaid penalties; (5) Indiana initiates its collection effort promptly, but fails to

take additional action if the violator fails to pay the penalty; and (6) Kentucky does not always initiate prompt action.

Recommendation To Agencies: The Secretary of the Interior should require the Director, Office of Surface Mining Reclamation and Enforcement (OSMRE), to take steps to ensure that Kentucky and other states with primary regulatory authority assess mandatory penalties when violations are not corrected within the specified abatement period. The Secretary of the Interior should require the Director, OSMRE, to review state penalty collection systems as part of its annual oversight evaluations. In performing this review, OSMRE should require states to make available all records, files, and documents relating to all aspects of the penalty collection system or activity. The states should be required to develop and implement written procedures that provide detailed instructions to facilitate debt collection using generally accepted debt collection practices, such as those followed by IRS. The Secretary of the Interior should require the Director, OSMRE, to require the states to fully explain and document, in the records of each violation, the basis for the proposed penalty and any subsequent adjustments.

133389

Debt Collection: Interior's Efforts To Collect Delinquent Royalties, Fines, and Assessments. AFMD-87-21BR; B-225946. June 18, 1987. Released July 9, 1987. 6 pp. plus 5 appendices (28 pp.). Briefing Report to Rep. John R. Kasich; by Jeffrey C. Steinhoff, Associate Director, Accounting and Financial Management Division. Refer to AFMD-86-13FS, December 3, 1985, Accession Number 128569; GGD-87-7BR, October 15, 1986, Accession Number 131335; and AFMD-88-23, February 2, 1988, Accession Number 135007.

Issue Area: Financial Management Standards and Initiatives (7000).
Contact: Accounting and Financial Management Division.
Budget Function: Financial Management and Information Systems: Accounting Systems in Operation (998.1).
Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Department of the Interior: Minerals Management Service; Bureau of Land Management.
Congressional Relevance: Rep. John R. Kasich.

Authority: Debt Collection Act of 1982. Federal Managers' Financial Integrity Act of 1982. H. Rept. 98-1146. H. Rept. 99-206.

Abstract: In response to a congressional request, GAO examined the Department of the Interior's collection efforts in the mineral, timber, and reclamation management programs that have receivables due from royalties, fines, and assessments.

Findings/Conclusions: GAO noted that: (1) the Office of Surface Mining Reclamation and Enforcement (OSMRE). Minerals Management Service (MMS), and Bureau of Land Management (BLM) are responsible for collecting delinquent receivables for Interior; (2) OSMRE receivables consisted primarily of civil penalties OSMRE assessed against coal mining companies for failing to correct mine reclamation violations and reclamation fees for abandoned mines; (3) MMS receivables result primarily from audits of oil and gas company royalty production reports; and (4) BLM receivables result primarily from trespass violations and timber contracts. GAO found that, as of September 30, 1986: (1) Interior receivables totalled \$2.5 billion, \$284 million of which was delinquent; (2) OSMRE receivables totalled \$158 million, \$155 million of which was delinquent; (3) MMS receivables totalled \$105 million, \$75 million of which was delinquent; and (4) BLM receivables totalled \$8 million, \$7.5 million of which was delinquent. GAO also found that: (1) OSMRE estimates that it will not collect 80 to 85 percent of its delinquencies, since they are several vears old; (2) OSMRE recognizes that it has serious debt collection problems and is taking steps to resolve those problems; (3) many MMS receivables remain delinquent because they are under dispute and await the outcome of appeals; (4) most MMS receivables under appeal are secured by bond or letter of credit; and (5) BLM is unlikely to collect many receivables in full because of court awards for less than the receivable amount.

133393

[Protest of DOE Contract Award for Modeling and Forecasting Support Services]. B-225793. July 6, 1987. 6 pp. *Decision* re: Triad Research, Inc.; by Seymour Efros, (for Harry R. Van Cleve, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Triad Research, Inc.; Decision Analysis Corp. of Virginia; Department of Energy. Authority: Competition in Contracting Act of 1984 (31 U.S.C. 3553(f)). Freedom of Information Act (5 U.S.C. 552). 4 C.F.R. 21.6(d). B-223207 (1986). B-218620.2 (1986). B-212385 (1984).

Abstract: A firm protested a Department of Energy (DOE) cost-plus-fixed-fee contract award for modelling and forecasting support services, contending that: (1) the awardee falsely certified its corporate status; (2) the awardee intentionally misrepresented its labor rates; and (3) DOE applied different evaluation criteria and requested different levels of supporting documentation from different bidders. GAO held that: (1) DOE reasonably concluded that the awardee did not intentionally misrepresent its corporate status; (2) the awardee's labor rates were consistent with the terms of the consulting agreement; and (3) there was no disparate treatment of bidders. Accordingly, the protest was dismissed in part and denied in part.

133438

Federal Land Management: Nonfederal Land and Mineral **Rights Could Impact Future** Wilderness Areas. RCED-87-131; B-227441. June 30, 1987. Released July 14, 1987. 32 pp. plus 3 appendices (65 pp.). Report to Rep. Don Young, Ranking Minority Member, House Committee on Interior and Insular Affairs; Rep. Ronald C. Marlenee, Ranking Minority Member, House Committee on Interior and Insular Affairs: National Parks and Public Lands Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-84-101, July 26, 1984, Accession Number 124874; RCED-89-72, March 10, 1989, Accession Number 138159; and RCED-89-202, September 26, 1989, Accession Number 139617.

Issue Area: Natural Resources
Management: Effectiveness of Policies
and Procedures for Determining Federal
Land Ownership Patterns (6912);
Natural Resources Management: Other
Issue Area Work (6991).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Conservation and
Land Management (302.0).
Organization Concerned: Department of
the Interior; Bureau of Land
Management.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee: House Committee on Interior and Insular Affairs: National Parks and Public Lands Subcommittee; House Committee on Interior and Insular Affairs; Senate Committee on Appropriations: Interior and Related Agencies Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Ronald C. Marlenee; Rep. Don Young.

Authority: Wilderness Act (P.L. 88-577; 16 U.S.C. 1134(c)). Land Policy and Management Act. Alaska National Interest Lands Conservation Act (P.L. 96-487; 94 Stat. 2371). Homestead Act. Agricultural College Scrip Act. Pacific Railroad Act. Mineral Lands Leasing Act. Federal Coal Leasing Amendments Act of 1976. P.L. 94-377. 30 U.S.C. 22 et seq.

Abstract: In response to a congressional request, GAO reviewed the potential problems facing Congress in creating Bureau of Land Management (BLM) wilderness areas containing privately or state-owned land and mineral rights, focusing on the: (1) extent of nonfederal land and mineral rights in BLM wilderness study areas; (2) difficulties that BLM experienced due to nonfederal land and mineral rights in areas that Congress designated as wilderness; and (3) data that BLM is developing on nonfederal land and mineral rights to assist Congress in designating wilderness areas

Findings/Conclusions: GAO found that: (1) about 455 of 860 BLM wilderness study areas contain privately or stateowned land and minerals that could be developed; (2) BLM assessed the mineral development potential in 374 study areas and estimated that some type of mineral development could occur in about 179 areas; (3) BLM will face the task of protecting the areas' wilderness characteristics without infringing upon the owners' property rights if development occurs in those areas; (4) BLM instructed its state offices to exclude, where possible, nonfederal lands when drawing the boundaries of the areas it will study and recommend for wilderness designation; and (5) BLM acknowledged that some areas recommended for wilderness designation will include nonfederal land and mineral rights because they are essential to the overall character of the proposed wilderness area. GAO also found that: (1) BLM wilderness coordinators in Arizona, New Mexico, and California expressed concern that Congress may designate wilderness areas before BLM completes its study process or expand the boundaries of its recommended wilderness areas, which could result in the need for BLM to acquire the land to prevent development; (2) BLM instructed its state offices to include information on the extent, development potential, and possible acquisition costs of nonfederal land in the documentation supporting BLM wilderness recommendations; (3) BLM information on state-owned land appeared to be accurate; and (4) BLM officials agreed to correct the deficiencies in its information on privately owned land. Recommendation To Agencies: The

Recommendation To Agencies: The Secretary of the Interior should direct BLM to provide Congress with available analyses regarding such nonfederal land and mineral rights, for any wilderness legislative proposals being considered by Congress. The Secretary of the Interior should require the Director, BLM, to ensure that all data are fully developed and included in the final wilderness study reports and other analyses supporting wilderness recommendations.

133465

Tax Administration: Gas Guzzler
Tax Compliance Can Be Increased.
GGD-87-85; B-220844. July 16, 1987.
29 pp. plus 3 appendices (8 pp.).
Report to Rep. Daniel Rostenkowski,
Chairman, Joint Committee on
Taxation; Sen. Lloyd Bentsen, Vice
Chairman, Joint Committee on
Taxation; by William J. Anderson,
Assistant Comptroller General,
General Government Division. Refer
to RCED-87-29, December 11, 1986,
Accession Number 132043.

Issue Area: Tax Policy and Administration: Other Issue Area Work (4691).

Contact: General Government Division. Budget Function: General Government: Tax Administration (803.1).

Organization Concerned: Internal

Revenue Service; United States Customs Service; Department of Transportation; Environmental Protection Agency.

Congressional Relevance: House
Committee on Government Operations; House Committee on Ways and Means; Senate Committee on Finance; Joint
Committee on Taxation; Congress; Rep.
Daniel Rostenkowski; Sen. Lloyd
Bentsen.

Authority: Energy Tax Act of 1978 (26 U.S.C. 4064). Clean Air Act. Traffic and Motor Vehicle Safety Act (15 U.S.C. 1391 et seq.). Internal Revenue Code (IRC). IRS Ruling 86-20. H.R. 738 (100th Cong.). Abstract: GAO: (1) discussed the need for improving taxpayer compliance with the gas guzzler excise tax; (2) evaluated Internal Revenue Service (IRS) efforts to enforce the tax; and (3) identified methods for improving taxpayer compliance.

Findings/Conclusions: GAO sampled independent imports entering the United States through ports in four Customs Service districts from November 1983 through November 1984. GAO found that: (1) less than 1 percent of the independent importers paid the gas guzzler tax: (2) this noncompliance resulted in lost tax revenues of over \$6 million; and (3) most factory-authorized importers paid the tax. IRS believed that the primary reasons independent importers did not pay the tax, besides intentional tax evasion, were that: (1) many liable taxpayers were unaware of the tax: and (2) some importers, who were aware of the tax, did not believe that it applied to them, GAO concluded that, although IRS has taken actions to enforce the tax, these actions may not reduce tax noncompliance.

Recommendation To Congress: Congress should consider amending Internal Revenue Code section 4064, "Gas Guzzler Tax," to require importers to pay the tax to Customs at the time fuel-inefficient vehicles are imported. Congress should consider amending the bonding requirement for independent importers to require proof of payment of the gas guzzler tax before the bond is released. Recommendation To Agencies: To promote voluntary compliance through increased taxpayer awareness, the Commissioner of Internal Revenue should arrange for Customs to include information on the gas guzzler tax in the pamphlet it provides to independent importers. To enhance IRS efforts to improve compliance with the gas guzzler tax and assure itself that the levels of district office enforcement efforts are appropriate, the Commissioner of Internal Revenue should: (1) monitor district office enforcement efforts and identify enforcement problems, as well as effective enforcement approaches; and (2) communicate, IRS-wide, information on effective enforcement approaches and actions needed to solve identified problems.

133471

Alternative Fuels: Parachute Creek Shale Oil Project's Economic and Operational Outlook. RCED-87-126; B-223418. June 18, 1987. 61 pp. plus 3 appendices (8 pp.). Report to Rep. John D. Dingell, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-199FS, July 30, 1986, Accession Number 130992.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: United States Synthetic Fuels Corporation; Union Oil Co. of California; Department of Energy; Department of the Treasury.

Congressional Relevance: House
Committee on Government Operations;
House Committee on Appropriations:
Interior Subcommittee; House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee; Senate Committee on
Governmental Affairs; Senate Committee
on Appropriations: Interior and Related
Agencies Subcommittee; Senate
Committee on Energy and Natural
Resources; Rep. John D. Dingell.
Authority: Energy Security Act. P.L. 99-

Abstract: In response to a congressional request, GAO assessed the economic and technical viability of the Parachute Creek shale oil project.

Findings/Conclusions: GAO found that: (1) the project's economic viability is difficult to forecast, since it will depend upon the oil prices that prevail after price supports are exhausted: (2) using recent oil price projections, the project's after-tax cash flow from 1995 through 2005 could be negative by as much as \$286 million; (3) total federal assistance over the life of the project could be from \$968 million to \$1.5 billion, including production tax credits and price guarantees; (4) under the terms of the assistance agreement, \$500 million in price and loan guarantees is contingent on the feasibility of installing a fluidized-bed combustor; and (5) because of current operational problems and the difficulties likely to be encountered, the project's technical viability with or without the combustor is uncertain. Recommendation To Agencies: In view of the economic and technical issues facing the combustor's installation, the Secretary of the Treasury should rescind the additional \$500 million in assistance if the terms of the agreement are not met. If the terms are met and the contractor elects to proceed with the combustor, the Secretary should use the analysis in this report to critically evaluate the contractor's proposal and explore the government's options for minimizing additional outlays on this project.

133532

Contracting: Air Force Procurement of Prototype Fuels Dispensing System. NSIAD-87-154BR; B-220639. June 12, 1987. Released July 24, 1987. 4 pp. plus 1 appendix (6 pp.). Briefing Report to Rep. John E. Porter; by Harry R. Finley, Senior Associate Director, National Security and International Affairs Division.

Issue Area: Air Force (5400). Contact: National Security and International Affairs Division. Budget Function: National Defense: Department of Defense - Procurement and Contracts (051.2).

Organization Concerned: Department of the Air Force; Liquid Controls Corp.; Gull, Inc.

Congressional Relevance: Rep. John E. Porter.

Abstract: In response to a congressional request, GAO: (1) reviewed a firm's protest against an Air Force contract award for an automated data collection and fuels-dispensing prototype system; and (2) examined the causes of subsequent delays in the performance of the contract.

Findings/Conclusions: GAO found that: (1) the Air Force awarded a firm, fixedprice contract for the design, fabrication, furnishing, testing, and installation of an automated data collection and fuelsdispensing prototype system to determine the feasibility and costeffectiveness of automation for improved petroleum fuels accountability: (2) a firm protested the award but failed to state its basis for protest, and GAO dismissed the protest; (3) the firm filed a second protest, contending that the awardee's product would not meet the contract specifications; (4) the Air Force reported that the protester's allegations were speculative and did not show that it erred in its determination that the awardee was responsible; (5) the protester failed to respond to the Air Force report, and GAO dismissed the protest; and (6) the contractor's research and development activities and its problems in obtaining system components from vendors accounted for most of the delays in the performance of the contract.

133604

Alternative Fuels: Feasibility of Expanding the Fuel Ethanol Industry Using Surplus Grain. RCED-87-106BR; B-222735. June 30, 1987.

Released August 3, 1987. 60 pp. plus 3 appendices (13 pp.). Briefing Report to

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Sen. J. James Exon; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-84-1, June 6, 1984, Accession Number 124476.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Conservation (272.0).

Organization Concerned: Department of Agriculture; Department of Agriculture: Commodity Credit Corporation; Department of Energy.

Congressional Relevance: Sen. Edward Zorinsky; Sen. J. James Exon.

Authority: Energy Tax Act of 1978 (P.L. 95-618). Windfall Profit Tax Act (Crude Oil) (P.L. 96-223). Omnibus Reconciliation Act of 1980 (P.L. 96-499). Energy Security Act (P.L. 96-294). Consolidated Farm and Rural Development Act. Surplus Agricultural Commodities Disposal Act of 1982 (P.L. 97-358). Food Security Act (P.L. 99-198). Agricultural Act of 1949. P.L. 96-438.

Abstract: In response to a congressional request, GAO examined the feasibility of using surplus federally owned grain to further the development of the ethanol industry, focusing on financing concepts that would allow producers and developers to use surplus grain as either: (1) collateral to obtain financing from lending institutions to either construct new ethanol plants or expand existing facilities; or (2) a free feedstock to produce ethanol, which could induce lending institutions to finance the construction or expansion of ethanol plants or facilities.

Findings/Conclusions: GAO found that: (1) declining ethanol prices and weakened demand for fuel ethanol threaten the economic viability of many ethanol producers; (2) federal and state government incentives had a significant role in expanding the industry and in marketing fuel ethanol; (3) surplus grain inventories are large enough to support the financing concepts; (4) producers, developers, and lenders are skeptical about the concepts' usefulness for expanding the industry, given the decreased demand for fuel ethanol; and (5) most producers and developers believe that the financing concepts are feasible, and one-half are willing to participate. GAO also found that: (1) lenders are not interested in the grainas-collateral concept but are somewhat interested in the grain-feedstock concept; (2) lenders are unwilling to participate in the grain-as-collateral concept if the grain will only be used to produce ethanol in the case of a loan default; (3) the Department of Agriculture has the authority to use surplus federal grain for ethanol, but there are legal restrictions to its use; (4) use of surplus grain to finance additional fuel ethanol plants would not significantly reduce existing surplus inventories and could potentially reduce excise tax revenues; and (5) expansion of the fuel ethanol industry could affect others outside the industry. such as oil companies, farmers, and consumers.

133627

Federal Research Projects: Concerns About DOE's Super Collider Site Selection Process. RCED-87-175FS; B-227295. August 6, 1987. 19 pp. plus 2 appendices (4 pp.). Fact Sheet to Sen. Max S. Baucus; by Sarah P. Frazier, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-108, April 4, 1986, Accession Number 129748; RCED-87-146, June 24, 1987, Accession Number 133370; RCED-87-67BR, February 5, 1987, Accession Number 132108; RCED-89-18, January 30, 1989, Accession Number 137824; and RCED-90-33BR, October 4, 1989, Accession Number 139679.

Issue Area: Science and Technology Policy and Programs: Other Issue Area Work (9391); Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science.

Space, and Technology (250.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Sen. Max S. Baucus.

Authority: Agricultural Experiment Stations Act. P.L. 100-71.

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) selection of a site for its proposed superconducting super collider (SSC) to determine whether: (1) precedents exist for selecting sites for multimillion dollar research projects on the basis of competitive bidding, with states providing land and other incentives; (2) federal research and development funds have become more concentrated over the past 20 years; and (3) federal agencies have made any efforts to distribute these funds among as many states as possible.

Findings/Conclusions: GAO found that: (1) there was one precedent for siting a facility that was similar to the proposed procurement; (2) although DOE is prohibited from expending funds to review proposed incentives other than land, offerers are not precluded from including promises of financial incentives or use of their own resources to improve site suitability; (3) although there were instances where those seeking federal research awards provided matching funds or other contributions, those research projects were smaller and were evaluated primarily for scientific merit: (4) geographic concentration of federal research and development funds has remained constant over a 20-year period: and (5) most federal agencies have limited mechanisms for ensuring geographic distribution of funds and generally consider scientific quality the major criterion in funding decisions.

133656

Energy Management: DOE/Martin Marietta Earnings Limitation Agreement. RCED-87-147; B-223185. July 6, 1987.

Released August 11, 1987. 9 pp. plus 5 appendices (22 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-70, March 5, 1987, Accession Number 132676.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Martin Marietta Corp.; Martin Marietta Energy Systems; Martin Marietta Corp.: Tennessee Innovation Center; Department of Energy; Department of Energy: Operations Center, Oak Ridge, TN.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Appropriations: Energy and Water
Development Subcommittee; House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee; Senate Committee on
Appropriations: Interior and Related
Agencies Subcommittee; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;

Senate Committee on Energy and Natural Resources; Rep. John D. Dingell. Abstract: Pursuant to a congressional request, GAO analyzed an agreement to limit a Department of Energy (DOE) contractor's parent company's profits from an affiliated venture firm's investments in companies that are commercializing DOE-developed technology, or companies in which contractor personnel are involved as consultants, investors, or employees. Findings/Conclusions: GAO noted that: (1) the agreement requires the parent company to report annually to DOE. beginning on March 31, 1987, on its total investment in, and return on investment from, the affiliate firm and its venture companies; and (2) it could not determine precisely how the agreement would work, since the parent company had not submitted its first annual report to DOE. GAO found that the agreement: (1) is intended to reduce incentives for favoritism and avoid perceptions of organizational conflict of interest; (2) establishes a ceiling on the parent company's return-on-investment from venture companies; (3) does not specify what action DOE may take or what sanctions it may impose if the parent company does not abide by the agreement's terms; and (4) does not give DOE access to financial information it needs to determine that the parent company's annual report is accurate and complete. GAO also found that the parent company could retain excess earnings from venture companies indefinitely within the context of the agreement by: (1) increasing investments in nonlimited companies to offset returns from successful limited companies; (2) selling ownership in successful companies after the agreement terminates; and (3) using certain nonequity forms of investment, such as warrants, to avoid the agreement's limits.

Recommendation To Agencies: The Secretary of Energy should direct the Oak Ridge Operations Office Manager to initiate discussions with Martin Marietta for the purpose of negotiating amendments to the agreement to: (1) strengthen its controls over Martin Marietta's ability to profit from certain Innovation Center investments; (2) provide DOE access to information needed to ensure that the annual reports on the limitation agreement are accurate; and (3) specify the sanctions that could be imposed if Martin Marietta does not comply with the terms of the agreement.

133667

[Protest of DOE Contract Award for Electrical Transformers]. B-227091. August 10, 1987. 6 pp. Decision re: Westinghouse Electric Corp.; by Milton J. Socolar, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel. Organization Concerned: Westinghouse Electric Corp.; General Electric Co.; EG&G Idaho, Inc.; Department of Energy: Idaho National Engineering Laboratory.

Authority: Competition in Contracting Act of 1984 (31 U.S.C. 3553 et seq.). 4 C.F.R. 21.3(f)(10). 4 C.F.R. 21.6(d). B-219108.2 (1985). B-219651 (1985). B-224140 (1986). B-220465 (1986).

Abstract: A firm protested a Department of Energy (DOE) subcontract award for electrical transformers, contending that the award was improper because the awardee took exception to a requirement that its bid include all applicable taxes. GAO held that: (1) the prime contractor improperly awarded the contract, since the awardee's bid did not include the applicable taxes; (2) it would be impracticable to reopen negotiations, due to the status of contract performance; and (3) the protester was entitled to reimbursement for its bid and protest preparation costs. Accordingly, the protest was sustained.

133673

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of June 30, 1987. RCED-87-186FS; B-202377. August 11, 1987. 24 pp. plus 2 appendices (3 pp.). Fact Sheet to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-139FS, May 13, 1987, Accession Number 132947. Also refers to numerous other GAO reports on nuclear waste.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive

Waste Management; Nuclear Regulatory Commission; National Academy of Sciences.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). H.R. 2700 (100th Cong.). H.R. 2888 (100th Cong.). S. 1141 (100th Cong.). S. 1266 (100th Cong.). S. 1481 (100th Cong.).

Abstract: In response to a congressional request, GAO reviewed the status of the Department of Energy's (DOE) nuclear waste program activities for the quarter ended June 30, 1987.

Findings/Conclusions: GAO found that DOE submitted the first amendment to its mission plan, extending the operational date for the first repository from 1998 to 2003 and requesting congressional approval for: (1) its proposal to construct and operate a monitored retrievable storage facility; (2) delay of site-specific work for a second repository; and (3) a national survey of potential second-repository sites. GAO also found that: (1) DOE was heavily involved in preparing site characterization plans for each candidate site; (2) the Nuclear Regulatory Commission intends to propose that DOE perform significant surface-based testing at each candidate site before drilling exploratory shafts; (3) the National Academy of Sciences submitted a proposal to DOE requesting approximately \$1.5 million for the first three years of a technical review of site characterization; and (4) several new legislative proposals would redirect or significantly change the nuclear waste management program. In addition, GAO found that the Nuclear Waste Fund: (1) collected over \$170 million in fees and investment income; (2) obligated about \$31 million for program activities; and (3) balance as of June 30, 1987, was about \$1.5 billion.

133696

Nuclear Waste: Shipping Damaged Fuel From Three Mile Island to Idaho. RCED-87-123; B-227551. August 10, 1987.

Released August 13, 1987. 45 pp. plus 7 appendices (16 pp.). Report to Rep. William L. Clay; Rep. Richard A. Gephardt; Rep. Alan Wheat; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National

Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission; General Public Utilities Corp.; Federal Railroad Administration; Department of Energy: Idaho National Engineering Laboratory.

Congressional Relevance: Rep. Alan Wheat; Rep. Richard A. Gephardt; Rep. William L. Clay.

Authority: Atomic Energy Act of 1954. Nuclear Waste Policy Act of 1982. Abstract: In response to a congressional request, GAO examined the Department of Energy's (DOE) program to ship damaged nuclear fuel from the Three Mile Island (TMI) nuclear power plant to the DOE Idaho National Engineering Laboratory, specifically the: (1) DOE decision to ship the waste; (2) safety standards DOE used for the shipments;

decision to ship the waste; (2) safety standards DOE used for the shipments; (3) criteria DOE used to select the shipping route; and (4) planning for emergencies that could occur along the route.

Findings/Conclusions: GAO found that: (1) DOE selected the Idaho facility because of its unique equipment and personnel expertise in the decontamination, processing and

decontamination, processing and disposition of large-scale radioactive wastes; (2) the Nuclear Regulatory Commission (NRC) reviewed the transportation equipment to ensure that radioactivity would not escape in the event of an accident; (3) DOE, NRC, the TMI owner, the Federal Railroad Administration, and the affected states worked together to ensure the program's safety; (4) the criteria for route selection were a high-quality track, avoidance of large population centers, and the most direct route; (5) DOE developed a contingency plan to mobilize special emergency teams to recover and clean up the waste in the event of an accident; and (6) the railroad and local and state governments would have primary responsibility for initiating and monitoring recovery operations if an accident occurred.

133757

Federal Land Management: Financial Guarantees Encourage Reclamation of National Forest System Lands. RCED-87-157; B-228616. August 24, 1987. 7 pp. plus 6 appendices (15 pp.). Report to Sen. Chic Hecht; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to T-RCED-89-13, March 7, 1989, Accession Number 138096.

Issue Area: Natural Resources Management: Effectiveness of Policies and Procedures for Determining Federal Land Ownership Patterns (6912); Natural Resources Management: Other Issue Area Work (6991).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Forest Service. Congressional Relevance: Sen. Chic Hecht.

Authority: 30 U.S.C. 22 et seq.

Abstract: In response to a congressional request, GAO reviewed the success of the Forest Service's policy of requiring financial guarantees for hardrock mining operations that could significantly disturb National Forest System lands.

Findings/Conclusions: GAO found that: (1) requiring mine operators to post financial guarantees ensures that the operators will reclaim sites on national forest lands; (2) the Forest Service required financial guarantees for 214 of the 336 sites reviewed; (3) 157 of the sites with financial guarantees were operating and thus did not require reclamation; (4) 56 of the remaining sites had either been reclaimed, were in some stage of reclamation, or had mining operations suspended and did not require reclamation; and (5) most of the 122 mining operations without financial guarantees had caused minimal surface disturbance. GAO also found that: (1) mining associations generally support reclamation and financial guarantee requirements; (2) the Forest Service worked with mine operators to develop plans that minimized reclamation costs; and (3) the Forest Service recently completed a nationwide review of its reclamation activities and has proposed actions to improve the administration of its reclamation and financial guarantee program.

133779

Gasoline Marketing: Octane Mislabeling in New York City. RCED-87-180BR; B-227776. August 18, 1987.

Released August 25, 1987. 14 pp. plus 1 appendix (1 p.). *Briefing Report* to Rep. Charles E. Schumer; by Mary R. Hamilton, Regional Manager, Field

Operations Division: Regional Office (New York).

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Conservation (272.0); Energy: Energy Supply (271.0).

Organization Concerned: New York, NY.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp; Rep. Charles E. Schumer.

Authority: Petroleum Marketing Practices Act.

Abstract: In response to a congressional request, GAO reviewed the potential problem of octane cheating, or the sale of gasoline with an octane rating lower than the posted rating, in New York City.

Findings/Conclusions: GAO found that: (1) octane mislabelling has increased since 1981 and involves almost 8 percent of the city's gasoline stations; (2) almost 20 percent of the citations issued were for violations 4.0 octane points or more below the posted rating; (3) no single source of octane mislabelling exists, nor is the problem unique to any one type of gasoline station; (4) the city issued most of the citations in Brooklyn and the fewest in Staten Island; (5) although using a lower-rated octane gasoline than required could have a negative long-term effect on an automobile, using higheroctane gasoline can easily correct most cases; and (6) a station that intentionally mislabels its gasoline can realize profits greater than the city's maximum \$500 fine for octane cheating.

133794

Superfund: Civilian Federal Agencies Slow To Clean Up Hazardous Waste. RCED-87-153; B-215824. July 24, 1987.

Released August 28, 1987. 33 pp. plus 2 appendices (3 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Hugh J. Wessinger, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to NSIAD-85-41, April 12, 1985, Accession Number 126764; RCED-87-30, November 4, 1986, Accession Number 131661; RCED-86-90, March 21, 1986, Accession Number

v)

130087; RCED-86-192, September 8, 1986, Accession Number 131121; RCED-88-44, December 17, 1987, Accession Number 134840; and T-RCED-88-24, March 10, 1988, Accession Number 135246.

Issue Area: Environmental Protection: Assessing EPA's Efforts To Protect Public Health and the Environment by Controlling Hazardous Waste From Generation To Disposal (6802).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:

Environmental Protection Agency; Department of Energy; Bureau of Land Management; United States Fish and Wildlife Service; Federal Aviation Administration; Forest Service; National Aeronautics and Space Administration; Department of Agriculture: Agricultural Research Service; National Park Service; Bureau of Indian Affairs; Bureau of Reclamation; United States Coast Guard.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Resource Conservation and Recovery Act of 1976. Department of Defense Appropriation Act, 1984.

Abstract: In response to a congressional request, GAO evaluated the status of 11 civilian federal agencies' efforts to identify, assess, evaluate, and clean up hazardous waste sites.

Findings/Conclusions: GAO found that: (1) about 70 percent of the 1,882 potential hazardous waste sites identified as of September 1986 were at the Department of Energy's nuclear materials and weapons facilities and research laboratories; (2) the Department of the Interior identified the second largest number, consisting of landfills, dumps, and old mining sites; (3) the other agencies' sites included maintenance and repair facilities and research laboratories; (4) only four of the agencies completed site identification efforts; and (5) although none of the agencies had completed their assessments, all but two believed that they would meet the 1988 congressional deadline. GAO also found that: (1) the number of sites requiring cleanup will increase; (2) agencies cleaned up 78 of the 511 identified hazardous waste sites; and (3) agencies could not predict when they would complete their cleanup

efforts or how much those efforts would cost.

133814

Nuclear Waste: A Look at Current Use of Funds and Cost Estimates for the Future. RCED-87-121; B-202377. August 31, 1987. 68 pp. plus 5 appendices (10 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member. Senate Committee on Energy and Natural Resources; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-92, June 1, 1987 Accession Number 133202; RCED-85-100, September 30, 1985, Accession Number 128021; RCED-87-17, April 15, 1987, Accession Number 132701; RCED-87-200FS, September 10, 1987, Accession Number 133936; RCED-88-129, June 22, 1988, Accession Number 136393; and RCED-88-131, September 28, 1988, Accession Number 136919.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Interior and
Insular Affairs; House Committee on
Energy and Commerce; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Energy and
Natural Resources; Sen. James A.
McClure; Sen. J. Bennett Johnston.
Authority: Nuclear Waste Policy Act of
1982 (P.L. 97-425).

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) nuclear waste management program to: (1) compare the use of fiscal year (FY) 1985 program funds with the approved budget; (2) assess the effects of schedule delays on program costs; and (3) assess the lifecycle cost estimates.

Findings/Conclusions: GAO found that: (1) although Congress appropriated \$327.7 million from the Nuclear Waste

Fund for FY 1985, DOE moved \$12 million to other waste management subprograms and used \$219.3 million for the first-repository subprogram: (2) because of delays in completing environmental assessments and site selections, the first-repository project offices could not accomplish many activities planned during FY 1985; (3) the additional funds required to complete the assessments and activities substantially increased the cost of the first-repository subprogram; (4) schedule delays compressed milestones and caused concerns over DOE ability to meet the original milestones without sacrificing quality; (5) DOE cost estimates have changed significantly due to uncertainty over the final design, construction, and operation of the waste system; and (6) since DOE based its spent-fuel projections and revenue estimates on long-range forecasts of economic activity and energy demand, overestimating future industry growth may result in DOE building an unnecessarily large waste disposal system and setting fees too low to produce revenues at the rate needed to cover total program costs. Recommendation To Agencies: For waste system planning, including life-cycle cost analyses and fee adequacy determination, the Secretary of Energy should base long-range projections of spent-fuel inventories for commercial nuclear power plants on the nuclear generating capacity of operating commercial nuclear plants and plants that are actively progressing through **Nuclear Regulatory Commission** licensing and construction.

133825

Oil Reserve: Status of Strategic Petroleum Reserve Activities as of June 30, 1987. RCED-87-194FS; B-208196. August 26, 1987.

Released September 2, 1987. 20 pp. plus 1 appendix (1 p.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-135FS, May 14, 1987, Accession Number 133310; RCED-84-92, January 13, 1984, Accession Number 123281; RCED-86-84, January 29, 1986, Accession Number 129149; RCED-88-175FS, June 24, 1988, Accession Number 136215; and RCED-89-63FS. January 25, 1989, Accession Number 137831.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency

of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy; United Mexican States: Petroleos Mexicanos.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Energy Policy and Conservation Act (P.L. 94-163). Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). Cargo Preference Act (Merchant Marine). H.R. 2712 (100th Cong.).

Abstract: In response to a congressional request, GAO presented its quarterly review of the Department of Energy's (DOE) progress in developing, operating, and filling the Strategic Petroleum Reserve (SPR).

Findings/Conclusions: GAO found that: (1) as of June 30, 1987, the SPR inventory totalled 527.2 million barrels of oil; (2) DOE added 7.2 million barrels of crude oil to SPR at an average fill rate of 79,000 barrels per day; (3) DOE plans to purchase 6.6 million barrels of oil from the Mexican national oil company with the \$190 million left in the SPR account; (4) inspections and tests for pipeline deterioration identified problems at some storage sites; (5) DOE conducted reliability, availability, and maintainability tests on the Weeks Island site equipment and recommended engineering analyses to solve its operational problems; and (6) DOE placed the entire SPR organization in an immediate drawdown alert status in order to participate in a drawdown readiness exercise.

133851

Surface Mining: State and Federal Use of Alternative Enforcement Techniques. RCED-87-160; B-224852. August 20, 1987.

Released September 9, 1987. 12 pp. plus 3 appendices (6 pp.). Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: OSM and State Effectiveness in Meeting Regulatory Responsibilities Under SMCRA (6910). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Department of the Interior.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Government Operations: Environment,
Energy and Natural Resources
Subcommittee; House Committee on
Interior and Insular Affairs; Senate
Committee on Appropriations: Interior
and Related Agencies Subcommittee;
Senate Committee on Energy and
Natural Resources; Rep. Morris K.
Udall.

Authority: Surface Mining Control and Reclamation Act of 1977.

Abstract: Pursuant to a congressional request, GAO reviewed state and federal use of alternative enforcement techniques under the Surface Mining Control and Reclamation Act, focusing on: (1) whether states with primacy for mining regulation have statutory authority to use, and are using, the alternative techniques; (2) whether the Office of Surface Mining Reclamation and Enforcement (OSMRE) uses such techniques in states where it has primacy; and (3) the extent to which OSMRE monitors state use of alternative techniques.

Findings/Conclusions: GAO found that: (1) all of the primacy states it reviewed had statutory authority to use alternative techniques, including injunctions, civil penalties, criminal charges, or mining permit actions, but none of the states developed systems to ensure that they were appropriately using all of the alternative techniques; (2) of the available techniques, states most often chose to revoke or suspend mining permits; (3) 13 states established specific deadlines for initiating alternative enforcement action in the absence of abatement; (4) OSMRE most often attempts to obtain injunctive relief against uncooperative mine operators; and (5) initial OSMRE reviews generally focused on states' authority to use alternative techniques but, in 1987, OSMRE directed its field offices to assess how states were implementing alternative techniques.

Recommendation To Agencies: In order to improve the act's enforcement, the Secretary of the Interior should require the Director, OSMRE, to require states to develop systems necessary to ensure that alternative enforcement techniques are appropriately used. Such systems

should allow for the use of regulatory judgment, but should include written policies and procedures to guide regulators' actions on such matters as when, and under what conditions, alternative techniques would be used.

133852

Mineral Revenues: Coal Lease Readjustment Problems Remedied but Not All Revenue Is Collected. RCED-87-164; B-214727. August 25, 1987.

Released September 9, 1987. 6 pp. plus 6 appendices (16 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-110, June 24, 1986, Accession Number 130210.

Issue Area: Natural Resources
Management: Interior's Federal Coal
and Other Onshore Minerals Programs
(6909); Natural Resources Management:
Other Issue Area Work (6991).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Conservation and
Land Management (302.0).
Organization Concerned: Department of
the Interior; Bureau of Land
Management; Department of the

the Interior; Bureau of Land Management; Department of the Interior: Minerals Management Service; Department of the Interior: Land Appeals Board. Congressional Relevance: House

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Interior and Insular Affairs; House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; Senate
Committee on Appropriations: Interior
and Related Agencies Subcommittee;
Senate Committee on Energy and
Natural Resources; Rep. Michael L.
Synar.

Authority: Federal Coal Leasing Amendments Act of 1976. Mineral Lands Leasing Act. 43 C.F.R. 3451.2(e). P.L. 94-377.

Abstract: In response to a congressional request, GAO provided information on: (1) the Department of the Interior's Bureau of Land Management's (BLM) progress in readjusting federal coal leases scheduled for readjustment through September 30, 1986; (2) the adequacy of BLM collection of royalties and rent resulting from the required readjustments; and (3) the adequacy of

the bonds it required from lessees to protect the federal government against the loss of revenue that accrued while lessees appealed readjustments. Findings/Conclusions: GAO found that: (1) between 1976 and 1984, BLM failed to readjust 149 federal coal leases by their lease anniversary dates and, as a result, lost an estimated \$187 million in royalty and rent payments; (2) BLM appears to have corrected the problem, since from 1985 through the end of fiscal year 1986. BLM readjusted all but one federal coal lease on time; (3) as of September 30, 1986, the Minerals Management Service (MMS) had not collected over \$12.6 million in royalties and rent in five states because of inadequate financial management controls; and (4) BLM frequently failed to protect the government's financial interest by not requiring bond amounts that were

adequate to cover the revenues that

accrued while lessees appealed the

readjustments.

Recommendation To Agencies: The Secretary of the Interior should instruct the Director, BLM, to incorporate in the BLM coal lease readjustment procedures a list of specific lease readjustment documents that state offices should provide to MMS. The Secretary of the Interior should instruct the Director. BLM, to establish a system to consistently provide lease readjustment documents from state offices and other lease documents to MMS. The Secretary of the Interior should instruct the Director, BLM, to ensure that BLM continues to develop and issue a regulation requiring lessees to pay the readjusted rates while a lease is under appeal with the Interior Board of Land Appeals (IBLA). The Secretary of the Interior should instruct the Director, MMS, to ensure that the MMS financial management system identifies the nonpayment or underpayment of rent. Pending the issuance of a regulation requiring lessees to pay the readjustment rates while a lease is under appeal with IBLA, the Director, BLM, should notify BLM state and district office staff and MMS officials that the term appeal, in current BLM regulations, refers to the IBLA appeal.

133881

Electric Power: Rate Impacts of Utah Power and Light Lawsuit To Obtain Federal Hydropower. RCED-87-192; B-228806. September 11, 1987. 7 pp. plus 5 appendices (6 pp.). Report to Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: International Trade and Finance: Assessing the Appropriateness of the U.S. Role in Export Promotion and Financing and Efficiency of Administration of Export Assistance Programs (6303).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Utah Power and Light Co.; R.W. Beck & Associates; Western Area Power Administration; Colorado River Energy Distributors Association.

Congressional Relevance: House
Committee on Interior and Insular
Affairs: Water and Power Resources
Subcommittee; Rep. George Miller.
Authority: Pacific Northwest Electric
Power Planning and Conservation Act.
Abstract: GAO reviewed: (1) a consulting
firm's study of the potential rate impacts
of an electric utility's lawsuit to obtain
low-cost federal hydropower from the
Western Area Power Administration;
and (2) the utility's comments regarding
the study.

Findings/Conclusions: GAO found that: (1) the study highlighted potential increased costs to current federal power users; (2) the utility's comments highlighted potential benefits, specifically reduced rates, to certain customers; (3) the study and the utility's comments were based on assumptions about the pending decision and future market conditions; and (4) since the extent to which the lawsuit may affect electricity rates depends on the specifics of the court's decision, estimates produced by the study and company comments are speculative, but useful for indicating a range of possible outcomes.

133886

Mine Safety: Federal Efforts To Improve Inspections and Injury Reporting. HRD-87-115BR; B-226461. September 14, 1987. 36 pp. Briefing Report to Sen. Howard M. Metzenbaum; by William J. Gainer, Associate Director, Human Resources Division. Refer to HRD-87-71BR, March 10, 1987, Accession Number 132518; HRD-86-12, October 21, 1985, Accession Number 128202; HRD-86-65BR, March 7, 1986; Accession Number 129258; HRD-87-27, December 31, 1986, Accession Number 131901; and Testimony,

September 25, 1986, Accession Number 131130.

Issue Area: Education and Employment: Assessing Whether Department of Labor Worker Protection Programs Adequately Ensure Safe and Healthful Workplaces and Fair Compensation (5312).

Contact: Human Resources Division.

Budget Function: Education, Training, Employment, and Social Services:
Training and Employment (504.0).

Organization Concerned: Mine Safety and Health Administration.

Congressional Relevance: Sen. Howard M. Metzenbaum.

Authority: Mine Safety and Health Amendments Act of 1977 (Federal) (P.L. 95-164). Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177). Abstract: In response to a congressional request, GAO evaluated the Mine Safety and Health Administration's (MSHA) inspection practices and injury reporting to assess MSHA: (1) progress toward completing mandatory regular inspections; (2) mechanisms to assess inspection quality; and (3) efforts to verify mine operators' injury reporting. Findings/Conclusions: GAO found that: (1) since 1985, MSHA has improved its completion of mandatory inspections to 97 percent and increased inspection hours by 21 percent; (2) some MSHA officials believed that emphasis on completion of inspections could compromise inspection quality; (3) MSHA is taking steps to improve its ability to assess inspection quality; (4) mine operators blamed significant underreporting of mine-related injuries on unclear MSHA guidelines, but MSHA revised the guidelines to better define reporting responsibilities and reportable injuries; (5) MSHA is using stateprovided workers' compensation data to verify and monitor compliance with its injury reporting guidelines; and (6) in 1987, MSHA began issuing severe penalties for negligence and underreporting.

133903

Air Pollution: EPA's Efforts To Control Vehicle Refueling and Evaporative Emissions. RCED-87-151; B-227442. August 7, 1987. Released September 15, 1987. 56 pp. plus 3 appendices (3 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-6, December 18, 1985, Accession Number 129022; RCED-84-62,

April 6, 1984, Accession Number 123970; T-RCED-88-2, October 2, 1987, Accession Number 134082; RCED-88-40, January 26, 1988, Accession Number 134947; and RCED-90-21, October 6, 1989, Accession Number 139997.

Issue Area: Environmental Protection: Adequacy of Federal and State Efforts To Regulate Toxic Air Pollutants (6805). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:

Environmental Protection Agency; Environmental Protection Agency: Office of Air and Radiation.

Congressional Relevance: House Committee on Appropriations: HUD-Independent Agencies Subcommittee; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Clean Air Act. 40 C.F.R. 86. Abstract: In response to a congressional request, GAO examined the Environmental Protection Agency's (EPA) proposals to adequately control motor vehicle refuelling and evaporative emissions, including the costs and benefits of alternative methods. Findings/Conclusions: GAO found that: (1) EPA considered two alternatives for controlling refuelling emissions and determined that the onboard control method was superior; (2) the onboard control method requires motor vehicle manufacturers to equip vehicles with emission control systems; and (3) while onboard controls would cost an estimated \$180 million per year and add about \$19 to the average vehicle price, they would provide long-term emissions reductions and free consumers from the operation of any control equipment. GAO also found that: (1) by 1989, EPA plans to reduce hydrocarbon emissions by 6 percent by reducing the volatility of commercial gasoline during the summer months; (2) this plan would cost oil refineries an estimated \$490 million annually and consumers about \$20 per vehicle; and (3) while the motor vehicle industry favors lowering the volatility of commercial gasoline, the oil industry favors raising the volatility certification and modification of the evaporative emission control systems to handle higher gasoline volatility.

Recommendation To Agencies: The Administrator, EPA, should direct the Office of Air and Radiation to include in its refuelling and evaporative control analyses better documentation of the cost-effectiveness of alternative ozone

control strategies, including support for its \$2,000 benchmark standard. The Administrator, EPA, should direct the Office of Air and Radiation to include in its refuelling and evaporative control analyses a more explicit comparison of all the costs and benefits associated with the various refuelling and evaporative emission control strategies, including a more thorough analysis of the effects of key uncertainties.

133906

Nuclear Nonproliferation: Department of Energy Needs Tighter Controls Over Reprocessing Information, RCED-87-150; B-221179. August 17, 1987.

Released September 16, 1987. 53 pp. plus 1 appendix (1 p.). Report to Sen. William Proxmire; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-144, May 1, 1986, Accession Number 129934; EMD-81-9, November 18, 1980, Accession Number 113789; RCED-87-72, March 10, 1987, Accession Number 132645; ID-79-2, April 23, 1979, Accession Number 109350; RCED-89-31, October 11, 1988, Accession Number 137039; and RCED-89-116, June 19, 1989, Accession Number 139135.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation

Organization Concerned: Department of Energy; Department of Energy: Office of Energy Research; Department of Energy: Office of the Assistant Secretary for Defense Programs; Nuclear Regulatory Commission; Department of Commerce; Department of Energy: Office of the Assistant Secretary for Nuclear Energy; Department of Defense.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Foreign Affairs; Senate Committee on Foreign Relations; Senate Committee on Governmental Affairs; Congress; Sen. William Proxmire.

Authority: Atomic Energy Act of 1954. Nuclear Non-Proliferation Act of 1978. Freedom of Information Act. 10 C.F.R. 810. Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, Multilateral, T.I.A.S. No. 6839. DOE Order 1430.2. DOE Order 5631.2A. DOE Order 1240.2.

Abstract: In response to a congressional request, GAO examined Department of

Energy (DOE) activities that may assist foreign countries in the development of nuclear weapons material, focusing on DOE controls over: (1) dissemination of information related to the reprocessing of spent nuclear fuel; (2) cooperative research activities it conducts with foreign countries; and (3) involvement of foreign nationals in sensitive nuclear activities and research.

activities and research. Findings/Conclusions: GAO found that: (1) in 1984 and 1985, DOE produced 258 documents related to the reprocessing of spent nuclear fuel that were available to anyone who wanted them; (2) countries posing a proliferation or security risk obtained copies of these documents, some of which contained information on improved methods of purifying plutonium to weapons-useable levels; (3) DOE has not applied for a Freedom of Information Act (FOIA) exemption for applied technology related to reprocessing, since its position is that it should honor such requests; and (4) the Nuclear Non-Proliferation Act of 1978 (NNPA) does not support the DOE method of determining when to conduct sensitive nuclear technology transfers with other countries. GAO also found that: (1) foreign nationals comprised 30 percent of masters program enrollments and 50 percent of doctoral program enrollments in U.S. university nuclear engineering programs in 1985; and (2) DOE does not have effective administrative control over the 15,000 to 20,000 foreign nationals who visit or work at its facilities each year. Recommendation To Congress: Congress should consider providing DOE with specific directions to develop regulations that implement the SNT definition. Alternatively, Congress should consider amending NNPA to clarify the practices that DOE currently uses to identify and control the transfer of SNT, specifically to: (1) allow DOE to consider other factors, such as the recipient country, in making SNT determinations, thereby establishing a statutory basis for DOE current practices; or (2) require DOE to make SNT determinations in accordance with NNPA, but allow DOE to waive the approval rights requirements for allied countries with advanced nuclear programs on a case-by-case basis after prior notification to Congress. Recommendation To Agencies: The Secretary of Energy should seek an exemption from FOIA for all reprocessing technology developed by DOE. Such an exemption can take the form of a revision to section 148 of the Atomic Energy Act or a provision specifically exempting reprocessing data from FOIA. The Secretary of Energy

above, limit the public dissemination of reprocessing data by placing all new reprocessing data in the applied technology category and make it subject to the special distribution controls specified in DOE Order 1430.2. The Secretary of Energy should establish a policy that DOE-funded reprocessing research at colleges and universities be carried out only by U.S. citizens or, at a minimum, citizens from countries that adhere to the Nuclear Non-Proliferation Treaty.

133936

Nuclear Waste: Information on Cost Growth in Site Characterization Cost Estimates. RCED-87-200FS; B-202377. September 10, 1987.

Released September 18, 1987. 21 pp. plus 1 appendix (1 p.), Fact Sheet to Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-121, August 31, 1987, Accession Number 133814; RCED-88-56FS, November 19, 1987, Accession Number 134477; RCED-88-131, September 28, 1988, Accession Number 136919; and RCED-89-67, March 23, 1989, Accession Number 138491.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). H.R. 1909 (97th Cong.).

Abstract: In response to a congressional request, GAO discussed the Department of Energy's (DOE) testing and site characterization for the three sites it is considering for the first repository for the permanent disposal of high-level nuclear waste.

Findings/Conclusions: GAO found that: (1) in 1981, cost estimates of site characterizations ranged from \$60 million to \$80 million per site; (2) recent changes in program milestones have

should, concurrent with the action

lengthened site characterization by 3 years and increased total life-cycle costs to \$4.1 billion; (3) most of the increases were due to the addition of several unanticipated activities, such as sinking exploratory shafts, expanding the technical testing program, and funding for states and affected Indian tribes; and (4) since recent delays in the revised schedule could further escalate costs, DOE must adhere to the current schedule to stablize future cost estimates.

133981

Nuclear Regulation: Efforts To Ensure Nuclear Power Plant Safety Can Be Strengthened. RCED-87-141; B-226879. August 13, 1987. Released September 23, 1987. 47 pp. plus 1 appendix (1 p.). Report to Sen. Alfonse M. D'Amato; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-37, April 27, 1988, Accession Number 135660; RCED-84-149, September 19, 1984, Accession Number 125195; RCED-85-5, April 24, 1985, Accession Number 126783; RCED-86-41, January 23, 1986, Accession Number 128924; RCED-89-67, March 23, 1989, Accession Number 138491.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission.

Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee: House Committee on Energy and Commerce: Energy and Power Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Governmental Affairs; Sen. Alfonse M. D'Amato.

Authority: Atomic Energy Act of 1954 (42 U.S.C. 2011). 10 C.F.R. 50.

Abstract: In response to a congressional request, GAO assessed the Nuclear Regulatory Commission's (NRC) efforts to provide the public with reasonable assurance that nuclear power plants

operate safely, specifically how NRC: (1) minimizes the risks associated with operating the plants; (2) enforces its safety standards; and (3) finds violations of the standards.

Findings/Conclusions: GAO found that: (1) although the Atomic Energy Act of 1954 allows NRC to shut plants down for safety reasons, NRC lacks guidelines to determine when to shut plants down; (2) NRC ordered some plants to shut down, but did not take action on other plants with similar problems: (3) as of December 1986, NRC had a backlog of 163 unresolved generic safety issues, including 32 considered to pose a significant risk to public health and safety; (4) during fiscal years 1985 and 1986, NRC identified 41 safety issues, but resolved only 32; and (5) NRC takes from several months to 10 or more years to resolve safety issues. GAO also found that, between 1981 and 1986, NRC found 12,170 safety violations through plant inspections, but did not consolidate the regional information concerning the corrective actions the utilities took for program management purposes. Recommendation To Agencies: The Chairman, NRC, should develop guidelines to use as a framework in deciding the types and degree of safety problems that constitute undue risk such that NRC would consider shutting a plant down. The Chairman, NRC, should develop annually consolidated information for all operating plants showing the status of corrective actions planned or taken by the utilities.

134012

Energy Management: DOE Controls Over Contractor Expenditures Need Strengthening. RCED-87-166; B-227610. August 28, 1987.

Released September 28, 1987. 43 pp. plus 2 appendices (6 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-178, August 14, 1989, Accession Number 139315.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Energy and
Commerce: Oversight and Investigations
Subcommittee; House Committee on
Government Operations: Environment,
Energy and Natural Resources
Subcommittee; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources; Congress; Rep. Michael L.
Synar.

Authority: Competition in Contracting Act of 1984. Antikickback Act of 1986. Prompt Payment Act. Department of Defense Authorization Act, 1987 (P.L. 99-661). Criminal Fine Enforcement Act of 1984. Antikickback Act (Gifts by Subcontractors). United States v. New Mexico, 455 U.S. 720 (1982). S. 2250 (99th Cong.). B-187369 (1977).

Abstract: In response to a congressional request, GAO evaluated the Department of Energy's (DOE) management controls over procurement practices, specifically: (1) subcontract activities; (2) procedures to protect against bribes and kickbacks; and (3) payment practices. In addition, GAO gathered information on the cost to the federal government of state-imposed taxes on DOE contractors.

Findings/Conclusions: GAO found that DOE had: (1) not established a common definition of competition for its contractors; (2) waived its requirement that contractors publish procurement notices for proposed contracts over \$100,000; and (3) not regularly reviewed contractors' procurement in two categories that it exempted from competition. As a result, DOE has little assurance that its contractors procure items fairly and at the lowest possible cost.

Recommendation To Congress: In view of congressional concern about the national debt and the need to reduce federal expenditures, Congress may wish to consider exempting federal agencies' operating contractors from certain state taxes.

Recommendation To Agencies: The Secretary of Energy should ensure that DOE defense-related operating contractors stress competition in awarding subcontracts and establish a common definition of competition to ensure consistent application and reporting among operating contractors. In developing this definition, DOE should consider the requirements of federal procurement statutes and regulations. The Secretary of Energy should ensure that DOE defense-related operating contractors stress competition

in awarding subcontracts and enforce the DOE procedure that the DOE operating contractors publish notices in the Commerce Business Daily for all proposed procurements over \$100,000 with certain exceptions, as specified in the Federal Acquisition Regulation. The Secretary of Energy should ensure that DOE defense-related operating contractors stress competition in awarding subcontracts and establish standard procedures for operating contractors to follow in seeking to obtain competition, including requirements to conduct and document thorough market searches. In addition, the Secretary should establish a task force to study whether or not the operating contractors' administrative costs of extending the requirement for publishing notices to procurements between \$25,000 to \$100,000 outweigh the benefits resulting from increased competition. The Secretary of Energy should ensure that DOE defense-related operating contractors stress competition in awarding subcontracts and regularly review contractors' use of B-items and integrated contractor orders to ensure that the noncompetitive status of procurements that are exempted from competition is justified. The Secretary of Energy should develop uniform, minimum anti-kickback procedures to be used in implementing the Anti-Kickback Enforcement Act of 1986. These procedures should be consistent with the government-wide procedures being developed by the General Services Administration and expeditiously incorporated into DOE defense-related operating contracts. The Secretary of Energy should require contractors to implement practices consistent with the Prompt Payment Act and maintain records to allow evaluation of their practices. The Secretary of Energy should require DOE operations office managers to evaluate contractor payment practices as part of their contractor procurement system reviews. This would include follow-up of any promised corrective actions.

134082

[Management of the National Acid Precipitation Assessment Program and EPA's Proposals To Control Vehicle Refueling and Evaporative Emissions]. T-RCED-88-2. October 2, 1987. 15 pp. Testimony before the House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-89, April 29, 1987, Accession Number 133051; and RCED-87-151, August 7, 1987, Accession Number 133903.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency;
National Acid Precipitation Assessment Program Joint Chairs Council.

Congressional Relevance: House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee.

Abstract: GAO discussed the National Acid Precipitation Assessment Program's (NAPAP) research into acid rain and the Environmental Protection Agency's (EPA) proposed action to reduce gasoline vapors from motor vehicles. GAO found that: (1) although the first NAPAP assessment's purpose was to summarize current knowledge about acid rain, it generated considerable controversy; and (2) management changes and staffing shortages contributed to delays in the assessment and the annual report and could delay a final assessment scheduled for 1990. GAO believes that the NAPAP Joint Chairs Council should take a stronger and more visible management role to ensure timely resolution of differences between agency representatives. GAO also found that EPA proposed to require: (1) motor vehicle manufacturers to equip their vehicles with onboard systems to control refuelling emissions; and (2) oil refineries to lower the volatility of the commercial gasoline consumers use in their vehicles. GAO believes that EPA should: (1) document the costeffectiveness of alternative ozone control strategies; and (2) provide a more thorough analysis of the costs and benefits of its various refuelling and evaporative emission control strategies.

134091

[Decision Concerning DOT Allocation of Funds for Pipeline Safety Program]. B-222853. September 29, 1987. 3 pp. Decision re: Department of Transportation; by Harry R. Van Cleve, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel. Organization Concerned: Department of Transportation; Department of Transportation: Research and Special Programs Administration.

Authority: Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1674(d)).

Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2004(d)). 55 Comp.

Gen. 812. P.L. 99-190. P.L. 99-272. H.R. 3244 (99th Cong.), H. Rept. 99-256. S. Rept. 99-152. 99 Stat. 1185. 100 Stat. 139. Abstract: The Department of Transportation (DOT) requested a decision concerning the allocation of funds for two of its grant programs, specifically whether Research and Special Programs Administration (RSPA) appropriations covered both programs, even though the act only mentioned one. GAO held that the appropriation was available for both programs, since RSPA had a lump-sum appropriation covering all of its authorized activities. Accordingly, DOT may use the appropriation without any

134120

earmark.

Mineral Resources: Interior's Actions on Three Coal Leases. RCED-87-193; B-228945. September 30, 1987.

Released October 9, 1987. 5 pp. plus 2 appendices (9 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Interior's Federal Coal and Other Onshore Minerals Programs (6909).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Bureau of Land Management; Atlantic Richfield Co.; West Elk Coal Co.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Mineral Lands Leasing Act. Federal Coal Leasing Amendments Act of 1976. P.L. 99-190.

Abstract: In response to a congressional request, GAO reviewed the Bureau of Land Management's (BLM) proposal to suspend a portion of a firm's coal leases to encourage the firm's compliance with a law prohibiting a firm and its affiliates from obtaining additional onshore federal mineral leases if the firm is not producing coal from a lease within a certain time frame.

Findings/Conclusions: GAO found that:
(1) BLM and the firm disagreed over the

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Other Natural

Resources (306.0).

Organization Concerned: Department of the Interior: Minerals Management Service.

Congressional Relevance: House Committee on Interior and Insular Affairs; Rep. Morris K. Udall.

Authority: Mineral Lands Leasing Act. Oil and Gas Royalty Management Act (P.L. 97-451). Mineral Leasing Act for Acquired Lands (30 U.S.C. 181 et seq.). Outer Continental Oil Shelf Lands Act (43 U.S.C. 1331 et seq.). 30 C.F.R. 206.106. 30 C.F.R. 206.152(a). 30 C.F.R. 206.150. 30 C.F.R. 206.153. Continental Oil Co. v. United States, 184 F.2d 802 (9th Cir. 1950).

Abstract: Pursuant to a congressional request, GAO provided information on the Department of the Interior's Mineral Management Service's (MMS) controls over processing and transportation allowances for oil and gas leases on federal lands.

Findings/Conclusions: GAO found that MMS: (1) does not effectively control allowances, since it uses a prior approval method for expected claims; (2) relies on its audits to detect excessive allowances, but gives them low priority; (3) proposed new product valuation regulations with more specific criteria for calculating, approving, and reporting allowances; and (4) is considering implementing computerized monitoring to identify claimed allowances that warrant further review or audit.

134199

Software Distribution: Review of the Department of Energy's National Energy Software Center. IMTEC-88-2; B-229030. October 14, 1987.

Released October 22, 1987. 5 pp. plus 8 appendices (26 pp.). Report to Sen. Albert Gore, Jr.; by Howard G. Rhile, Jr., Associate Director, Information Management and Technology Division. Refer to RCED-88-116BR, March 4, 1988, Accession Number 135241; and RCED-89-116, June 19, 1989, Accession Number 139135.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Information Management and Technology Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Argonne National Laboratory: National Energy Software Center. Congressional Relevance: Sen. Albert Gore, Jr. .

Abstract: In response to a congressional request, GAO provided information on the activities of the Department of Energy's National Energy Software Center, particularly its handling of computer software requests by foreign countries and domestic users.

Findings/Conclusions: GAO found that: (1) during an 18-month period, the center filled 69 domestic and 10 foreign requests for software; (2) general mathematics, computing systems, and scientific data management systems were the programs most frequently requested; and (3) the center ships only programs designated for unlimited use to foreign countries. GAO also found that the center: (1) prohibits the redistribution of its programs to other users and does not believe that users violate its stipulations; (2) encourages contractors to copyright their programs to prevent unauthorized upgrading and commercialization; (3) classifies its programs according to sensitivity and subject matter; and (4) shipped five programs on software development, engineering, and chemical engineering to Italy in an 18-month period.

134209

Nuclear Test Lobbying: DOE Regulations for Contractors Need Reevaluation. RCED-88-25BR; B-229072. October 9, 1987. 44 pp. plus 1 appendix (1 p.). Briefing Report to Rep. Les Aspin, Chairman, House Committee on Armed Services; Rep. Samuel S. Stratton, Chairman, House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee; Rep. Thomas J. Downey; Rep. Vic Fazio; Rep. Richard A. Gephardt; Rep. Edward J. Markey; Rep. Patricia Schroeder; Rep. Barbara Boxer; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy; RDA Logicon; Department of Energy: Office of the Assistant Secretary for Defense Programs.

Congressional Relevance: House Committee on Energy and Commerce; House Committee on Appropriations: Energy and Water Development Subcommittee: House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee; House Committee on Armed Services; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Armed Services; Rep. Barbara Boxer; Rep. Patricia Schroeder; Rep. Edward J. Markey: Rep. Richard A. Gephardt: Rep. Vic Fazio; Rep. Thomas J. Downey; Rep. Samuel S. Stratton; Rep. Les Aspin. Authority: Department of Defense Authorization Act, 1987. 48 C.F.R. 970.3102-7, 48 C.F.R. 970.3106-6. F.A.R. 31.205-22. F.A.R. 17.603(a). P.L. 99-145. P.L. 99-591. H.R. 4428 (100th Cong.). H.R. 2700 (100th Cong.). Cong. Rec. [132] H5738. Cong. Rec. [131] H9282. OMB Circular A-120. OMB Circular A-76. 18 U.S.C. 1913. 100 Stat. 3341.

Abstract: In response to a congressional request, GAO reviewed allegations that the Department of Energy (DOE) improperly employed contractors to assist in lobbying activities to influence proposed legislation which would restrict the U.S. nuclear weapons testing program.

Findings/Conclusions: GAO found that: (1) although DOE extensively briefed congressional members to influence their views on nuclear test issues, it did not violate any applicable statutory provisions; (2) DOE interpreted the cost principle legislation prohibiting reimbursement of contractor lobbying costs to allow for reimbursement of contractors whose activities it had approved: (3) DOE use of national laboratory staff was not in accordance with Office of Management and Budget (OMB) circulars; and (4) DOE continued to request contractor products that it was not using.

Recommendation To Agencies: The Secretary of Energy should eliminate the requirement in DOE regulations for an advance agreement before the cost principle is made applicable to M&O contractors. The Secretary of Energy should draft regulations and any additional guidance necessary to make the use of national laboratory contractor personnel consistent with OMB Circulars A-76 and A-120 and Federal Acquisition Regulation (FAR) section 17.603(a) regarding the use of contractor employees or to provide the rationale for any exceptions to the circulars and regulations. The Secretary of Energy

Findings/Conclusions: GAO found that: (1) DOE and WAPA believe that the project will improve the reliability and security of power service to Livermore, which only one utility substation currently serves; (2) WAPA estimated that the project could save DOE from \$14.5 million to \$47.7 million from 1990 through 2001; (3) the local electric utility believes that WAPA is exceeding its authority in building the line; and (4) the utility also believes that the project will necessitate rate increases for its other customers to cover its losses. GAO also found that: (1) there is no legal basis to question WAPA authority to undertake the project; (2) the line will allow Livermore greater flexibility in obtaining its electric power; and (3) WAPA savings estimates relied on a number of assumptions about power availability and demand that may not materialize.

134283

[Request for Reconsideration of Dismissed Protest of DOE Contract Award for Valves]. B-228245.2. October 27, 1987. 3 pp. Decision re: U.S. Systems; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: U.S. Systems; Mogus Industries; Department of Energy.

Authority: 4 C.F.R. 21.2. F.A.R. 9.104. B-225401 (1987). B-226659.2 (1987). B-225509 (1987). B-223090.2 (1986). B-227360 (1987).

Abstract: A firm requested reconsideration of the dismissal of its untimely protest against a Department of Energy (DOE) contract award for ball valves. GAO had held that the protester untimely filed its protest. In its request for reconsideration, the protester contended that GAO should consider the protest as a significant issue, since it alleged that DOE knowingly allowed the awardee to bid a nonconforming product. GAO held that it would not invoke the significant-issue exception to its protest timeliness rules, since the protester provided no evidence to support its allegation of bad faith on the part of DOE. Accordingly, the request for reconsideration was denied.

134302

Canadian Power Imports: Issues Related to Competitiveness. RCED-88-22; B-208231. October 19, 1987. Released November 2, 1987. 7 pp. plus 1 appendix (1 p.). Report to Rep. Byron L. Dorgan; Sen. Kent Conrad; Sen. Quentin N. Burdick; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-119, April 30, 1986, Accession Number 130080.

Issue Area: Energy: Other Issue Area Work (6491); International Trade and Finance: Other Issue Area Work (6391); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Department of Commerce; Edison Electric Institute; Ad Hoc Coalition on International Electric Power Trade.

Congressional Relevance: Rep. Byron L. Dorgan; Sen. Kent Conrad; Sen. Quentin N. Burdick.

Abstract: In response to a congressional request, GAO examined the effects of imported power from Canada on domestic utilities to determine the: (1) extent of Canadian governmental subsidies to its electric power industry: (2) level and costs to Canadian and U.S. utilities of environmental standards applicable to fossil-fueled power plants; (3) impact of electricity imports on domestic coal producers; and (4) potential effects of proposed legislation. Findings/Conclusions: GAO found that: (1) a study indicated that Canadian hydropower would remain competitive with U.S. electricity even if subjected to U.S. taxes: (2) because Canadian utilities and the provincial governments have not taken sufficient environmental actions to control sulfur dioxide emissions from their fossil-fueled power plants, Canadian utilities have an economic advantage in competition with U.S. utilities; (3) the importation of electricity from Canada has reduced the amount of coal which U.S. utilities would have otherwise consumed; (4) the amount of coal displacement would increase in the future based on the projected increases of electricity imports; and (5) although the proposed legislation would ensure that Canadian utilities which export electricity to the United States incur environmental control costs similar to those that domestic utilities incur, it could reduce Canadian electricity imports and increase oil imports and consumer costs.

134330

Uranium Enrichment: Congressional Action Needed To Revitalize the Program. RCED-88-18; B-207463. October 19, 1987.

Released November 4, 1987. 40 pp. plus 3 appendices (6 pp.). Report to Sen. William Proxmire; Sen. Gordon J. Humphrey; Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy Conservation and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-77-46, June 16, 1977, Accession Number 102777; T-RCED-88-50, June 28, 1988, Accession Number 136190; RCED-89-170BR, July 25, 1989, Accession Number 139157; and T-RCED-89-54, July 26, 1989, Accession Number 139179.

Issue Area: Energy: Effectiveness of Management of the Uranium Enrichment Program and Government's Future Role (6408).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee; House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee; House Committee on Appropriations: Energy and Water Development Subcommittee: House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Energy and Commerce: **Energy Conservation and Power** Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Governmental Affairs: Senate Committee on Energy and Natural Resources; Congress; Rep. Philip R. Sharp; Sen. William Proxmire; Sen. Gordon J. Humphrey.

Authority: Atomic Energy Act of 1954. Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Government Corporation Control Act. S. 1084 (100th Cong.). S. 1100 (100th Cong.).

Abstract: In response to a congressional request, GAO assessed the problems of the Department of Energy's (DOE) uranium enrichment program and identified options to revitalize it.

Findings/Conclusions: GAO found that: (1) the program's financial problems include \$8.8 billion in unrecovered costs, multibillion-dollar payments for unused power, market uncertainties due to ongoing litigation, and potentially large decommissioning costs; (2) DOE proposed

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Interior and Insular Affairs; House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; Senate
Committee on Appropriations: Interior
Subcommittee; Senate Committee on
Energy and Natural Resources; Rep.
Michael L. Synar.

Authority: Land Policy and Management Act.

Abstract: In response to a congressional request, GAO revisited 30 unreclaimed mine sites that the Bureau of Land Management (BLM) believed to be abandoned without reclamation, to assess the status of reclamation efforts at the sites.

Findings/Conclusions: GAO found that: (1) 6 of the 30 sites have been completely reclaimed, and 4 have been partially reclaimed; (2) mining resumed on 5 of the sites, delaying the necessity for reclamation; (3) BLM reclaimed 1 site, at a cost of \$4,000; (4) the 19 remaining inactive mine sites will cost an estimated \$87,400 to reclaim; (5) BLM took no action on 15 of the 19 inactive sites after the initial GAO report; and (6) BLM does not believe that it is necessary to require surety bonds for all mining operations. Recommendation To Agencies: The Director, BLM, should direct BLM state officials to contact operators or claim holders of known unreclaimed mine sites as soon as feasible to urge their reclamation. Priority should be given to those mine sites that are not covered by financial guarantees.

134451

[Availability of Insurance for Petroleum Underground Storage Tanks]. T-RCED-88-9. November 18, 1987. 8 pp. Testimony before the House Committee on Small Business: Energy and Agriculture Subcommittee; by Hugh J. Wessinger, Senior Associate Director, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: House
Committee on Small Business: Energy and Agriculture Subcommittee.
Authority: Superfund Amendments and Reauthorization Act of 1986. Solid and Hazardous Waste Amendments of 1984.

Abstract: GAO discussed the availability of insurance for petroleum underground storage tanks. GAO found that: (1) the

Environmental Protection Agency (EPA) proposed regulations containing a \$1million to \$6-million financial responsibility requirement for petroleum tank owners and operators, a 3- to 5-year period to install leak detection devices, and a 10-year period to upgrade or replace tanks already in the ground; (2) two insurance companies provide insurance for about 15 percent of all U.S. tanks, but offer maximum policy limits of only \$2 million; (3) at least six insurance companies withdrew from this insurance market and others were reluctant to enter due to potentially high losses resulting from leaks: (4) many of the methods EPA allowed tank owners to use to demonstrate financial responsibility were more expensive than insurance; and (5) many small businesses were unable to obtain the insurance or the alternatives to comply with EPA requirements. GAO believes that: (1) accelerating implementation of safety standards and phasing in implementation of the financial responsibility regulations would allow additional time for insurers to reevaluate the risks and tank owners to pursue other financial responsibility methods; and (2) EPA may want to reevaluate its proposed minimum aggregate level and self-insurance requirements.

134455

Mineral Revenues: Cost of Modifying Gas Royalty Provisions Overestimated by Interior. RCED-88-45; B-229186. November 5, 1987. Released November 19, 1987. 8 pp. plus 2 appendices (2 pp.). Report to Rep. Sidney R. Yates, Chairman, House Committee on Appropriations: Department of the Interior and Related Agencies Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Effectiveness of Interior's Oversight of Federal Minerals Revenues (6907).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior: Minerals Management Service.

Congressional Relevance: House Committee on Appropriations: Department of the Interior and Related Agencies Subcommittee; Rep. Sidney R. Yates. Authority: Natural Gas Policy Act of 1978.

Abstract: Pursuant to a congressional request, GAO reviewed the validity and reasonableness of the Department of the Interior's estimate of the cost to retroactively modify its natural gas royalty provisions.

Findings/Conclusions: GAO found that Interior's Minerals Management Service (MMS) estimated that retroactive modification of the basis for royalty payments on natural gas to reflect market prices, rather than ceiling prices, would result in the: (1) relinquishment of \$134.5 million for the period January 1, 1983 through July 31, 1986; and (2) need to refund about \$500,000 in royalties already collected from oil and gas companies. GAO also found that MMS based the estimate on several assumptions regarding the period of time and the quantities of natural gas subject to ceiling prices. GAO estimated royalty amounts using MMS assumptions but more accurate market price data, and found that: (1) about \$87 million would be foregone; and (2) the MMS estimate of royalty refunds was reasonable. GAO believes that MMS underestimated the market price that companies received from the sale of natural gas.

134477

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of September 30, 1987, RCED-88-56FS; B-202377. November 19, 1987. 29 pp. plus 2 appendices (4 pp.). Fact Sheet to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-103FS, March 20, 1987, Accession Number 132594; RCED-87-200FS, September 10, 1987, Accession Number 133936; and numerous reports on the nuclear waste program.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Jack Brooks. Authority: Energy Policy and Conservation Act (P.L. 94-163). Department of Energy Organization Act (U.S.C. 7101 et seq.). Atomic Energy Act of 1954.

Abstract: In response to a congressional request, GAO reviewed the kinds of security systems in place at the Strategic Petroleum Reserve (SPR), security clearance procedures, and the adequacy of the physical security system. In addition, GAO commented on legislation that the Department of Energy (DOE) proposed to grant firearm and arrest authority to SPR security personnel. Findings/Conclusions: GAO found that there was no uniform framework for guard services for all SPR sites and facilities. Uniform authority would: (1) provide the same arrest authority for guards serving at both sites; (2) allow the security services contractor to move guard personnel among sites with no loss of authority; and (3) resolve the question of security guards' personal liability for actions taken in the line of duty. GAO supported the proposed legislation, but noted that DOE is using subcontractor personnel to protect SPR facilities and the legislation may be ambiguous as to whether DOE can extend firearm and arrest authority to subcontractor employees.

Recommendation To Agencies: The Secretary of Energy should request the cognizant House committees to revise the proposed legislation to make explicit the right to grant firearm and arrest authority to SPR subcontractor, DOE, and contractor personnel.

134551

Mineral Revenues: Corps of Engineers Management of Mineral Leases. RCED-88-49; B-229154. November 24, 1987.

Released December 7, 1987. 7 pp. plus 2 appendices (2 pp.). Report to Rep. Nick J. Rahall, II, Chairman, House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Effectiveness of Interior's Oversight of Federal Minerals Revenues (6907).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Army: Corps of Engineers: Ohio River Division; Bureau of Land Management.

Congressional Relevance: House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; Rep. Nick J. Rahall, II. Authority: Mineral Lands Leasing Act (30 U.S.C. 181). Mineral Leasing Act for Acquired Lands (30 U.S.C. 352).

Abstract: In response to a congressional request, GAO examined the Army's administration of private mineral leases to determine whether the Army: (1) violated federal law by failing to turn over lease administration to the Bureau of Land Management (BLM); (2) monitored mineral leases for compliance with their terms and collected the rents and royalties due the federal government; and (3) distributed to the states their statutory shares of mineral revenues from the leases.

Findings/Conclusions: GAO found that the Army: (1) violated no federal law by administering mineral leases, since no laws specified which agency should do so; (2) did not timely comply with a regulation that directed its divisions to transfer mineral leases to BLM; (3) generally followed regulations requiring annual compliance inspections for leases, although the inspections emphasized environmental concerns and not the accuracy of lease payments; and (4) did not fully share lease revenues with states until it corrected its computations.

134598

Oil Reserve: Status of Strategic Petroleum Reserve Activities as of **September 30, 1987. RCED-88-59FS**; B-208196. November 30, 1987. Released December 10, 1987. 19 pp. plus 1 appendix (1 p.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by John W Sprague, (for Flora H. Milans, Associate Director), Resources, Community, and Economic Development Division, Refer to RCED-88-175FS, June 24, 1988, Accession Number 136215; and RCED-89-63FS, January 25, 1989, Accession Number 137831.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy; United Mexican States: Petroleos Mexicanos.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Energy Policy and Conservation Act (P.L. 94-163). Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). P.L. 100-120. H.R. 2712 (100th Cong.). H.R. 362 (100th Cong.). H.R. 394 (100th Cong.).

Abstract: In response to a congressional request, GAO presented its quarterly review of the Department of Energy's (DOE) progress in developing, operating, and filling the Strategic Petroleum Reserve (SPR).

Findings/Conclusions: GAO found that: (1) as of September 30, 1987, the SPR inventory totalled 533.9 million barrels of oil; (2) during the quarter, DOE added 6.7 million barrels of crude oil at an average fill rate of 73,000 barrels per day; (3) for fiscal year (FY) 1987, DOE added a total of 27.5 million barrels at an average fill rate of 75,400 barrels per day; (4) DOE paid \$132 million for oil purchases from the Mexican national oil company and obligated the \$96 million remaining in its oil acquisition account; (5) Congress apportioned \$59 million to DOE to fill SPR at a 75,000-barrel-perday rate for about 80 days; (6) the House version of the FY 1988 appropriation bill provided funding to fill SPR at 75,000 barrels per day, while the Senate version increased funding to support 100,000 barrels per day; (7) DOE diverted oil at three sites to begin cavern leaching at two other sites; and (8) DOE planned oil distribution enhancements to increase SPR distribution capabilities and anticipated an early start on pipeline construction.

134670

Nuclear Safety: Reactor Design, Management, and Emergency Preparedness at Fort St. Vrain. RCED-88-8; B-229002. November 13, 1987.

Released December 18, 1987. 59 pp. plus 1 appendix (1 p.). Report to Sen. Timothy E. Wirth; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-213BR, August 5, 1986, Accession Number 130662.

Issue Area: Energy: Other Issue Area Work (6491).

fiscal years 1986 and 1987 MMW funding was reduced; (3) the Strategic Defense Initiative Organization's proposal to develop and deploy an antiballistic missile system affected MMW program strategy; and (4) program managers believe that DOE will determine the technical feasibility of MMW power for SDI by the early 1990's.

134766

Environmental Funding: DOE Needs To Better Identify Funds for Hazardous Waste Compliance. RCED-88-62; B-229303. December 16, 1987, 9 pp. plus 2 appendices (2 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on **Government Operations:** Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-192, September 8, 1986, Accession Number 131121; RCED-87-30, November 4, 1986, Accession Number 131661; RCED-86-51FS, November 29, 1985, Accession Number 128653; T-RCED-88-24, March 10, 1988, Accession Number 135246; T-RCED-88-30, March 31, 1988, Accession Number 135455; RCED-88-130, March 28, 1988, Accession Number 135666; T-RCED-88-61, August 23, 1988, Accession Number 136742; and RCED-88-227FS, September 23, 1988, Accession Number 137127.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Energy and Power Subcommittee: House Committee on Government Operations: Environment, **Energy and Natural Resources** Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Michael L. Synar. Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Executive Order 12088.

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) funding for activities to comply with the Resource Conservation and Recovery Act of 1976 (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). Findings/Conclusions: GAO found that DOE cannot: (1) specifically identify budgeted or expended RCRA and CERCLA funds, since they are not part of its defense operations allotment; (2) demonstrate compliance with Executive Order 12088, which requires agencies to ensure that they request sufficient funds for compliance with environmental standards; (3) demonstrate proper internal controls over the funding; and (4) promptly respond to congressional concerns regarding its environmental funding. GAO noted that, although DOE has taken some action to separately budget and account for RCRA and CERCLA funds, these efforts will not identify funding for a major portion of its compliance activities.

Recommendation To Agencies: The Secretary of Energy should specifically budget and account for all DOE RCRA and CERCLA funds. This effort should include: (1) identifying the funds in future DOE budgets and highlighting them to the Congress; and (2) creating separate accounts in the DOE accounting system to track expended RCRA and CERCLA dollars.

134843

Superfund: Insuring Underground Petroleum Tanks. RCED-88-39; B-224651. January 15, 1988. 64 pp. plus 2 appendices (5 pp.). Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to RCED-88-2, October 16, 1987, Accession Number 134208; RCED-88-1, October 26, 1987, Accession Number 134238; GGD-86-56FS, April 9, 1986, Accession Number 129554; HRD-86-120BR, July 22, 1986 Accession Number 130549; HRD-88-64, July 29, 1988, Accession Number 136658; RCED-89-160, September 26, 1989, Accession Number 139622; and T-RCED-90-9, October 31, 1989, Accession Number 139884.

Issue Area: Environmental Protection: Availability of Adequate Insurance for Liabilities Associated With Hazardous Waste (6812).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:

Environmental Protection Agency.
Congressional Relevance; House
Committee on Appropriations: HUDIndependent Agencies Subcommittee;
House Committee on Government
Operations; Senate Committee on
Appropriations: HUD-Independent
Agencies Subcommittee; Senate
Committee on Governmental Affairs;
Congress.

Authority: Superfund Amendments and Reauthorization Act of 1986. Water Pollution Control Act Amendments of 1972 (Federal). Hazardous and Solid Waste Amendments of 1984. Product Liability Risk Retention Act of 1981. Liability Risk Retention Act of 1986. Water Pollution Control Act.

Abstract: Pursuant to a legislative requirement, GAO determined the availability of pollution liability insurance for owners and operators of petroleum storage and distribution facilities, focusing on: (1) the current and projected availability of tank insurance; (2) tank owners' and operators' ability to maintain financial responsibility through methods other than insurance; (3) the experience of marine vessel owners and operators in getting insurance for similar liabilities; and (4) available options to assist tank owners and operators in demonstrating financial responsibility.

Findings/Conclusions: GAO found that: (1) there was only one substantial provider of tank insurance as of July 1987; (2) at least six other firms have dropped out of this insurance market over the last several years; and (3) some other firms have expressed interest in expanding into the market, but are generally months away from offering insurance policies. GAO also found that: (1) the Environmental Protection Agency (EPA) allows tank owners and operators methods other than insurance for demonstrating financial responsibility, including self-insurance, letters of credit, and surety bonds; (2) major oil companies and other large corporations were most likely to use these other methods; (3) marine pollution liability insurance was generally more available and affordable because of reduced risks resulting from heavy regulation and monitoring; (4) many tank owners and operators will experience difficulty in demonstrating financial responsibility; and (5) one approach to help tank owners and operators demonstrate financial responsibility would involve gradual EPA implementation of incentives for technical improvements, development of state regulatory and

should have required fireproofing of the compressor station.

Findings/Conclusions: GAO found that the MSHA district office: (1) did not comply with safety regulations requiring the weekly inspection of return airways at the mine; (2) approved without authorization the operator's ventilation method; (3) permitted the mine to operate with an outdated fire-fighting and evacuation plan; and (4) permitted the compressor station to operate without fireproofing and fire-suppression devices. GAO also found that MSHA has taken action to reduce the likelihood of another accident similar to the Wilberg fire by emphasizing to the district offices the need to: (1) require inspectors to travel entire airways during their examinations; (2) review all mine operating plans; and (3) install firesuppression devices on air compressors similar to the one involved in the fire.

134985

Nuclear Security: DOE Needs a More Accurate and Efficient Security Clearance Program. RCED-88-28; B-229078. December 29, 1987. Released February 9, 1988. 63 pp. plus 3 appendices (3 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-72, March 10, 1987, Accession Number 132645; GGD-87-81, June 26, 1987, Accession Number 133320; RCED-89-34, November 9, 1988, Accession Number 137569; and RCED-89-41, December 20, 1988, Accession Number 138175.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Office of Management and Budget.

Congressional Relevance: House
Committee on Energy and Commerce;
House Committee on Government
Operations: Environment, Energy and
Natural Resources Subcommittee; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Energy and
Natural Resources; Rep. Michael L.
Synar.

Authority: Atomic Energy Act of 1954. 10 C.F.R. 710. DOE Acquisition Reg.

970.2201. DOE Order 5631.2A. DOE Order 5631.3. DOE Order 5635.1. DOD Directive 5200.2.

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) personnel clearance and security program, including: (1) the timeliness of the process for granting, suspending, and revoking clearances; (2) factors that affect the clearance work load; and (3) the accuracy of DOE clearance data bases.

Findings/Conclusions: GAO found that: (1) because DOE personnel security clearance processes were lengthy, they lowered productivity, increased costs, and posed security concerns; (2) clearance staffs lacked resources to complete some clearance steps; (3) DOE has not fully implemented steps to reduce clearance levels that are too high or to terminate unnecessary clearances; and (4) contractors failed to obtain preemployment information (PEI) on job applicants before hiring them. GAO also found that DOE security clearance files were inaccurate because: (1) DOE created new data bases without validating the data; (2) field offices often failed to enter new data; (3) contractors', field offices', and headquarters' data bases did not communicate effectively; and (4) DOE did not always validate data-base information

Recommendation To Agencies: To improve the effectiveness of the PEI process, the Secretary of Energy should ensure contractor compliance with security clearance PEI requirements. To improve the effectiveness of the PEI process, the Secretary of Energy should amend its regulations to require contractors, as part of PEI, to specifically address drug and other substance abuse in the determination of employee suitability. To improve the timeliness of security clearance processing and avoid unnecessary costs and adverse impacts on security and productivity, the Secretary of Energy should establish required time frames for accomplishing all major security clearance steps. To improve the timeliness of security clearance processing and avoid unnecessary costs and adverse impacts on security and productivity, the Secretary of Energy should take needed actions to ensure that sufficient staff are assigned to implement and adhere to those time frames. To improve the timeliness of security clearance processing and avoid unnecessary costs and adverse impacts on security and productivity, the Secretary of Energy should assess whether a simplified administrative review process is appropriate for DOE and, if so, adopt it. To ensure a reliable

and efficient security clearance data base, the Secretary of Energy should validate the accuracy and completeness of its security clearance data base from the contractor files to the Central Personnel Clearance Index and develop appropriate updating techniques to ensure they remain current. To ensure a reliable and efficient security clearance data base, the Secretary of Energy should determine whether one DOE data base, properly maintained, can serve all DOE clearance needs, including those of its contractors, rather than keeping the current multi-layered system. To improve control of classified information, the Secretary of Energy should revise its regulations governing the need-to-know principle to establish the appropriate approval level for need-to-know decisions and indicate how such decisions should be made. To improve control of classified information, the Secretary of Energy should revise its security training program to: (1) develop more uniform need-to-know training materials that cover all aspects of the principle. including specific instructions on implementation; and (2) ensure that such training is provided annually to employees as currently required.

134988

Nuclear Waste: Information on the Reracking of the Diablo Canyon Spent Fuel Storage Pools. RCED-88-79FS; B-202377. February 8, 1988. 22 pp. plus 3 appendices (25 pp.). Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Pacific Gas and Electric Co.; Nuclear Regulatory Commission; Sierra Club: Santa Lucia Chapter; Nuclear Regulatory Commission: Atomic Safety and Licensing Board Panel.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Authority: Nuclear Waste Policy Act of 1982. Atomic Energy Act of 1954.

deficiencies states reported and the action Interior took to resolve them. Findings/Conclusions: GAO found that: (1) OSMRE has established a review process to ensure that states' regulatory funding requests are appropriate, under which OSMRE grant managers review the applications for completeness and accuracy; (2) states are generally meeting the audit requirements, although some states are not timely completing program audits; (3) some states claimed to have submitted audit reports, but the cognizant federal agencies did not acknowledge receipt; (4) some state audits uncovered internal control deficiencies or disallowed certain costs; and (5) Interior has resolved or is in the process of resolving all of the deficiencies within its jurisdiction.

135066

International Energy Agency: Plan To Provide Legal Defenses to Participating U.S. Oil Companies. NSIAD-88-89BR; B-217506. February 8, 1988.

Released February 18, 1988. 6 pp. plus 4 appendices (26 pp.). Briefing Report to Sen. Howard M. Metzenbaum; by Allan I. Mendelowitz, Senior Associate Director, National Security and International Affairs Division. Refer T-NSIAD-88-32, May 17, 1988, Accession Number 135811.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405); Energy: Other Issue Area Work (6491).

Contact: National Security and International Affairs Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: International Energy Agency; Department of Justice; Federal Trade Commission; Department of Energy.

Congressional Relevance: Sen. Howard M. Metzenbaum.

Authority: Energy Policy and Conservation Act.

Abstract: In response to a congressional request, GAO provided information on the Department of Justice's (DOJ) and the Federal Trade Commission's (FTC) efforts to: (1) expand antitrust and breach-of-contract defenses to protect U.S. oil companies from possible legal suits for participating in the International Energy Agency's (IEA) Emergency Oil Sharing System (ESS); and (2) resolve the problem of foreign blockage of information important to the U.S. government's antitrust review of oil transactions with U.S. oil companies' foreign affiliates.

Findings/Conclusions: GAO found that: (1) an early DOJ and Department of Energy (DOE) draft plan provided protection for certain type 1 transactions, in which companies rearrange their schedules as they choose to meet a crisis; (2) problems arose in trying to ensure that companies reported to agencies so that they could fufill their antitrust monitoring responsibilities; (3) IEA approved an alternative plan, which supported changing ESS to permit certain type 2 transactions, in which companies interact with IEA, to occur at any time: (4) the alternative plan would protect companies for type 2 transactions only; and (5) under the alternative plan, companies would have to try to get foreign countries to remove their foreign blocking statutes, which prohibit them from providing information on their foreign affiliates. GAO also found that, although DOE and DOJ approved the plan, it cannot go into effect unless the President finds that an international energy supply emergency exists.

135069

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of December 31, 1987. RCED-88-99FS; B-202377. February 18, 1988. 22 pp. plus 2 appendices (5 pp.). Fact Sheet to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-163BR, May 19, 1988, Accession Number 135846.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation

(276.0). **Organization Concerned:** Department of Energy.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). P.L. 100-203.

Abstract: GAO provided its quarterly status report on the Department of Energy's (DOE) implementation of its

nuclear waste management program for the quarter ended December 31, 1987. Findings/Conclusions: GAO found that, during the quarter: (1) an amendment to the Nuclear Waste Policy Act terminated the site-specific activities, except reclamation, at the Deaf Smith and Hanford sites; (2) DOE closed out the existing financial assistance grants to the affected states and Indian tribes, but had not decided whether it should close out the Oregon grant due to its relationship to nuclear activities at the Hanford site; (3) DOE issued its draft of the site characterization plan and its environmental and socioeconomic monitoring plans for the Yucca Mountain site; (4) DOE planned to hold technical workshops with Nevada state and local officials to discuss the draft; (5) the Nuclear Waste Fund received about \$181 million in fees and investment income, of which DOE obligated about \$63 million for program activities; and (6) the Fund balance as of December 31, 1987, was about \$1.6 billion.

135120

Public Utilities: Information on the Cash Position of the Natural Gas and Telephone Industries. RCED-88-97; B-229389. February 26, 1988. 3 pp. plus 3 appendices (16 pp.). Report to Rep. Byron L. Dorgan; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-76, December 30, 1987, Accession Number 134948.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Federal Energy Regulatory Commission; Energy Information Administration; Federal Communications Commission.

Congressional Relevance: Rep. Byron L. Dorgan.

Authority: Tax Reform Act of 1986. Abstract: In response to a congressional request, GAO examined the natural gas and telephone industries' financial positions to determine whether the apparent improvement in the industries' available cash levels would enable utilities to return excess deferred taxes resulting from the Tax Reform Act of 1986 to utility ratepayers in a shorter time period than the act required. Findings/Conclusions: GAO found that the natural gas industry's: (1) cash

135215

Nuclear Materials: Section 604, Omnibus Diplomatic Security and Antiterrorism Act of 1986. NSIAD-88-119FS; B-227447. February 29, 1988.

Released March 7, 1988. 2 pp. plus 1 appendix (4 pp.). Fact Sheet to Sen. John H. Glenn; Rep. Howard Wolpe; by Joseph E. Kelley, Associate Director, National Security and International Affairs Division.

Issue Area: Security and International Relations (6100); Security and International Relations: Other Issue Area Work (6191).

Contact: National Security and International Affairs Division. Budget Function: International Affairs (150.0).

Organization Concerned: Department of Defense; Department of Energy; Department of State; Nuclear Regulatory Commission; United States Arms Control and Disarmament Agency. Congressional Relevance: Rep. Howard Wolpe; Sen. John H. Glenn.

Authority: Omnibus Diplomatic Security and Antiterrorism Act of 1986.

Abstract: In response to a congressional request, GAO provided information on agencies' compliance with the provisions of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, focusing on agencies' reports on the physical security standards for shipment and storage of nuclear materials outside the United States.

Findings/Conclusions: GAO found that: (1) four of the five affected agencies submitted their reports late because of disagreements with the Department of Defense (DOD); (2) DOD officials indicated that each agency produced its report independently, and made only minor changes at the request of other agencies; and (3) because of a lack of proper documentation, GAO was unable to determine the nature and source of changes each agency made to its draft report.

135246

[Hazardous Waste Management at Federal Facilities]. T-RCED-88-24. March 10, 1988. 14 pp. Testimony before the House Committee on Energy and Commerce: Transportation, Tourism, and Hazardous Materials Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-192, September 8, 1986, Accession Number 131121: RCED-88-

44, December 17, 1987, Accession Number 134840; NSIAD-87-88BR, May 21, 1987, Accession Number 133388; RCED-86-76, May 6, 1986, Accession Number 130151; NSIAD-86-60, May 19, 1986, Accession Number 129907; RCED-87-153, July 24, 1987, Accession Number 133794; NSIAD-87-45, December 15, 1986, Accession Number 132177; and RCED-88-62, December 16, 1987, Accession Number 134766.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Defense; Department of Energy;
Environmental Protection Agency.

Congressional Relevance: House
Committee on Energy and Commerce:
Transportation, Tourism, and Hazardous

Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Superfund Amendments and Reauthorization Act of 1986. Atomic Energy Act of 1954. Executive Order 12088.

Materials Subcommittee. .

Abstract: GAO discussed: (1) environmental problems at federal facilities; and (2) facilities' compliance with environmental laws. GAO found that many federal facilities: (1) contaminated groundwater and soil with hazardous and radioactive substances; (2) contaminated drinking water aquifers, posing a possible public health threat; and (3) continued to discharge hazardous materials into the environment. GAO also found that federal agencies: (1) were slow in identifying their potential hazardous waste sites, the solutions to correct them, and the costs of complying with environmental laws; (2) could not provide information on how much they spent on site identification and cleanup because their budgets did not separately identify those costs; and (3) could not predict how long it would take or how much it would cost to clean up the sites. since that would depend on the complexity of the remedies. GAO believes that agencies need to more efficiently inform Congress of their expenditures for compliance activities.

135355

Energy Management: Actions To Improve Timeliness of FERC Responses to Investigative Reports. RCED-88-92; B-230021. February 19, 1988

Released March 24, 1988. 6 pp. plus 1 appendix (1 p.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and

Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Office of the Inspector General: Federal Energy Regulatory Commission. Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. John D. Dingell. Authority: FERC Administrative Directive 9-1A. FERC Administrative Directive 9-4.

Abstract: In response to a congressional request, GAO examined: (1) the Department of Energy's Office of the Inspector General's (OIG) investigations into allegations of improprieties involving high-level employees at the Federal Energy Regulatory Commission (FERC); and (2) FERC responses to the OIG reports.

Findings/Conclusions: GAO found that: (1) OIG issued 8 reports covering the 34 allegations, 7 of which went to the FERC chairman; (2) OIG developed recommendations which called for FERC to take actions relating to specific employees and to improve its operations, policies, and procedures; (3) although OIG requested that FERC respond in writing within 30 days, FERC responses to five of the seven reports took over 150 days; and (4) FERC lacks internal directives covering responses to OIG investigative reports.

Recommendation To Agencies: The Chairman, FERC, should ensure that recommendations in OIG investigative reports are responded to and resolved in a timely manner by amending FERC Administrative Directives 9-1A and 9-4 to: (1) include time frames for responding to and resolving recommendations contained in OIG investigative reports; and (2) assign responsibility to a high-level FERC official for ensuring that responses are properly prepared and recommendations resolved within these time frames.

135358

Energy Regulation: Opportunities for Strengthening Hydropower Cumulative Impact Assessments. RCED-88-82; B-229261. March 10, 1988.

Released March 24, 1988. 9 pp. plus 3 appendices (9 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491); Natural Resources Management: Other Issue Area Work (6991).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0)

Organization Concerned: Federal Energy Regulatory Commission. Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee: House Committee on Energy and Commerce; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. John D. Dingell. Authority: Power Act (Water) (16 U.S.C. 803(a)). Environmental Policy Act of 1969 (National) (42 U.S.C. 4321 et seq.). FERC Order 481.

Abstract: In response to a congressional request, GAO examined the Federal Energy Regulatory Commission's (FERC) responsibilities under the Federal Power Act for assessing the cumulative impact of hydroelectric power projects on natural resources, specifically: (1) FERC plans for using the River Basin **Environmental Impact Statement** Procedure (EIS) as an alternative to the Cluster Impact Assessment Procedure (CIAP); and (2) deficiencies in FERC impact assessment procedures and whether the development of comprehensive plans can address these deficiencies.

Findings/Conclusions: GAO found that:
(1) FERC designed CIAP to ensure early and extensive state and federal resource agency involvement in assessments through several public meetings and workshops, whereas EIS required only one public meeting; (2) although FERC was not legally required to formally notify the public of its decision to use EIS as it did before using CIAP, its failure to do so could appear to be a withdrawal from its earlier efforts to

encourage public involvement in the assessments; (3) interested parties felt that FERC had inadequate data on the extent to which other land and water uses could adversely affect resources to carry out a reasoned evaluation; and (4) although Congress amended the act to require FERC to consider the extent to which hydroelectric projects were consistent with federal and state comprehensive plans, FERC had no further plans for implementing the amendment other than issuing requirements for comprehensive development.

Recommendation To Agencies: The Chairman, FERC, should formally announce FERC plans for using CIAP, EIS, or some other procedure to carry out future assessments and provide interested parties with an opportunity to comment on such plans. The Chairman, FERC, should direct FERC staff to take an active role in implementing section 10(a)(2) of the Federal Power Act by encouraging and facilitating the development of comprehensive plans prepared by states and federal agencies. Such action could involve, among other things: (1) providing timely information to states and agencies on whether plans that they submitted meet the requirements of section 10(a)(2) and how they can be modified to meet the requirements; and (2) holding workshops with state and federal agencies on how comprehensive plans can be prepared.

135450

Nuclear Regulation: Action Needed To Ensure That Utilities Monitor and Repair Pipe Damage. RCED-88-73; B-223582. March 18, 1988. Released April 1, 1988. 38 pp. plus 1 appendix (1 p.). Report to Rep. Edward J. Markey; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-37, April 27, 1988, Accession Number 135660; RCED-89-67, March 23, 1989, Accession Number 138491; and RCED-89-90, April 3, 1989, Accession Number 138542.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0)

Organization Concerned: Virginia Electric and Power Co.; Nuclear Regulatory Commission; Portland General Electric Co.

Congressional Relevance: House Committee on Government Operations:

Environment, Energy and Natural Resources Subcommittee; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce; Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Edward J. Markey.

Authority: Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.). Energy Reorganization Act of 1974 (42 U.S.C. 5841 et seq.). 10 C.F.R. 1.

Abstract: In response to a congressional request, GAO: (1) assessed the pipe degradation problems at the Surry and Trojan nuclear power plants; and (2) addressed actions that the Nuclear Regulatory Commission (NRC) and the utilities took to identify and correct pipe system problems.

Findings/Conclusions: GAO found that: (1) prior to the Surry accident, neither NRC nor the industry believed that nuclear plants were susceptible to pipe deterioration; (2) neither NRC regulations nor industry standards required monitoring of erosion and corrosion in single-phase pipes; (3) utility companies found widespread damage at Surry and widespread erosion and corrosion in both the regulated and unregulated portions of Trojan; (4) although the utilities took corrective action to replace unacceptable pipes, no industry-wide commitment exists to ensure that all utilities monitor pipe system integrity; and (5) after NRC required all utilities to report the extent of known damage due to erosion or corrosion, it identified 34 nuclear plants with some damage.

Recommendation To Agencies: Due to the significance of the information that has been developed concerning erosion and corrosion at nuclear power plants, the Chairman, NRC, should require utilities to: (1) inspect all nuclear plants to develop data regarding the extent that erosion and corrosion exist in pipe systems, including straight sections of pipe; (2) replace pipe that does not meet the industry's minimum allowable thickness standards; and (3) periodically monitor pipe systems and use the data developed during these inspections to monitor the spread of erosion and corrosion in the plants.

135455

[Environmental, Safety, and Health Oversight of the Department of

Energy's Operations]. T-RCED-88-30. March 31, 1988. 10 pp. plus 1 attachment (2 pp.). Testimony before the House Committee on Science, Space, and Technology: Natural Resources, Agriculture Research and Environment Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to EMD-81-108, August 4, 1981, Accession Number 115979; RCED-84-50. November 30, 1983, Accession Number 123131; RCED-88-62, December 16, 1987, Accession Number 134766; RCED-86-175, June 16, 1986, Accession Number 130260; RCED-86-192, September 8, 1986, Accession Number 131121; RCED-86-90, March 21, 1986, Accession Number 130087; T-RCED-87-4, March 23, 1987, Accession Number 132384; T-RCED-87-5, March 12. 1987, Accession Number 132383; T-RCED-88-6, October 22, 1987, Accession Number 134218; and T-RCED-87-12, March 25, 1987, Accession Number 132484.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Science, Space, and Technology: Natural Resources, Agriculture Research and Environment Subcommittee.

Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Clean Water Act of 1977. Executive Order 12088. S. 1085 (100th Cong.).

Abstract: GAO discussed the adequacy of the Department of Energy's (DOE) efforts to strengthen its environmental, safety, and health oversight of its nuclear defense complex. GAO noted that, to improve internal oversight, DOE: (1) established an advisory committee on nuclear facility safety; (2) increased funding to address environmental and safety problems and strengthen its internal oversight program; and (3) is developing plans which identify safety problems and proposed resolutions. GAO also noted that DOE: (1) has serious, long-standing budgeting and accounting problems with its environmental cleanup funds; (2) has not yet published plans identifying its environmental and safety problems or their potential resolution; and (3) lacks sufficient independent oversight. GAO believes that: (1) DOE should restructure its budget and accounting for environmental cleanup funds to easily

identify funds, demonstrate compliance, and provide internal controls; and (2) Congress should consider legislating an outside, independent organization to monitor DOE.

135534

[Proposed Sale of the Great Plains Coal Gasification Project]. T-RCED-88-34. April 13, 1988. 9 pp. plus 1 attachment (6 pp.). Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to T-RCED-88-34A, April 13, 1988 Accession Number 135535; RCED-88-172, June 10, 1988, Accession Number 136132; RCED-89-36, October 21, 1988, Accession Number 137132; and RCED-89-153, July 14, 1989, Accession Number 139103.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Abstract: GAO discussed the Department of Energy's (DOE) proposed sale of the Great Plains Coal Gasification Project, focusing on the: (1) financial return should the federal government maintain ownership of the project; (2) estimated price that would equal the project's retention value; and (3) effect on the federal budget. GAO found that: (1) potential net revenues from continued federal ownership could total about \$1.5 billion; (2) for the government to be as well off financially from selling the project as it would be from retaining ownership, it would have to sell the project for an estimated \$1 billion; (3) sale of the project would reduce the federal deficit in the year of the sale: and (4) a low sale price would tend to increase the federal deficit over the long term because future cash and tax revenues would be less than the revenues to be realized from continued ownership.

135535

[Proposed Sale of the Great Plains Coal Gasification Project]. T-RCED-88-34A. April 13, 1988. 1 p. Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic

Development Division. Refer to T-RCED-88-34, April 13, 1988, Accession Number 135534; and RCED-88-172, June 10, 1988, Accession NUmber 136132.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Abstract: GAO discussed the Department of Energy's (DOE) proposed sale of the Great Plains Coal Gasification Project, focusing on the: (1) financial return should the federal government maintain ownership of the project; (2) estimated price that would equal the project's retention value; and (3) effect on the federal budget. GAO found that: (1) potential net revenues from continued federal ownership could total \$1.5 billion; (2) for the government to be as well off financially from selling the project as it would be from retaining ownership, it would have to sell the project for an estimated \$1.5 billion; (3) sale of the project would reduce the federal deficit in the year of the sale; and (4) a low sale price would tend to increase the federal deficit over the long term because future cash and tax revenues would be less than the revenues to be realized from continued ownership.

135599

Federal Land Management: An Assessment of Hardrock Mining Damage. RCED-88-123BR; B-222092. April 19, 1988. 20 pp. plus 3 appendices (8 pp.). Briefing Report to Rep. Nick J. Rahall, II, Chairman, House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to T-RCED-89-13, March 7, 1989, Accession Number 138096.

Issue Area: Natural Resources Management: Effectiveness of Policies and Procedures for Determining Federal Land Ownership Patterns (6912); Natural Resources Management: Other Issue Area Work (6991).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Bureau of Land Management; Forest Service; Bureau of Reclamation.

Congressional Relevance: House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; Rep. Nick J. Rahall, II. Authority: Mining Resources Act (30 U.S.C. 22 et seq.). Surface Mining Control and Reclamation Act of 1977. Abstract: Pursuant to a congressional request, GAO provided information regarding: (1) unreclaimed federal land resulting from hardrock mining operations in 11 western states; (2) federal and state expenditures to reclaim hardrock mine sites; and (3) state requirements regarding the reclamation of such sites.

Findings/Conclusions: GAO found that, of an estimated 424,049 acres of unreclaimed federal land in the 11 states: (1) 281.581 acres involved abandoned, suspended, or unauthorized mining operations and would cost about \$284 million for reclamation; (2) 142,648 acres were current mining operations requiring eventual reclamation; (3) 162,911 acres required surface reshaping or recontouring for reclamation; and (4) 157.322 acres required reseeding for reclamation. GAO also found that: (1) Colorado, Montana, New Mexico, Utah, and Wyoming spent about \$2.9 million from the Abandoned Mine Land Reclamation Fund and from mine operators' fines and fees to reclaim damaged federal land, while the other six states spent no funds; (2) the Bureau of Land Management (BLM) and the Forest Service have spent \$363,523 since 1978 to reclaim abandoned hardrock mine sites on federal land; (3) eight states had reclamation requirements regarding mining operations application, site inspection, and financial guarantees; (4) Arizona, Nevada, and New Mexico did not have reclamation requirements, but had laws allowing state regulation of mining operations as they affected water and air quality and hazardous waste; and (5) BLM and the Forest Service generally had agreements regarding agency responsibilities with most of the eight states with reclamation requirements.

135620

Nuclear Power Safety: International Measures in Response to Chernobyl Accident. NSIAD-88-131BR; B-230418. April 8, 1988. 4 pp. plus 5 appendices (31 pp.). Briefing Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; Sen. Thad Cochran; by Allan I. Mendelowitz, Senior Associate Director, National Security and International Affairs Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: National Security and International Affairs Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: International Atomic Energy Agency.

Congressional Relevance: Senate
Committee on Governmental Affairs:
Energy, Nuclear Proliferation and
Government Processes Subcommittee;
Senate Committee on Governmental
Affairs; Sen. Thad Cochran; Sen. John H.
Glenn.

Authority: Statute of the International Atomic Energy Agency, Sept. 24, 1956, Multilateral, T.I.A.S. No. 3873.

Abstract: In response to a congressional request, GAO examined the International Atomic Energy Agency's (IAEA) potential for an expanded nuclear safety role, specifically its: (1) undertaking greater responsibility for inspecting nuclear power plant reactors; and (2) setting up an international mechanism for rapid response to mitigate the consequences of a nuclear accident.

Findings/Conclusions: GAO found that: (1) following the Chernobyl accident, IAEA enacted two international agreements to enhance cooperation in providing information and emergency assistance following a nuclear accident; (2) some countries believe that the agreements do not sufficiently obligate countries to report nuclear accidents promptly; (3) because IAEA can only undertake activities that its member states approve, it is limited to giving technical advice on radiological safety and facilitating member cooperation; (4) member states have provided additional funding for IAEA to increase the number of its safety reviews in countries with nuclear power programs; and (5) many members believe that a mandatory standards and verification regime would infringe on national sovereignty and would be expensive, impractical, and of questionable benefit.

135649

Energy Regulation: Enforcement of Requirements Imposed on Hydropower Projects Needs Strengthening. RCED-88-60; B-229302. March 4, 1988. Released April 26, 1988. 35 pp. plus 3

Released April 26, 1988. 35 pp. plus 3 appendices (6 pp.). *Report* to Rep. John D. Dingell, Chairman, House Committee

on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Federal Energy Regulatory Commission; Federal Energy Regulatory Commission: Office of Hydropower Licensing.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Energy and
Commerce; House Committee on Energy
and Commerce: Oversight and
Investigations Subcommittee; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Energy and
Natural Resources; Rep. John D. Dingell.
Department of Energy Organization Act.
Federal Power Act.

Abstract: Pursuant to a congressional request, GAO investigated the Federal Energy Regulatory Commission's (FERC) monitoring and enforcement of federal requirements imposed on hydropower projects, focusing on the adequacy of its: (1) monitoring of various license or exemption conditions to ensure prompt compliance; (2) investigations of instances of potential noncompliance; and (3) violation resolution actions. Findings/Conclusions: GAO found that, although the FERC Office of Hydropower Licensing generally conducted physical inspections of projects in accordance with its established procedures and monitored correction of any identified problems, FERC: (1) lacked internal controls to ensure that engineers took timely or consistent follow-up action when project operators untimely submitted required items; (2) could not rely on its Hydropower License Compliance Tracking System (HLCTS), which contained inaccurate data, to monitor compliance with license and exemption requirements; (3) could not fairly and equitably impose civil penalties on project operators if it could not take timely and consistent follow-up action on all overdue items; (4) caused delays in noncompliance investigation cases through inadequate oversight and poor communication and coordination between national and regional offices; and (5) regional offices lacked complete

information regarding projects' compliance histories.

Recommendation To Agencies: To ensure that the FERC internal controls over follow-up of overdue items are adequate and to provide for the fair and consistent implementation of the new FERC enforcement penalty program, the Chairman, FERC, should instruct the Director, Office of Hydropower Licensing, to increase managerial oversight to ensure that regional office staff are promptly notified about headquarters' actions involving approval of time extensions and deficiencies found in submitted items. To ensure that the FERC internal controls over follow-up of overdue items are adequate and to provide for the fair and consistent implementation of the new FERC enforcement penalty program, the Chairman, FERC, should instruct the Director, Office of Hydropower Licensing, to increase managerial oversight to ensure that staff comply with existing guidelines regarding the timeliness of follow-up actions. To ensure that the FERC internal controls over follow-up of overdue items are adequate and to provide for the fair and consistent implementation of the new FERC enforcement penalty program, the Chairman, FERC, should instruct the Director, Office of Hydropower Licensing, to prescribe uniform follow-up actions to be taken when required items are overdue so that similar problems result in similar corrective action. To make HLCTS a more effective tracking and oversight tool, the Chairman, FERC, should instruct the Director, Office of Hydropower Licensing, to require supervisory review and approval of data entries submitted by the responsible regional staff. The supervisory reviews should ensure that all needed entries are made and that all entries are supported by adequate documentation. To ensure that complete compliance histories are compiled for use in considering relicensing applications and the imposition of penalties, the Chairman, FERC, should establish procedures to ensure that files from all offices involved are examined in compiling compliance information on past cases. To ensure that complete compliance histories are compiled for use in considering relicensing applications and the imposition of penalties, the Chairman, FERC, should establish procedures to ensure that complete documentation of headquarters' actions on current and future cases is included in the individual project compliance history files which the regional offices maintain.

135655

[Proposal To Establish a Statutory Inspector General Within the Nuclear Regulatory Commission]. T-OSI-88-4. April 26, 1988. 4 pp. Testimony before the House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee; by David C. Williams, Director, Office of Special Investigations.

Contact: Office of Special Investigations. Organization Concerned: Nuclear Regulatory Commission: Office of Inspector and Auditor.

Congressional Relevance: House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee. .

Authority: Inspector General Act of 1978.

Abstract: GAO discussed the adequacy of the Nuclear Regulatory Commission's (NRC) Office of Inspector and Auditor's (OIA) recent probes into alleged staff misconduct. GAO noted that: (1) OIA failure to provide guidance to NRC management regarding a high-level supervisor-employee conflict caused significant disruption in senior officials' performance of their duties; (2) OIA failure to interview a party to an alleged wrongful conversation caused undue criticism and allegations of misconduct against a senior official; and (3) NRC selected an office charged with allegations of impropriety to investigate itself. GAO believes that NRC has a critical need for a: (1) more independent audit and internal investigative unit: and (2) statutory inspector general for greater oversight of NRC activities.

135660

[Proposal To Reorganize NRC]. T-RCED-88-37. April 27, 1988. 19 pp. plus 2 appendices (4 pp.). Testimony before the Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to HRD-87-47, April 9, 1987 Accession Number 132647; EMD-80-17, January 15, 1980, Accession Number 111309; RCED-87-141, August 13, 1987, Accession Number 133981; RCED-88-73, March 18, 1988, Accession Number 135450; and EMD-81-72, July 9, 1981, Accession Number 115874.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Nuclear Regulatory Commission.

Congressional Relevance: Senate Committee on Environment and Public Works; Senate Committee on Governmental Affairs.

Authority: Inspector General Act of 1978, Atomic Energy Act of 1954. Abstract: GAO discussed the proposed Nuclear Regulation Reorganization and Reform Act of 1988, which would: (1) establish a Nuclear Safety Agency to assume the Nuclear Regulatory one administrator accountable for

Commission's (NRC) functions; (2) make nuclear regulation; and (3) create an inspector general and a Nuclear Reactor Safety Investigations Board to ensure adequate consideration of programmatic, technical, and public health and safety issues. GAO noted that it generally supported the legislation, since: (1) the current NRC organizational structure has resulted in slow or indecisive actions regarding policy and safety issues; and (2) other regulatory agencies generally benefited from the organizational structure the legislation proposed. GAO also noted that the proposed legislation should also ensure the: (1) board's independence, technical expertise, ability to determine the scope of work, authority to report its findings and recommendations to agency heads, and public access to the findings; and (2) continuation of existing advisory panels and committees to provide expertise and technical advice to the administrator.

135666

Nuclear Health And Safety: Summary of Problem Areas Within the DOE Nuclear Complex. RCED-88-130; B-222195. March 28, 1988. Released April 28, 1988. 6 pp. plus 2 appendices (2 pp.). Report to Rep. Ron Wyden, Chairman, House Committee on Small Business: Regulation and Business Opportunities Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-175, June 16, 1986, Accession Number 130260; EMD-81-108, August 4, 1981, Accession Number 115979; RCED-86-90, March 21, 1986, Accession Number 130087; RCED-86-192, September 8, 1986, Accession Number 131121; RCED-87-30, November 4, 1986, Accession Number 131661; RCED-88-62, December 16, 1987, Accession Number 134766; T-RCED-87-4, March 12, 1987, Accession Number 132384; and T-RCED-87-32, June 16, 1987, Accession Number 133223.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense:
Atomic Energy Defense Activities (053.0).
Organization Concerned: Department of
Energy: Hanford Power Station.
Congressional Relevance: House
Committee on Small Business:
Regulation and Business Opportunities
Subcommittee; Rep. Ron Wyden.
Authority: Clean Water Act of 1977.
Resource Conservation and Recovery Act
of 1976. Comprehensive Environmental
Response, Compensation, and Liability
Act of 1980.

Abstract: Pursuant to a congressional request, GAO reported on major environmental and safety problems at the Department of Energy's (DOE) Hanford Power Station.

Findings/Conclusions: GAO found that DOE has not adequately resolved several previously identified, major problems at the Hanford Power Station, including: (1) incomplete or unapproved safety reviews; (2) inadequate transuranic waste disposal; (3) groundwater contamination; (4) noncompliance with the Clean Water Act of 1977, the Resource Conservation and Recovery Act of 1976, and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; (5) an ineffective groundwater monitoring system; and (6) deteriorating facility conditions. GAO believes that DOE needs: (1) independent oversight of its nuclear activities; and (2) well-conceived. comprehensive plans to address its present problems and future needs.

135706

Surface Mining: Cost and Availability of Reclamation Bonds. PEMD-88-17; B-229961. April 8, 1988. Released May 3, 1988, 49 pp. plus 3 appendices (12 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Eleanor Chelimsky, Director, Program Evaluation and Methodology Division. Refer to GGD-87-67, July 13, 1987, Accession Number 133519; T-RCED-89-13, March 7, 1989, Accession Number 138096; and T-PEMD-89-3, March 7, 1989, Accession Number 138109.

Issue Area: Program Evaluation and Methodology: Intended and Unintended Effects of Government Actions in Physical System Areas (7203).

Contact: Program Evaluation and Methodology Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87). Abstract: In response to a congressional request, GAO assessed the availability and cost of surety reclamation bonds for surface coal mine operators in four states to determine the reasonableness of rate-setting procedures.

Findings/Conclusions: GAO found that: (1) since 1984, mine operators have had difficulty in obtaining reclamation bonds because of a decrease in the number of companies underwriting the bonds; (2) some underwriting companies required as much as 100 percent of the bond's face value as collateral: (3) the use of non-surety bonds in three of the states it reviewed increased from 6 percent in 1984 to 15 percent in 1986; (4) no new company entered the reclamation bond market between 1984 and 1986 in three of the states; and (5) the coal market's economic condition and the extendedliability-period requirements created uncertainties in the surety industry. GAO also found that: (1) since July 1985, seven surety underwriters have become insolvent, affecting about 400 operators and more than \$50 million in bonds; (2) 70 percent of the outstanding bonds were replaced either by other surety bonds or by some collateral mechanism; (3) while the large mine operators were able to obtain replacement bonds for 75 percent of their bonds' value, smaller operators obtained replacements for only 10 percent of their affected bonds' values: and (4) surety bonds have historically proven to be the most frequently used financial assurance mechanism in all the states it reviewed. GAO believes that a market may exist for other companies offering similar services. Recommendation To Agencies: The

Secretary of the Interior should direct the Office of Surface Mining Reclamation and Enforcement (OSMRE) to explore ways to develop a bond market in which more bond sources are available to responsible coal mine operators and regulators are more confident that reclamation will be timely and successful. This should be done by bringing together all relevant parties, including surety representatives, coal mine operators (particularly smaller operators), environmental groups, and state officials. Among the matters that should be discussed are whether: (1) the

liability period for reclamation bonds could be shortened without negatively affecting the environment; (2) state bond pools could be developed in additional states as an alternative bonding mechanism; and (3) innovations in underwriting reclamation bonds could be introduced without increasing the risk of bond forfeitures.

135752

[Protest of DOE Rejection of Bid for Waste Transportation]. B-230211.2. May 6, 1988. 2 pp. *Decision* re: St. Joseph Motor Lines; by Robert M. Strong, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel. Organization Concerned: Department of Energy; St. Joseph Motor Lines. Authority: 4 C.F.R. 21.2(a). B-227086 (1987).

Abstract: A firm protested the Department of Energy's (DOE) rejection of its late proposal for waste transportation. GAO held that the protester untimely filed its protest more than 10 working days after it knew the basis for protest. Accordingly, the protest was dismissed.

135771

Electric Power Transmission: Federal Role in System Use and Regulation. RCED-88-98; B-230398. April 12, 1988.

Released May 12, 1988. 6 pp. plus 9 appendices (28 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness of Government in Fulfilling Its Role of Ensuring That an Adequate and Reliable Power Supply Is Provided by the Electric Utility Industry (6403).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Federal Energy Regulatory Commission; Federal Power Commission.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp. Authority: Federal Power Act. Antitrust Act. Clayton Act (Trusts). Public Utility Regulatory Policies Act of 1978.

Abstract: Pursuant to a congressional request, GAO examined the nature and extent of federal efforts to resolve dispute cases concerning electric power transmission systems access, facilities, and services, focusing on the role of the: (1) Federal Energy Regulatory Commission (FERC); (2) Federal Power Commission, its predecessor; and (3) federal courts.

Findings/Conclusions: GAO found that, of 40 cases involving transmission disputes filed between 1935 and 1987: (1) the commissions made 62 decisions on 31 cases, while the federal courts made 13 decisions on 9 cases; (2) 56 percent originated from the north-central and southeastern regions of the country; (3) 72 percent involved requests for wheeling, or third-party transmission; and (4) the most frequently raised issues included actual or constructive denial of transmission services or anticompetitive or discriminatory practices. GAO also found that the commission: (1) granted 15 requests for transmission services, denied 19 requests for such services, reached a compromise on 10 requests, and approved 18 settlements; (2) granted 13 percent and denied 33 percent of wheeling requests; (3) granted 70 percent and denied 10 percent of interconnection service requests; (4) increased the number of compromises and settlements after enactment of the Public Utility Regulatory Policies Act of 1978; and (5) typically referred to Section 205 or 206 of the Federal Power Act, as well as other legislative citation categories. In addition, GAO found that federal: (1) district courts granted four and denied nine requests for transmission services, and denied 73 percent of the wheeling requests; and (2) appellate courts upheld 16 of 27 appealed decisions.

135773

Offshore Oil and Gas: Reorganization of Interior's Minerals Management Service Regional Office. RCED-88-124; B-207556. May 3, 1988.

Released May 12, 1988. 5 pp. plus 4 appendices (14 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Interior's Leasing and Development of Offshore Minerals Resources (6908).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior: Minerals Management Service.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Outer Continental Oil Shelf Lands Act.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of the Interior's Minerals Management Service's (MMS) plan to reorganize a regional field operations office, focusing on the plan's: (1) development and implementation; and (2) projected impact on the office's ability to carry out its responsibilities.

Findings/Conclusions: GAO found that MMS: (1) devised the plan to distribute the inspection work load more equitably, better utilize personnel, and more efficiently use helicopters; (2) changed district offices' geographic boundaries, converted some district offices to subdistrict offices, and relocated district office geoscientists to another regional office; and (3) estimated that the plan would offset its implementation costs of \$922,000 with annual savings of \$748,000 within 2 to 3 years. GAO also found that: (1) the plan balanced inspection work loads for three district offices, but not for the fourth one or for the two subdistrict offices; (2) MMS did not analyze the plan's possible impact on geoscientists' current or proposed duties and responsibilities; (3) the plan did not address ways to more efficiently use helicopters; and (4) MMS overstated its projected savings by at least \$392,000.

135811

[Renewal of Authorities for U.S. Participation in the International Energy Program]. T-NSIAD-88-32. May 17, 1988. 24 pp. Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Allan I. Mendelowitz, Senior Associate Director, National Security and International Affairs Division. Refer to NSIAD-88-89BR, February 8, 1988, Accession Number 135066; NSIAD-85-45, February 5, 1985, Accession Number 126372; and RCED-88-170, August 31, 1988, Accession Number 136691.

Contact: National Security and International Affairs Division.

Organization Concerned: International Energy Agency.

Congressional Relevance: *House* Committee on Energy and Commerce: Energy and Power Subcommittee.

Authority: Emergency Petroleum Allocation Act of 1973. Energy Policy and Conservation Act.

Abstract: GAO discussed proposed legislation which would enable the United States to continue participating in the International Energy Program of the International Energy Agency (IEA). GAO noted that the IEA emergency sharing system: (1) draws upon emergency oil stocks and allocates available supplies during short-term oil supply disruptions: (2) serves to limit excessive price increases and prevent countries from taking panic actions during such disruptions; and (3) is not intended to help with long-term, fundamental changes in oil availability, but may help somewhat during the transition period. GAO believes that Congress should extend the authorities allowing U.S. participation in IEA, since: (1) current authorities expire on June 30, 1988; and (2) it has not identified any circumstances invalidating the original and continuing justification for U.S. participation.

135846

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of March 31, 1988. RCED-88-163BR; B-202377. May 19, 1988. 15 pp. plus 2 appendices (2 pp.). Briefing Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Dwayne Weigel, (for Keith O. Fultz, Senior Associate Director), Resources, Community, and Economic Development Division. Refer to RCED-88-99FS, February 18, 1988, Accession Number 135069.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission. Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982. P.L. 100-203.

Abstract: GAO provided its quarterly status report on the Department of Energy's (DOE) implementation of its Nuclear Waste Program for the quarter ended March 31, 1988.

Findings/Conclusions: GAO found that: (1) DOE issued a draft site characterization plan for the Yucca Mountain site to the state of Nevada and the Nuclear Regulatory Commission (NRC); (2) NRC raised objections concerning alternative conceptual modeling of the site, quality assurance plans, and construction of the exploratory shaft facility; (3) DOE disagreed with the NRC viewpoint that its site characterization approach supported a preferred model; (4) DOE adjusted the program to comply with legislative requirements, including termination of all site-specific activities, except reclamation, at the Deaf Smith and Hanford sites; (5) states and Indian tribes that received grants also phased out all but their managerial activities; (6) DOE reduced its project office staffs by about 50 percent; and (7) DOE estimated the costs for phase-out of project activities, reclamation, and completion of all activities at \$53 million for the Deaf Smith site and \$85 million for the Hanford site.

135879

Energy Conservation: States' Expenditures of Warner Amendment Oil Overcharge Funds. RCED-88-119BR; B-226517. May 17,

Released May 24, 1988. 34 pp. plus 5 appendices (7 pp.). Briefing Report to Sen. Pete V. Domenici, Ranking Minority Member, Senate Committee on Budget; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-51, February 4, 1988, Accession Number 135037.

Issue Area: Energy: Effectiveness and Efficiency of Federal and Nonfederal Energy Conservation Programs and Efforts (6406).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Conservation (272.0).

Organization Concerned: Department of Energy; Department of Health and Human Services; Arizona; California; Illinois. Congressional Relevance: Senate Committee on Budget; Sen. Pete V. Domenici.

Authority: Emergency Petroleum Allocation Act of 1978. National Energy Extension Service Act. Energy Conservation Policy Act. Energy Policy and Conservation Act. Energy Conservation and Production Act. Energy Security Act. Human Services Reauthorization Act. Executive Order 12287. P.L. 97-377.

Abstract: Pursuant to a congressional request, GAO provided information regarding states' use of Warner Amendment oil overcharge funds, focusing on: (1) the status of all oil overcharge funds; (2) Arizona's, California's, and Illinois's Warner funds use and spending time frames; (3) states' funds expenditure processes; (4) ways in which states' Warner funds experiences may apply to their use of much larger oil overcharge settlements; and (5) federal and state monitoring of Warner funds' use.

Findings/Conclusions: GAO found that: (1) during fiscal years 1982 through 1987, Warner funds accounted for \$200 million of the \$3.3 billion states received from the oil overcharge escrow account; (2) as of September 30, 1987, about \$1 billion remained in the oil overcharge escrow account for distribution to states and other parties; (3) the Department of Energy (DOE) estimated that it could still collect about \$2.2 billion in oil overcharges; (4) more than 4 years after their distribution, states had not expended between \$20 and \$40 million of funds, with Arizona, California, and Illinois accounting for about \$3.7 million of unexpended funds; (5) states cited a lengthy learning process for effective expenditure, reprogramming needs, and time-consuming planning and review processes as reasons for their delay in spending funds; (6) states predicted that their planned expenditures of other oil overcharge funds could take 3 to 5 years; (7) states subjected Warner funds to the same systems of management controls they normally applied to federal funds; and (8) DOE and Department of Health and Human Services oversight of Warner funds was similar to that for appropriated funds.

135888

Export Controls: Assessment of Commerce Department's Report on Missile Technology Controls.

NSIAD-88-159; B-222992. May 24, 1988. 1 p. plus 1 appendix (4 pp.).

Report to Congress; by Frank C.
Conahan, (for Charles A. Bowsher, Comptroller General). Refer to

NSIAD-87-211, September 9, 1987, Accession Number 133904; and NSIAD-89-190, September 13, 1989, Accession Number 139514.

Issue Area: International Trade and Finance: Assessing the Effectiveness and Desirability of Export Controls and Trade Sanctions (6302).

Contact: National Security and International Affairs Division.

Budget Function: International Affairs: Conduct of Foreign Affairs (153.0).

Organization Concerned: Department of Commerce.

Congressional Relevance: Congress. **Authority:** Export Administration Act of 1979 (50 U.S.C. 2405h). Export Administration Amendments Act of 1985 (P.L. 99-64). Arms Export Control Act. Abstract: Pursuant to a legislative requirement, GAO reviewed the Secretary of Commerce's report to Congress on the imposition of foreign policy controls on the export of missile equipment and technology related to nuclear weapons delivery systems. Findings/Conclusions: GAO found that the report: (1) complied with the statutory reporting requirements; (2) discussed the availability of controlled items from foreign sources; (3) focused on the countries participating in the control regime as the major suppliers; (4) did not include information on other countries with sophisticated missile capabilities that may be capable of undermining the controls; (5) did not present any information regarding the capability of several countries as suppliers of less sophisticated missile-related equipment and technology; and (6) stated that enforcing the controls would present no new problems, since most of the controlled items were already covered under arms export controls.

135959

Low-Income Energy Assistance: State Responses to Funding Reductions. HRD-88-92BR; B-214417. April 29, 1988.

Released June 2, 1988. 40 pp. Briefing Report to Sen. Lawton Chiles, Chairman, Senate Committee on Appropriations: Labor, Health and Human Services, and Education Subcommittee; by J. William Gadsby, Associate Director, Human Resources Division. Refer to HRD-84-64, June 27, 1984, Accession Number 124645; HRD-86-92, May 16, 1986, Accession Number 129995; and HRD-89-38, January 26, 1989, Accession Number 137802.

Issue Area: Intergovernmental Relations: Other Issue Area Work (9291).

Contact: Human Resources Division. Budget Function: Income Security: Other Income Security (609.0).

Organization Concerned: Department of Health and Human Services.

Congressional Relevance: Senate Committee on Appropriations: Labor, Health and Human Services, and Education Subcommittee; Sen. Lawton Chiles.

Authority: Low-Income Home Energy Assistance Act of 1981.

Abstract: Pursuant to a congressional request, GAO provided information on the Department of Health and Human Service's Low Income Home Energy Assistance Program (LIHEAP) in 13 states, focusing on: (1) the availability and use of oil overcharge funds; (2) federal allotments to LIHEAP, total LIHEAP funding, and funding projections; (3) the effects of LIHEAP funding cuts; and (4) the states' and interest groups' perceptions of the impact of LIHEAP funding reductions. Findings/Conclusions: GAO found that: (1) the states used only 14 to 22 percent of available oil overcharge funds for LIHEAP; (2) the states varied widely in the amount of funds they had remaining from the settlements; (3) five states had oil overcharge funds to cover proposed fiscal year (FY) 1989 LIHEAP reductions, while proposed reductions in three states exceeded the total amount available; (4) LIHEAP reductions averaged 9 percent in FY 1987 and 23 percent in FY 1988 and were projected at about 40 percent for FY 1989; (5) nonfederal funding sources helped to ease, but did not totally replace, federal funding cuts; (6) the total number of households receiving heating assistance declined by 6 percent between FY 1986 and 1988, with eight states reducing heating benefit levels; (7) the number of states transferring some LIHEAP funds to other block grants decreased from nine in FY 1986 to five in FY 1988; (8) five states reported negative effects of funding reductions in terms of reduced benefits, more restrictive eligibility criteria, elimination of weatherization programs, and program closings, while the other eight states reported no negative effects due to oil overcharge funds, improved economies, mild winters, or improved energy efficiency; and (9) state officials and interest groups believe that funding reductions will continue to have a serious negative impact, and states have used almost all available oil funds and exhausted other funding options.

135996

Federal Electric Power:
Development of Bonneville
Electricity Rates for the 1988-89
Period. RCED-88-126; B-225920. June
7, 1988. 28 pp. plus 2 appendices (4
pp.). Report to Rep. George Miller,
Chairman, House Committee on
Interior and Insular Affairs: Water
and Power Resources Subcommittee;
Rep. Peter A. DeFazio; by Keith O.
Fultz, Senior Associate Director,
Resources, Community, and
Economic Development Division.
Refer to AFMD-89-4, September 15,
1989, Accession Number 139531.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Bonneville Power Administration.

Congressional Relevance: House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; Rep. Peter DeFazio; Rep. George Miller.

Authority: Bonneville Dam Act. Flood Control Act. Federal Columbia River Transmission System Act of 1974. Pacific Northwest Electric Power Planning and Conservation Act.

Abstract: In response to a congressional request, GAO reviewed the Bonneville Power Administration's (BPA) proposed utility rate increases for 1988 through 1989 to determine: (1) why BPA needed the increases; and (2) how BPA was able to limit the amount of the increase to 7.7 percent.

Findings/Conclusions: GAO found that BPA: (1) first proposed a 35-percent rate increase to meet operating costs, to offset declining sales revenues, and to ensure timely repayment of its Treasury obligations; (2) reduced the rate increase to 7.7 percent by revising its sales revenue projections for its direct service industries and customers, and modifying the costs associated with its riskmitigation measures; and (3) intends to continue its joint budget reviews with customers and the public. GAO also found that including risk-mitigation measures in the rate proposal: (1) provided BPA with a mechanism to adjust its rates if future revenues do not meet projected levels; and (2) should ensure that BPA will be able to meet its Treasury obligations.

136075

Energy Management: How States Are Using Exxon and Stripper Well Funds. RCED-88-145FS; B-210176. May 16, 1988.

Released June 16, 1988. 22 pp. plus 4 appendices (7 pp.). Fact Sheet to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-152, June 14, 1988, Accession Number 136356.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; District of Columbia.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell.

Abstract: In response to a congressional request, GAO provided information on states' use of funds received under certain oil overcharge proceedings. Findings/Conclusions: GAO found that: (1) as of June 30, 1987, states received \$1.969 billion in one case and \$788 million in another case; (2) 52 states that responded to its questionnaire estimated \$63 million in interest on the first case and \$41 million on the second case; (3) states planned to spend 77 percent of the funds from the first case on energy conservation and assistance programs and 85 percent of the other funds on such allowable projects as public transportation, energy audits, highway and bridge maintenance and repair, and airport maintenance; and (4) as of June 30, 1987, 11 of the 52 states had expended over 50 percent of the funds from the first case, including interest earned, while 10 states also expended 50 percent of the funds from the other case.

136111

Nuclear Waste: DOE's Handling of Hanford Reservation Iodine Information. RCED-88-158; B-224784.2. May 25, 1988.

Released June 21, 1988. 46 pp. plus 1 appendix (1 p.). Report to Rep. Allen B. Swift; Rep. Ron Wyden; Sen. Mark O. Hatfield; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-30,

November 4, 1986, Accession Number 131661.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Hanford Power Station; Department of Energy; Nuclear Regulatory Commission.

Congressional Relevance: Rep. Allen B. Swift; Rep. Ron Wyden; Sen. Mark O. Hatfield.

Authority: Nuclear Waste Policy Act of 1982.

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) handling of information on detection of radioactive iodine below the surface of the Hanford nuclear reservation to determine: (1) why DOE did not release the information before August 1987; and (2) the effect the information might have had on the selection of the Hanford site as a candidate nuclear waste repository site.

Findings/Conclusions: GAO found that: (1) although DOE conducted numerous studies in the past 20 years to determine the migration of radioactive materials through groundwater, it did not coordinate the studies or complete many of the activities and publications; (2) concerns about security, public reaction, and the effect on Hanford as a potential site affected the availability of iodine information; (3) DOE did not use the information in its environmental assessment of the Hanford site, since the information was not made public; (4) at the time Congress eliminated Hanford as a candidate repository site, the issue of groundwater movement was still unresolved; (5) DOE will not conduct planned studies to confirm Hanford's suitability, since the site is no longer under consideration for a repository; and (6) the state of Washington and the Nuclear Regulatory Commission concluded that there was sufficient information to fully evaluate the issue of groundwater movement and iodine migration at Hanford.

136132

Synthetic Fuels: Comparative Analyses of Retaining and Selling the Great Plains Project. RCED-88-172; B-207876. June 10, 1988. Released June 22, 1988. 4 pp. plus 6 appendices (12 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-34, April 13, 1988, Accession Number 135534; T-RCED-88-34A, April 13, 1988, Accession Number 135535; RCED-89-36, October 21, 1988, Accession Number 137132; and RCED-89-153, July 14, 1989, Accession Number 139103.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Energy and Commerce; House
Committee on Energy and Commerce:
Energy and Power Subcommittee; Senate
Committee on Appropriations: Interior
Subcommittee; Senate Committee on
Energy and Natural Resources; Rep.
Philip R. Sharp.

Abstract: In response to a congressional request, GAO performed cash-flow analyses to determine the: (1) value to the government of retaining the Great Plains coal gasification project; (2) estimated price to equal the project's retention value if the Department of Energy (DOE) sold the project; and (3) effect of federal tax provisions on the budget if DOE sold the project at prices ranging from \$250 million to \$700 million.

Findings/Conclusions: GAO found that: (1) from 1988 through 2009, the project would generate about \$6.9 billion in total revenues and incur about \$5.4 billion in total operating expenses, which would result in future net revenues of about \$1.5 billion; (2) at a \$1.029 billion sale price, a private investor would earn about \$621 million in income before taxes, owe about \$188 million in future income taxes, and be entitled to about \$697 million in production tax credits; (3) because the production tax credits would exceed the federal income taxes by about \$509 million, and the negative net proceeds would total about \$460 million, the present value from selling the project for \$1.029 billion would total about \$569 million; and (4) the sale of the project would affect the federal

budget during the next 22 years, since it would trade the net revenues it would receive from continued ownership for the net sale proceeds and tax revenues it would receive, resulting in an increase in the federal deficit.

Recommendation To Agencies: The Secretary of Energy should, in determining a fair price for the Great Plains project, consider the financial value of the project under continued federal ownership and the effect of production tax credits on the federal budget.

136147

National Defense Stockpile: Relocation of Stockpile Materials. NSIAD-88-142; B-223657. June 15, 1988.

Released June 23, 1988. 2 pp. plus 1 appendix (4 pp.). Report to Rep. Charles E. Bennett, Chairman, House Committee on Armed Services: Seapower and Strategic and Critical Materials Subcommittee; by Martin M. Ferber, Senior Associate Director, National Security and International Affairs Division.

Issue Area: Logistics: Other Issue Area Work (5991).

Contact: National Security and International Affairs Division.

Budget Function: National Defense: Defense-Related Activities (054.0).

Organization Concerned: General Services Administration; Federal Property Resources Service: Stockpile Depot, New Bedford, MA; Federal Property Resources Service: Stockpile Depot, Davisville, RI.

Congressional Relevance: House Committee on Armed Services: Seapower and Strategic and Critical Materials Subcommittee; Rep. Charles E. Bennett.

Abstract: Pursuant to a congressional request, GAO analyzed the General Services Administration's (GSA) claim that the government obtained a \$2.2-million benefit from its sale of a stockpile depot.

Findings/Conclusions: GAO found that the depot sale actually resulted in a net cost to the government of \$500,000, since the GSA analysis: (1) only considered the depot sales revenue of \$2.8 million, less \$600,000 for stockpile material relocation costs; but (2) failed to consider \$800,000 in revenue from the necessary sale of a satellite facility and its stockpile material relocation costs of \$3.5 million. GAO also found that stockpile managers expressed concern that the depot sale could cause an undesirable

concentration of national security assets and the loss of needed expansion space.

136148

[Views on DOE's Clean Coal Technology Program]. T-RCED-88-47. June 22, 1988. 15 pp. plus 4 attachments (5 pp.). Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by John W. Sprague, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-89-80, March 29, 1989, Accession Number 138396; and T-RCED-90-3, October 18, 1989, Accession Number 139779.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy; Environmental Protection Agency.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Authority: Clean Air Act. Energy Reorganization Act of 1974. Nonnuclear Energy Research and Development Act of 1974. H.R. 2666 (100th Cong.). H.R. 4331 (100th Cong.). S. Rept. 98-578. S. Rept. 100-165. H. Rept. 99-714.

Abstract: GAO discussed the Department of Energy's (DOE) Clean Coal Technology Program, a cost-shared demonstration program designed to encourage the commercialization of emerging clean coal technologies. GAO noted that DOE: (1) funded seven projects with \$227.5 million in federal funds and \$529.8 million in nonfederal funds for the program's first phase; (2) experienced problems in finalizing cooperative agreements due to sponsors' difficulties with financial arrangements and sponsors' objections to provisions regarding federal cost recovery and technical design and operational data; (3) plans to place more emphasis on sponsors' financial arrangements and emission reduction technologies in the program's second phase; and (4) disagrees with the Environmental Protection Agency regarding the most effective technologies for near-term emission reductions at existing coalburning facilities. GAO believes that: (1) DOE will experience some problems in the program's second phase, since it has not addressed all of the first-phase problems; and (2) pending acid rain control legislation could adversely affect the commercialization and market penetration of clean coal technologies if the legislation does not carefully link emission reduction schedules with the

commercial availability of such technologies.

136149

[Views on DOE's Clean Coal Technology Program]. T-RCED-88-47A. June 22, 1988. 1 p. Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by John W. Sprague, Associate Director, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy; Environmental Protection Agency.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Abstract: GAO summarized its discussion of the Department of Energy's (DOE) Clean Coal Technology Program. GAO noted that DOE: (1) funded seven projects with \$227.5 million in federal funds and \$529.8 million in nonfederal funds for the program's first phase; (2) experienced problems in finalizing cooperative agreements due to sponsors' difficulties with financial arrangements and sponsors' objections to provisions regarding federal cost recovery and proprietary data; (3) plans to place more emphasis on sponsors' financial arrangements and emission reduction technologies in the program's second phase; and (4) disagrees with the **Environmental Protection Agency** regarding the most effective technologies for near-term emission reductions at existing coal-burning facilities. GAO believes that: (1) DOE will experience some problems in the program's second phase, since it has not addressed all of the first-phase problems; and (2) pending acid rain control legislation could adversely affect the commercialization and market penetration of clean coal technologies if the legislation does not carefully link emission reduction schedules with the commercial availability of such technologies.

136190

[The Future of DOE's Uranium Enrichment Program]. T-RCED-88-50. June 28, 1988. 13 pp. Testimony before the House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-18, October 19, 1987, Accession Number 134330.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Interior and Insular Affairs: Energy and the Environment Subcommittee.

Authority: Government Corporation Control Act. Atomic Energy Act of 1954. H.R. 4489 (100th Cong.). S. 2097 (100th Cong.).

Abstract: GAO discussed legislative and administrative proposals for restructuring the Department of Energy's Uranium Enrichment Program. GAO noted that program problems included: (1) unused multibillion dollar payments for electricity; (2) uranium market uncertainties; (3) aging facilities; and (4) billions of dollars in unrecovered costs. GAO also noted that the proposed Uranium Revitalization, Tailings Reclamation and Enrichment Act of 1988 would: (1) restructure the program as a government corporation; (2) require the corporation to issue capital stock; (3) require the corporation to repay \$364 million within 20 years; (4) authorize the corporation to borrow up to \$2.5 billion from the private sector; (5) establish a decontamination and decommissioning fund for the corporation's property; and (6) exempt the corporation from Nuclear Regulatory Commission (NRC) licensing requirements. In addition, GAO noted that an administrative proposal for restructuring the program was similar to the proposed legislation, although it would: (1) establish a uranium revitalization fund from state and mine owner contributions and utility fees; (2) require NRC to issue its operating license within 5 years; and (3) not impose a fee on utilities that used foreign ore. GAO believes that, although the legislative and administrative proposals address some of the program's problems, Congress needs to give more consideration to repayment goals. decommissioning costs, the uranium stockpile, and corporate structure.

136197

Nuclear Science: History and
Management of the DOE/Air Force
Small Reactor Project. RCED-88138; B-231045. May 26, 1988.
Released June 29, 1988. 9 pp. plus 6
appendices (33 pp.). Report to Rep.
Michael L. Synar, Chairman, House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; by Keith O.

Fultz, Senior Associate Director.

Resources, Community, and Economic

Development Division. Refer to T-RCED-88-51, June 29, 1988, Accession Number 136202.

Issue Area: Energy: Achieving
Budgetary Savings Through Improved
Management of DOE's Nuclear Research
and Development Programs (6412).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Energy: Energy
Information, Policy, and Regulation
(276.0).

Organization Concerned: Department of the Air Force: Air Force Engineering and Services Center; Department of Energy: Los Alamos National Laboratory; Department of Energy: Idaho National Engineering Laboratory; Department of the Air Force: Bolling AFB, DC.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Abstract: Pursuant to a congressional request, GAO provided information regarding the joint Department of Energy (DOE) and Air Force Small Reactor Project, focusing on its origin, history, and funding.

Reactor Project, focusing on its origin, history, and funding. Findings/Conclusions: GAO found that: (1) using DOE discretionary funds, the DOE laboratory at Los Alamos initiated the project in June 1983 to determine whether a small nuclear reactor could satisfy the Air Force's electric power needs; (2) the laboratory obtained vendor participation and designs, formed project support groups, and prepared a formal plan to obtain DOE funding; (3) DOE and the Air Force found faults in the laboratory's feasibility study; (4) DOE assigned project management to one of its operations offices in early 1984, citing its more appropriate role in nuclear reactor technology; (5) laboratory and Air Force officials cited project-related disagreements as influencing the DOE reassignment of project management; (6) lack of coordination or communication with the laboratory caused the operations office to duplicate some of the laboratory's activities; (7) the Air Force transferred its project responsibility to another division, which recommended termination, citing the Senate's denial of its request to use military construction funds, anticipated budgetary constraints, and the lack of adequate requirements definition; (8) the project's total cost was 3.75 million, consisting of 450,000 from the DOE laboratory and \$3.3 million from DOE; and (9) the Air Force reimbursed DOE \$540,000 for its share of project costs in fiscal years 1986 and 1987.

136200

Naval Petroleum Reserves-1: Data **Corrections Made but More** Accurate Reserve Data Needed. RCED-88-174; B-215489. June 28 1988. 3 pp. plus 2 appendices (10 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-105BR, March 24, 1987, Accession Number 132664; RCED-88-198, July 28, 1988, Accession Number 136457; AFMD-88-67, August 24, 1988, Accession Number 136654; RCED-88-151, August 25, 1988, Accession Number 136934; and RCED-90-16, December 13, 1989, Accession Number 140514.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Chevron, U.S.A., Inc.; Bechtel Petroleum Operations, Inc.; Department of Energy: Office of Naval Petroleum and Oil Shale Reserves.

Congressional Relevance: House Committee on Budget; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Armed Services; House Committee on Energy and Commerce: Energy and Power Subcommittee; Senate Committee on Budget; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Armed Services; Rep. Philip R. Sharp. Authority: Naval Petroleum Reserves Production Act of 1976 (P.L. 94-258). Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) actions to correct Naval Petroleum Reserve No. 1 (NPR-1) production data inaccuracies which GAO believed: (1) resulted from a lack of effective internal controls; (2) caused incorrect computation of NPR-1 maximum efficient production rates; and (3) could result in the government's not receiving its entire share of remaining recoverable reserves if NPR-1 were sold. Findings/Conclusions: GAO found that DOE promptly initiated actions to correct data inaccuracy problems, including: (1) rewriting computer programs; (2) conducting tests of corrected data to validate the production accounting system's accuracy; (3) developing new allocation factors for the

production accounting system; (4) establishing standards for developing new allocation factors; and (5) validating all historical monthly production data. GAO also found that DOE: (1) will take almost a year to complete all corrective actions and will require additional time to measure the effectiveness of its newly implemented internal controls; (2) did not detect certain errors in allocation factors that had cleared its review process; and (3) has not exercised a study contract option that would provide it with the specific geological data it needs to protect the government's interests if it should choose to sell or manage the

Recommendation To Agencies: The Secretary of Energy should authorize the Director, Office of Naval Petroleum and Oil Shale Reserves, to exercise the government's option for phase IVb under the current contract to obtain more detailed geologic and engineering data needed to accurately determine the ownership of oil produced to date.

136202

[History and Management of the DOE/Air Force Small Reactor Project]. T-RCED-88-51. June 29, 1988. 9 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-138, May 26, 1988, Accession Number 136197.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy: Los Alamos National Laboratory; Department of Energy: Idaho National Engineering Laboratory; Department of the Air Force: Tyndall AFB, FL; Department of the Air Force: Bolling AFB, DC.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Abstract: GAO discussed the history and management of the joint Department of Energy (DOE) and Air Force Small Reactor Project, a 4-year project that cost about \$3.75 billion but was unsuccessful in reaching its intended goal of providing a source of secure power for the Air Force. GAO noted that: (1) a DOE laboratory initiated the project in 1983, using its internal discretionary funds to conduct a feasibility study and develop a

management plan for the development of a prototype nuclear reactor; (2) DOE and the Air Force continued the project, although the study failed to establish the project's feasibility; (3) DOE transferred project management responsibility to another laboratory in 1984, citing conflicts between the initial laboratory and the Air Force and the new laboratory's extensive experience in reactor development; (4) in 1986, the Air Force transferred project management responsibility to another base, which immediately recommended project termination, citing project delays and costs and unclear requirements; and (5) the Air Force officially terminated the program in 1987, citing congressional denial of its request to spend military construction funds for the project. GAO believes that the project was illconceived and poorly managed and demonstrated the importance of: (1) establishing the need for and feasibility of a project; (2) formal agreements between agencies involved in projects; and (3) continuity in project management.

136215

Oil Reserves: Status of Strategic Petroleum Reserves as of March 31, 1988. RCED-88-175FS; B-208196. June 24, 1988.

Released July 1, 1988. 24 pp. plus 1 appendix (1 p.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer RCED-88-59FS, September 30, 1987, Accession Number 134598; RCED-87-194FS, June 30, 1987, Accession Number 133825; and RCED-89-63FS, January 25, 1989, Accession Number 137831.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy; Department of the Navy: Military Sealift Command; United Mexican States: Petroleos Mexicanos.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar. Authority: Energy Policy and Conservation Act (P.L. 94-163). Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509). Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). P.L. 100-202.

Abstract: In response to a congressional request, GAO presented its semiannual review of the Department of Energy's (DOE) progress in developing, operating, and filling the Strategic Petroleum Reserve (SPR).

Findings/Conclusions: GAO found that: (1) as of March 31, 1988, the SPR inventory totalled 544.9 million barrels of oil: (2) during the previous 6 months. DOE added 11 million barrels of crude oil at an average fill rate of 60,000 barrels per day; (3) DOE disbursed \$208 million from the SPR account to pay for oil it purchased from the Mexican national oil company; (4) the fiscal year (FY) 1988 appropriation of \$164 million for SPR facilities development and management and \$439 million for oil purchases was adequate to fill SPR at an average daily rate of 50,000 barrels; (5) DOE plans to obligate \$173 million for facilities development and \$236 million for oil purchases for FY 1989; (6) testing revealed over 550 possible software deficiences at one SPR site; (7) DOE postponed drawdown exercises involving crude oil movements until completion of an evaluation of their effects on cavern integrity; and (8) DOE and the Military Sealift Command made progress in resolving issues concerning payments of \$500,000 to shippers for demurrage charges.

136283

Surface Mining: Transferring Interior's Surface Mining Regulatory Function. RCED-88-161; B-231390. June 9, 1988.

Released July 12, 1988. 7 pp. plus 4 appendices (7 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to GGD-81-57, March 20, 1981, Accession Number 114724.

Issue Area: Natural Resources
Management: OSM and State
Effectiveness in Meeting Regulatory
Responsibilities Under SMCRA (6910).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Conservation and
Land Management (302.0).

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Environmental Protection Agency; Department of Agriculture.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Surface Mining Control and Reclamation Act of 1977. H. Rept. 100-183. 5 U.S.C. 3501 et seq.

Abstract: In response to a congressional request, GAO reviewed the impacts and alternatives associated with transferring the Department of the Interior's Office of Surface Mining Reclamation and Enforcement's (OSMRE) functions to determine: (1) the cost of the transfer; (2) the time necessary to complete the transfer; (3) which agencies were most capable of carrying out and improving OSMRE functions; and (4) the source of knowledgeable and capable staff to perform OSMRE functions if they were transferred.

Findings/Conclusions: GAO found that: (1) the cost of transferring OSMRE functions would range between \$2 million and \$3.3 million, including \$0.7 million to \$0.9 million to transfer the employees and \$1.3 million to \$2.4 million for administrative costs; (2) retention of existing office space would lower moving costs; (3) past reorganizations indicate that, although the physical movement of employees and offices can be accomplished in a few weeks, transferring the regulatory function could disrupt and destabilize the program for 2 or more years; (4) although the surface mining regulatory function closely paralleled those in the Environmental Protection Agency, many industry representatives, environmental groups, and state mining officials suggested that the only other possible recipient agency was the Department of Agriculture; (5) most of the groups stated that OSMRE functions should not move from Interior, since transfer would not improve program performance; (6) most of the OSMRE career employees would transfer with the functions, since federal personnel laws require holding positions for transfer employees before hiring other employees to fill the positions; and (7) interest groups expressed dissatisfaction with management-level staff and preferred management changes.

136285

[Proposed Alaska Land Exchanges]. T-RCED-88-52. July 7, 1988. 5 pp. Testimony before the House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-179, September 29, 1988, Accession Number 136981.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of the Interior.

Congressional Relevance: House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee.

Abstract: GAO discussed a proposed land exchange through which: (1) the Department of the Interior would acquire 896,000 acres of Alaska-Nativeowned lands in seven Alaska wildlife refuges; and (2) six Alaska Native corporations would receive oil and gas rights on about 166,000 acres in the Arctic National Wildlife Refuge (ANWR). GAO noted that: (1) Interior had the authority to execute the exchange, although the corporations could not exercise the lands' oil and gas rights unless Congress opened ANWR for oil and gas development; (2) about 75 percent of the land Interior would acquire would provide only limited additional wildlife and habitat protection benefits; (3) Interior negotiated an exchange value of \$539 million for the land it would acquire, six times the appraised fair market value; (4) the value of the oil and gas tracts that the corporations would acquire was uncertain because of limited geologic information and uncertain economic data; and (5) Interior did not employ generally accepted methods for dealing with uncertainty in lease sales. GAO believes that it is not in the government's best interest to proceed with the land exchange.

136307

Nuclear Health and Safety: Oversight at DOE's Nuclear Facilities Can Be Strengthened. RCED-88-137; B-222195. July 8, 1988. 9 pp. plus 2 appendices (2 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-81-108, August 4, 1981, Accession Number 115979; RCED-84-50, November 30, 1983, Accession Number 123131; T-RCÉD-87-5, March 12, 1987, Accession Number

132383; T-RCED-88-53, July 13, 1988, Accession Number 136314; T-RCED-88-61, August 23, 1988, Accession Number 136742; RCED-88-227FS, September 23, 1988, Accession Number 137127; T-RCED-89-5, January 25, 1989, Accession Number 137785; T-RCED-89-6, February 8, 1989, Accession Number 137884; T-RCED-89-11, February 23, 1989, Accession Number 138007; and T-RCED-89-10, February 22, 1989, Accession Number 138031.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Office of the Secretary of Environment, Safety, and Health.

Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Science, Space, and Technology: Natural Resources, Agriculture Research and Environment Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee: Senate Committee on Energy and Natural Resources: Energy Research and Development Subcommittee; Senate Committee on Governmental Affairs: Congress; Sen. John H. Glenn. Authority: Department of Energy Organization Act (42 U.S.C. 7101 et seq.). DOE Order 5480.

Abstract: In response to a congressional request, GAO examined the Department of Energy's (DOE) environment, safety, and health (ES&H) activities, including: (1) the possibility that DOE could reduce the visibility and management it currently gives to safety and health issues; (2) legislatively mandated independent oversight of DOE nuclear facilities; and (3) unclear safety standards.

Findings/Conclusions: GAO found that:
(1) DOE created an Assistant Secretary for ES&H in 1985 to oversee the operations and contractors responsible for its nuclear defense facilities; (2) since the health and safety functions of the office were not legislatively mandated, DOE could relegate these issues to a level that would not provide top management attention; (3) although DOE created an advisory committee on nuclear facility safety, it did not meet GAO criteria for effective and independent oversight; and (4) since DOE did not determine what commercial

safety standards were applicable to its nuclear facilities, it could not determine if its facilities were safe compared to commercial nuclear facilities. Recommendation To Congress: Congress should amend the Department of Energy Organization Act to specifically establish the position of Assistant Secretary for ES&H to institutionalize this key component of the DOE oversight program. Congress should legislatively establish independent oversight of DOE nuclear defense facilities which will satisfy the five GAO key criteria. Recommendation To Agencies: The Secretary of Energy should revise DOE orders to establish meaningful safety standards and implementation policies to guide continued operation of existing facilities and to use as baseline safety criteria for developing its future strategy for the defense complex. This revision should include a formal process to: (1) clearly identify the commercial standards, guides, and codes that should be applied to DOE nuclear facilities; and (2) justify when a standard is not met.

136310

Nuclear Health and Safety: Dealing With Problems in the Nuclear Defense Complex Expected to Cost Over \$100 Billion. RCED-88-197BR; B-222195. July 6, 1988.

Released July 13, 1988, 22 pp. plus 1 appendix (1 p.). Briefing Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-53, July 13, 1988, Accession Number 136314; T-RCED-88-61, August 23, 1988, Accession Number 136742; RCED-88-227FS, September 23, 1988, Accession Number 137127; T-RCED-89-5, January 25, 1989, Accession Number 137785; T-RCED-89-6, February 8, 1989, Accession Number 137884; T-RCED-89-11, February 23, 1989, Accession Number 138007; and RCED-90-23, October 23, 1989, Accession Number 140018.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). **Organization Concerned:** Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs; Sen. John H. Glenn.

Abstract: In response to a congressional request, GAO examined problem areas in the Department of Energy's (DOE) nuclear defense facilities and the estimated costs to resolve the problems. Findings/Conclusions: GAO found that DOE will need to: (1) upgrade its existing nuclear facilities to meet defense needs and to ensure that the facilities conform to safety and environmental standards: (2) clean up most of the groundwater contamination in all its facilities, including those at inactive waste sites; (3) develop adequate groundwater monitoring procedures and quality assurance programs at several sites; and (4) dispose of high-level radioactive wastes in all of its facilities. GAO also found that recent DOE cost data indicate that it will cost from \$100 billion to over \$130 billion to address these problems and another \$15 billion to \$25 billion to cover expanded capability costs and relocation costs.

136314

[Dealing With Major Problem Areas in the Nuclear Defense Complex Expected to Cost Over \$100 Billion]. T-RCED-88-53. July 13, 1988. 9 pp. plus 1 attachment (1 p.). Testimony before the Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; and RCED-88-137, July 8, 1988, Accession Number 136307.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs. Abstract: GAO discussed problems with the Department of Energy's (DOE) nuclear defense complex. GAO noted that the major problem areas DOE must address include: (1) facility, equipment, and capability upgrades to meet nuclear defense needs and to ensure safe and environmentally acceptable operation; (2) environmental restoration to clean up existing contamination at DOE installations; and (3) safe radioactive waste disposal and nuclear facility decontamination. GAO also noted that: (1) a DOE report regarding its corrective actions to address environmental, safety, and health concerns primarily cited costs for normal operating needs and did not include costs for radioactive waste disposal, facility decontamination, or capability upgrades; and (2) analysis of preliminary DOE data indicated that it

could cost between \$100 billion and \$130 billion to address the complex's problem areas. GAO believes that DOE should: (1) obtain outside, independent oversight of its operations; and (2) develop a comprehensive strategy to address the complex's problems.

136334

Strategic Defense Initiative
Program: Accuracy of Statements
Concerning DOE's X-Ray Laser
Research Program. NSIAD-88181BR; B-223094. June 30, 1988.
Released July 15, 1988. 14 pp. plus 1
appendix (2 pp.). Briefing Report to Rep.
George E. Brown, Jr.; by Frank C.
Conahan, Assistant Comptroller
General, National Security and
International Affairs Division. Refer to
NSIAD-86-140BR, June 2, 1986,
Accession Number 130067.

Issue Area: Air Force: Assessing Whether U.S. Strategic Defense Programs Are Effectively Planned and Conducted (5403).

Contact: National Security and International Affairs Division.

Budget Function: National Defense:
Department of Defense - Military
(Except Procurement and Contracting)
(051.0).

Organization Concerned: Department of Energy: Lawrence Livermore National Laboratory; University of California. Congressional Relevance: Rep. George E. Brown, Jr. .

Abstract: Pursuant to a congressional request, GAO reviewed a former Lawrence Livermore National Laboratory (LLNL) employee's allegations that two LLNL scientists misrepresented technical information regarding the Department of Energy's X-ray laser research program.

Findings/Conclusions: GAO found that:

(1) LLNL X-ray laser program and LLNL management personnel, including the employee, had made statements concerning the X-ray laser's status and potential which were similar to most of the allegedly misleading statements; (2) the employee had prepared letters to administration officials to clarify one scientist's statements, but did not send them, at the request of the LLNL Director; (3) the employee presented his views on the scientists' statements to some of the officials that the scientists allegedly misled; and (4) there was no general agreement among LLNL scientists regarding the accuracy of the scientists' statements.

136356

Energy Management: States' Use and DOE Oversight of Exxon and Stripper Well Overcharge Funds. RCED-88-152; B-210176. June 14, 1988.

Released July 18, 1988. 38 pp. plus 4 appendices (7 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-145FS, May 16, 1988, Accession Number 136075; RCED-85-46, February 14, 1985, Accession Number 126403; and RCED-88-51, February 4, 1988, Accession Number 135037.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Energy and Commerce; House

205. P.L. 97-377.

Organization Concerned: Department of Energy; Exxon Corp.; Department of Energy: Conservation and Renewable Energy Inquiry and Referral Service. Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on

Committee on Energy and Commerce: Oversight and Investigations
Subcommittee; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources; Rep. John D. Dingell.
Authority: Emergency Petroleum
Allocation Act of 1973 (15 U.S.C. 751 et seq.). Petroleum Overcharge Distribution and Restitution Act of 1986. 10 C.F.R.

Abstract: In response to a congressional request, GAO evaluated states' use of over \$3 billion from certain oil overcharge cases to determine whether: (1) states' use of the funds, including interest, met legislative and judicial requirements; and (2) the Department of Energy's (DOE) plans for monitoring states' use of the funds also met the requirements.

Findings/Conclusions: GAO found that: (1) the seven states it reviewed planned to use the funds on allowable projects, such as providing restitution to injured parties through energy conservation or energy assistance; (2) DOE approved the states' plans to use \$57.8 million, or 16 percent of the funds, for road and bridge repair, research, and other projects that directly benefited state and local governments, but which DOE had

previously considered not to be restitutionary or energy-related; and (3) DOE relied on states to carry out on-site monitoring of the funds' use. GAO also found that: (1) DOE procedures for monitoring state use of nongrant funds were inadequate because they did not provide on-site monitoring or establish expectations for states: (2) as of June 30, 1987, the states approved plans to spend an estimated \$67 million on nongrant projects; (3) DOE relied on field offices to develop monitoring procedures to ensure that states spent interest earned from the funds on energy-related programs; (4) five of the seven states it reviewed met the requirement to credit interest earned to oil overcharge accounts, while the other two credited approximately \$3 million in interest to other program accounts; and (5) two states used about \$17.7 million of the funds to supplant state funds, while another used \$1.7 million to reduce its funding of a project. Recommendation To Agencies: The Secretary of Energy should direct the Assistant Secretary for Conservation and Renewable Energy to: (1) formulate, for stripper well funds used for nongrant projects, monitoring procedures that comply with the Petroleum Overcharge Distribution and Restitution Act of 1986 requirement that all stripper well funds distributed to states be monitored in a manner substantially similar to the distribution of funds under the Warner Amendment; and (2) ensure that DOE field offices develop and implement monitoring procedures that adequately detect states' improper use of interest earned on Exxon and stripper well funds and states' use of Exxon and stripper well funds to supplant state funds.

136393

Nuclear Waste: DOE Should Base Disposal Fee Assessment on Realistic Inflation Rate. RCED-88-129; B-202377. July 22, 1988. 8 pp. plus 2 appendices (4 pp.). Report to John S. Herrington, Secretary, Department of Energy; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-121, August 31, 1987, Accession Number 133814.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Department of Energy: Office of

Civilian Radioactive Waste Management.

Congressional Relevance: House Committee on Government Operations: House Committee on Appropriations: **Energy and Water Development** Subcommittee; House Committee on Energy and Commerce; Senate Committee on Governmental Affairs; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources. Authority: Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101). P.L. 100-203. Immigration and Naturalization Service v. Chadha, 462 U.S. 919 (1983). Abstract: GAO reviewed the Department

Abstract: GAO reviewed the Department of Energy's (DOE) annual assessment of the nuclear waste disposal program fee, focusing on DOE treatment of inflation in assessing fee adequacy.

Findings/Conclusions: GAO found that: (1) in June 1987, DOE recommended that the disposal fee remain unchanged, even though its analysis showed that, at a 4-percent inflation rate, the current fee would result in end-of-program deficits of \$21 billion to \$76 billion; (2) DOE should have proposed a fee increase to Congress, based on the inflation rate, to ensure that revenues would cover program costs; and (3) future program changes and reduced costs should enable DOE to begin using a realistic inflation rate in determining fee adequacy in 1988.

Recommendation To Agencies: The Secretary of Energy should use a realistic base-case inflation rate estimate in determining the waste disposal fee needed to produce sufficient revenues to recover total program costs.

136406

IGAO Views on Monitored Retrievable Storage of Nuclear Waste]. T-RCED-88-55. July 26, 1988. 19 pp. Testimony before the Monitored Retrievable Storage Review Commission; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-100, September 30, 1985 Accession Number 128021; RCED-86-104FS, May 8, 1986, Accession Number 129887; RCED-86-198FS. August 15, 1986, Accession Number 130812: and RCED-87-92, June 1, 1987, Accession Number 133202.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy; Monitored Retrievable Storage Review Commission. **Authority:** Nuclear Waste Policy Act of 1982.

Abstract: GAO discussed the Department of Energy's (DOE) proposal to construct and operate a monitored retrievable storage (MRS) facility for the permanent disposal of highly radioactive wastes. GAO found that: (1) although the Nuclear Waste Policy Act envisioned MRS for long-term storage, DOE proposed MRS for waste handling and temporary storage purposes; (2) DOE concluded that, although various alternatives to MRS could improve the system, they would not provide the benefits of MRS; (3) DOE did not analyze the effects of the alternatives or develop detailed design plans; (4) DOE stated that it would be able to develop and operate MRS facilities several years sooner than a repository and would be able to locate them close to a large number of eastern power plants; (5) DOE estimated that building and operating MRS would add about \$1.5 billion to the cost of the nuclear waste management system, but did not include costs for site acquisition, fees, royalties, upgrading roads and other costs; (6) DOE did not address public utilities' need for MRS, their alternatives to MRS, or the effect on their operations without MRS; (7) amendments to the act could delay the proposed operation of MRS beyond 1998, since DOE could not begin MRS construction until selection and construction of a repository site; and (8) DOE did not demonstrate any significant advantages to preparing nuclear waste disposal at a MRS facility, rather than at a repository site, other than reduced transportation distances, GAO believes that DOE and the MRS Review Commission need to address whether the remaining advantages of MRS are worth its additional cost, particularly since it is no longer available to eliminate utilities' needs for additional on-site storage capacity.

136422

[Protest of Subcontract Award Under DOE Contract for Test Site Operation]. B-230878. July 25, 1988. 3 pp. *Decision* re: Engineered Air Systems, Inc.; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Engineered Air Systems, Inc.; Brookside Group; Department of Energy; Reynolds Electrical & Engineering Co., Inc. Authority: 4 C.F.R. 21.2(a)(2). 4 C.F.R. 21.3(m). B-211575 (1983). B-223435 (1986).

Abstract: A firm protested a subcontract award for fan blade tests under a Department of Energy (DOE) contract for test site operations, contending that the contractor improperly: (1) excluded it from competition by rejecting its offer to perform the required product evaluation services at no charge; and (2) terminated its current contract for default and withheld contract funds pending the outcome of a lawsuit. GAO held that the contractor: (1) properly determined that the protester's testing and evaluation of its own product posed a potential conflict of interest; and (2) improperly awarded the subcontract to the protester's subcontractor for the fans, which also represented a potential conflict of interest. GAO would not consider the propriety of the contractor's termination of the protester's contract or the DOE decision to withhold funds, since those were matters of contract administration. Accordingly, the protest was denied.

136443

Offshore Oil and Gas: **Environmental Studies Program** Meets Most User Needs but Changes Needed. RCED-88-104; B-207556. June 29, 1988.

Released August 1, 1988. 34 pp. plus 6 appendices (53 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General. Resources, Community, and Economic Development Division. Refer to RCED-85-66, July 15, 1985, Accession Number

Issue Area: Natural Resources Management: Interior's Leasing and **Development of Offshore Minerals** Resources (6908); Environmental Protection: Other Issue Area Work (6891)

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Natural Resources

and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior; Department of the Interior: Minerals Management Service; National Oceanic and Atmospheric Administration.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Interior

Subcommittee: Senate Committee on Energy and Natural Resources; Rep. Michael L. Synar.

Authority: Outer Continental Oil Shelf Lands Act (P.L. 83-212). Outer Continental Shelf Lands Act Amendments of 1978 (P.L. 95-372). Endangered Species Act of 1973.

Abstract: In response to a congressional request, GAO reviewed the Department of the Interior's outer continental shelf (OCS) environmental studies program to determine: (1) whether contractors timely delivered environmental studies in relation to originally scheduled due dates and planned lease uses; (2) the level of user satisfaction with the studies and how Interior's Minerals Management Service (MMS) used them for OCS decisionmaking; and (3) whether MMS and the National Oceanic and Atmospheric Administration (NOAA) could use Alaska program resources more efficiently.

Findings/Conclusions: GAO found that: (1) although MMS and NOAA received most draft and final studies after their originally scheduled due dates, most of the studies were in time for planned lease sale uses; (2) most of the program studies users were satisfied with the studies' usefulness, timeliness, and quality, but some groups reported that they received half of the studies too late to provide input to MMS on lease sale decisions; and (3) recent declines in program funding for Alaska and in the number of studies contracts, as well as duplication of administrative functions by MMS and NOAA, reduced program efficiency.

Recommendation To Agencies: The Secretary of the Interior should direct the Director, MMS, to develop alternatives for making more efficient the Alaska environmental studies program contract award and administration functions currently carried out by both NOAA and MMS. In deciding which alternative to pursue, MMS should consider not only potential dollar savings but also other issues, such as staffing, public perception of objectivity, and continuity of scientific expertise.

136457

Naval Petroleum Reserve No. 1: Efforts to Sell the Reserve. RCED-88-198; B-215489. July 28, 1988. 6 pp. plus 6 appendices (22 pp.). Report to Rep. Jamie L. Whitten, Chairman, House Committee on Appropriations; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Refer to RCED-88-43FS, November 23, 1987, Accession Number 134672; RCED-88-174, June 28, 1988, Accession Number 136200; and RCED-89-103. March 16, 1989. Accession Number 138436.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Chevron, U.S.A., Inc.

Congressional Relevance: House Committee on Appropriations; Rep. Jamie L. Whitten.

Authority: Supplemental Appropriation Act, 1974 (P.L. 93-245). Naval Petroleum Reserves Production Act of 1976 (P.L. 94-258). P.L. 96-137. U.S. Const. art. IV, \(sc3. H.R. 5316 (80th Cong.). H.R. 49 (94th Cong.). 41 Stat. 813. 45 Stat. 148. 52 Stat. 1252.

Abstract: In response to a congressional request, GAO reviewed the proposed sale of the Elk Hills, California, Naval Petroleum Reserve No. 1 (NPR-1), specifically the: (1) chronological events leading to and following sale proposals; (2) proposals to produce and sell NPR-1 oil and gas production for nonmilitary use; and (3) Department of Energy's (DOE) 1987 divestiture report.

Findings/Conclusions: GAO found that: (1) Congress must authorize NPR sales, and it has not delegated that authority or approved executive branch proposals to sell or otherwise change the status of NPR; (2) after the Arab oil embargo, Congress passed legislation that allowed the military to acquire some or all of the oil, as needed, for defense purposes; (3) in 1987, Congress authorized DOE up to \$500,000 to study a NPR-1 sale; and (4) DOE proposed to use the receipts from the sale of NPR-1 to complete filling the Strategic Petroleum Reserve to 750 million barrels of oil and to develop and fill a 10-million-barrel defense petroleum inventory. GAO also found that the DOE divestiture report did not adequately justify the sale of NPR-1, since: (1) its conclusions relied heavily on inaccurate data concerning NPR-1 recoverable reserves; (2) it estimated NPR-1 value from industry rather than government perspectives; and (3) it did not consider the potential for leasing NPR-1 as an alternative to either selling or holding the asset.

136481

Nuclear Health and Safety: Stronger Oversight of Asbestos Control Needed at Hanford Tank Farms. RCED-88-150; B-222195. July 29, 1988.

Released August 5, 1988. 7 pp. plus 6 appendices (17 pp.). Report to Sen. Brock Adams; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Westinghouse Hanford Co.; Department of Energy: Operations Center, Richland, WA: Rockwell Hanford Operations: Department of Energy; Occupational Safety and Health Administration. Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Sen. Brock Adams. Authority: Occupational Safety and Health Act of 1970. DOE Order 5480.4. DOE Order 5483.1A.

Abstract: Pursuant to a congressional request, GAO investigated potential asbestos exposure problems at the Department of Energy's (DOE) Hanford site in Richland, Washington (DOE/RL), focusing on the activities of the: (1) contractor who operated the site's tank farms until June 1987; and (2) current contractor.

Findings/Conclusions: GAO found that the original contractor: (1) performed four asbestos removal and repair jobs in 1987; (2) did not provide employee monitoring and supervision for the jobs; (3) did not begin to provide training for such work until April 1987; (4) requested an exemption, which DOE/RL improperly granted, from full compliance with 8 of 14 revised Occupational Health and Safety Administration (OSHA) requirements by the mandated deadline; (5) established an asbestos control plan for implementing the guidelines within 9 months; and (6) did not ensure compliance with the asbestos requirements. GAO also found that the current contractor: (1) did not provide employee monitoring or supervision for the two asbestos removal and repair jobs

it performed in 1987; (2) continued to use the first contractor's asbestos control plan when it replaced that contractor; (3) conducted inadequate oversight of asbestos jobs and failed to ensure compliance with safety and health requirements; and (4) plans to improve its operations by providing asbestos medical examinations, clarifying the role of tank-farm operators in assisting asbestos workers, providing employee exposure monitoring, and providing competent supervision of asbestos jobs. Recommendation To Agencies: The Secretary of Energy should direct the Manager, DOE/RL, to build on recent corrective initiatives by actively overseeing the asbestos program to ensure that its contractors effectively implement and comply with all DOE/OSHA asbestos requirements.

136509

[The Future of DOE's Uranium Enrichment Program]. T-RCED-88-59A. August 10, 1988. 1 p. Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Authority: Government Corporation Control Act. H.R. 4489 (100th Cong.). H.R. 4934 (100th Cong.). H.R. 4975 (100th Cong.).

Abstract: GAO discussed legislative proposals for restructuring the Department of Energy's (DOE) Uranium Enrichment Program. GAO noted that the program's many problems included: (1) over \$9 billion in unrecovered costs: and (2) DOE failure to collect any money for decommissioning costs. GAO also noted that the proposals would: (1) restructure the program as a government corporation to allow it to operate in a more businesslike manner; (2) require the corporation to repay only \$364 million in incurred costs; (3) use most of the repayment to clean up uranium mill tailings or purchase uranium ore; (4) require the corporation to establish a fund to decommission only two of three enrichment plants; (5) not transfer one of the facilities to the new corporation; and (6) establish a fund to clean up uranium mine sites by imposing utility fees based on facilities'

use of foreign ore and providing for the purchase of domestic ore. GAO believes that legislative proposals to restructure the program should: (1) require a highercost repayment; (2) require DOE to recover the costs of decommissioning all of its enrichment plants; and (3) consider the already sizable stockpile of uranium DOE owns.

136553

[Request for Reinstatement of Dismissed Protest of DOE Contract Award for Support Services]. B-231025.5. August 11, 1988. 3 pp. Decision re: Technology & Management Services, Inc.; by Ronald Berger, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel.
Organization Concerned: Technology &
Management Services, Inc.; Department
of Energy; Diversified Systems
Resources, Ltd.; General Services
Administration: Board of Contract
Appeals; Small Business Administration.
Authority: Competition in Contracting
Act of 1984 (31 U.S.C. 3551 et seq.). 65
Comp. Gen. 72. 40 U.S.C. 759(f).
Abstract: A firm requested
reinstatement of its dismissed protest
against a Department of Energy (DOE)

contract award for support services. GAO had held that the protest was academic, since DOE terminated the awardee's contract. The protester contended that GAO should reinstate its protest, since: (1) the General Services Administration Board of Contract Appeals (GBSCA) directed DOE to reinstate the award without full consideration of the original protest issues; and (2) DOE improperly denied it an opportunity to protest the awardee's size status with the Small Business Administration. GAO would not reinstate the protest, since: (1) GBSCA had decided the essential protest issues; and (2) the protester had filed a sizestatus protest with SBA. Accordingly, the request for reinstatement was denied.

136557

[Protest of Subcontract Award Under DOE Contract for Facility Management]. B-231033. August 12, 1988. 11 pp. *Decision* re: Afftrex, Ltd.; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel.

Organization Concerned: Afftrex, Ltd.; General Electric Co.; Department of Energy.

Authority: Competition in Contracting Act of 1984 (31 U.S.C. 3551(1)). Small Business Act (15 U.S.C. 637(b)), 4 C.F.R. 21.3(f)(10), 4 C.F.R. 21.2(a)(2), 4 C.F.R. 21.0(a). F.A.R. 15.606. B-224607 (1987). B-225823 (1987). B-228155 (1988), B-228404 (1988). B-227872 (1987). B-207660.3 (1983). B-224607.2 (1987).

Abstract: A firm protested any subcontract award for decontamination services under a Department of Energy (DOE) contract for facility management, contending that the contractor: (1) conspired to exclude it from competition; and (2) improperly amended the solicitation instead of cancelling and resoliciting the requirement. The contractor contended that the protester: (1) untimely filed its protest against alleged solicitation improprieties and its exclusion from competition; and (2) was not sufficiently interested to challenge the procurement, since it voluntarily removed itself from the competition. GAO held that the protester: (1) timely filed its protest; (2) was sufficiently interested to challenge the procurement; (3) failed to provide irrefutable evidence that the contractor specifically and maliciously intended to exclude it from competition; and (4) failed to show that the nature and scope of the solicitation amendments warranted cancellation and resolicitation. Accordingly, the protest was denied.

136558

[Protest of Proposed DOE Contract Award for Radioactive Waste Transportation]. B-230211.3. August 12, 1988. 4 pp. *Decision* re: TAD Trucking Co.; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel.
Organization Concerned: TAD Trucking
Co.; Dawn Trucking Co.; Westinghouse
Electric Corp.; Department of Energy.
Authority: F.A.R. 9.104-1(c). F.A.R. 9.501.
F.A.R. 9.504. F.A.R. 9.505. B-228582
(1988). B-228411.3 (1988).

Abstract: A firm protested a proposed Department of Energy (DOE) contract award for radioactive waste transportation, contending that the proposed awardee: (1) did not have a satisfactory safety reçord; and (2) was ineligible for the contract, since a conflict of interest existed between it and the firm which assisted DOE in preparing the solicitation, participated in bid evaluation, and operated the waste disposal facility. GAO held that:

(1) DOE properly determined that the proposed awardee's safety record was satisfactory; and (2) there was no evidence that the proposed awardee and the facility operator had any relevant business affiliation. Accordingly, the protest was dismissed in part and denied in part.

136593

[The Future of DOE's Uranium Enrichment Program]. T-RCED-88-59. August 10, 1988. 13 pp. Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-18, October 19, 1987, Accession Number 134330.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy; Nuclear Regulatory Commission.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Authority: Government Corporation Control Act. Atomic Energy Act of 1954. H.R. 4489 (100th Cong.). H.R. 4934 (100th Cong.). H.R. 4975 (100th Cong.). S. 2097 (100th Cong.).

Abstract: GAO discussed three legislative proposals for restructuring the Department of Energy's Uranium Enrichment Program. GAO noted that program problems included: (1) unused multibillion-dollar payments for electricity; (2) uranium market uncertainties; (3) aging facilities; and (4) billions of dollars in unrecovered costs. GAO also noted that two of the legislative proposals would: (1) restructure the program as a government corporation; (2) require the corporation to issue capital stock; (3) require the corporation to repay \$364 million within 20 years; (4) authorize the corporation to borrow up to \$2.5 billion from the private sector; (5) establish a decontamination and decommissioning fund for the corporation's property; and (6) exempt the corporation from Nuclear Regulatory Commission (NRC) licensing requirements. In addition, GAO noted that the third legislative proposal was similar to the other two, although it would: (1) establish a uranium revitalization fund from state and mine owner contributions and utility fees; (2) require NRC to issue its operating license within 4 years; and (3) not impose a fee on utilities that used foreign ore. GAO believes that, although

the proposals address some of the program's problems, Congress needs to give more consideration to repayment goals, decommissioning costs, the uranium stockpile, and corporate structure.

136619

Mineral Revenues: Information on Interior's Royalty Management Program. RCED-88-165; B-228947. July 22, 1988.

Released August 23, 1988. 3 pp. plus 6 appendices (26 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Effectiveness of Interior's Oversight of Federal Minerals Revenues (6907).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior: Minerals Management Service.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. J. Bennett Johnston. Authority: Outer Continental Oil Shelf Lands Act. Indian Mineral Development Act of 1982. Mineral Lands Leasing Act. Mineral Leasing Act for Acquired Lands. Oil and Gas Royalty Management Act. Abstract: Pursuant to a congressional request, GAO examined the Minerals Management Service's (MMS): (1) collection and disbursement of royalties and other revenues from mineral leases on federal and Indian lands; (2) mechanisms that help ensure proper collections and disbursements; and (3) initiatives to strengthen its Royalty Management Program.

Findings/Conclusions: GAO found that MMS: (1) collected \$3.72 billion and made regular disbursements of \$3.69 billion in revenues from federal onshore, Indian, and offshore mineral leases in fiscal year (FY) 1987; (2) disbursed \$2.85 billion in previously escrowed offshore revenues from land within 3 miles of states' seaward boundaries in FY 1987; (3) improved audit coverage to help ensure that it made proper collections; (4) used various techniques to ensure that supporting documents for collections were accurate, timely, and in accordance with rules and regulations;

and (5) initiated several actions to improve its Royalty Management Program, including payer account balance reconciliation, and computer system enhancements.

136620

Surface Mining: Information on the Updated Abandoned Mine Land Inventory. RCED-88-196BR; B-226046. July 22, 1988.

Released August 23, 1988. 22 pp. plus 1 appendix (1 p.). Briefing Report to Rep. Ralph S. Regula, Ranking Minority Member, House Committee on Appropriations: Interior Subcommittee; Rep. Sidney R. Yates, Chairman, House Committee on Appropriations: Interior Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-89-35, October 28, 1988, Accession Number 137392; and RCED-89-82FS, February 22, 1989, Accession Number 138391.

Issue Area: Natural Resources Management: Adequacy of Efforts To Reclaim Abandoned Mine Lands To Protect Public Health and the Environment (6911).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; Rep. Ralph S. Regula; Rep. Sidney R. Yates.

Authority: Surface Mining Control and Reclamation Act of 1977.

Abstract: In response to a congressional request, GAO reviewed the Office of Surface Mining Reclamation Enforcement's (OSMRE) procedures for updating the national inventory of abandoned coal mine land problem areas, focusing on the: (1) role and composition of the inventory update committee; (2) criteria OSMRE used to determine a problem area's priority for inclusion in the national inventory; and (3) procedures OSMRE used to screen problem areas to ensure that it would place only those areas that affected public health, safety, and general welfare in the inventory, Findings/Conclusions: GAO found that: (1) OSMRE established the committee to review state-nominated problem areas for inclusion in the national inventory;

(2) the committee was to identify inconsistencies existing between the

OSMRE field office reviews and omissions of required data that the field offices overlooked; and (3) although four OSMRE staff members were to comprise the committee, during its 22 meetings from August 1984 to October 1987, participation ranged from 3 to 6 OSMRE staff members, with 14 different staff members participating at one time or another. GAO also found that: (1) an OSMRE inventory manual outlined the criteria to determine the reclamation priority of problem areas; (2) OSMRE used the state reports to allocate the federal portion of the Abandoned Mine Reclamation Fund; (3) OSMRE included lands that presented environmental restoration problems but did not threaten public welfare in the inventory, but did not use such lands to allocate funds: and (4) OSMRE developed various quality control procedures to review state reports. In addition, GAO found that: (1) most state and OSMRE officials believed that the inventory was too inconsistent to use as a basis to allocate grants to states, since states' relative reclamation needs differed; (2) OSMRE tightened the requirements and did not reevaluate submissions approved prior to the change; and (3) states found inconsistencies in OSMRE field office reviews.

136634

Performance Evaluation: Energy Information Administration. PART-88-1. July 1988. 25 pp. plus 2 appendices (20 pp.). Report to Executive Office of the President; Congress; by James Duffus, III, Chairman, Professional Audit Review Team. Refer to PART-86-1, April 16, 1986, Accession Number 129709; PART-82-1, May 19, 1982, Accession Number 118676; and PART-84-1, June 15, 1984, Accession Number 124430.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Energy Information Administration; Executive Office of the President; Professional Audit Review Team.

Congressional Relevance: Congress. Authority: Department of Energy Organization Act (P.L. 95-91; 42 U.S.C. 7101). Department of the Interior and Related Agencies Appropriation Act, 1984 (P.L. 98-146). Abstract: Pursuant to a legislative requirement, the Professional Audit Review Team (PART) evaluated the Energy Information Administration's (EIA) activities from October 1985 through June 1987.

Findings/Conclusions: PART found that EIA: (1) significantly reduced its budget for quality maintenance investments from fiscal years (FY) 1983 through 1987; (2) reduced its quality control contract budget by 25 percent; (3) shifted from a 5-year comprehensive quality program to an 8-year cycle because of budget reductions; (4) did not analyze all of the forms it used to gather data; (5) lacked a formal system to ensure full implementation of the recommendations in its quality audits; and (6) made substantial progress in documenting its models and data systems, but needs to ensure the adequacy of the documentation.

136637

[Protest of Proposed DOE Contract Award for Radioactive Waste Transportation]. B-230211.4. August 22, 1988. 5 pp. *Decision* re: Colorado All-State Transportation, Inc.; by Ronald Berger, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Department of Energy; Colorado All-State Transportation, Inc.; Dawn Trucking Co. Authority: Service Contract Act of 1965. F.A.R. 15.605(d). B-229664 (1988). B-221320 (1986). B-199741.2 (1981). B-229547 (1988).

Abstract: A firm protested a proposed Department of Energy (DOE) contract award for radioactive waste transportation, contending that DOE: (1) should have rejected the proposed awardee's bid, since it did not include the carrier authority that the solicitation required; (2) did not properly evaluate the proposed awardee's hazardous materials experience; and (3) improperly made award on the basis of the proposed awardee's low bid. GAO held that DOE: (1) issued an amendment eliminating the carrier authority requirement; (2) reasonably determined that the proposed awardee's work with uranium mill tailings qualified as hazardous materials experience; and (3) reasonably decided to make award to the offerer with the lower of two technically equal bids. Accordingly, the protest was denied.

136683

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of June 30, 1988. RCED-88-204BR; B-202377. August 29, 1988. 20 pp. plus 2 appendices (2 pp.). Briefing Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz. Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-89-22FS, November 22, 1988, Accession Number 137374.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Office of Civilian Radioactive Waste Management; Nuclear Regulatory Commission.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982. P.L. 100-203.

Abstract: Pursuant to a congressional request, GAO discussed key nuclear waste program activities occurring in the quarter ending June 30, 1988, and related activities occurring in July 1988. Findings/Conclusions: GAO found that: (1) in May 1988, the Nuclear Regulatory Commission issued final point papers on the Department of Energy's (DOE) Yucca Mountain draft site characterization plan, finding that DOE inadequately considered alternative conceptual models and did not provide an adequate quality assurance program; (2) in June 1988, DOE released a draft mission plan amendment to federal agencies, states, and others for comment; and (3) in April 1988, DOE reorganized its Office of Civilian Radioactive Waste Management, placing more emphasis on quality assurance, facility licensing, integration of all waste system components, and interactions with affected governments, the public, and other organizations.

136691

Energy Security: An Overview of Changes in the World Oil Market. RCED-88-170; B-221750. August 31, 1988. 73 pp. plus 1 appendix (1 p.). Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to RCED-86-85, April 15, 1986, Accession Number 129798; NSIAD-88-32, May 17, 1988, Accession Number 135811: NSIAD-85-99. January 13, 1985, Accession Number 127313; OGC-83-6, March 4, 1983, Accession Number 120926; RCED-83-106, February 17, 1983, Accession Number 120634; RCED-85-151, August 8, 1985, Accession Number 127772; T-RCED-89-27, April 19 1989, Accession Number 138451; T-RCED-89-38, May 4, 1989, Accession Number 138580; and T-RCED-90-12, November 8, 1989, Accession Number 139954.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency

Energy Preparedness (274.0).

Organization Concerned: International Energy Agency.

Congressional Relevance: Congress. Authority: Defense Production Act of 1950. Emergency Energy Conservation Act of 1979. Energy Policy and Conservation Act. Energy Emergency Preparedness Act of 1982. Export Administration Act of 1979.

Abstract: GAO evaluated changes in the world oil market to: (1) determine how U.S. vulnerability to an oil crisis has changed in the last decade; and (2) identify areas of potential significance to U.S. energy security.

Findings/Conclusions: GAO found that: (1) lower oil imports and oil consumption have significantly curtailed U.S. and other major oil-importing countries' dependency on imported oil; (2) abundant oil supplies, increased competition for oil revenues, and less hazardous transportation routes reduced the prospects of a significant oil shortfall; and (3) the United States and other major oil-importing countries have built significant emergency oil stocks and developed other measures to mitigate the effects of a serious disruption. GAO believes that the United States could further reduce its dependency on oil by: (1) developing alternative fuels and emphasizing more efficient fuel use in the transportation sector; (2) continuing to build strategic oil stocks and resolving related disputes within the International Energy Agency; (3) adopting standby measures to limit overreliance on the Strategic Petroleum Reserve; and (4) maintaining a stable economic and regulatory atmosphere to encourage investments in oil and alternative energy programs.

136702

Technology Transfer: U.S. and Foreign Participation in R&D at Federal Laboratories. RCED-88-203BR; B-221997. August 15, 1988. Released September 6, 1988. 53 pp. plus 3 appendices (23 pp.). Briefing Report to Sen. Lloyd Bentsen; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-116BR, March 4, 1988, Accession Number 135241; and RCED-88-89BR, March 4.

Issue Area: Science and Technology Policy and Programs: Assessing Effectiveness of Federal Programs in Improving U.S. Competitiveness Through Stimulating Research and Development (9307).

1988, Accession Number 135368.

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science, Space, and Technology: General Science and Basic Research (251.0).

Organization Concerned: Department of Energy; National Institutes of Health. Congressional Relevance: Sen. Lloyd Bentsen.

Authority: Technology Transfer Act (Federal) (P.L. 99-502). Health Research Extension Act of 1985. Patent and Trademark Amendments of 1980 (P.L. 96-517; 35 U.S.C. 200 et seq.). Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.). Arms Export Control Act (22 U.S.C. 2751 et seq.). Freedom of Information Act (5 U.S.C. 552). 15 C.F.R. 379. Executive Order 12591. Agreement on Cooperation in Research and Development in Science and Technology, May 1, 1980, United States-Japan, T.I.A.S. No. 9760.

Abstract: Pursuant to a congressional request, GAO assessed: (1) the extent of U.S. and foreign researchers' participation in federal research and development laboratories; (2) federal laboratories' policies regarding foreign access to research and development; (3) reciprocity between federal laboratory researchers and foreign researchers; and (4) the implications of these issues for U.S. policy on foreign access to federal research and development.

Findings/Conclusions: GAO obtained responses to its questionnaire from laboratories and found that: (1) 13,092

U.S. and 5,677 foreign researchers conducted research at their facilities during fiscal year 1986, with 4,657 U.S. and 3,597 foreign researchers working through guest researcher programs intended to attract senior scientists and engineers from governments, businesses, and universities; (2) the Department of Energy's energy research laboratories and the National Institutes of Health had the highest numbers of outside U.S. and foreign researchers; (3) Japan, the United Kingdom, and China contributed the highest percentages of foreign researchers, totalling 13 percent, 8 percent, and 8 percent of the entire research population, respectively; (4) all of the laboratories required researchers to disclose any inventions they made at their laboratories; and (5) the United States benefited more than foreign researchers from research collaboration. GAO found that the laboratories: (1) distinguished between scientific research and research with commercial potential in restricting foreign access; (2) did not perceive a need for additional guidance or authority to require reciprocity or restrict foreign access; and (3) did not favor formal restrictions on foreign access to federal laboratories, instead preferring to stimulate U.S. participation.

136715

[Request for Reconsideration of Denied Protest Against TVA Contract Award for Ash Collection Facility]. B-231552.2. September 1, 1988. 3 pp. *Decision* re: Allen-Sherman-Hoff Co.; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Allen-Sherman-Hoff Co.; United Conveyor Corp./United Service Conveyor Corp.; Tennessee Valley Authority.

Authority: B-231552 (1988). B-221459 (1986). B-227903 (1987).

Abstract: A firm requested reconsideration of its denied protest against a Tennessee Valley Authority (TVA) contract award for an ash collection facility, contending that the: (1) awardee could not meet a definitive responsibility criterion for experience through its subcontractor's experience; and (2) awardee's subcontractor did not meet the experience requirement. GAO held that: (1) the awardee's subcontractor's experience fulfilled the requirement; and (2) TVA properly determined that the subcontractor met the requirement. Accordingly, the dismissal was affirmed.

136742

[Extent of Problems and Cost to Revitalize the Nation's Nuclear Defense Complex]. T-RCED-88-61. August 23, 1988. 12 pp. *Testimony* before the National Academy of Sciences: Committee to Provide Interim Oversight of the DOE Nuclear Weapons Complex; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; RCED-86-192, September 8, 1986 Accession Number 131121; RCED-88-137, July 8, 1988, Accession Number 136307; EMD-81-108, August 4, 1981, Accession Number 115979; RCED-86-175, June 16, 1986, Accession Number 130260; RCED-88-62, December 16, 1987, Accession Number 134766; and T-RCED-87-4, March 12, 1987, Accession Number 132384.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: National Academy of Sciences: Committee to Provide Interim Oversight of the DOE Nuclear Weapons Complex; Department of Energy.

Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Department of Energy Organization Act. Executive Order 12088.

Abstract: GAO discussed the adequacy of the Department of Energy's (DOE) efforts to strengthen environmental, safety, and health (ES&H) oversight of its nuclear defense complex. GAO found that: (1) because DOE built much of the nuclear defense complex under less stringent codes and standards than exist now, many facilities have deteriorated to the point where they now have safety or operational problems; (2) many of the plants' processes and equipment items are obsolete, making repair work difficult and spare parts hard to procure; (3) many of the facilities are rated below the industry average; and (4) for over 30 years, DOE facilities have contaminated groundwater and soil in disposing of hazardous wastes. GAO also found that: (1) to upgrade existing facilities, clean up environmental contamination, dispose of radioactive wastes, and decontaminate the facilities would cost about \$100 billion to \$130 billion; (2) expanded production and the relocation of facilities would add \$15 billion to \$25 billion to the overall cost; and (3) the DOE advisory committee on safety was not independent and did not have the

authority to require DOE to address its findings and recommendations. GAO believes that DOE needs: (1) external, independent oversight of the complex's safety aspects; (2) a strong internal program to ensure safe and environmentally acceptable facility operation; (3) an Assistant Secretary for ES&H; (4) a formal, systematic program for assessing whether its facilities meet current commercial standards; and (5) a modernization plan that sets the projected facility requirements for continued nuclear weapons production.

136759

[Status of the Department of Energy's Waste Isolation Pilot Plant]. T-RCED-88-63. September 13, 1988. 15 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to T-RCED-89-50, June 12, 1989, Accession Number 138838; and RCED-90-1, December 8, 1989, Accession Number 140369.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy; Nuclear Regulatory Commission; Environmental Protection Agency.

Congressional Relevance: House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee.
Authority: Department of Energy,

National Security and Military
Applications of Nuclear Energy
Authorization Act, 1980 (P.L. 96-164).
Nuclear Waste Policy Act of 1982. Safe
Drinking Water Act. S. 1272 (100th
Cong.). H.R. 2504 (100th Cong.).

Abstract: GAO discussed the Department of Energy's (DOE) Waste Isolation Pilot Plant (WIPP) storage facility for transuranic (TRU) nuclear waste. GAO found that DOE needs to: (1) address brine seepage problems at the facility; (2) develop a plan that provides technical justification for storing TRU wastes underground; (3) ensure that the facility will comply with revised **Environmental Protection Agency** disposal standards; and (4) obtain the Nuclear Regulatory Commission's (NRC) certification that the type of containers it plans to use for transporting TRU wastes meets NRC standards. GAO also found that DOE: (1) reduced the quantity of wastes that it plans to store at WIPP;

(2) changed its planned date to receive TRU wastes from October 1988 to the first quarter of 1989; and (3) plans to conduct a long-term environmental impact study to determine the suitability of the facility for permanent waste storage. GAO believes that Congress may wish to consider: (1) allowing DOE to conduct underground experiments using TRU wastes; and (2) postponing land withdrawal legislation pending a demonstration that the facility meets federal waste disposal standards.

136767

Nuclear Waste: Problems Associated With DOE's Inactive Waste Sites. RCED-88-169; B-222195. August 3, 1988.

Released September 14, 1988, 41 pp. plus 1 appendix (1 p.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-48, December 9, 1987, Accession Number 134827; RCED-86-192, September 8, 1986, Accession Number 131121; RCED-88-29FS, September 12, 1988, Accession Number 136771; and RCED-89-119, May 26, 1989, Accession Number 139219.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy; Environmental Protection Agency.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Science, Space, and
Technology: Natural Resources,
Agriculture Research and Environment
Subcommittee; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources: Energy Research and
Development Subcommittee; Senate
Committee on Governmental Affairs;
Sen. John H. Glenn.

Authority: Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Resource Conservation and Recovery Act of 1976. Superfund Amendments and Reauthorization Act of 1986. Uranium Mill Tailings Radiation Control Act of 1978. Water Pollution Control Act. Atomic Energy Act of 1954. Hazardous and Solid Waste Amendments of 1984. DOE Order 5480.14.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) management of inactive waste sites at six defense installations, focusing on: (1) DOE identification of the number of sites at the installations; (2) DOE assessment of sites; and (3) environmental problems at the sites.

Findings/Conclusions: GAO found that: (1) the installations lacked accurate site inventories, with DOE headquarters citing a total of 605 inactive waste sites. while DOE installation officials cited 1,447; (2) DOE inconsistently assessed the sites' potential hazards, sometimes using the Environmental Protection Agency's (EPA) Hazard Ranking System, variations of that system, or not evaluating the sites at all; (3) the installations used different approaches for applying the Resource Conservation and Recovery Act of 1976 (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) to the sites for remediation; (4) each installation had high levels of groundwater contamination with radioactive and hazardous substances, and two installations also had high levels of soil contamination and some surface water contamination; (5) one installation is on the EPA National Priority List (NPL), and the other five have severe enough problems for likely placement on NPL; (6) the installations require a massive cleanup effort, costing as much as \$60 billion; and (7) DOE is currently revising DOE Order 5480.14, outlining its program for identifying, assessing, and cleaning up inactive waste sites, to incorporate additional requirements imposed by the 1986 amendments to CERCLA. GAO believes that DOE needs to develop a comprehensive plan, including milestones and cost estimates, to bring DOE facilities into full compliance with environmental laws. Recommendation To Agencies: To improve DOE oversight of its inactive waste sites nationwide, the Secretary of Energy should develop and prescribe, in cooperation with EPA and the appropriate states, a comprehensive approach to address inactive waste sites which integrates provisions of both CERCLA and RCRA. For those inactive waste sites where CERCLA and RCRA authorities overlap, assessments and remedial action plans should be developed that address the sites as both a CERCLA and RCRA site. In issuing the revised DOE Order 5480.14, DOE should incorporate provisions that

specify this comprehensive approach to be followed by DOE installations nationwide. To improve DOE oversight of its inactive waste sites nationwide, the Secretary of Energy should update DOE headquarters' inventory to account for all DOE inactive waste sites. In doing so, the inventory should indicate the relative hazards associated with each inactive waste site.

136771

Nuclear Waste: Supplementary Information on Problems at DOE's Inactive Waste Sites. RCED-88-229FS; B-222195. September 12, 1988. Released September 14, 1988. 6 pp. plus 1 appendix (1 p.). Fact Sheet to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-169, August 3, 1988, Accession Number 136767.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense:
Atomic Energy Defense Activities (053.0).

Organization Concerned: Department of Energy; Department of Energy: Feed Materials Production Center, Fernald, OH; Department of Energy: Los Alamos National Laboratory; Department of Energy: Pantex Weapons Plant, TX.

Congressional Relevance: Senate
Committee on Governmental Affairs; Sen. John H. Glenn.

Abstract: In response to a congressional request, GAO provided information on the number of inactive waste sites and the extent of environmental contamination at three Department of Energy (DOE) installations. Findings/Conclusions: GAO found that: (1) DOE waste disposal practices at the three installations contributed to radioactive and chemical substance pollution of the environment; (2) each installation reported high soil contamination levels at its sites; (3) DOE is investigating possible groundwater contamination at two of the installations; and (4) as of August 17, 1988, the DOE inventory of inactive waste sites was 3,276, and the number could increase after DOE completes its nationwide inventory.

136819

Nuclear Regulation: NRC's Decommissioning Cost Estimates Appear Low. RCED-88-184; B-231254. July 29, 1988.

Released September 19, 1988. 10 pp. plus 5 appendices (6 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-77-46, June 16, 1977, Accession Number 102777; RCED-89-119, May 26, 1989, Accession Number 139219; and T-RCED-89-57, August 3, 1989, Accession Number 139229.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission; Battelle Pacific Northwest Laboratories; Washington Public Power Supply System; TLG Engineering, Inc.

Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee, Senate Committee on Governmental Affairs; Rep. Michael L. Synar.

Authority: Price-Anderson Act (Atomic Energy Damages). Atomic Energy Act of 1954. 10 C.F.R. 50.54(w).

Abstract: In response to a congressional request, GAO discussed the: (1) adequacy of the Nuclear Regulatory Commission's (NRC) cost estimates for decommissioning nuclear power plants and fuel-cycle facilities; and (2) methods that utilities and operators could use to ensure the availability of decommissioning funds.

Findings/Conclusions: GAO found that: (1) the NRC cost estimates were low because they did not consider the costs of shipping spent fuel and demolishing nonradioactive structures as decommissioning activities; (2) NRC regulations did not include requirements

to clean up either on-site or off-site facilities in the event of an accident; (3) since the full extent of decommissioning costs was unknown, estimates from various sources ranged from \$10 million to about \$3 billion per nuclear power plant; (4) most experts believed that the NRC estimate of \$750,000 to decommission fuel-cycle facilities was low; and (5) new NRC regulations requiring utilities and fuel-cycle operators to accumulate funds through prepayment, an external sinking fund, surety bonds, or insurance would provide reasonable assurance that funds will be available for decommissioning. Recommendation To Agencies: The Chairman, NRC, should reexamine NRC estimates to determine whether they appropriately reflect all the costs that utilities and fuel-cycle operators believe are needed to decommission their facilities. NRC should use information being developed to decommission Shippingport and the information gained in resolving the differences between the Battelle Pacific Northwest Laboratory (PNL) and TLG Engineering, Inc. estimates for the Washington Public Power Supply System Unit 2 plant.

136857

Federal Assets: Information on Completed and Proposed Sales. RCED-88-214FS: B-215489. September 21, 1988. 39 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Jamie L. Whitten, Chairman, House Committee on Appropriations; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-198, July 28, 1988, Accession Number 136457; RCED-88-172, June 10, 1988, T-RCED-88-59, August 10, 1988, Accession Number 136593; GGD-88-65, May 11, 1988, Accession Number 135785; RCED-87-9, February 5, 1987, Accession Number 132423; and T-RCED-88-52, July 7, 1988, Accession Number

Contact: Resources, Community, and Economic Development Division.

Budget Function: Undistributed
Offsetting Receipts: Federal Surplus
Property Disposition (954.0).
Organization Concerned: Department of
Transportation; Department of the
Treasury; Consolidated Rail Corp.;
Federal Aviation Administration:
Washington Dulles International
Airport; Federal Aviation
Administration: Washington National
Airport; Metropolitan Washington
Airports Authority; Farmers Home
Administration; Department of

Commerce: Economic Development Administration; Department of Education; Veterans Administration; General Services Administration; National Railroad Passenger Corporation (Amtrak); Department of Energy; Alaska Power Administration; Southeastern Power Administration; Congressional Relevance: House Committee on Appropriations; Rep. Jamie L. Whitten.

Authority: Executive Order 12626. Northeast Rail Service Act of 1981. Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509). Higher Education Act of 1965. Higher Education Amendments of 1986 (P.L. 99-498). Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.). Strategic and Critical Materials Stock Piling Revision Act of 1979 (P.L. 96-41). Department of Defense Authorization Act, 1985 (P.L. 98-525). Department of Defense Authorization Act, 1987 (P.L. 99-661). Property and Administrative Services Act (40 U.S.C. 483). Nonnuclear Energy Research and Development Act of 1974 (P.L. 93-577). Department of Energy Act of 1978--Civilian Applications (P.L. 95-238; 42 U.S.C. 5919(g)(2)). Urgent Supplemental Appropriation Act, 1986 (P.L. 99-349). P.L. 99-591. P.L. 85-857. Commemorative Coin Act (Statue of Liberty-Ellis Island) (P.L. 99-61). P.L. 99-582, P.L. 100-202. P.L. 86-777. S. 2097 (100th Cong.). S. Rept. 100-159. 38 U.S.C. 1820. H.R. 2718 (100th Cong.). S. 1719 (100th Cong.). Abstract: In response to a congressional

request, GAO provided information

regarding the sales of federal assets

included in the President's budget proposals to Congress since 1984. Findings/Conclusions: GAO found that: (1) the Department of Transportation (DOT) received \$1.575 billion from the sale of Conrail stock; (2) the Washington Metropolitan Airport Authority will make a \$3 million annual payment to the Treasury for 50 years under the Federal Aviation Administration's lease of Dulles and National Airports and made a one-time payment of \$23.6 million to cover the unfunded pension liabilities for airport employees remaining in the federal retirement system; (3) various federal agencies' loan assets sales with unpaid principal of \$7.279 billion produced proceeds of \$4.649 billion through July 1988; (4) the General Services Administration (GSA) disposed of national stockpile materials during fiscal years (FY) 1985 through 1988 totalling \$335 million, including the transfer of \$152 million in silver to the Treasury; (5) during FY 1985 through 1987, GSA sold 933 surplus real properties for \$241 million, 77 of which

it sold for more than \$1 million each, an average of 157 percent of their appraised value; and (6) the sales of Conrail, Dulles and National Airports, and the loan assets required special legislation, while GSA disposed of surplus stockpile material and real property under existing authorities. GAO also found that: (1) although DOT invested more than \$3 billion in Amtrak assets. Congress prevented establishing a commission to study its disposal; (2) although the President's last four budgets proposed Amtrak's disposal, DOT did not actively pursue the sale of Amtrak's assets; (3) the Department of Energy (DOE) selected a buyer for the Great Plains Coal Gasification Project and expected to complete the sale by September 30, 1988 at an estimated value of \$1.8 billion over the next 21 years; (4) a Department of the Interior contractor developed three alternatives for the disposal of the Helium Program and estimated the program's value between \$193 million and \$327 million: (5) DOE was negotiating the sale of the Alaska Power Administration, with anticipated proceeds of between \$89 million and \$100 million; (6) Congress had not acted on bills to authorize the study of selling the Southeastern Power Administration or transferring the Transportation Systems Center to the private sector; (7) Congress was considering legislation to establish a government corporation to take over DOE uranium enrichment facilities; and (8) the Department of Interior proposed two land exchanges in the Arctic National Wildlife Refuge and the Big Cypress National Preserve.

136898

[States' Programs for Pump Labeling of Gasoline Ingredients]. T-RCED-88-60. September 27, 1988. 9 pp. plus 2 attachments (4 pp.). Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-89-6, January 12, 1989, Accession Number 137702.

Contact: Resources, Community, and Economic Development Division. Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Authority: Petroleum Marketing Practices Act.

Abstract: GAO discussed the results of a survey of states and U.S. territories regarding their gasoline-pump labelling

requirements and the need for a uniform federal label. GAO noted that, of the 39 states requiring pump labels: (1) all required alcohol content disclosure; (2) half indicated that they required the labels for consumer protection; (3) 32 imposed fines, 28 stopped sales, and 18 issued warnings to enforce compliance; and (4) 22 expressed satisfaction with their requirements and did not express a need for a uniform federal label. GAO also noted that: (1) 24 states favored a uniform federal label, citing the benefits of uniformity and consumer and environmental safety; (2) 13 states opposed a federal label, citing potential problems between state and federal enforcement efforts; and (3) states believed that labels should disclose alcohol content, health information, and warnings.

136906

[States' Programs for Pump Labeling of Gasoline Ingredients]. T-RCED-88-60A. September 27, 1988. 1 pp. Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-89-6, January 12, 1989, Accession Number 137702.

Contact: Resources, Community, and Economic Development Division. Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Abstract: GAO discussed the results of its survey of states and U.S. territories regarding their gasoline-pump labelling requirements and the need for a uniform federal gasoline ingredient label. GAO noted that: (1) 39 states required gasoline pump labels disclosing at least the gasoline alcohol content; (2) most of these states required such labels for consumer protection; (3) 22 of these 39 states were satisfied with their requirements and did not perceive a need for a uniform federal label: (4) 24 states favored a uniform federal label, while 13 states opposed a labelling requirement; and (5) states' label content requirements varied.

136919

Nuclear Waste: Fourth Annual Report on DOE's Nuclear Waste Program. RCED-88-131; B-202377. September 28, 1988. 49 pp. plus 4 appendices (9 pp.). Report to Congress; by J. Dexter Peach, (for Charles A. Bowsher, Comptroller General). Refer to RCED-87-17, April 15, 1987, Accession Number 132701; RCED-87-14, February 9, 1987, Accession Number 132140; RCED-87-92, June 1, 1987, Accession Number 133202; RCED-87-121, August 31, 1987, Accession Number 133814; and RCED-87-200FS, September 10, 1987, Accession Number 133936.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Department of Energy: Office of Civilian Radioactive Waste Management.

Congressional Relevance: House
Committee on Energy and Commerce:
Energy and Power Subcommittee; House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Interior and
Insular Affairs; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources; Congress.

Authority: Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101). P.L. 100-203.

Abstract: Pursuant to a legislative requirement, GAO assessed the Department of Energy's (DOE) efforts to implement the Nuclear Waste Policy Act of 1982, focusing on the: (1) implications of declining nuclear waste quantities; (2) increased program costs; and (3) effects of the 1987 revisions to the act on the DOE plan for a facility to receive and store nuclear wastes.

Findings/Conclusions: GAO found that: (1) waste disposal projections have declined because utilities have not ordered new nuclear power plants since 1978; (2) despite this decline, estimates of waste program costs increased from \$23 billion in 1983 to \$33 billion in 1987; (3) DOE estimated that it would cost \$23 billion to implement the revised program, with Yucca Mountain in Nevada as the sole repository, and about \$31 billion if it constructed a second repository; (4) DOE expected the Yucca Mountain site to hold 70,000 metric tons of wastes but was uncertain about the site's potential for expansion; and (5) the act's revisions limited DOE authority to construct and operate a monitored retrievable storage (MRS) facility in advance of a repository.

Recommendation To Congress: Congress may wish to explore with DOE the

advantages of earlier and more complete site characterization information on the secondary rock formations at Yucca Mountain, in view of the continuing decline in the estimates of waste to be disposed of and uncertainty about the capacity of the currently defined primary disposal area at that site. Recommendation To Agencies: To provide the Monitored Retrievable Storage Review Commission with the best possible information for its evaluation and report to Congress on June 1, 1989, the Secretary of Energy should supplement the original DOE MRS facility proposal by identifying, with supporting analyses, the benefits of adding a facility to the nuclear waste system under the conditions established in the Nuclear Waste Policy Amendments Act of 1987.

136933

Energy Regulation: Allegations Concerning the Development of Fishways at Hydropower Projects. RCED-88-186; B-230363. July 28, 1988.

Released September 30, 1988. 6 pp. plus 2 appendices (4 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Federal Energy Regulatory Commission; Department of the Interior; United States Fish and Wildlife Service; Department of the Interior: Office of the Assistant Secretary for Fish and Wildlife and Parks.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Federal Power Act (16 U.S.C. 811).

Abstract: Pursuant to a congressional request, GAO examined allegations concerning the development of fishways at three hydropower projects, specifically that: (1) the Department of the Interior Assistant Secretary for Fish and Wildlife and Parks overruled the Fish and Wildlife Service (FWS) regarding Federal Power Act requirements for the development of fishways at two projects;

(2) the Assistant Secretary planned to approve the third project over FWS objections; (3) the Federal Energy Regulatory Commission (FERC) questioned the Secretary of the Interior's authority to prescribe fishways under the Federal Power Act; and (4) FERC officials prepared one or more draft letters for Interior's signature regarding the fishways issue, including the withdrawal of a motion to intervene in one case.

Findings/Conclusions: GAO found that: (1) Interior adequately provided for fishways at the three projects; (2) FERC acted within the scope of its authority with respect to the three projects; (3) FERC correctly acknowledged that it must require licensees to implement fishways requirements as Interior prescribes them; and (4) there was no indication that FERC intended to impede FWS activities.

136934

Naval Petroleum Reserve No. 1: Examination of DOE's Report on Divestiture. RCED-88-151; B-215489. August 25, 1988.

Released September 30, 1988. 40 pp. plus 2 appendices (2 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-169BR, June 5, 1986, Accession Number 130122; RCED-88-43FS, November 23, 1987, Accession Number 134627; RCED-87-105BR, March 24, 1987, Accession Number 132664; RCED-88-174, June 28, 1988, Accession Number 136200; RCED-89-103, March 16. 1989, Accession Number 138436; and RCED-90-16, December 13, 1989, Accession Number 140514.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Energy Preparedness (274.0).

Organization Concerned: Department of Energy; Department of Justice; Chevron, U.S.A., Inc.; Department of Defense.

Congressional Relevance: House
Committee on Budget; House Committee on Appropriations: Energy and Water
Development Subcommittee; House
Committee on Armed Services; House
Committee on Energy and Commerce:
Energy and Power Subcommittee; Senate
Committee on Budget; Senate Committee on Appropriations: Interior

Subcommittee; Senate Committee on Energy and Natural Resources; Senate Committee on Armed Services; Congress; Rep. Philip R. Sharp.

Authority: Naval Petroleum Reserves Production Act of 1976 (P.L. 94-258; 10 U.S.C. 7422(a)). P.L. 99-591. OMB Circular A-104.

Abstract: In response to a congressional request, GAO examined: (1) the Department of Energy's (DOE) report on the proposed divestiture of Naval Petroleum Reserve 1 (NPR-1); and (2) whether DOE could lease the reserve instead of selling it.

Findings/Conclusions: GAO found that the report did not justify the sale of NPR-1 assets, since it: (1) lacked a comprehensive study of all producing pools at NPR-1 to estimate the reserve's value, but relied instead on 1987 longrange-production data; (2) estimated the reserve's value from an industry perspective but did not provide adequate information on the government's ownership interest in NPR-1; (3) covered such issues as defense requirements. foreign ownership, and state claims to certain NPR-1 lands, but discounted the Department of Defense's need for access to an oil reserve for national security reasons; and (4) did not consider leasing as an alternative to either selling or keeping NPR-1. GAO also found that the report's: (1) marketing plan would not sufficiently promote competition or maximize sales revenue because it provided an undue advantage to the firm that had joint ownership of the reserve; and (2) proposed sales date of September 30, 1989, would not allow sufficient time to complete a new study, negotiate an agreement with the joint owner, and complete the sales process. GAO believes that DOE should study leasing NPR-1 as a way to protect government interests. Recommendation To Agencies: To provide better information on whether an NPR-1 sale is in the public interest and on whether a divestiture determination by Congress could be formulated, the Secretary of Energy should revise the June 30, 1987, report to Congress by assessing the value to the government of retaining and producing NPR-1, using revised estimates for reserve data, production schedules and operating costs from the comprehensive reserve study, government-generated oil and gas price forecasts, and a discount rate based on the government's borrowing costs. To provide better information on whether an NPR-1 sale is in the public interest and on whether a divestiture determination by Congress could be formulated, the Secretary of Energy should assess where the private

sector's assumptions concerning the valuation factors would likely differ and then: (1) develop sensitivity analyses to show the magnitude of these differences on the NPR-1 net present value; and (2) identify the advantages of private versus government ownership. To provide better information on whether an NPR-1 sale is in the public interest and on whether a divestiture determination by Congress could be formulated, the Secretary of Energy should prepare an analysis of the feasibility and the potential benefits to the government of leasing NPR-1 and determine what actions would be required to enter a leasing program. In the event that Congress elects to authorize an NPR-1 sale, the Secretary of Energy should ensure that the maximum amount of data DOE has on NPR-1 is available to all potential bidders so as to minimize any advantages that Chevron may have over other bidders in the sales process. In the event that Congress elects to authorize an NPR-1 sale, the Secretary of Energy should ascertain the validity of small and independent refiners' claims that they would be excluded from bidding on a portion of NPR-1, and, if the claims are valid, determine: (1) how that fact might affect the competitive bid process envisioned; and (2) alternate means of ensuring supplies of light oil to these users. In the event that Congress elects to authorize an NPR-1 sale, the Secretary of Energy should examine the impact of the possibility that a single large company could buy all or most of NPR-1, determine what Department of Justice involvement in the sale might do to the timely nature envisioned for completing the sale and, if necessary, assess the impact on the sale of restricting any one bidder to a certain maximum share of NPR-1.

136949

[Ineffective Management and Oversight of DOE's P-Reactor at Savannah River, S.C., Raises Safety Concern]. T-RCED-88-68. September 30, 1988. 17 pp. plus 1 attachment (9 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-90-61FS, October 23, 1989, Accession Number 139914.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy: Operations Center, Savannah River, SC; E.I. du Pont de Nemours and Co., Inc.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Authority: DOE Order 5480.6. 10 C.F.R. 50.36.

Abstract: GAO discussed the recent events surrounding the start-up of the Department of Energy's (DOE) P-reactor at the Savannah River Plant, focusing on how well DOE managed the contractors who operated the facility. GAO found that: (1) reactor operators failed to inform either management or DOE of a restart problem until the nuclear reactor shut itself down; (2) reactor operators did not inform DOE of a small power increase until the next day; and (3) DOE ordered the reactor shut down until the contractor could address DOE safety and communications concerns. GAO also found that: (1) DOE and the contractor failed to ensure startup operational safety; (2) DOE and the contractor failed to properly calculate start-up reactivity; and (3) DOE approved the restart based on the contractor's explanation without an assessment or complete understanding of the explanation. GAO believes that DOE needs: (1) strong line-management responsibility and accountability for safety; (2) an effective environmental safety and health organization to oversee how line management carries out its role; (3) an independent organization outside DOE control to oversee the DOE internal safety program; and (4) to ensure that it addresses safety concerns in a timely and effective manner.

136971

Nuclear Science: Issues Associated With Completing WNP-1 as a Defense Materials Production Reactor. RCED-88-222; B-231142. September 21, 1988.

Released September 21, 1988. 10 pp. plus 8 appendices (42 pp.). Report to Sen. Brock Adams; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-87-32, June 16, 1987, Accession Number 133223; T-RCED-89-46, May 24, 1989, Accession Number 138720; and RCED-89-206, September 21, 1989, Accession Number 139853.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy: Hanford Power Station; Washington Public Power Supply System; Nuclear Regulatory Commission.

Congressional Relevance: Sen. Brock Adams.

Authority: Declaration of Taking Act (Eminent Domain) (40 U.S.C. 258a). Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, Multilateral, T.I.A.S. No. 6839. 42 U.S.C. 2014 et seq. . 42 U.S.C. 4654(a). 40 U.S.C. 257.

Abstract: Pursuant to a congressional request, GAO assessed safety, cost, scheduling, and legal issues associated with the Department of Energy's (DOE) proposed acquisition and completion of Washington Nuclear Plant 1 (WNP-1), a partially completed commercial nuclear power plant, to serve as a nuclear weapons materials production facility. Findings/Conclusions: GAO found that: (1) the owners of WNP-1 halted construction due to financial problems and decreased electrical power needs; (2) the plant had no major safety, technical, or other barriers to preclude its consideration as an option for a nuclear weapons materials reactor; (3) an August 1986 DOE study concluded that DOE could modify the reactor for defense production purposes, possibly at a lower initial cost and shorter schedule; (4) DOI has not yet resolved several safetyrelated concerns regarding the use of pressurized light-water reactors, decayheat removal, station blackout, production capacity, and incomplete probabilistic risk assessment; (5) issues with possible effects on plant completion costs and schedule included design changes, technical issues involving tritium production, establishment of safety standards, legal questions involving acquisition cost, and policy issues; (6) completion of the plant would not violate federal law; and (7) plant condemnation would not constitute default or make bonds immediately due and payable.

136974

Energy Management: DOE/Martin Marietta Royalty-Sharing Agreement. RCED-88-194; B-220911. August 12, 1988.

Released October 5, 1988. 8 pp. plus 3 appendices (5 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight an Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer

to RCED-87-5, December 31, 1986, Accession Number 132153.

Issue Area: Energy: Effectiveness of DOE and NRC Management Procedures (6415).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Martin Marietta Energy Systems; Department of the Treasury; Department of Energy: Operations Center, Oak Ridge, TN.

Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee: Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. John D. Dingell. Authority: Atomic Energy Act of 1954. Nonnuclear Energy Research and Development Act of 1974. 31 U.S.C. 3302. Abstract: In response to a congressional request, GAO reviewed an agreement between the Department of Energy (DOE) and the operator of two of its facilities to determine whether the agreement violated a legislative restriction against DOE augmentation of its appropriation.

Findings/Conclusions: GAO found that: (1) the contractor's deposit of royalties into an account which it controlled was not an improper augmentation of the DOE appropriation; (2) the contractor could also use the royalties to carry out technology transfer activities authorized under the agreement without improperly augmenting the DOE appropriation; (3) DOE decided to continue depositing reimbursements of DOE patent costs into the Treasury; and (4) DOE had not decided whether it would use the reimbursements for patent and licensing costs of waived inventions for the contractor to cover other contract activities or deposit them into the Treasury.

Recommendation To Agencies: The Secretary of Energy should direct the Oak Ridge Operations Office Manager to deposit into the U.S. Treasury all royalties received under Article 69 that are used to provide reimbursement for seed money provided to the contractor.

136981

Federal Land Management: Consideration of Proposed Alaska Land Exchanges Should Be

Discontinued. RCED-88-179; B-229232. September 29, 1988. Released October 5, 1988. 61 pp. plus 3 appendices (38 pp.). Report to Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-52, July 7, 1988, Accession Number 136285; and RCED-90-5, October 6, 1989, Accession Number 140067.

Issue Area: Natural Resources Management (6900).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Bureau of Land Management; Department of the Interior: Minerals Management Service; Department of the Interior; Native Lands Group; Doyon, Ltd.; Koniag, Inc.; Old Harbor Native Corp.; Gana-A'Yoo, Ltd.; Akhiok-Kaguyak, Inc.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; Senate Committee on Appropriations: Interior and Related Agencies Subcommittee: Senate Committee on Energy and Natural Resources: Mineral Resources Development and Production Subcommittee; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources; Congress; Rep. George Miller; Sen. James A. McClure. Authority: Alaska National Interest Lands Conservation Act (P.L. 96-487). Alaska Native Claims Settlement Act (P.L. 92-203). Mineral Lands Leasing Act. Convention Ceding Alaska, Mar. 30, 1867, United States-Union of Soviet Socialist Republics, 15 Stat. 539, T.S. No. 301. P.L. 100-395. H.R. 6471 (97th Cong.). National Audubon Society v. Hodel, 606 F. Supp. 825 (D. Alaska 1984). Environmental Policy Act of 1969

(National) (P.L. 91-190).

Abstract: In response to a congressional request, GAO evaluated proposed land exchanges between the Department of the Interior and six groups of Alaskan Native corporations to: (1) assess Interior's legal authority to conduct the proposed land exchanges; and (2) examine the processes, assumptions, and methods underlying the exchanges.

Findings/Conclusions: GAO found that: (1) Interior had the legal authority to negotiate and administratively approve the proposed exchanges at the time it developed the proposals; (2) legislation passed in 1988 prohibited Interior from conveying interests in lands within the coastal plain of the Arctic National Wildlife Refuge (ANWR) without prior legislative approval; (3) 76 percent of the lands that the government would acquire would provide limited wildlife and habitat protection benefits; and (4) about 279,000 acres were low priority or unsuitable for acquisition, about 349,000 acres were already protected from uses inconsistent with wildlife refuge purposes, and Interior would not acquire about 53,000 acres most threatened by subsurface mineral development. GAO also found that Interior: (1) appraised the fair market value of the proposed exchanges at \$90 million, but negotiated a price of \$539 million due to their environmental or public-interest value; (2) assigned values to the tracts based on limited geologic information and uncertain economic data; and (3) did not have oil and gas well data within ANWR or access to data from the one well in ANWR that one of the Native corporation's oil company affiliates drilled.

Recommendation To Congress: If the Secretary of the Interior decides to proceed with the proposed exchanges and presents them to Congress for approval, Congress should disapprove them.

Recommendation To Agencies: The Secretary of the Interior should discontinue consideration of the proposed land exchanges.

136983

Nuclear Science: Questions Associated With Completing WNP-1 as a Defense Materials Production Reactor. RCED-88-221; B-231142. September 21, 1988.

Released September 21, 1988. 9 pp. plus 7 appendices (37 pp.). Report to Rep. Sid Morrison; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-87-32, June 16, 1987, Accession Number 133223.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Washington Public Power Supply System.

Congressional Relevance: Rep. Norman D. Dicks; Rep. Vic Fazio; Rep. Sid Morrison.

Authority: Declaration of Taking Act (Eminent Domain) (40 U.S.C. 258a). Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, Multilateral, T.I.A.S. No. 6839, 42 U.S.C. 2014 et seq. 42 U.S.C. 4654(a), 40 U.S.C. 257.

Abstract: Pursuant to a congressional request, GAO assessed safety, cost, scheduling, and legal issues associated with the Department of Energy's (DOE) proposed acquisition and completion of Washington Nuclear Plant 1 (WNP-1), a partially completed commercial nuclear power plant, to serve as a nuclear weapons materials production facility. Findings/Conclusions: GAO found that: (1) the owners of WNP-1 halted construction due to financial problems and decreased electrical power needs; (2) the plant had no major safety, technical, or other barriers to preclude its consideration as an option for a nuclear weapons materials reactor; (3) an August 1986 DOE study concluded that DOE could modify the reactor for defense production purposes, possibly at a lower initial cost and shorter schedule; (4) DOE has not yet resolved several safetyrelated concerns regarding the use of pressurized light-water reactors, decayheat removal, station blackout, production capacity, and incomplete probabilistic risk assessment; (5) issues with possible effects on plant completion costs and schedule included design changes, technical issues involving tritium production, establishment of safety standards, legal questions involving acquisition cost, and policy issues; (6) completion of the plant would not violate federal law; and (7) plant condemnation would not constitute default or make bonds immediately due and payable.

137015

[DOE's Foreign Visitor Program Has Major Weaknesses]. T-RCED-89-2. October 11, 1988. 12 pp. plus 1 appendix (1 pp.). Testimony before the Senate Committee on Governmental Affairs; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-89-31, October 11, 1988, Accession Number 137039.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy: Lawrence Livermore National Laboratory; Department of Energy: Los Alamos National Laboratory; Department of Energy: Sandia National Laboratory.

Congressional Relevance: Senate Committee on Governmental Affairs. Authority: Atomic Energy Act of 1954. Nuclear Non-Proliferation Act of 1978. DOE Order 1240.2.

Abstract: GAO reviewed the Department of Energy's (DOE) foreign visitor controls at its weapons laboratories. GAO found that DOE: (1) headquarters, field offices, and laboratories did not obtain required background data on most foreign visitors; (2) inadequately identified potentially sensitive subjects, which resulted in possible information leaks to communist or other sensitive nations; (3) did not have effective controls to approve, monitor, and report on foreign visits; and (4) did not have an integrated system to obtain and disseminate foreign visitor information to its field offices.

137031

California Crude Oil: An Analysis of Posted Prices and Fair Market Value. GGD-88-114; B-206634. September 8, 1988.

Released October 12, 1988. 37 pp. Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. Jim Bates; by Jennie S. Stathis, Associate Director, General Government Division. Refer to GGD-85-12, December 10, 1984, Accession Number 125908; RCED-88-43FS, November 23, 1987, Accession Number 134672; and RCED-87-75FS, January 29, 1987, Accession Number 132121.

Issue Area: Tax Policy and Administration: Other Issue Area Work (4691).

Contact: General Government Division. Budget Function: General Government: Tax Administration (803.1).

Organization Concerned: Department of the Interior: Minerals Management Service; California; Internal Revenue Service; Long Beach, CA; California: State Lands Commission.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. Jim Bates; Rep. John D. Dingell.

Authority: Windfall Profit Tax Act (Crude Oil) (P.L. 96-223). Mineral Lands Leasing Act (30 U.S.C. 185). S. 1167 (94th Cong.). Chapman v. El Paso Natural Gas Co., 204 F.2d 46 (D.C. Cir. 1953).

Abstract: In response to a congressional request, GAO reviewed whether posted crude oil prices in California reflected the oil's fair market value for federal windfall profit tax and royalty purposes.

Findings/Conclusions: GAO found that: (1) Internal Revenue Service and Minerals Management Service studies showed that oil companies sold substantial quantities of oil at the prices considered as fair market value; (2) California and the city of Long Beach filed a suit against the oil companies concerning allegations that major oil companies conspired to keep the posted prices artificially low in California; (3) oil sell-off programs generally generated selling prices with bonuses above the posted prices; (4) because independent refiners had limited supply sources, they purchased 100 percent of the oil the city and state auctioned and as much as 82 percent or more of the oil that the Department of Energy auctioned; (5) although refined petroleum prices in California were in line with prices in the rest of the United States, crude oil prices appeared lower than elsewhere: and (6) there were no enforceable complaints regarding violations of common carrier obligations with intrastate pipelines crossing federal lands.

137033

Electric Power: Issues Concerning Expansion of the Pacific Northwest Southwest Intertie. RCED-88-199; B-225290. September 14, 1988.

Released October 12, 1988, 50 pp. plus 5 appendices (12 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-84-38, November 4, 1983, Accession Number 122775; RCED-87-6, February 19, 1987, Accession Number 132205; and PEMD-88-3, December 29, 1987, Accession Number 134959.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Bonneville Power Administration; Environmental Protection Agency.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Interior and
Insular Affairs: Water and Power
Resources Subcommittee; House
Committee on Energy and Commerce;
Senate Committee on Appropriations:
Energy and Water Development
Subcommittee; Senate Committee on
Energy and Natural Resources; Rep.
John D. Dingell.

Authority: Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839).

Abstract: Pursuant to a congressional request, GAO discussed the Bonneville Power Administration's (BPA) plans to expand the Pacific Northwest-Southwest Intertie, focusing on the: (1) BPA justification for the expansion; (2) relationship of Canadian power imports to the intertie expansion; and (3) potential impacts on salmon and steelhead trout.

Findings/Conclusions: GAO found that: (1) BPA estimated that its costs for the 1600-megawatt (MW) addition would be \$327 million, the net economic benefit of the addition through 2030 would be \$661 million, and its share of net benefits would be \$199 million; (2) BPA projected losses for the first 4 years and estimated that it would take 18 years to recover its investment; and (3) it was unclear whether the second 800-MW increment of capacity increase would result in net benefits to BPA. GAO also found that BPA estimated that: (1) Canada could receive \$161 million of the net benefits and could further benefit if it decided to increase exports; and (2) losses of salmon and steelhead trout related to the expansion would be under 3 percent, but made its estimates with a controversial computer model called FISHPASS. Recommendation To Agencies: The Administrator, BPA, should clarify the BPA economic analysis by providing a breakout of BPA costs and the sources and extent of revenues it expects for each 800-MW increment of the addition. Doing the analysis for each using the same regionwide net benefits approach that BPA employed in its original analysis would be useful. This information should help clarify the relationship between the economic basis for the BPA investment and noneconomic considerations, and it may also contribute to the decision about how much capacity BPA should pay for. The Administrator, BPA, should contract for an independent review of FISHPASS and include the activities generally undertaken in Environmental Protection Agency (EPA) reviews of models. The Administrator may wish to consult with EPA officials concerning the content and methods used in these reviews.

137039

Nuclear Nonproliferation: Major Weaknesses in Foreign Visitor Controls at Weapons Laboratories. RCED-89-31; B-221179. October 11, 1988.

Released October 11, 1988. 37 pp. plus 4 appendices (6 pp.). *Report* to Sen. John

H. Glenn, Chairman, Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-150, August 17, 1987, Accession Number 133906; T-RCED-89-2, October 11, 1988, Accession Number 137015; and RCED-89-116, June 19, 1989, Accession Number 139135.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Lawrence Livermore National Laboratory; Department of Energy: Los Alamos National Laboratory; Department of Energy: Sandia National Laboratory; Department of Energy. Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Government Operations; House Committee on Foreign Affairs; Senate Committee on Foreign Relations; Senate Committee on Governmental Affairs; Sen. John H. Glenn.

Authority: Atomic Energy Act of 1954. DOE Order 1240.2. National Security Decision Directive 197.

Abstract: Pursuant to a congressional request, GAO reviewed the: (1) extent to which foreign nationals participated in activities at the Department of Energy's (DOE) weapons laboratories; and (2) effectiveness of DOE controls for identifying those that pose a security or proliferation risk.

Findings/Conclusions: GAO found that: (1) DOE generally did not follow its own requirements and obtain background information on foreign visitors from communist or sensitive countries; (2) although 176 of the 181 communist visitors that GAO reviewed required background checks, DOE did not obtain this data for 119 and completed only 6 checks before the visit; (3) DOE inadequately used other available information to prescreen visitors from foreign organizations suspected of nuclear-weapons-related activities; (4) DOE did not identify and review all visits that involved sensitive weaponsrelated subjects; (5) DOE did not enforce various internal control requirements for approving, monitoring, and reporting foreign visits; and (6) DOE did not have an integrated information system or conduct reviews of the foreign visitor program.

Recommendation To Agencies: In order to prevent security breaches concerning

nuclear-weapons-related information. DOE needs to improve its management of foreign visits and assignments to its weapons laboratories. The Secretary of Energy should revise the order controlling foreign visits and assignments to: (1) require that indices checks are completed prior to admitting a foreign national to a weapons laboratory: (2) require the use of additional criteria, such as the watch list, to identify potentially sensitive visitors that require additional scrutiny: and (3) expand the sensitive subjects list to include additional areas that could be useful to adversary or proliferant nations. In order to prevent security breaches concerning nuclear-weaponsrelated information, DOE needs to improve its management of foreign visits and assignments to its weapons laboratories. The Secretary of Energy should establish an integrated data collection and dissemination system to provide DOE and the laboratories timely and pertinent information to use when approving foreign visits. In order to prevent security breaches concerning nuclear-weapons-related information, DOE needs to improve its management of foreign visits and assignments to its weapons laboratories. The Secretary of Energy should require periodic evaluations of field office and laboratory compliance with the requirements of the DOE foreign visit and assignment order.

137056

Financial Audit: Tennessee Valley Authority's Financial Statements for 1987. AFMD-88-80; B-114850. September 30, 1988. 53 pp. *Report* to Congress; by Frederick D. Wolf, (for Charles A. Bowsher, Comptroller General).

Issue Area: Financial Statement Audits of Government Entities: Audits of Government Corporations and Pension Plans (7505).

Contact: Accounting and Financial Management Division.

Budget Function: Financial Management and Information Systems: Regulatory Accounting Rules and Financial Reporting (998.6).

Organization Concerned: Tennessee Valley Authority; Coopers and Lybrand. Congressional Relevance: Congress. Authority: Tennessee Valley Authority Act of 1933 (16 U.S.C. 831). Government Corporation Control Act (31 U.S.C. 9105). Abstract: GAO reviewed an independent audit of the Tennessee Valley

Authority's (TVA) financial statements for the fiscal year ended September 30, 1987, the results of its operations, and

changes in its financial position for the year then ended.

Findings/Conclusions: GAO found that: (1) in the independent auditor's opinion, the financial statements presented fairly the TVA financial position as of September 30, 1987, the results of its operations, and the changes in its financial position in conformity with generally accepted accounting principles; (2) the auditor's reports on internal accounting controls and on compliance with laws and regulations did not disclose any material internal control weaknesses or noncompliance with laws and regulations; and (3) there was nothing to indicate that the auditor's opinion on the financial statements or its reports on internal controls and compliance were inappropriate or unreliable.

137127

Nuclear Health and Safety: DOE's Management and Funding of Environment, Safety, and Health Programs. RCED-88-227FS; B-231293. September 23, 1988. Released October 25, 1988. 10 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. James H. Scheuer; Rep. David Skaggs; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to EMD-81-108, August 4, 1981 Accession Number 115979; RCED-84-50, November 30, 1983, Accession Number 123131; RCED-87-30, November 4, 1986, Accession Number 131661; RCED-88-62, December 16, 1987, Accession Number 134766; RCED-88-197BR, July 6, 1988, Accession Number 136310; and RCED-88-137, July 8, 1988, Accession Number 136307.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Office of the Assistant Secretary for Defense Programs.

Congressional Relevance: Rep. David Skaggs; Rep. James H. Scheuer. Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Abstract: In response to a congressional request, GAO evaluated the effectiveness of the Department of Energy's (DOE) management and funding of

environmental, safety, and health (ES&H) activities at its nuclear defense facilities.

Findings/Conclusions: GAO found that DOE: (1) implemented many management and funding procedures to improve its ES&H efforts in response to GAO recommendations; (2) established a program within the Office of Defense Programs to consolidate the day-to-day operational management and funding of environmental activities; (3) developed a computer system to track ES&H budgeted and obligated funds; and (4) revised ES&H management objectives and standards to strengthen its oversight. GAO noted that it was unable to determine the adequacy and effectiveness of those efforts, since DOE had not completed them.

137132

Synthetic Fuels: Analysis of DOE's Estimate of the Sale Value of the Great Plains Project. RCED-89-36; B-207876. October 21, 1988. 11 pp. plus 1 appendix (1 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division, Refer to T-RCED-88-34, April 13, 1988, Accession Number 135534; RCED-88-172, June 10, 1988, Accession Number 136132; and RCED-89-153, July 14, 1989, Accession Number 139103.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Basin Electric Power Cooperative; Department of Agriculture: Rural Electrification Administration.

Congressional Relevance: *House* Committee on Energy and Commerce: Energy and Power Subcommittee; *Rep.* Philip R. Sharp.

Authority: P.L. 100-202. P.L. 100-203. Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) proposed sale of the Great Plains Coal Gasification Project to: (1) evaluate the DOE \$600-million sale value estimate for the project; (2) compare the sale value with the initial estimated market value; (3) determine

whether DOE implemented GAO recommendations in an earlier report on the project; (4) ascertain how DOE would use the project's cash reserve fund; and (5) determine the Rural Electrification Administration's (REA) role in approving the sale.

Findings/Conclusions: GAO used two recognized economic forecasters' methodologies to generate present value calculations, and found that: (1) DOE should reduce its \$600-million estimate by about \$397 million due to the production tax credits the buyer agreed to waive, the project's cash reserve, and funds DOE agreed to provide to the buyer to establish a new corporation: (2) the net present value of the buyer's offer exceeded the initial market value by anywhere from \$75 million to \$230 million; (3) in accordance with a GAO recommendation, DOE considered the project's financial value under continued federal ownership and the effect of production tax credits on federal budget when it negotiated the sale; (4) DOE plans to use \$30 million from the project's cash reserve fund for environmental problems, \$75 million as a reserve trust fund for plant operations and \$15 million for working capital for the new corporation, leaving a balance of \$15 million for transfer to the Treasury; and (5) REA believes that the sale of the project would not meet legislative criteria that would necessitate its approval of the purchase.

137175

Nuclear Waste: Repository Work Should Not Proceed Until Quality Assurance Is Adequate. RCED-88-159; B-202377. September 29, 1988. Released October 31, 1988. 53 pp. plus 4 appendices (17 pp.). Report to Rep. Philir R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of Nationa Nuclear Waste Disposal Policies and Programs (6404); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy
Supply (271.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission.

Congressional Relevance: House Committee on Interior and Insular

Affairs: House Committee on Government Operations; House Committee on Appropriations: Energy and Water Development Subcommittee: House Committee on Energy and Commerce; House Committee on Energy and Commerce: Energy and Power Subcommittee: Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee: Senate Committee on Governmental Affairs; Senate Committee on Appropriations: **Energy and Water Development** Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Philip R. Sharp.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). 10 C.F.R. 60, 10 C.F.R. 50, P.L. 100-203.

Abstract: Pursuant to a congressional request, GAO examined the Department of Energy's (DOE): (1) progress in developing a quality assurance program for characterizing the Yucca Mountain, Nevada, site for possible use as a nuclear waste repository; and (2) interaction with the Nuclear Regulatory Commission (NRC) in identifying and resolving potential quality-related licensing problems.

Findings/Conclusions: GAO found that: (1) NRC oversight of quality assurance program development was limited due to problems and delays in DOE program development; (2) NRC identified several concerns about the program regarding document inadequacy, noncompliance with quality assurance standards, ineffective contractor auditing, general program management and development, and lack of direct control over the contractor's quality assurance programs; (3) NRC formally concluded that it lacked confidence in the program's adequacy; and (4) DOE acknowledged that, although its present quality assurance was inadequate, it would be ready for NRC verification before site characterization began, GAO also found that neither DOE nor NRC have sufficiently attempted to timely address these concerns, since: (1) DOE assigned a higher priority to other project activities and did not resolve any of the problems NRC identified; and (2) NRC has not aggressively pursued opportunities to more adequately assess the quality assurance program and has not raised unresolved issues to higher-level NRC or DOE management for possible

Recommendation To Agencies: The Secretary of Energy should proceed with site characterization work segments only after the Secretary determines that all quality assurance programs related to regulatory-related work are in place and meet NRC standards. The Secretary of

Energy should proceed with site characterization work segments only after NRC has notified DOE that it concurs with the Secretary's determination. To help ensure that quality assurance concerns are addressed in a timely manner, the Chairman, NRC, should use NRC nuclear waste quarterly progress reports as a vehicle for bringing these concerns to the attention of senior NRC management. To ensure that issues raised as a result of the interaction between NRC and DOE are resolved early, the Secretary of Energy and the Chairman, NRC, should incorporate into the pre-licensing consultation agreement procedures for ensuring that issues will be resolved on mutually agreeable schedules.

137197

Nuclear Health and Safety: Summary of Major Problems at DOE's Rocky Flats Plant. RCED-89-53BR; B-222195. October 27, 1988. Released October 27, 1988. 21 pp. plus 2 appendices (4 pp.). Briefing Report to Rep. David Skaggs; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy: Rocky Flats Nuclear Weapons Production Facility; Rockwell International Corp.

Congressional Relevance: Rep. David Skaggs.

Abstract: In response to a congressional request, GAO summarized the major environmental, safety, and health (ES&H) problems at the Department of Energy's (DOE) Rocky Flats Nuclear Weapons Plant, which is the focal point for DOE plutonium operations.

Findings/Conclusions: GAO found that: (1) since 1986, DOE has performed three technical safety appraisals, which made 230 recommendations covering a wide range of safety and health standards; (2) many of the recommendations applied to more than one building and generally related to inadequate management attention to the plant's safety and health programs and deficient radiological and fire protection; (3) the plant lacked specific safety objectives and oversight adequate to ensure the completion and effectiveness of corrective actions; (4) although DOE instituted a series of

short-term measures to improve plant conditions in February 1988, an internal plant appraisal in September 1988 indicated that the safety and health programs still needed improvement; and (5) operations officials did not provide the plant contractor with sufficient direction, emphasis, and guidance. GAO also found that: (1) groundwater contamination and inactive waste sites were the plant's two major interrelated environmental contamination problems: and (2) DOE estimated that the cost to correct or reduce the contamination through 1995 would total \$323 million and an additional \$120 million to \$180 million to complete corrective action. In addition, GAO found that: (1) many of the plant buildings were built in 1950 and did not meet modern standards and codes: (2) some buildings' deterioration affected their operations and many needed considerable day-to-day maintenance: (3) DOE estimated that rebuilding and upgrading the plant would cost over \$1 billion; and (4) DOE ordered the shutdown of operations in one building because of its inadequate radiological safety margins and its age.

137216

Nuclear Health and Safety: DOE Needs to Take Further Actions to Ensure Safe Transportation of Radioactive Materials. RCED-88-195; B-222195. September 27, 1988. Released November 4, 1988. 41 pp. plus 4 appendices (10 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-81-108, August 4, 1981, Accession Number 115979; RCED-86-175, June 16, 1986, Accession Number 130260; and RCED-89-61FS, December 14, 1988, Accession Number 137713.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy

Information, Policy, and Regulation (276.0)

Organization Concerned: Department of Energy; Nuclear Regulatory Commission; Westinghouse Hanford Co. Congressional Relevance: House

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Energy and
Commerce: Transportation and
Hazardous Materials Subcommittee;
Senate Committee on Appropriations:
Energy and Water Development

Subcommittee; Senate Committee on Commerce, Science and Transportation: Surface Transportation Subcommittee; Senate Committee on Governmental Affairs; Sen. John H. Glenn.

Authority: Hazardous Materials Transportation Act (49 U.S.C. 1801 et seq.). Transportation of Explosives Act (18 U.S.C. 831 et seq.). Dangerous Cargo Act (Ships) (46 U.S.C. 170). Aviation Act (49 U.S.C. 1421 et seq.). Department of Transportation Act (49 U.S.C. 1655). DOE Order 5480.3. DOE Order 5610.1. 49 C.F.R. 173.7. 10 C.F.R. 71.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) regulation of its program for transporting high-level radioactive materials.

Findings/Conclusions: GAO found that: (1) the Nuclear Regulatory Commission (NRC) identified safety-related concerns with DOE-certified containers for transporting radioactive material, involving structure, containment, shielding, thermal, criticality, and acceptance testing and maintenance conditions: (2) these concerns prompted DOE to revamp container certification procedures, consolidate certification responsibility at national headquarters, and remove many of the containers from the transport program; (3) a DOE contractor's review identified inadequate documentation that the containers complied with safety requirements, the use of nonconservative analyses, and calculation errors; (4) DOE continued to use the containers up to 3 months after the contractor identified these problems; (5) DOE used three containers for several years without ever obtaining certification; (6) DOE used four containers with only 60-day approvals for several years; and (7) DOE regarded inadequate demonstration and certification as documentation problems not affecting container safety. Recommendation To Agencies: In accordance with the provisions of DOE Order 5480.3, the Secretary of Energy should promptly develop written guidance for addressing and resolving safety-related concerns raised about the packages used to ship nonweapons, highlevel radioactive materials. This guidance should include provisions for approving the continued use of these packages by an organization that does not manage their use. The Secretary of Energy should: (1) promptly conduct an independent review of all available documentation to ensure that package designs approved for transporting nuclear explosives, nuclear components, and special assemblies meet all applicable safety regulations; and (2) consolidate certification responsibilities

for these packages with the centralized package certification program at DOE headquarters.

137263

[Protest Against NRC Contract Award for Laboratory Operation]. B-231978. November 8, 1988. 6 pp. Decision re: Automation Management Consultants, Inc.; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact; Office of the General Counsel. Organization Concerned: Automation Management Consultants, Inc.; Department of Agriculture: Graduate School; Nuclear Regulatory Commission. Authority: 4 C.F.R. 21.2(a)(1). 64 Comp. Gen. 610. F.A.R. 15.610(c). B-221814 (1986). B-230971 (1988). B-231105 (1988). B-228895 (1987). B-227935 (1987).

Abstract: A firm protested a Nuclear Regulatory Commission (NRC) contract award for laboratory operation, contending that NRC improperly: (1) failed to advise it of its bid's deficiencies: (2) failed to follow the solicitation's evaluation criteria in evaluating its proposal; and (3) awarded the contract to a federal agency at a higher price than it proposed. GAO held that: (1) NRC properly notified the protester of certain areas in its proposal needing clarification; (2) the agency's evaluation of the protester's bid was reasonable and consistent with the evaluation criteria; (3) NRC properly awarded the contract to the low, technically acceptable bidder; and (4) the awardee was not a federal agency. Accordingly, the protest was denied.

137268

Nuclear Regulation: Stricter Controls Needed for Radioactive Byproduct Material Licenses. RCED-89-15; B-221188. October 12, 1988.

Released November 15, 1988. 33 pp. plus 3 appendices (11 pp.). Report to Rep. Edward F. Feighan; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-77-46, June 16, 1977, Accession Number 102777; and B-164105, August 18, 1972, Accession Number 093468.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Energy and
Commerce: Energy and Power
Subcommittee; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources; Senate Committee on
Governmental Affairs; Rep. Edward F.
Feighan.

Authority: Atomic Energy Act of 1954. Energy Reorganization Act of 1974. 10 C.F.R. 19. 10 C.F.R. 30. 10 C.F.R. 39. 10 C.F.R. 40. 10 C.F.R. 70. 10 C.F.R. 71.

Abstract: Pursuant to a congressional request, GAO reviewed the Nuclear Regulatory Commission's (NRC) licensing, inspection, and enforcement program for the use of radioactive materials.

Findings/Conclusions: GAO found that NRC usually did not: (1) verify license application information; (2) visit facilities before granting licenses; (3) have specific, detailed criteria for its license reviewers to determine when a denial was warranted; or (4) ensure that applicants and licensees could pay to clean up facilities contaminated by spills or releases of radioactive material. GAO also found that NRC: (1) sometimes took over a year to renew licenses, possibly allowing licensees to operate in an unsafe manner; (2) did not have specific criteria directing the use of financial penalties against licensees who repeatedly violated training, radiation monitoring, and recordkeeping regulations; and (3) has been slow to establish a certification program for industrial radiographers.

Recommendation To Agencies: To enhance NRC efforts to improve the materials licensing program, the Chairman, NRC, should develop detaile license denial criteria and define the circumstances that require a prelicense inspection or information verification procedures. To enhance NRC efforts to improve the materials licensing program, the Chairman, NRC, should finalize regulations that require a minimum level of financial assurance that licensees can pay for the cleanup o accidental spills and releases. To enhance NRC efforts to improve the materials licensing program, the Chairman, NRC, should require that broad scope or, at a minimum, medical treatment licensees begin license renewal actions 1 year in advance and that NRC conduct inspections before extending the licenses. To enhance NR^t

efforts to improve the materials licensing program, the Chairman, NRC, should review NRC policies for imposing civil penalties on licensees who repeatedly violate administrative requirements in order to determine whether further guidance on appropriate enforcement actions is needed.

137342

Transition Series: Energy Issues. OCG-89-16TR; B-158195. November 1988. 38 pp. *Report* to Congress; Secretary-designate, Department of Energy; by Charles A. Bowsher, Comptroller General. This is part of Transition Series on Issues Facing New Administration, November 1988, Accession Number 137326. Refers to numerous reports and testimonies on energy issues.

Issue Area: Energy (6400). Contact: Office of the Comptroller General.

Budget Function: Energy (270.0). Organization Concerned: Department of Energy.

Congressional Relevance: Congress. Authority: Nuclear Waste Policy Act of 1982. Clean Air Act. Nuclear Non-Proliferation Act of 1978. Stevenson-Wydler Technology Innovation Act of 1980. Technology Transfer Act (Federal). Freedom of Information Act. Atomic Energy Act of 1954.

Abstract: GAO summarized the major ssues facing the Department of Energy DOE)

Findings/Conclusions: GAO found that DOE will need to: (1) implement the nodernization and safe operation of its nuclear weapons complex; (2) reduce the nation's vulnerability to oil disruptions; 3) develop a nuclear waste program; (4) commercialize clean coal technologies; 5) respond to changes in the electric ntility industry; (6) improve controls over the export of sensitive nuclear data; and (7) revitalize the uranium enrichment program.

37350

Fransition Series: Interior Issues. DCG-89-24TR; B-158195. November .988. 23 pp. Report to Congress; Secretary-designate, Department of he Interior; by Charles A. Bowsher, Comptroller General. This is part of Pransition Series on Issues Facing New Administration, November .988, Accession Number 137326. Refers to numerous other GAO eports on land and mining issues.

Issue Area: Natural Resources Management: Other Issue Area Work (6991).

Contact: Office of the Comptroller General.

Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior.

Congressional Relevance: Congress. Authority: Surface Mining Control and Reclamation Act of 1977.

Abstract: GAO summarized Department of the Interior program issues facing the new administration.

Findings/Conclusions: GAO found that the new administration will need to: (1) develop a systematic, comprehensive approach to protecting and managing national park resources; (2) take aggressive steps to assess the carrying capacity of public rangelands, establish appropriate grazing levels, and restore grazing-damaged riparian areas; (3) require all mine operators to post a bond or financial guarantee to ensure reclamation of federal lands if mining operations cause significant land disturbance; (4) vigorously enforce environmental standards relating to surface mining; (5) provide adequate funding to prevent growth of the backlog of deferred park maintenance and further deterioration of park assets, introduce legislation to extend fee collections beyond 1992 to help reclaim abandoned mine sites, and increase funding to identify and protect irreplaceable cultural artifacts on public lands; (6) ensure that mineral royalties collections are complete and accurate; (7) discontinue consideration of proposed Alaska land exchanges because they are not in the best interest of either the government or the wildlife they are intended to protect; (8) require clarification of congressional intent relating to a 960-acre farm size limitation if federally supplied irrigation water is limited to separately operated farms; and (9) discontinue the practice of selling miners the land that they mine.

137374

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of September 30, 1988. RCED-89-22FS; B-202377. November 22, 1988. 20 pp. plus 2 appendices (2 pp.). Fact Sheet to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Dwayne Weigel, (for

Keith O. Fultz, Senior Associate Director), Resources, Community, and Economic Development Division. Refer to RCED-88-204BR, August 29, 1988, Accession Number 136683.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission; Nevada; Department of Energy: Office of Civilian Radioactive Waste Management; Science Applications International Corp.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982. 10 C.F.R. 2. P.L. 100-203.

Abstract: In response to a congressional request, GAO provided its quarterly report on the Department of Energy's (DOE) efforts to implement the Nuclear Waste Policy Act of 1982, focusing on the: (1) nuclear industry's and Nevada's comments on the DOE draft plan for investigating the Yucca Mountain nuclear waste repository site; and (2) DOE and Nuclear Regulatory Commission (NRC) efforts to streamline the licensing proceedings and to develop the Licensing Support System.
Findings/Conclusions: GAO reviewed the

characterization plan, and found that: (1)

the utility industry noted that the plan

comments on the draft site

was thorough, and exceeded the act's requirements; (2) the industry believes that DOE should develop a methodology for evaluating the Yucca Mountain site separately from the plan to discover any factors that would eliminate the site from consideration; (3) Nevada believes that the plan did not comply with the act's requirements for site characterization; (4) Nevada noted that the characterization was incomplete. lacked decontamination and decomposition plans, and did not contain the required conceptual design of a repository; (5) the DOE Office of Civilian Radioactive Waste Management estimated that the \$195 million to develop the Licensing Support System would equal the cost of a 1-year delay in streamlining licensing procedures; and (6) DOE awarded a \$5.7-million contract to develop the system, which would be

capable of producing all relevant documentation associated with repository license application procedures.

137392

Surface Mining: Complete Reconciliation of the Abandoned Mine Land Fund Needed, RCED-89-35; B-226046. October 28, 1988. Released November 29, 1988, 10 pp. plus 2 appendices (2 pp.). Report to Rep. John Heinz, Ranking Minority Member. Senate Committee on Governmental Affairs: Government Efficiency, Federalism, and the District of Columbia Subcommittee: by J. Dexter Peach. Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-196BR, July 22, 1988, Accession Number 136620; and AFMD-88-30. January 27, 1988, Accession Number 135131.

Issue Area: Natural Resources Management: Adequacy of Efforts To Reclaim Abandoned Mine Lands To Protect Public Health and the Environment (6911).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Interior and Insular Affairs; Senate
Committee on Appropriations: Interior
Subcommittee; Senate Committee on
Energy and Natural Resources; Senate
Committee on Governmental Affairs:
Government Efficiency, Federalism, and
the District of Columbia Subcommittee;
Sen. John Heinz.

Authority: Surface Mining Control and Reclamation Act of 1977. Federal Managers' Financial Integrity Act of 1982.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of the Interior's Office of Surface Mining Reclamation and Enforcement's (OSMRE) 1988 reconciliation of the Abandoned Mine Reclamation Fund, commonly known as the Abandoned Mine Land (AML) Fund. Findings/Conclusions: GAO found that OSMRE: (1) established the AML Grants Tracking System in 1986 to record federal and state share contributions toward AML Fund grants; (2) did not

perform a complete reconciliation of the AML Fund, since it did not correct past tracking system errors in determining state share balances: (3) did not correct key data errors in its formulas for calculating state grant allocations; (4) limited its fund reconciliation to agreement with its official accounting records' overall fund balance, collections. and grant data; and (5) could not accurately use its tracking system to determine federal and state share percentages of grant charges. GAO also found that OSMRE did not have adequate internal controls over its grant allocation process, since it: (1) could not substantiate the federal share of the state reclamation program grants listed in its tracking system; and (2) lacked policies and procedures for recreating and verifying its past allocation decisions. GAO believes that the incorrect state share balances will affect not only the current-year grant allocations, but also future-year allocations.

Recommendation To Agencies: The Secretary of the Interior should direct the Director, OSMRE, to: (1) modify the accounting system to identify expenditures charged against the state and federal share balances of the AML Fund and specify in the grant agreement the source of the grant funds; (2) reconcile the AML Fund balances using historical allocation formulas and corrected input data to assure their accuracy for use in making future grant allocations; and (3) develop written AML Fund allocation policies and procedures, clearly document all actions affecting state allocations, and independently verify the allocation of grant funds to the states.

137479

[Status of Security Measures to Prevent Oil Flow Disruptions]. T-RCED-89-3. December 7, 1988. 10 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-171BR, July 17, 1987, Accession Number 134527.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Authority: Energy Policy and Conservation Act (P.L. 94-163). Abstract: GAO provided unclassified information from a classified report regarding the Department of Energy's (DOE) security program for the Strategic Petroleum Reserve. GAO found that program goals are to: (1) limit site access to the extent feasible; and (2) develop recovery plans that would allow DOE to restore full operational capability within 15 to 30 days after an oil flow disruption. GAO also found that: (1) although DOE made improvements in the program, DOE inspections and evaluations still revealed various security problems; (2) DOE relied on one contractor to repair pipeline damage, although officials believed that an emergency could require multiple contractors; and (3) the DOE objective of restoring full drawdown capabilities within 15 to 30 days of disruption was not feasible, since simulated damage during security exercises exceeded that used in the recovery-planning assumption.

137492

Nuclear Science: Usefulness of Space Power Research to Ground-**Based Nuclear Reactor Systems.** RCED-89-17; B-229134. December 6, 1988. 26 pp. plus 5 appendices (42 pp.). Report to Rep. Robert A. Roe, Chairman, House Committee on Science, Space, and Technology; Rer Manuel Lujan, Jr., Ranking Minority Member, House Committee on Science, Space, and Technology; by Keith O. Fultz, Senior Associate Director, Resources, Community and Economic Development Division Refer to RCED-88-23, December 2, 1987, Accession Number 134734; RCED-87-26, February 9, 1987, Accession Number 132218; and T-RCED-89-64, September 30, 1989, Accession Number 139666.

Issue Area: Energy: Achieving Budgetary Savings Through Improved Management of DOE's Nuclear Researc and Development Programs (6412). Contact: Resources, Community, and Economic Development Division. Budget Function: General Science, Space, and Technology: Space Science, Applications, and Technology (254.0). Organization Concerned: Department a Energy.

Congressional Relevance: House Committee on Science, Space, and Technology; House Committee on Science, Space, and Technology; Rep. Manuel Lujan, Jr.; Rep. Robert A. Roe. Abstract: Pursuant to a congressional request, GAO surveyed nuclear power systems experts on the potential usefulness of space nuclear power systems research to the development of civilian terrestrial nuclear power systems.

Findings/Conclusions: GAO found that: (1) experts expected that the Department of Energy's (DOE) SP-100 Space Power Program and Multimegawatt Space Nuclear Power Program (MMW) would provide useful knowledge to: (1) advanced liquid metal- and gas-cooled terrestrial reactor development in the areas of fuel and fuel systems, materials, heat transport, instrumentation, control methodology, safety, reliability, and modeling and analysis techniques; and (2) water-cooled terrestrial systems only in generic areas, such as reactor instrumentation and control, since space power research involved liquid metal and gas concepts. GAO also found that: (1) design differences between space and terrestrial hardware components limited technology transfer; and (2) SP-100 was less likely than MMW to produce useful technology. In addition, GAO found that the degree of technology transfer depended on: (1) DOE dissemination of space power research results; (2) sufficient funding of space and advanced terrestrial programs; and (3) the resolution of institutional problems, including problems with licensing, financing, and public perception.

137569

Nuclear Security: DOE Actions to Improve the Personnel Clearance Program. RCED-89-34; B-226192. November 9, 1988.

Released December 21, 1988. 4 pp. plus 6 appendices (11 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-72, March 10, 1987, Accession Number 132645; and RCED-88-28, December 29, 1987, Accession Number 134985.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: DOE Order 5631.2B. DOE Order 5635.1A.

Abstract: Pursuant to a congressional request. GAO determined the status of the Department of Energy's (DOE) implementation of GAO recommendations regarding the DOE personnel security clearance program. Findings/Conclusions: GAO found that: (1) DOE concurred with the GAO recommendations aimed at improving the timeliness, accuracy, and efficiency of personnel security clearance decisions; (2) in June 1987, DOE directed 11 offices that had personnel security clearance functions to prepare plans and resource needs for review and approval by the Assistant Secretary for Defense Programs; (3) all 11 offices submitted their plans by October 1987, but only 4 of them gained approval as of mid-October 1988; (4) DOE is currently studying ways to improve contractor compliance with preemployment requirements and expedite the decisionmaking process for security clearances; (5) DOE is upgrading the central personnel security clearance data base; (6) in February 1988, DOE issued revised guidance that defines and explains how to implement the need-to-know principle; and (7) the effectiveness of the DOE actions depends partly on the adequacy of its internal control system for overseeing and evaluating program operations.

137631

[Protest of TVA Contract Award for Transmitter System]. B-232608. December 27, 1988. 6 pp. Decision re: Schlumberger Industries; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Schlumberger Industries; Yarway Corp.; Tennessee Valley Authority.

Authority: Property and Administrative Services Act. Competition in Contracting Act of 1984 (31 U.S.C. 3551(2)). Buy American Act. 4 C.F.R. 21. 64 Comp. Gen. 756. B-220364 (1985). B-228887 (1987). B-229628 (1988). B-228608 (1987). B-229486 (1987). B-229918 (1988).

Abstract: A firm protested a Tennessee Valley Authority (TVA) contract award for a transmitter system, contending that: (1) TVA improperly rejected its bid as nonresponsive; (2) TVA did not need to place certain equipment components a minimum of 350 feet apart; (3) TVA improperly awarded the contract, since the awardee's bid was nonresponsive to

various solicitation requirements; (4) the awardee did not comply with the Buy American Act: and (5) the solicitation unduly restricted competition, since TVA modeled the solicitation specifications after the awardee's descriptive literature. GAO held that: (1) TVA properly found the protester's bid nonresponsive, since it failed to comply with the solicitation specifications; (2) the protester untimely filed after bid opening its protest against alleged solicitation defects; (3) the protester was not sufficiently interested to protest the awardee's responsiveness, since its bid was nonresponsive and not in line for award; and (4) it would not consider the awardee's compliance with the Buy American Act, since that was a matter of contract administration. Accordingly, the protest was denied in part and dismissed in part.

137665

Federal Electric Power: Controversy Relating to Construction of Transmission Lines. RCED-89-43; B-225290. December 6, 1988.

Released January 5, 1989. 6 pp. plus 6 appendices (21 pp.). Report to Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-19, October 27, 1987, Accession Number 134250.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0)

Organization Concerned: Western Area Power Administration; Department of Energy.

Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee: Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources: Water and Power Subcommittee; Rep. George Miller. Authority: Department of Energy Organization Act. Reclamation Act. Reclamation Project Act of 1939. Flood Control Act. Colorado River Storage Project Act.

Abstract: GAO reviewed the Western Area Power Administration's (WAPA) justifications for conducting a joint transmission line construction project with other utility companies, particularly its proposed Craig/Bonanza line project, to determine: (1) the extent of WAPA participation in the project's costs and the resulting line capacity; and (2) whether WAPA construction activities comply with its legislative authority.

Findings/Conclusions: GAO found that: (1) WAPA justified its construction projects on the basis of improving the reliability of the federal transmission system; (2) the projects usually increased WAPA transmission capacity; (3) WAPA sold its excess transmission capacity to other utilities in the past and expected to do so in the future to increase its revenue; (4) private utility companies expressed concern over the Craig/Bonanza and Tracy/Livermore transmission line projects because of the potential for WAPA to deliver excess power to their markets through wheeling arrangements with other suppliers, which could result in a loss of their customers; and (5) although WAPA indicated that its participation in the Craig/Bonanza project was based on estimated cost or resulting line capacity, it did not adequately document the extent of or reasons for its participation. Recommendation To Congress: The House Subcommittee on Water and Power Resources should consider examining: (1) WAPA transmission construction activities to improve system reliability; and (2) how WAPA may use transmission capacity beyond that needed for its power marketing activities.

Recommendation To Agencies: The Secretary of Energy should direct the Administrator, WAPA, to establish a formal policy and implement procedures to direct its involvement in joint transmission construction projects, including a requirement for documenting the basis for and the extent of its participation in individual projects.

137671

Air Pollution: Status of Dispute Over Alaska Oil Pipeline Air Quality Controls. RCED-89-37; B-233149. December 9, 1988. Released January 9, 1989. 9 pp. plus 3 appendices (5 pp.). Report to Sen. Howard M. Metzenbaum, Chairman, Senate Committee on Energy and Natural Resources: Energy Regulation and Conservation Subcommittee; by Hugh J. Wessinger, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to OP-2-HP, January 1990, Accession Number 140415.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Alyeska Pipeline Service Co.; Environmental Protection Agency; Alaska.

Congressional Relevance: Senate Committee on Energy and Natural Resources: Energy Regulation and Conservation Subcommittee; Sen. Howard M. Metzenbaum.

Authority: Clean Air Act. Clean Air Act Amendments of 1977.

Abstract: Pursuant to a congressional request, GAO investigated whether federal or state laws required an Alaskan pipeline services company to file for a new air quality control permit, since the firm had: (1) increased the amount of natural gas liquids in its pipeline; and (2) made operational equipment changes to its terminal's waste gas incinerators.

Findings/Conclusions: GAO found that: (1) the firm's original air quality control permit was issued in 1974, before current federal air quality regulations were enacted; (2) the current regulations required the firm's terminal to obtain a Prevention of Significant Deterioration (PSD) program permit only if the firm made major equipment modifications; (3) the Environmental Protection Agency (EPA) and Alaska's Department of Environmental Conservation (ADEC) believed that the firm's increase in natural gas liquids and volatile organic compounds and the equipment changes required it to obtain a PSD permit; (4) the firm believed that the events did not trigger the need for a PSD permit; (5) neither EPA nor ADEC have conducted detailed inspections of the terminal, citing a lack of staff and the nonspecific nature of the operating permit; (6) EPA, ADEC, and the firm have attempted to resolve the permit issue since late 1987, with EPA and ADEC proposing that the firm apply for a new permit and the firm proposing that it review and rewrite its existing permit; and (7) both proposals showed a willingness of all parties to work toward negotiating a settlement.

137702

Gasoline Marketing: States'
Programs for Pump Labeling of
Gasoline Ingredients. RCED-89-6; B227776. January 12, 1989. 4 pp. plus
7 appendices (14 pp.). Report to Rep.
Philip R. Sharp, Chairman, House
Committee on Energy and
Commerce: Energy and Power
Subcommittee; by Keith O. Fultz,
Senior Associate Director, Resources,
Community, and Economic
Development Division. Refer to TRCED-88-60, September 27, 1988,
Accession Number 136898; and TRCED-88-60A, September 27, 1988,
Accession Number 136906.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Authority: Petroleum Marketing Practices Act.

Abstract: In response to a congressional request, GAO surveyed states concerning their gasoline pump labelling practices to determine whether a need existed for a federal uniform pump label.

Findings/Conclusions: GAO found that: (1) 39 of the 50 states required that pump labels disclose one or more gasoline ingredients; (2) most of the requirements concerned the disclosure of fuel alcohol content; (3) most of the states required the labels for consumer protection; (4) states' pump labelling requirements usually specified the minimum volume of alcohol and the lettering and location of the label on the pump; (5) states varied in their enforcement of the requirements, such as fines, closures, and warnings; and (6) 22 of the 39 states were satisfied with their programs and did not want any changes, 9 states said they needed changes, and 8 states were either uncertain or had no basis to determine whether they needed changes. GAO also found that: (1) of the 50 respondents, 24 favored, 13 opposed, and 13 remained uncertain about a federal uniform label; (2) supporters of the uniform label liked the uniformity, while detractors had concerns about enforcement or preemption of state laws; and (3) although many states commented on

what the label should list, there was no consensus evident from their responses.

137709

Water Pollution: Stronger Enforcement Needed To Improve Compliance at Federal Facilities. RCED-89-13; B-226207. December 27, 1988.

Released January 17, 1989. 67 pp. plus 3 appendices (11 pp.). Report to Rep. Vic Fazio; Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-89-32, April 26, 1989, Accession Number 138550.

Issue Area: Environmental Protection: Assessing How Water Pollution Facilities Are Reducing Pollutants From the Nation's Waters (6804).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:

Environmental Protection Agency; Environmental Protection Agency: Office of Water Programs; Department of the Navy; Department of Energy.

Congressional Relevance: House
Committee on Appropriations: HUDIndependent Agencies Subcommittee;
House Committee on Public Works and
Transportation: Investigations and
Oversight Subcommittee; House
Committee on Interior and Insular
Affairs: Water and Power Resources
Subcommittee; Senate Committee on
Appropriations: HUD-Independent
Agencies Subcommittee; Senate
Committee on Environment and Public
Works: Environmental Protection
Subcommittee; Rep. Vic Fazio; Rep.
George Miller.

Authority: Water Pollution Control Act Amendments of 1972 (Federal) (33 U.S.C. 1251 et seq.). Clean Water Act of 1977. Abstract: In response to a congressional

Abstract: In response to a congressional request, GAO assessed: (1) federal facilities' compliance with the Water Pollution Control Act; and (2) the Environmental Protection Agency's (EPA) and states' oversight and enforcement of the facilities' compliance with the act

with the act.

Findings/Conclusions: GAO found that: (1) most federal facilities did not comply with National Pollutant Discharge Elimination System (NPDES) program priority requirements; (2) in fiscal years 1986 and 1987, federal facilities'

noncompliance rate was twice that of private industrial facilities; (3) more than 40 percent of federal facilities had a significant noncompliance problem for more than 1 year; (4) Navy and Department of Energy facilities had the highest noncompliance rates; (5) agency and facility officials cited lengthy budget and procurement processes as factors affecting facilities' noncompliance; (6) EPA and states failed to take timely enforcement actions on 31 of 46 facilities without permits; and (7) EPA did not exercise its authority in 18 instances of untimely state enforcement.

Recommendation To Agencies: To ensure that NPDES regulators take timely and appropriate enforcement actions, the Administrator, EPA, should direct the Office of Water Programs to set criteria for following up with regions on a quarterly basis on the appropriate compliance strategy to use against all federal facilities for which timely enforcement has not been taken. To ensure that NPDES regulators take timely and appropriate enforcement actions, the Administrator, EPA, should establish management control procedures to ensure that regions are submitting accurate information for all federal facilities on which timely enforcement has not been taken. In conjunction with issuing the compliance strategy for federal facilities, the Administrator, EPA, should take steps necessary to overcome EPA regional staff reluctance to enforce federal facilities in nondelegated states. Steps that should be considered include conducting training or issuing special guidance that: (1) emphasizes to regional staffs the importance of obtaining compliance agreements before federal facilities are reported in significant noncompliance for two consecutive quarters; and (2) emphasizes to regional office program managers the need to ensure regional staff compliance with the EPA policy. The Administrator, EPA, should instruct regions to treat noncompliant federal facilities in delegated states the same as nonfederal facilities by issuing notices to the states when they fail to take timely enforcement actions against federal facilities. If the delegated states do not act after receiving these notices, EPA regional offices should enter into compliance agreements with noncompliant federal facilities.

137713

Nuclear Materials: Additional Information on Shipments From DOE's Rocky Flats Plant. RCED-89-61FS; B-216376. December 14, 1988. Released January 19, 1989. 15 pp. plus 1 appendix (1 pp.). Fact Sheet to Sen. Timothy E. Wirth; by David A. Hanna, Manager, Field Operations Division: Regional Office (Denver).

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy

Information, Policy, and Regulation (976.0)

Organization Concerned: Department of Energy; Department of Energy: Sandia National Laboratory; Department of Energy: Idaho National Engineering Laboratory; Department of Energy: Rocky Flats Nuclear Weapons Production Facility; Nuclear Regulatory Commission; Rockwell International Corp.

Congressional Relevance: Sen. Timothy E. Wirth.

Authority: 49 C.F.R. 178.104.

Abstract: In response to a congressional request, GAO discussed the transportation factors associated with four alternatives for relocating plutonium processing operations from the Rocky Flats, Colorado, plant to other Department of Energy (DOE) locations, focusing on: (1) Sandia National Laboratory's consideration of human error in estimating risks; (2) testing of DOE transportation containers; (3) continued radiological risks to Rocky Flats workers; (4) possible relocation sites; (5) origins of waste and scrap materials; (6) the adequacy of the DOE transportation fleet; and (7) the use of Nuclear Regulatory Commission data in estimating the economic consequences of a transportation accident.

Findings/Conclusions: GAO found that: (1) Sandia did not consider potential human error in estimating the risks associated with shipping the plutonium because a staff member believed that it would not affect the risk calculations: (2) contractor personnel at the Rocky Flats plant had not adequately tested the container used for transporting oxides for durability, since they believed that container inspection procedures would detect any problems; (3) radiological risks to workers at Rocky Flats would continue because relocation alternatives would not eliminate all operations involving plutonium at the plant; (4) although DOE considered relocating plutonium operations to an Idaho site, the site did not have plutonium processing capabilities; (5) Rocky Flats would continue to generate waste and scrap material from its existing operations, while materials pretreatment processes associated with moving some operations elsewhere would generate additional scrap materials; (6) increased material shipments to alternative locations could require five additional safety vehicles and personnel; and (7) Sandia used data pertaining to the four alternatives GAO reviewed to calculate the economic consequences of a transportation accident.

137785

[GAO's Views on DOE's Modernization Plan for the Weapons Complex]. T-RCED-89-5. January 25, 1989. 14 pp. plus 2 appendices (2 pp.). Testimony before the Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; and RCED-88-137, July 8, 1988, Accession Number 136307.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs. Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). P.L. 100-456.

Abstract: GAO discussed the Department of Energy's (DOE) recently issued plan to modernize its nuclear weapons production complex. GAO found that: (1) while DOE was identifying and characterizing the extent of the problems within its complex, several problems surfaced which forced it to shut down reactors at several plants and halted nuclear weapons material production; (2) DOE implemented a program to address the extent of environmental, health, and safety problems at its major weapons complex facilities: and (3) the inspectors that DOE assigned at its major facilities were instrumental in disclosing significant safety problems. GAO also found that: (1) while the modernization plan showed what facilities would need to meet production needs in 2010, it did not adequately address the cleanup of existing facilities or the decontamination of retired facilities; (2) the total cost estimates ranged from \$100 billion to over \$155 billion; (3) the true costs could differ greatly from the estimates due to the lack of specific cleanup procedures, facility construction cost overruns, and the cost of building new production reactors; (4) DOE may not have sufficient technical expertise to

accomplish all of the required tasks; and (5) DOE did not have all the policies and standards in place to guide the modernization effort. GAO believes that DOE should periodically update the plan to keep Congress and the public informed on the overall direction, priorities, and progress of the modernization efforts.

137824

Federal Research: Determination of the Best Qualified Sites for DOE's Super Collider. RCED-89-18; B-227295. January 30, 1989. 59 pp. plus 5 appendices (9 pp.). Report to Sen. Trent Lott; Rep. Robert A. Roe, Chairman, House Committee on Science, Space, and Technology; Rep. Robert S. Walker, Ranking Minority Member, House Committee on Science, Space, and Technology; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-175FS, August 6, 1987, Accession Number 133627; RCED-86-79, April 9, 1986, Accession Number 129830; RCED-85-96, April 1, 1985, Accession Number 126675; T-RCED-89-22, April 5, 1989, Accession Number 138347; RCED-89-129BR, June 16, 1989, Accession Number 138891; and RCED-90-33BR, October 4, 1989, Accession Number 139679.

Issue Area: Science and Technology Policy and Programs: Assessing Effectiveness of Federal Programs in Improving U.S. Competitiveness Through Stimulating Research and Development (9307).

Contact: Resources, Community, and Economic Development Division. Budget Function: General Science, Space, and Technology: General Science and Basic Research (251.0).

Organization Concerned: Department of Energy; Department of Energy: Fermi National Accelerator Laboratory (Fermilab); National Academy of Sciences; National Academy of Engineering.

Congressional Relevance: House
Committee on Science, Space, and
Technology; House Committee on
Science, Space, and Technology; House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Science, Space, and
Technology: Energy Research and
Development Subcommittee; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Energy and
Natural Resources: Energy Research and
Development Subcommittee; Rep. Robert

S. Walker; Rep. Robert A. Roe; Sen. Trent Lott.

Authority: P.L. 100-71. Environmental Policy Act of 1969 (National).

Abstract: In response to a congressional request, GAO assessed the process for determining the best-qualified sites for the superconducting super collider (SSC), specifically the: (1) composition of the site evaluation committee; (2) committee's use of the Department of Energy's (DOE) technical evaluation and cost criteria; (3) impact of the DOE decision not to have the committee make site visits; (4) committee's analysis of the proposed sites' costs; and (5) DOE review of the committee's list of best-qualified sites.

Findings/Conclusions: GAO found that: (1) DOE chose the 21 committee members to ensure that it had sufficient expertise to evaluate site proposals against the site selection criteria and disqualified any person associated with a specific proposal; (2) eight members had associations with one of the proposed sites: (3) the committee members evaluated the proposals against technical and cost criteria in their order of importance; (4) site visits were impractical due to the selection schedule, the number of sites, and members' other commitments, and were unnecessary because the committee believed that all proposals were wellwritten and complete; (5) the committee did not use costs to discriminate between the proposed sites because proposed costs for all sites were within 3.3 percent of the average proposed cost; (6) the committee believed that the comparable costs weakened its ability to determine sites' expected costs: (7) DOE accepted the committee's list of best-qualified sites after making its own assessment; and (8) although states were generally satisfied with the invitations for site proposals, some states would have either selected alternative sites or better assessed their available resources if DOE had indicated the relative importance of the criteria.

Recommendation To Agencies: The Secretary of Energy should ensure, for any future site selection process similar to SSC, that potential site proposers are given the maximum information possible in the invitation about the relative importance of the selection criteria.

137831

Oil Reserve: Status of Strategic Petroleum Reserve Activities as of September 30, 1988. RCED-89-63FS; B-208196. January 25, 1989.

Released February 2, 1989. 21 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-194FS, August 26, 1987, Accession Number 133825; RCED-88-59FS, November 30, 1987, Accession Number 134598; RCED-88-175FS, June 24, 1988, Accession Number 136215; and RCED-85-104, September 27, 1985, Accession Number 128007.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy; Department of the Navy: Military Sealift Command; United Mexican States: Petroleos Mexicanos; Department of Energy: Sandia National Laboratory.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Energy Policy and Conservation Act (P.L. 94-163). Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509). P.L. 100-446. Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) progress in developing, operating, and filling the Strategic Petroleum Reserve (SPR) during the 6 months ended September 30, 1988.

Findings/Conclusions: GAO found that, during that period, DOE: (1) added 9.7 million barrels of crude oil to SPR, increasing the inventory to 554.7 million barrels; (2) disbursed \$130 million to the Mexican national oil company for oil acquisition and transportation; (3) appointed a committee to resolve continuing SPR instrumentation and control system problems; and (4) requested the Sandia National Laboratories to evaluate hardware and software at SPR sites. GAO also found that Congress appropriated: (1) \$173 million for fiscal year (FY) 1989 for SPR development, operation, and management; (2) \$242 million for oil acquisition to permit an average fill rate of about 50,000 barrels per day; and (3) \$92 million for oil deliveries in the first quarter of FY 1990. In addition, GAO

found that the Military Sealift Command: (1) determined that past overcharges on demurrage payments for oil delivered to SPR represented improper payments; (2) calculated that demurrage claims totalled \$189,893; and (3) was taking steps to recover the funds from shipowners.

137883

[Protest of DOE Contractor's Subcontract Award for Steel Containers]. B-232953. February 6, 1989. 4 pp. Decision re: Container Products Corp.; by Ronald Berger, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Container Products Corp.; M&M Industries; Martin Marietta Energy Systems; Department of Energy.

Authority: 49 C.F.R. 173.24. 49 C.F.R. 173.403(n)(5). 4 C.F.R. 21.3(m)(10). B-225441.2 (1986). B-228482 (1988). B-232146 (1988).

Abstract: A firm protested a Department of Energy (DOE) prime contractor's subcontract award for steel containers, contending that the awardee's containers did not meet solicitation requirements for container closure, since the DOE statement of needs reflected more stringent requirements. GAO held that: (1) DOE and the prime contractor properly determined that the awardee's product met the solicitation specifications; and (2) it would not consider the protest that DOE needed more restrictive specifications to meet its minimum needs, absent a showing of fraud or willful misconduct. Accordingly, the protest was denied.

137884

[Dealing With Enormous Problems in the Nuclear Weapons Complex]. T-RCED-89-6. February 8, 1989. 18 pp. plus 1 appendix (1 pp.). Testimony before the House Committee on Budget; by Charles A. Bowsher, Comptroller General. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; and RCED-88-137, July 8, 1988, Accession Number 136307.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Budget. .

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). P.L. 100-456.

Abstract: GAO discussed actions the Department of Energy (DOE) should take to clean up and modernize its nuclear weapons complex. GAO found that DOE: (1) needs to address the cleanup and decontamination of its existing facilities as they are retired from service; (2) needs to clearly define the environmental cleanup problems to be resolved; (3) should prioritize the sites that require immediate cleanup; (4) needs to account for the types of technology and procedures to be used; (5) needs to hire a quality technical work force to manage and accomplish cleanup operations; (6) needs to establish an independent organization to oversee its internal safety program; (7) should implement its safety policy and standards at its existing facilities and in the design of new facilities; and (8) should develop a spending plan to ensure effective use of available funds.

137902

Surface Mining: Operation of the Applicant Violator System Can Be Improved. AFMD-89-31; B-225149. January 24, 1989.

Released February 9, 1989. 23 pp. plus 3 appendices (6 pp.). *Report* to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by Frederick D. Wolf, Director, Accounting and Financial Management Division.

Issue Area: Internal Control and Financial Management Systems Issues: Adequacy of Federal Agency Accounting Systems' Support of Management of Agency Programs and Operations (7402). Contact: Accounting and Financial Management Division.

Budget Function: Financial
Management and Information Systems:
Accounting Systems in Operation (998.1).
Organization Concerned: Department of the Interior; Department of the Interior:
Office of Surface Mining Reclamation and Enforcement; National Wildlife
Federation.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Morris K. Udall.

Authority: Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201). Abstract: In response to a congressional request, GAO assessed the Office of Surface Mining Reclamation and Enforcement's (OSMRE) efforts to implement its Applicant Violator System (AVS).

Findings/Conclusions: GAO found that: (1) the OSMRE automated permit review system was inadequate to effectively determine whether permits should be issued or denied: (2) incomplete names and addresses, inconsistent recordkeeping and reports, and a lack of a proper definition of mining ownership or control hampered AVS effectiveness; (3) OSMRE relied on manual processing to verify AVS information, resulting in delays in meeting states' projected approval dates; (4) OSMRE had not incorporated data from other mining ownership and control information sources to adequately compare and match applicants and violators; and (5) AVS lacked linkage features and other capabilities, while an interest group's comparable system had access to state mining permit and Department of Labor mine safety and health data. Recommendation To Agencies: To improve the accuracy of the data in the system and thereby reduce reliance on manual verifications and ensure compliance with section 510 of the Surface Mining Control and Reclamation Act, the Department of the Interior should: (1) incorporate the data sources accessed during the manual verification process into AVS, including but not limited to Labor's Mine Safety and Health Administration system, to improve the quality of the data in the system: (2) expedite efforts to finalize both the information update rule and the clearinghouse procedures in order to obtain more current information; and (3) monitor state adherence to the recently promulgated ownership and control rule and, when finalized, the information update rule. The Department of the Interior should work with the National Wildlife Federation (NWF) to establish specific dates and milestones to complete its comparisons of AVS and the Wildlife system and incorporate those features of the Wildlife system which will enhance AVS coverage and operation.

137931

Surface Mining: Interior's Response to Abandoned Mine Emergencies. RCED-89-74; B-226046. January 31, 1989.

Released February 14, 1989. 10 pp. plus 2 appendices (3 pp.). Report to Sen. Jim Sasser, Chairman, Senate Committee on Governmental Affairs: Government Efficiency, Federalism, and the District of Columbia Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Assessing the Effectiveness of Federal and State Efforts in Implementing the Regulatory and Reclamation Requirements of the Surface Mining Control and Reclamation Act of .

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House
Committee on Appropriations:
Department of the Interior and Related
Agencies Subcommittee; House
Committee on Interior and Insular
Affairs; Senate Committee on
Appropriations: Interior and Related
Agencies Subcommittee; Senate
Committee on Energy and Natural
Resources; Senate Committee on
Governmental Affairs: Government
Efficiency, Federalism, and the District
of Columbia Subcommittee; Sen. Jim
Sasser.

Authority: Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.). 30 C.F.R. 870.5.

Abstract: In response to a congressional request, GAO reviewed the Office of Surface Mining Reclamation and Enforcement's (OSMRE) report to a congressional subcommittee on its handling of requests for emergency reclamation of abandoned mine land sites, focusing on: (1) the accuracy and completeness of the OSMRE report; (2) how long it took OSMRE to process emergency complaints; and (3) whether OSMRE-approved emergency projects met the established criteria.

Findings/Conclusions: GAO examined OSMRE case files for Ohio, Kentucky, and Tennessee, and found that: (1) the OSMRE report was inaccurate and did not contain all emergency complaints it received from 1983 through 1987; (2) it could not verify about 77 percent of the OSMRE case files it sampled; (3) although OSMRE had not established criteria to judge the timeliness of its response to emergency complaints, its inspectors visited mine sites within 48 hours after receipt of an emergency complaint 64 percent of the time; (4) it took OSMRE an average of 97 days from the time it investigated an emergency complaint to either award a construction contract or deny the complaint; and (5) none of the 57 emergency project files it reviewed contained sufficient documentation to determine whether OSMRE-approved projects met all established criteria.

Recommendation To Agencies: The Secretary of the Interior should require the Director, OSMRE, to: (1) develop written instructions and guidance as to how case files should be structured, including criteria as to what minimum documentation is required; (2) periodically review complaint case files to ensure that all required information is included; and (3) establish a process to periodically review the status of emergency projects to ensure that timely corrective action is being taken commensurate with the urgency associated with the emergency.

137967

International Energy Agency: Effectiveness of Members' Oil Stocks and Demand Restraint Measures. NSIAD-89-42; B-217506. February 6, 1989.

Released February 21, 1989. 7 pp. plus 4 appendices (35 pp.). Report to Sen. Howard M. Metzenbaum; by Allan I. Mendelowitz, Director, Trade, Energy, and Finance Issues, National Security and International Affairs Division. Refer to RCED-87-204FS, September 29, 1987, Accession Number 134123.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405); Energy: Other Issue Area Work (6491).

Contact: National Security and International Affairs Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: International Energy Agency; Department of Energy; Department of State.

Congressional Relevance: Sen. Howard M. Metzenbaum.

Authority: Agreement on an International Energy Program, Including Establishment of the International Energy Agency, Nov. 18, 1974, Multilateral, T.I.A.S. No. 8278. .

Abstract: In response to a congressional request, GAO examined the International Energy Agency (IEA) members': (1) compliance with a requirement to maintain emergency oil reserves equivalent to 90 days of oil imports; and (2) demand-restraint measures during an oil supply disruption and their effectiveness.

Findings/Conclusions: GAO found that: (1) although most of the member countries technically complied with the 90-day oil stock requirement, many lacked 90 days of accessible emergency oil stocks; (2) 3 of the 18 net oil importing countries did not meet the 90-day requirement as of January 1988; (3)

the oil stocks IEA counted to determine compliance included a substantial amount of oil companies' minimum operating inventories, which were not generally accessible; and (4) in January 1987, member countries collectively held 89 days of accessible oil stocks but only 76 days of accessible emergency oil stocks, two members had no accessible emergency oil stocks, and nine members had 51 or fewer days. GAO also found that: (1) many countries did not have laws for penalizing oil companies that did not fulfill the mandatory requirements; (2) a large majority of the members indicated that they would rely on demand restraint as their principal response to an oil supply disruption; (3) IEA concluded that most of the members' demand-restraint programs appeared suitable; and (4) uncertainties remained concerning accurate measures of reductions due to restraints, the time it would take for the various restraint measures to become fully operational, and the cost-effectiveness of using emergency stocks or restraint measures.

138007

[Enormous Modernization and Cleanup Problems in the Nuclear Weapons Complex]. T-RCED-89-11. February 23, 1989. 21 pp. plus 2 attachments (2 pp.). Testimony before the House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; by Charles A. Bowsher, Comptroller General. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; and RCED-88-137, July 8, 1988, Accession Number 136307.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; Congress.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). P.L. 100-456. H.R. 765 (101st Cong.).

Abstract: GAO discussed the Department of Energy's (DOE) modernization and cleanup plans for its nuclear weapons complex. GAO noted that: (1) the weapons complex posed serious threats to public health and safety, due to its handling of hazardous materials, aging and obsolete facilities, inactive waste sites, and groundwater and soil contamination; (2) estimates of the cost to modernize and clean up the weapons complex ranged as high as \$155

billion; (3) the DOE closing of several key nuclear operations due to significant safety and health problems seriously affected the nation's ability to produce nuclear weapons; and (4) DOE did not adequately address priorities for cleanup and modernization efforts covered in its fiscal year 1990 budget request. GAO also noted that the 2010 Modernization Plan DOE submitted for facility upgrade and cleanup: (1) did not adequately address the cleanup and decontamination of existing facilities: (2) placed modernization on a faster track than environmental cleanup; and (3) did not address management changes necessary to acquire the necessary technical expertise, provide strong safety oversight, and establish modernization management policies. GAO believes that: (1) proposed legislation to establish a national commission to review environmental contamination data, the DOE management structure, and technological capabilities could assist DOE in its long-range planning efforts: and (2) DOE can assist Congress in its future deliberations by periodically updating the modernization plan.

138023

Inland Oil Spills: Stronger Regulation and Enforcement Needed to Avoid Future Incidents. RCED-89-65; B-232923. February 22, 1989.

Released February 27, 1989. 33 pp. plus 1 appendix (1 pp.). Report to Sen. Arlen Specter; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to OP-2-HP, January 1990, Accession Number 140415.

Issue Area: Environmental Protection: Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency.

Congressional Relevance: House Committee on Merchant Marine and Fisheries; Senate Committee on Commerce, Science and Transportation; Congress; Sen. Arlen Specter.

Authority: Clean Water Act of 1977. Occupational Safety and Health Act of 1970. Federal Managers' Financial Integrity Act of 1982.

Abstract: Pursuant to a congressional request, GAO assessed the adequacy of federal regulation of above-ground oil storage tanks and the federal inland oil spill removal program.

Findings/Conclusions: GAO found that the Environmental Protection Agency's (EPA) regulations did not require oil storage facility operators to: (1) construct and test tanks using industry standards: (2) prepare responses to accidental discharges of oil onto adjacent property; or (3) design and operate storm water drainage systems to prevent oil spills. GAO also found that: (1) EPA did not have information regarding the number, age, and location of oil storage facilities and the construction and operation of tanks; (2) the EPA inspection program did not prioritize inspections according to the threat posed to the environment, and inspections were sometimes superficial and poorly documented; (3) despite numerous oil spills and other violations, 7 of the 10 EPA regions have not levied fines; (4) EPA eliminated its spill response research program in 1987 because of budget constraints; and (5) EPA did not recover the costs of monitoring cleanups conducted by private parties, even though such costs were often substantial.

Recommendation To Congress: Congress

may wish to amend the Clean Water Act to explicitly authorize the federal government to recover the costs of monitoring oil spill cleanups performed by private responsible parties. Recommendation To Agencies: To improve the likelihood that aboveground oil storage tanks are built to industry standards and decrease the chances of future damaging oil spills, the Administrator, EPA, should amend the oil pollution prevention regulations to require that: (1) above-ground oil storage tanks be built and tested in accordance with industry or other specified standards; (2) facilities plan how to react to a spill that overflows the facility boundaries; and (3) storm water drainage systems be designed and operated to prevent oil from escaping through them. To better ensure the safety of the nation's above-ground oil storage facilities and decrease the chances of oil being discharged into the environment, the Administrator, EPA, should strengthen the EPA above-ground oil storage facility inspection program by: (1) developing, in coordination with state and local authorities, a system of inspection priorities, based on a national inventory of tanks; (2) developing instructions for performing and documenting inspections; (3) defining and implementing minimum training needs for inspectors; and (4) establishing a national policy for fining violators. To better ensure the safety of the nation's

above-ground oil storage facilities and decrease the chances of oil being discharged into the environment, the Administrator, EPA, should determine the advantages and disadvantages of supplementing EPA inspection resources by: (1) using state and local inspection resources; and (2) requiring that facilities obtain certification from independent engineers that facilities are in compliance with regulations. With the goal of improving responses to future oil spills, the Administrator, EPA, should determine whether to reestablish the oil spill research and development program, taking into account anticipated benefits. costs, and program priorities.

138026

[GAO's Views on Modernizing and Cleaning Up DOE's Nuclear Weapons Complex]. T-RCED-89-9. February 21, 1989. 18 pp. plus 2 attachments (2 pp.). Testimony before the House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). P.L. 100-456.

Abstract: GAO discussed the Department of Energy's (DOE) modernization and cleanup plans for its nuclear weapons complex. GAO noted that: (1) the weapons complex posed serious threats to public health and safety, due to its handling of hazardous materials, aging and obsolete facilities, inactive waste sites, and groundwater and soil contamination; (2) estimates of the cost to modernize and clean up the weapons complex ranged as high as \$155 billion; (3) the DOE closing of several key nuclear operations, due to significant safety and health problems, seriously affected the nation's ability to produce nuclear weapons; and (4) DOE did not adequately address priorities for cleanup and modernization efforts covered in its fiscal year 1990 budget request. GAO also noted that the 2010 Modernization Plan DOE submitted for facility upgrade and cleanup: (1) did not adequately address the cleanup and decontamination of existing facilities; (2)

placed modernization on a faster track than environmental cleanup; and (3) did not address management changes necessary to acquire the necessary technical expertise, provide strong safety oversight, and establish modernization management policies. GAO believes that DOE can assist Congress in its future deliberations by periodically updating the modernization plan.

138031

[Modernizing and Cleaning Up DOE's Nuclear Weapons Complex]. T-RCED-89-10. February 22, 1989. 19 pp. plus 2 attachments (2 pp.). Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, June 6, 1988, Accession Number 136310; and RCED-88-137, July 8, 1988, Accession Number 136307.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: *House* Committee on Energy and Commerce: Energy and Power Subcommittee; Congress.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). P.L. 100-456.

Abstract: GAO discussed its views on the Department of Energy's (DOE) cleanup and modernization of its nuclear weapons complex. GAO noted that DOE needs to: (1) include in its current modernization efforts, adequate plans for environmental cleanup and decontamination of existing facilities; (2) determine the extent of environmental cleanups or which sites should receive priority; (3) include in its projected estimate, the true cost for new facility construction, potential cost overruns, and the cost of building new production reactors, including implementing new technologies; (4) hire technical experts. provide safety oversight, and apply its new policies and procedures to the design and construction of new facilities; (5) develop a spending plan, periodically update the plan to ensure effective use of funds, and keep Congress abreast of its overall direction, priorities, and progress; and (6) provide information on its future budget needs to allow Congress to make more informed decisions on how best to address cleanup and decontamination problems.

138032

Nuclear Waste: Quarterly Report as of December 31, 1988. RCED-89-87; B-202377. February 27, 1989. 4 pp. plus 3 appendices (10 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-204BR, August 29, 1988, Accession Number 136683; RCED-89-22FS, November 22, 1988 Accession Number 137374; RCED-88-163BR, August 29, 1988, Accession Number 135846; and RCED-88-159, September 29, 1988, Accession Number 137175.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission.

Congressional Relevance: Senate
Committee on Energy and Natural
Resources; Senate Committee on Energy
and Natural Resources; Sen. James A.
McClure; Sen. J. Bennett Johnston.
Authority: Nuclear Waste Policy Act of
1982. 10 C.F.R. 60. P.L. 100-203. Nuclear
Waste Policy Amendments Act of 1987.
Abstract: In response to a congressional
request, GAO presented its quarterly
report on the Department of Energy's
(DOE) implementation of the Nuclear
Waste Policy Act of 1982.
Findings/Conclusions: GAO found that:

(1) DOE has completed a site characterization plan for the Yucca Mountain repository site and is in the process of obtaining public comments on the plan; (2) DOE delayed exploratory shaft construction for 5 months to reevaluate its completed design work and to ensure that its site characterization plan conformed with regulatory requirements; (3) the current DOE schedule for developing, implementing, and demonstrating the adequacy of its quality assurance program is slipping and could further delay construction work; and (4) if the Nuclear Regulatory Commission found the site characterization plan inadequate, DOE would have to request

additional time to resolve the deficiencies, which would result in further construction delays.

138067

Fuel Ethanol: Imports From Caribbean Basin Initiative Countries. NSIAD-89-106; B-234382. February 21, 1989. 41 pp. plus 1 appendix (1 pp.). Report to Rep. Daniel Rostenkowski, Chairman, House Committee on Ways and Means; Sen. Lloyd Bentsen, Chairman, Senate Committee on Finance; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to T-NSIAD-89-26, April 25, 1989, Accession Number 138482.

Issue Area: Energy: Other Issue Area Work (6491); International Trade and Finance: Assessing the Progress Being Made in Federal Efforts To Strengthen U.S. International Competitiveness, Industrial Adjustment, and the Viability of Essential Industries.

Contact: National Security and International Affairs Division.

Budget Function: International Affairs: Conduct of Foreign Affairs (153.0).

Congressional Relevance: House Committee on Ways and Means; Senate Committee on Finance; Congress; Rep. Daniel Rostenkowski; Sen. Lloyd Bentsen.

Authority: Omnibus Trade and Competitiveness Act of 1988. Energy Tax Act of 1978. Windfall Profit Tax Act (Crude Oil). Caribbean Basin Economic Recovery Act. Tax Reform Act of 1986. Clean Air Act.

Abstract: Pursuant to a legislative requirement, GAO examined ethanol production in Caribbean Basin Initiative (CBI) countries, focusing on: (1) whether CBI producers could compete using local feedstock, rather than imported feedstock, to produce ethanol; and (2) potential modifications to U.S. tariff requirements that would not harm U.S. producers and would ensure meaningful ethanol production and increased employment in CBI countries and discourage use of imported feedstock. Findings/Conclusions: GAO found that: (1) CBI ethanol producers would be economically disadvantaged in complying with a 75-percent local feedstock requirement because of current sugar and gasoline prices in the region; (2) total CBI ethanol production capacity is about 88 million gallons annually, but could increase to about 217 million gallons if two plants under construction are completed; (3) a 75-

percent local feedstock requirement would neither allow CBI producers to compete nor contribute to regional economic development; (4) it is not likely that ethanol imports from CBI countries would impact on U.S. production; and (5) CBI ethanol producers would significantly benefit if the U.S. feedstock requirement was eliminated, since they could obtain subsidized imported supplies at low prices. GAO believes that Congress should either: (1) set a low local feedstock requirement in addition to CBI value-added requirements; (2) eliminate the local feedstock requirement while maintaining CBI value-added requirements; or (3) exempt up to 120 million gallons of imported ethanol from tariffs and impose a 30-percent local feedstock requirement on the remainder.

138070

Nuclear Waste: DOE's Method for Assigning Defense Waste Disposal Costs Complies With NWPA. RCED-89-2; B-202377. February 2, 1989. Released March 6, 1989. 20 pp. plus 4 appendices (9 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). P.L. 100-203. Federal Managers' Financial Integrity Act of 1982 (31 U.S.C. 3512).

Abstract: In response to a congressional request, GAO assessed whether the Department of Energy's (DOE) method of allocating nuclear waste program costs between commercial and defense nuclear waste generators complied with Nuclear Waste Policy Act (NWPA) requirements.

Findings/Conclusions: GAO found that: (1) the DOE method of allocating repository costs between commercial and defense generators complied with NWPA requirements for full cost recovery and equivalency; (2) the method ensured that

DOE would bear the defense waste share of the costs and neither commercial generators nor DOE would subsidize the other over the life of the program; (3) DOE allocated the assigned costs on the basis of cost-sharing factors, and the unassigned costs in proportion to the respective share of the assignable costs; (4) utilities and states agreed with the allocation of assigned costs, but disagreed with the allocation of common unassigned costs, since commingling the wastes would avoid the need for a specific defense waste repository; and (5) DOE believed that the arbitrary allocation of hypothetical costs for a separate defense waste repository, rather than allocating costs on the basis of actual waste program costs, was not appropriate.

138088

Nuclear Waste: Termination of Activities at Two Sites Proceeding in an Orderly Manner. RCED-89-66; B-211412. February 6, 1989.

Released March 8, 1989. 6 pp. plus 4 appendices (9 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-90-59, December 12, 1989, Accession Number 140185.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy (270.0). Organization Concerned: Department of Energy.

Congressional Relevance: *House*Committee on Energy and Commerce:
Energy and Power Subcommittee; *Rep.*Philip R. Sharp.

Authority: Nuclear Waste Policy Act of 1982. P.L. 100-203.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) efforts to terminate nuclear waste repository program activities at the Basalt Waste Isolation Project in Washington and at the Salt Repository Project in Texas, focusing on: (1) DOE compliance with a legislative directive to cease site-specific activities by March 21, 1988; (2) the extent to which DOE continued such activities for general research purposes; and (3) termination costs.

Findings/Conclusions: GAO found that:
(1) DOE termination efforts were

consistent with the Nuclear Waste Policy Act; (2) DOE terminated site-specific activities within the allowable time period, except for the operation of a seismic network at the Basalt Project that provided information to other DOE programs; (3) it had no basis to conclude that DOE continued site-specific activities as general research; and (4) DOE estimated total termination costs for the two sites at \$116 million, or about \$25 million less than its original estimate.

138096

[Importance of Financial Guarantees for Ensuring Reclamation of Federal Lands]. T-RCED-89-13. March 7, 1989. 8 pp. Testimony before the House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-123BR, April 19, 1988, Accession Number 135599; RCED-87-157, August 24, 1987 Accession Number 133757; RCED-86-48, March 27, 1986, Accession Number 129435; RCED-86-38, December 23, 1985, Accession Number 128933; RCED-86-221, September 22, 1986, Accession Number 131387; and PEMD-88-17, April 8, 1988, Accession Number 135706.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Bureau of Land Management; Forest Service.

Congressional Relevance: House
Committee on Interior and Insular

Affairs: Mining and Natural Resources
Subcommittee.

Authority: Surface Mining Control and Reclamation Act of 1977.

Abstract: GAO discussed the Forest Service's, Bureau of Land Management's (BLM), and the Office of Surface Mining Reclamation and Enforcement's (OSMRE) procedures for ensuring reclamation of land involved in hardrock mining operations. GAO noted that the Forest Service: (1) required mine operators to file operation plans to determine the extent of land disturbance, identify strategies to minimize land damage, and determine the necessity of a financial guarantee for land reclamation; (2) required periodic inspections to ensure operators' compliance with plans; (3) required

guarantees for 214 of 336 operations during 1986; and (4) experienced difficulty in getting operators to reclaim damaged land in 4 of 10 operations for which it did not require a guarantee. GAO noted that BLM: (1) only required approval of those operations involving more than 5 acres of land; (2) required few operators to post financial guarantees; (3) believed that a federal program of mandatory bonds or financial guarantees for operators would be expensive and detrimental to small operators; and (4) recommended compliance visits to ensure operators' compliance with plans and other landuse requirements. GAO noted that OSMRE recently developed procedures to determine reclamation bond adequacy.

138109

[The Availability of Reclamation Bonds for Surface Coal Mining]. T-PEMD-89-3. March 7, 1989. 27 pp. Testimony before the House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by Carl E. Wisler, Director, Planning and Reporting, Program Evaluation and Methodology Division. Refer to PEMD-88-17, April 8, 1988, Accession Number 135706.

Contact: Program Evaluation and Methodology Division.

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee. .

Authority: Surface Mining Control and Reclamation Act of 1977.

Abstract: GAO discussed the availability and use of reclamation bonds for surface coal mine operators in Kentucky, Ohio, Pennsylvania, and West Virginia. GAO noted that: (1) the number of surety companies providing reclamation bonds decreased from 46 in 1982 to 26 in 1986; (2) operators use surety bonds as the primary financial guarantee, although use of bonds has declined since 1977; (3) state regulatory authorities and mining association representatives expressed concern about operators' ability to obtain surety bonds; (4) operators had to replace about 1,300 bonds worth about \$50 million when 6 surety companies became insolvent between 1985 and 1987, and replaced about one-third of those bonds with other bonds; (5) smaller operators had more difficulty in obtaining surety bonds and paid higher collateral rates than larger operators; (6)

surety company representatives suggested use of incremental and phased bonding, unilateral bond cancellation, better-defined reclamation requirements, safeguards against unforseen bond increases, and an expedited bond release process to mitigate underwriting problems caused by legislative requirements and the depressed coal market; and (7) the reclamation bond industry has remained relatively profitable since 1980. GAO believes that the relevant federal and state government, surety, mining, and environmental entities will need to work cooperatively to develop more bond sources for responsible operators and ensure timely and successful reclamation.

138119

Pipeline Safety: New Risk Assessment Program Could Help **Evaluate Inspection Cycle. RCED-**89-107; B-214352.2. March 7, 1989. Released March 10, 1989. 8 pp. plus 5 appendices (9 pp.). Report to Sen. Frank R. Lautenberg, Chairman, Senate Committee on Appropriations: Transportation and Related Agencies Subcommittee; Rep. William Lehman, Chairman, House Committee on Appropriations: Transportation Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division, Refer to RCED-87-3, April 13, 1987, Accession Number 132655; and T-RCED-89-15, March 9, 1989, Accession Number 138127.

Issue Area: Transportation: Assessing Administration of Federal Surface Transportation Safety Requirements (6619); Intergovernmental Relations: Other Issue Area Work (9291).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Transportation: Other Transportation (407.0).

Organization Concerned: Department of

Organization Concerned: Department of Transportation; Department of Transportation: Research and Special Programs Administration: Office of Pipeline Safety.

Congressional Relevance: House
Committee on Appropriations:
Transportation Subcommittee; Senate
Committee on Appropriations:
Transportation and Related Agencies
Subcommittee; Rep. William Lehman;
Sen. Frank R. Lautenberg.
Authority: Natural Gas Pipeline Safety
Act of 1968. Hazardous Liquid Pipeline
Safety Act of 1979.

Abstract: In response to a congressional request, GAO examined the Department

of Transportation's (DOT) Office of Pipeline Safety's development of the inspection cycle for natural gas and hazardous liquid pipelines, focusing on whether the: (1) office based the pipeline inspection cycle on sound risk assessments; and (2) Pipeline Inspection Priority Program (PIPP) would identify pipelines with the greatest potential safety risks.

Findings/Conclusions: GAO found that: (1) in 1987, the office determined that it should inspect each pipeline inspection unit every 2.5 years; (2) although the office believed that the 2.5-year cycle was reasonable, it did not consider variations in relative safety conditions among individual units; (3) regional chiefs believed that the cycle was too ambitious because of the time required to perform other important compliance activities; and (4) the office expected its field inspectors to conduct 32 investigations per year at an average of 2.5 days per inspection, while field chiefs believed that inspectors needed between 2.5 and 7.5 days to complete an inspection. GAO also found that: (1) the office developed PIPP to identify the relative risk of pipeline companies and units on the basis of weighted safety factors; (2) the office could not ensure the reliability of program data, since it did not provide sufficient training on how to access the computer system or how to assign unit inspection priority codes; (3) pipeline inspectors had no consistent guidance on how to assign unit safety risk priority codes; and (4) the office did not plan to use program data to evaluate its inspection cycle or staffing level.

Recommendation To Agencies: To ensure that the Pipeline Inspection Program identifies and prioritizes pipeline inspections on the basis of a sound assessment of risk, the Secretary of Transportation should direct the Administrator, Research and Special Programs Administration (RSPA), to: (1) provide training to field staff on how to access and validate the pipeline priority program data; and (2) issue guidance to regions on how to characterize the pipeline units' safety risks. Once the pipeline priority program becomes operational, the Secretary of Transportation should direct the Administrator, RSPA, to use the information on the number and regional location of high-risk pipelines to determine whether its pipeline inspection cycle and current inspector staffing level are appropriate.

138127

[Pipeline Safety Risk Assessment Program Could Help Evaluate Inspection Cycle]. T-RCED-89-15. March 9, 1989. 6 pp. Testimony before the House Committee on Appropriations: Transportation Subcommittee; by Kenneth M. Mead, Director, Transportation Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-107, March 7, 1989, Accession Number 138119; and RCED-87-3, April 13, 1987, Accession Number 132655.

Contact: Resources, Community, and

Transportation: Research and Special

Organization Concerned: Department of

Economic Development Division.

Programs Administration: Office of Pipeline Safety; Department of Transportation: Department of Transportation: Research and Special Programs Administration. Congressional Relevance: House Committee on Appropriations: Transportation Subcommittee. Abstract: GAO discussed the Department of Transportation's (DOT) development of inspection cycles. GAO found that: (1) DOT did not evaluate safety risk prior to developing its 2.5year inspection cycle; (2) DOT established its current inspection cycle based on the number of days it expected its inspectors to take to complete a pipeline unit inspection, the number of units, and the number of inspectors; (3) DOT developed a Pipeline Inspection Priority Program that would provide an opportunity to identify safety hazards; and (4) although regional offices would use computerized data to prioritize pipeline inspections, the system's reliability could be uncertain because DOT did not provide its inspectors sufficient training on the use of the system or on how to assign priorities. GAO believes that the program would enhance the effectiveness of pipeline inspection and ensure pipeline safety, once inspectors received adequate

138140

training.

[Request for Reconsideration of Denied Protest of DOE Contractor's Subcontract Award for Steel Containers]. B-232953.2. March 8, 1989. 2 pp. Decision re: Container Products Corp.; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Container Products Corp.; M&M Industries; Martin Marietta Energy Systems; Department of Energy.

Authority: 49 C.F.R. 173.24. 4 C.F.R. 21.12(a). B-231101.3 (1988). B-232953 (1989).

Abstract: A firm requested reconsideration of its denied protest of a Department of Energy (DOE) prime contractor's subcontract award for steel containers. GAO had held that DOE and the prime contractor properly determined that the awardee's product met the specifications. In its request for reconsideration, the protester contended that the awardee's product did not meet the requirement for strong, tight containers. GAO held that the protester failed to show any error of fact or law in the original decision that would warrant reversal. Accordingly, the request for reconsideration was denied.

138155

Energy Management: DOE Should Improve Its Controls Over Work for Other Federal Agencies. RCED-89-21; B-233792. February 9, 1989. Released March 14, 1989. 42 pp. plus 1 appendix (1 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness of DOE and NRC Management Procedures (6415).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Operations Center, Oak Ridge, TN; Martin Marietta Energy Systems; Martin Marietta Corp.: Data Systems; Office of Management and Budget.

Congressional Relevance: House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Energy and
Commerce: Oversight and Investigations
Subcommittee; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources; Rep. John D. Dingell.

Authority: Economy Act (31 U.S.C. 1535 et seq.). Atomic Energy Act of 1954. Energy Reorganization Act of 1974. DOE

The same

Order 4300.2A. DOE Order 2100.10A. Federal Managers' Financial Integrity Act of 1982. 57 Comp. Gen. 674. DOE A.R. 917.000. B-211953 (1984).

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) controls over the products and services it provided to non-DOE entities, primarily other federal agencies, to determine whether DOE: (1) had adequate controls over the work it performed; (2) properly implemented those controls; and (3) controls conformed to pertinent laws and regulations.

Findings/Conclusions: GAO found that: (1) although existing DOE policies concerning non-DOE work generally conformed with the legislative criteria, inconsistent controls at the field-office level did not effectively ensure control; (2) three of the four operations offices responsible for the work performed for non-DOE entities inconsistently implemented DOE controls; (3) implementation varied between the three offices because DOE had no established oversight standards; (4) DOE did not track its own indirect oversight costs or recover them from other federal agencies; (5) DOE did not specifically request monitoring staff allocations from the Office of Management and Budget: (6) an operations office organizationally moved one contractor group from DOE oversight after DOE raised concerns about the appropriateness of the group's non-DOE work; and (7) DOE did not perform a formal evaluation to determine whether the private sector could conveniently or cheaply perform the group's work.

Recommendation To Agencies: The Secretary of Energy should direct the Assistant Secretary for Management and Administration to review DOE field offices' work for others (WFO) orders to ensure that they: (1) incorporate all the requirements of the DOE-wide policies; and (2) do not exclude entities that are not excluded from the DOE-wide order. The Secretary of Energy should direct the Assistant Secretary for Management and Administration to establish minimum standards for: (1) the amount of information to be submitted to DOE on all the acceptance criteria in the DOE WFO order; (2) the reviews that must be performed by DOE personnel before a WFO project is approved; and (3) DOE monitoring of WFO projects in process to ensure that the contractor is adequately performing the work and that the commitment between DOE and the sponsor is being met. The Secretary of Energy should direct the heads of the DOE field offices to ensure that the revised financial policy order is

implemented consistently to ensure that each WFO agreement contains the required standard clauses and sponsor certifications. The Secretary of Energy should direct the heads of the DOE field offices to ensure that their responsible contracting officers make specific written determinations and certifications for WFO projects, as required by the DOE WFO order. The Secretary of Energy should direct the heads of the DOE field offices to ensure that the offices incorporate the recommended minimum standards. The Secretary of Energy should direct appropriate DOE officials to revise DOE policy to require other federal agencies to reimburse DOE for its personnel costs associated with WFO oversight. The Secretary of Energy should direct appropriate DOE officials to establish a system to identify DOE personnel costs associated with WFO so that these costs can be recovered from other federal agencies. The Secretary of Energy should direct appropriate DOE officials to determine the amount of DOE staff resources needed to effectively review, approve, and monitor WFO in the context of the minimum standards recommended at each field office that performs WFO, and take the necessary steps to allocate staff accordingly. The Secretary of Energy should direct the Assistant Secretary for Management and Administration to separately identify WFO oversight staffing needs in the next DOE request for personnel to the Office of Management and Budget (OMB). The Secretary of Energy should formally determine whether the work performed by Data Systems could be provided as conveniently or cheaply by a commercial enterprise. If so, the Secretary should terminate the Data Systems work. If the work cannot be provided by a commercial enterprise, the Secretary should immediately assign it to a DOE headquarters group for programmatic oversight.

138159

Federal Land Management: The Mining Law of 1872 Needs Revision. RCED-89-72; B-229205. March 10, 1989. 41 pp. plus 5 appendices (6 pp.). Report to Rep. Nick J. Rahall, II, Chairman, House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to B-118678, July 25, 1974, Accession Number 094207; EMD-78-93, February 27, 1979, Accession Number 108662; and RCED-87-131,

June 30, 1987, Accession Number 133438.

Issue Area: Natural Resources Management: Effectiveness of Federal Government's Management of Its Mineral Resources (6919).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Bureau of Land Management; Forest Service; National Park Service.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Interior and Insular Affairs: Mining and
Natural Resources Subcommittee; Senate
Committee on Appropriations: Interior
and Related Agencies Subcommittee;
Senate Committee on Energy and
Natural Resources: Mineral Resources
Development and Production
Subcommittee; Congress; Rep. Nick J.
Rahall, II.

Authority: Mining Resources Act (30 U.S.C. 22 et seq.). Wilderness Act (16 U.S.C. 1133 et seq.). Land Policy and Management Act (43 U.S.C. 1701 et seq.). Mineral Lands Leasing Act (30 U.S.C. 181 et seq.). Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh et seq.). Materials Disposal Act (Public Lands) (30 U.S.C. 601 et seq.). Common Varieties Act (Mineral Leases) (30 U.S.C. 611). 43 C.F.R. 3711.1(b). 16 U.S.C. 1901 et seq. Military Lands Withdrawal Act of 1986 (P.L. 99-606).

Abstract: In response to a congressional request, GAO reviewed various aspects of the Mining Law of 1872, focusing on the: (1) law's patent provision; (2) law's requirement that unpatented claim holders annually perform a minimal amount of work to develop their mineral claims; and (3) amendments needed to bring the law's provisions more in line with existing national natural resource policies.

Findings/Conclusions: GAO found that: (1) the work requirement no longer promoted mineral development, was difficult to enforce, and occasionally resulted in land damage; (2) much of the work was difficult to verify because there was often little or no physical evidence of the work performed and the work performed did little to bring the claims closer to development; (3) some claim holders needlessly scarred the land to make it appear that they complied with the annual work requirement; and (4) replacing the annual work requirement with an annual holding fee would reduce damage

to federal lands, eliminate difficult annual work requirement certification and enforcement, and result in clearance of more inactive, invalid, or abandoned claims. GAO also found that: (1) the government received less than \$4,500 for 20 patents issued since 1970 that had an estimated worth of between \$13.8 million and \$47.9 million; (2) as of October 1987, 265 patent applications were pending for more than 80,000 acres of public land; (3) if the government patented all of the land in the 12 sites reviewed, it would receive about \$16,000 for land appraised at between \$14.4 million and \$47.1 million; (4) although the Land Policy and Management Act requires that the government receive fair market value for disposable public lands, about 157,000 acres of public lands have passed into private ownership for the nominal mining law patent fee since 1978; and (5) the federal government has never collected revenues from the sale of hardrock minerals, as it does for fuel and common minerals, and loses the opportunity to do so when public lands pass into private ownership. Recommendation To Congress: Congress should amend the Mining Law of 1872 to require claim holders to pay the federal government an annual holding fee in place of the existing annual work requirement. In considering such an amendment, Congress should bear in mind the relationship of the annual work requirement to the patent provision of the Mining Law of 1872. Congress should amend the Mining Law of 1872 to eliminate the patenting of both hardrock minerals and the land required to mine them. This change would not only permit the land to remain under federal ownership, it would also provide the government the opportunity in the future to collect revenues for the hardrock minerals extracted. If Congress decides not to eliminate the patenting provision, it should either: (1) permit claim holders to patent only the minerals, thereby retaining the land in federal ownership; or (2) require that the federal government obtain fair market value for the lands patented. Under either option, the claim holder still should be required

138175

Nuclear Regulation: NRC's Security Clearance Program Can Be Strengthened. RCED-89-41; B-226192. December 20, 1988.

to pay an annual holding fee.

Released March 15, 1989. 27 pp. plus 1 appendix (1 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations:

Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-28, December 29, 1987, Accession Number 134985; GGD-87-81, June 26, 1987, Accession Number 133320; and T-RCED-89-14, March 15, 1989, Accession Number 138185.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission.

Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Government Operations: Environment, **Energy and Natural Resources** Subcommittee; Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Michael L. Synar.

Authority: Atomic Energy Act of 1954. 10 C.F.R. 10. 10 C.F.R. 11. 10 C.F.R. 25. Abstract: In response to a congressional request, GAO reviewed the Nuclear Regulatory Commission's (NRC) personnel security program and the procedures NRC uses to ensure that those who operate nuclear power plants do not threaten national security. Findings/Conclusions: GAO found that: (1) NRC routinely waived about 99 percent of its background investigation requirements for new hires, since the clearance process took too long to conduct and adversely affected hiring and recruiting; (2) this practice resulted in less than fully productive use of employees, and potential security risks; (3) NRC terminated about 10 percent of individuals hired with waivers since 1983 after background investigations revealed drug-related, financial, or other serious personal problems; (4) NRC required reinvestigations only for employees who held the highest-level clearance and only reinvestigated the remaining employees if it became aware of adverse information or upgraded an employee's clearance; (5) NRC did not have effective internal controls to manage the security program because its computerized system did not contain

correct information; and (6) NRC was still considering whether to establish either a policy statement or access authorization regulations for commercial power plant employees.

Recommendation To Agencies: To eliminate potential security risks and ensure a reliable and efficient security clearance program, the Chairman, NRC, should: (1) require periodic reinvestigations of employees holding L clearances; (2) validate and update the security clearance data base; and (3) expedite a decision to issue either a policy statement or a regulation regarding unescorted access to commercial nuclear power plants.

138182

[Modernization and Cleanup Problems Are Enormous in the Nuclear Weapons Complex]. T-RCED-89-17. March 15, 1989. 15 pp. plus 2 attachments (2 pp.). Testimony before the Senate Committee on Budget; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Budget.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180).

Abstract: GAO discussed the Department of Energy's (DOE) modernization and cleanup plans for its nuclear weapons complex. GAO noted that: (1) the weapons complex posed serious threats to public health and safety, due to DOE handling of hazardous materials, aging and obsolete facilities, inactive waste sites, and groundwater and soil contamination; (2) estimates of the cost to modernize and clean up the weapons complex ranged as high as \$155 billion; (3) the DOE closing of several key nuclear operations, due to significant safety and health problems, seriously affected the nation's ability to produce nuclear weapons; and (4) DOE did not adequately address priorities for cleanup and modernization efforts covered in its fiscal year 1990 budget request. GAO also noted that, although the DOE 2010 Modernization Plan represented an important first step toward facility upgrade and cleanup, the plan: (1) did not adequately address the cleanup and decontamination of existing

facilities; and (2) placed modernization on a faster track than environmental cleanup. GAO believes that DOE can assist Congress in its future deliberations by periodically updating the modernization plan.

138185

[Weaknesses in NRC's Security Clearance Program]. T-RCED-89-14. March 15, 1989. 13 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-41, December 20, 1988, Accession Number 138175.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Nuclear Regulatory Commission.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Authority: Atomic Energy Act of 1954. Abstract: GAO discussed the Nuclear Regulatory Commission's (NRC) personnel security clearance program. GAO found that NRC: (1) did not conduct required background investigations of its employees, which could cause potential security risks; (2) waived investigative requirements for about 99 percent of its employees because it took between 10 months and 1 year to complete security clearances, at an excessive cost; (3) failed to reinvestigate about 50 percent of its cleared employees and had no knowledge of whether they posed security risks; (4) applied its reinvestigation policies to all fuel facility employees, but failed to require reinvestigations for its employees with low-level clearances; (5) received information on drug- and alcohol-related problems among nuclear power plant employees, but failed to investigate or suspend clearances; and (6) lacked effective internal controls to manage its program and update its automated clearance data base, which contained inaccurate and outdated information.

138215

[Environmental Problems at the Department of Energy's Nuclear Weapons Complex]. T-RCED-89-12. February 24, 1989. 13 pp. Testimony before the House Committee on Armed Services: Procurement and Military Nuclear Systems

Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). H.R. 765 (101st Cong.).

Abstract: GAO discussed the environmental issues facing the Department of Energy (DOE) in cleaning up its nuclear weapons complex. GAO found that: (1) DOE needed to clean up existing contamination in soil and groundwater and bring its facilities' operations into full compliance with environmental laws; (2) the estimated costs for cleaning up existing contamination would total between \$35 billion and \$65 billion; (3) DOE would need new technologies and specialized equipment and techniques to clean up some sites and protect workers involved in the cleanup; (4) some areas could be irreversibly contaminated and might require long-term institutional care; and (5) to bring DOE into full compliance would cost an additional \$3 billion to \$9 billion. In addition, GAO found that: (1) although a recent DOE modernization plan called for additional spending of \$81 billion over the next 21 years, it did not have a detailed plan for resolving environmental problems; (2) recently proposed legislation to establish a national commission on DOE environmental remediation activities could assist DOE in developing longrange plans; (3) \$1.1 billion of the \$9.4 billion DOE budget request was to correct environmental problems and represented a 57-percent increase over 1989 funding levels; and (4) DOE was still studying the extent of contamination. GAO believes that establishment of a national commission on DOE environmental remediation activities would help clarify cleanup issues and help form a comprehensive approach to addressing DOE environmental problems.

138240

Strategic Minerals: Implications of Proposed Takeover of a Major British Mining Company. NSIAD-89-123; B-226687. March 3, 1989. Released March 22, 1989. 10 pp. plus 2 appendices (6 pp.). Report to Rep. James J. Florio, Chairman, House Committee on Energy and Commerce: Commerce, Consumer Protection and Competitiveness Subcommittee; by Allan I. Mendelowitz, Director, Trade, Energy, and Finance Issues, National Security and International Affairs Division.

Issue Area: International Trade and Finance: Assessing the Effectiveness and Desirability of Export Controls and Trade Sanctions (6302).

Contact: National Security and International Affairs Division.

Budget Function: International Affairs: Conduct of Foreign Affairs (153.0).

Organization Concerned: Republic of South Africa; United Kingdom of Great Britain and Northern Ireland: British Monopolies and Mergers Commission; United States District Court: Southern District of New York; European Communities Commission; Committee for Foreign Investment in the United States; Consolidated Gold Fields; Minorco.

Congressional Relevance: House Committee on Energy and Commerce: Commerce, Consumer Protection and Competitiveness Subcommittee; Rep. James J. Florio.

Authority: Defense Production Act of 1950 (50 U.S.C. App. 2158 et seq.). Omnibus Trade and Competitiveness Act of 1988 (P.L. 100-418).

Abstract: Pursuant to a congressional request, GAO assessed the potential impact of the proposed takeover of a British mining and construction materials company with substantial assets in the United States, by a Luxembourg-based company controlled by South African interests, focusing on the takeover's effect on South Africa's portion of free-world production of gold, platinum, rutile and rutile substitutes, zircon, and monazite.

Findings/Conclusions: GAO found that: (1) the targeted firm obtained a preliminary injunction from a U.S. district court, based on the takeover's violation of antitrust laws; (2) the United Kingdom and the Commission of the European Communities had no objections to the takeover, since the acquiring firm formally announced that it would not sell platinum interests to a South-African-controlled interest: (3) the U.S. Committee for Foreign Investment in the United States suspended its investigation of the proposed takeover when the acquisition bid lapsed during the other investigations; and (4) the acquiring firm planned to renew its offer, pending its appeal of the preliminary injunction. GAO also found that the proposed takeover could, if the

acquiring firm did not implement its proposed divestments, increase South-African-controlled production of: (1) gold from 47 to 51 percent of world production; (2) rutile and rutile substitutes from 44 to 62 percent of world production; (3) monazite from 2 to 39 percent of world production; and (4) zirconium from 21 to 72 percent of world production. In addition, GAO found that: (1) the proposed takeover would not affect South-African-controlled production of platinum, since the target firm did not produce any; and (2) although limited information was available about South African investment in the United States, 1986 data indicated that South Africa had a cumulative investment in U.S. businesses totalling \$68 million.

138247

Energy Regulation: The Quality of DOE's Oil Overcharge Information. RCED-89-104; B-232945. March 15, 1989.

Released March 24, 1989. 5 pp. plus 2 appendices (2 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Economic Regulatory Administration.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Congress; Sen. J. Bennett Johnston.

Authority: Emergency Petroleum Allocation Act of 1973.

Abstract: In response to a congressional request, GAO provided information on the Economic Regulatory Administration's (ERA) efforts to collect oil overcharges from companies that violated petroleum price regulations, to determine: (1) whether ERA maintained accurate information on the outstanding oil overcharges it alleged; and (2) how ERA estimated for Congress the overcharges it expected to collect. Findings/Conclusions: GAO found that: (1) ERA maintained a computerized casetracking data base that contained 218 active cases in administrative and judicial litigation, which it updated

monthly and used primarily to monitor

case status; (2) the overcharge amounts in the data base were not entirely accurate or current, since it did not consistently contain both principal and interest amounts; (3) although the overcharge amount could change during litigation, ERA did not always update the data base in a timely manner; (4) ERA did not support the estimates it provided to Congress, since it usually collected only a small portion of the amount of overcharge it alleged; (5) the ERA 1990 budget request estimated that it would collect between \$200 million and \$500 million from the resolution of remaining oil overcharge cases: (6) ERA developed its budget estimates using past estimates, subtracting the amounts it collected from settled cases, but did not have documentation to support the estimates; (7) Congress may require more complete and current information on the aggregate amount of overcharges that ERA can realistically collect from unresolved cases as the oil overcharge case load declines; and (8) ERA may need to improve the way it collects and maintains oil overcharge information.

138248

Procurement: Partial Set-Asides for Domestic Bulk Fuel by Defense Fuel Supply Center. NSIAD-89-112; B-230556. March 23, 1989. 8 pp. plus 2 appendices (16 pp.). Report to Sen. Max S. Baucus; by Paul F. Math, Director, Research, Development, Acquisition, and Procurement Issues, National Security and International Affairs Division.

Issue Area: Research, Development, Acquisition, and Procurement: Other Issue Area Work (5791).

Contact: National Security and International Affairs Division.

Budget Function: National Defense:
Department of Defense - Procurement and Contracts (051.2).

Organization Concerned: Defense Logistics Agency: Defense Fuel Supply Center.

Congressional Relevance: Sen. Max S. Baucus.

Authority: Small Business Act (15 U.S.C. 631 et seq.). Armed Services Procurement Act (10 U.S.C. 2301(b)). F.A.R. 19.5. B-171289 (1971).

Abstract: Pursuant to a congressional request, GAO reviewed the Defense Fuel Supply Center's (DFSC) domestic bulkfuel procurement to determine its compliance with Small Business Act and the Federal Acquisition Regulation (FAR) set-aside programs.

Findings/Conclusions: GAO found that: (1) DFSC received formal approval to

deviate from the standard FAR partial set-aside procedures in 1960; (2) under the special procedures, DFSC requested large and small business suppliers to bid for its fuel needs, used a computer model to evaluate bids and calculate bulk-fuel prices, and offered small businesses the opportunity to accept or reject the setaside portions at the calculated price; (3) the special procedures allowed small businesses to receive set-aside prices that were equal to or higher than the prices they would receive under standard FAR procedures; (4) the special procedures also allowed DFSC to cover its requirements without resoliciting if eligible small businesses could not satisfy the set-aside requirement; (5) DFSC procured about \$4.2 billion in petroleum, other fuel products, and related services during fiscal year (FY) 1987, of which small businesses supplied about 27 percent, which was near the DFSC small business participation goal of 29 percent; (6) DFSC awarded domestic fuel contracts to 24 small businesses for \$433 million in FY 1987, representing 18 percent of all of businesses to which it awarded contracts; (7) the DFSC small business participation goal for FY 1988 was 21 percent, largely due to the declining number of operable small refineries; and (8) no other agency was allowed to deviate from the standard FAR procedures for small business set-asides. GAO believes that DFSC domestic bulkfuel procurement procedures were consistent with the applicable federal procurement and small business laws and regulations.

138347

[Site Selection Process for the Department of Energy's Super Collider]. T-RCED-89-22. April 5, 1989. 9 pp. Testimony before the House Committee on Science, Space, and Technology; by Flora H. Milans, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-18, January 30, 1989, Accession Number 137824.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy; National Academy of Sciences; National Academy of Engineering. Congressional Relevance: House

Congressional Relevance: *House* Committee on Science, Space, and Technology.

Abstract: GAO discussed its review of the Department of Energy's (DOE) site selection procedures for its superconducting super collider. GAO

noted that: (1) the National Academy of Sciences appointed a site evaluation committee to select the best-qualified sites for the collider; (2) evaluators were geographically diverse and experienced in varied fields related to the DOE site selection criteria; (3) the committee selected seven sites based on DOE technical and cost criteria, focusing on geology, tunneling, and regional resources criteria; (4) the committee gave site costs minor consideration because of the narrow percentage range of cost estimates; and (5) officials from states whose proposed sites were not judged best qualified believed that the DOE solicitation could have provided more information about the relative importance of evaluation criteria. GAO also noted that the DOE task force for final site selection: (1) accepted the evaluation committee's list of bestqualified sites after a committee report and debriefing and DOE task force site visits; (2) primarily relied on stateprovided information it verified through its site visits and environmental impact statements; (3) determined that none of the public comments on draft impact statements sufficiently justified changing site ratings; and (4) followed DOE technical criteria for evaluating and rating the sites and generally provided evidence to support its ratings, although a few ratings lacked sufficient documentation.

138371

[Environmental Problems in the Nuclear Weapons Complex]. T-RCED-89-18. April 7, 1989. 12 pp. Testimony before the Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180).

Abstract: GAO discussed the environmental problems facing the Department of Energy (DOE) in cleaning up its nuclear weapons complex. GAO found that: (1) DOE faced two overall systematic environmental problems, including cleaning up existing soil and groundwater contamination, and

bringing its facilities into full compliance with environmental laws; (2) although DOE was studying the extent of the contamination to better characterize its environmental problems, it had not developed detailed plans for resolving those problems; (3) cleanup cost estimates ranged from \$35 billion to \$65 billion, and DOE would need an additional \$3 billion to \$9 billion to bring its operations into compliance; (4) DOE earmarked \$1.1 billion of its \$9.4 billion 1990 budget request for correcting its environmental problems, which represented a 57-percent increase over previous levels; (5) about 60 percent of the requested funds were for studies to assess the problems and develop longterm plans; and (6) DOE estimated that establishing standards pursuant to environmental laws would take 5 to 7 years and would require new and unique cleanup technologies. GAO believes that Congress should not appropriate large increases over the DOE 1990 request.

138391

Surface Mining: Office of Surface Mining Response to Management Review Recommendations. RCED-89-82FS; B-226046.5. February 22, 1989.

Released April 12, 1989. 42 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-196BR, July 22, 1988, Accession Number 136620; and RCED-87-40, December 29, 1986, Accession Number 132152.

Issue Area: Natural Resources Management: Assessing the Effectiveness of Federal and State Efforts in Implementing the Regulatory and Reclamation Requirements of the Surface Mining Control and Reclamation Act of .

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House Committee on Interior and Insular Affairs; Rep. Morris K. Udall. Authority: Surface Mining Control and Reclamation Act of 1977. 30 C.F.R. 733. Abstract: In response to a congressional request, GAO discussed the Office of

Surface Mining Reclamation and Enforcement's (OSMRE) efforts to implement task force recommendations to correct problems in: (1) overall management control and direction; (2) state program oversight and evaluation; (3) the Abandoned Mine Land Program; (4) direct federal regulation; and (5) automatic data processing. Findings/Conclusions: GAO found that OSMRE: (1) followed 41 of the 65 recommendations; (2) completed alternative actions on eight recommendations, initiated partial actions on three recommendations, and began to implement three recommendations; (3) did not act on 10 recommendations; (4) completed one of two systems integration plans and provided state regulatory agencies with its Technical Information Processing System; and (5) established a committee to implement the task force's recommendations, but lacked a mechanism to monitor their implementation.

138393

Nuclear Science: Effect of Conversion of Washington Nuclear Plant No. 1 on Debt and Electric Rates. RCED-89-88FS; B-231142. March 9, 1989.

Released April 12, 1989. 10 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Peter A. DeFazio; Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressional Interest and Budgetary Constraints (6417).

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science, Space, and Technology: Space Science, Applications, and Technology (254.0).

Organization Concerned: Department of Energy; Washington Public Power Supply System; Bonneville Power Administration.

Congressional Relevance: House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; Rep. Peter DeFazio; Rep. George Miller. Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) acquisition and conversion of a commercial nuclear power plant to a nuclear materials production facility.

Findings/Conclusions: GAO noted that the Bonneville Power Administration (BPA) agreed as part of a net billing agreement to pay the total annual maintenance costs of the power plant, including principal and interest on bonded debt, in exchange for the right to the plant's electric power. GAO found that: (1) DOE acquisition of the commercial nuclear power plant for less than the amount of the outstanding bonds could lead to default; (2) condemnation would be considered a transfer of the reactor through operation of law; (3) a condemnation price would be used to equal the amount of bonded debt; (4) BPA would remain liable for outstanding bond costs and other costs associated with the nuclear power plant; and (5) the cost of electricity from the converted reactor would be lower than the cost of producing electricity from a coal-fired power plant.

138396

Fossil Fuels: Commercializing Clean Coal Technologies. RCED-89-80; B-230504. March 29, 1989. Released April 12, 1989. 34 pp. plus 5 appendices (6 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General. Resources, Community, and Economic Development Division. Refer to T-RCED-88-47, June 22, 1988, Accession Number 136148; T-RCED-89-25, April 13, 1989, Accession Number 138441; RCED-89-166FS, June 29, 1989, Accession Number 139001; and T-RCED-90-3, October 18, 1989, Accession Number 139779.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressional Interest and Budgetary Constraints (6417)

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Environmental Protection Agency.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Energy and Commerce; House Committee on Energy and Commerce: Energy and Power Subcommittee; Senate Committee on Appropriations: Interior and Related Agencies Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Philip R. Sharp. Authority: Clean Air Act. Energy Reorganization Act of 1974. Nonnuclear Energy Research and Development Act of 1974. Environmental Policy Act of 1969 (National). P.L. 98-473. P.L. 100-202. H.R. 4331 (100th Cong.). H.R. 2666 (100th Cong.).

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) implementation of its Clean Coal Technology Program, focusing on: (1) the DOE process for negotiating cooperative agreements with project sponsors; (2) DOE changes to the project; (3) status of funded projects; and (4) interrelationships between acid rain control and commercialization of clean coal technologies.

Findings/Conclusions: GAO found that DOE: (1) timely signed only two of nine initial project agreements; (2) negotiated five projects later than expected and sponsors withdrew two projects, which DOE replaced with four alternative projects from a prepared list; (3) signed agreements for two replacement projects, terminated negotiations for one unfunded project, and selected three replacement projects for funding; (4) encountered difficulties with financing, business arrangements, and proprietary data; (5) completion of the project agreements was delayed by sponsors' attempts to renegotiate investment repayment requirements; and (6) changed its project requirements. including financial commitments for preliminary project design, reimbursement of preaward costs, repayment based on equipment sales revenues, and project review. GAO also found that: (1) sponsors' dissatisfaction with the revised repayment requirements and DOE access to proprietary data could further delay implementation; (2) DOE extended some projects by up to 13 months, and expected other projects to slip; (3) DOE indicated that equipment delays and failures, financing problems, and permit delays created the schedule slippage; and (4) proposed acid rain control legislation could impact commercialization of clean coal technology, if the legislation allowed development of new technology while requiring short-term emissions controls through conventional technologies. Recommendation To Agencies: The Secretary of Energy should work closely with the Administrator, Environmental Protection Agency (EPA), to ensure that the proposed legislation that is submitted for congressional consideration appropriately links compliance dates for emissions reductions with the expected commercial

availability of emerging clean coal technologies.

138436

Strategic Petroleum Reserves: Analysis of Alternative Financing Methods. RCED-89-103; B-233820. March 16, 1989.

Released April 19, 1989. 7 pp. plus 5 appendices (28 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-198, July 28, 1988, Accession Number 136457; RCED-88-151, August 25, 1988, Accession Number 136934; T-RCED-89-27, April 19, 1989, Accession Number 138451; and T-RCED-89-38, May 4, 1989, Accession Number 138580.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Authority: Balanced Budget and Emergency Deficit Control Act of 1985. Energy Policy and Conservation Act (P.L. 94-163). Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). P.L. 100-446.

Abstract: In response to a congressional request, GAO examined alternatives for acquiring oil for the Strategic Petroleum Reserve (SPR).

Findings/Conclusions: GAO analyzed three alternative funding proposals and compared them with the current method for financing SPR, and found that: (1) raising revenues through special bonds and taxes, asset sales and receipts would not likely raise enough revenue for the government to purchase meaningful quantities of oil for SPR; (2) under this proposal, short-term budget outlays and the budget deficit would decrease, but the long-term deficit would increase; (3) renting or leasing oil would initially cost less, but over several years, this alternative would be more costly because of the cost of borrowing money or the possibility that tax revenues would decrease; and (4) establishing SPR as an off-budget entity would probably impact the budget because SPR generates no

revenues and would require some federal support.

138441

[Status of DOE-Funded Clean Coal Technology Projects]. T-RCED-89-25. April 13, 1989. 16 pp. plus 3 attachments (6 pp.). Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fulz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-80, March 29, 1989, Accession Number 138396; RCED-89-166FS, June 29, 1989, Accession Number 139001; and T-RCED-90-3, October 18, 1989, Accession Number 139779.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy; Environmental Protection Agency.

Congressional Relevance: *House* Committee on Energy and Commerce: Energy and Power Subcommittee; Congress.

Authority: Clean Air Act. P.L. 99-190. Abstract: GAO discussed the status of nine demonstration projects that the Department of Energy (DOE) has funded under its Clean Coal Technology Program. GAO found that: (1) seven of the projects were experiencing coordination, equipment, and financing problems that caused cost overruns. proposed project modifications, and delays in completing project phases; (2) two other projects, funded in late 1988 to replace withdrawn project proposals, were on schedule and were not experiencing cost increases; (3) although sponsors of four projects have projected total cost increases of about \$70 million, each cooperative agreement states that DOE has no obligation to fund any cost increases, and DOE has not increased its total funding for any project as of March 15, 1989; and (4) it was too early to determine whether the project delays would affect the timing of the clean coal technologies' commercial availability and, therefore, the roles these technologies could play within the time frames for emissions reductions under any future acid rain control legislation.

138445

Canadian Power Imports: Update on Electricity Imports in the Northeast. RCED-89-51; B-208231. March 3, 1989.

Released April 20, 1989. 10 pp. plus 5 appendices (10 pp.). Report to Rep. John

D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-86-119, April 30, 1986, Accession Number 130080.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Canada; New England Power Pool; Hydro-Quebec.
Congressional Relevance: House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee; Rep. John D. Dingell.
Abstract: In response to a congressional request, GAO provided updated information concerning the: (1) status of long-term firm-power contracts between Canadian utilities and utilities in the northeastern United States; and (2) reliability of one of the Canadian utility power systems serving northeastern United States utilities.

Findings/Conclusions: GAO found that: (1) since 1986, northeastern U.S. utilities had signed two long-term firm-power contracts and one preliminary agreement with Canadian utilities, all with the utility in question; (2) U.S. utilities established operational limits on the amount of electricity imported from the Canadian utility at any one time, due to technical reliability concerns about major power outages: (3) the Canadian utility developed plans to make significant transmission improvements that should encourage U.S. utilities to lift the operational limit: and (4) although U.S. utilities experienced power curtailments in 1988 due to severe winter weather conditions, the Canadian utility's planned system improvements would reduce the likelihood of such system-wide outages.

138448

Gasoline Marketing: States' Programs for Gasoline Octane Testing. RCED-89-91FS; B-227776. April 12, 1989.

Released April 20, 1989. 10 pp. plus 2 appendices (13 pp.). Fact Sheet to Rep. Charles E. Schumer; Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-6, January 12, 1989, Accession Number 137702; and

T-RCED-88-60, September 27, 1988, Accession Number 136898.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Charles E. Schumer; Rep. Philip R. Sharp.

Authority: Petroleum Marketing Practices Act.

Abstract: Pursuant to a congressional request, GAO provided information on states' gasoline octane testing programs and the extent of octane mislabelling. Findings/Conclusions: GAO found that: (1) 20 state and territory officials reported that they had octane testing programs, and 31 reported that they did not; (2) 7 of the 31 officials without programs indicated that they tested in response to complaints, and 13 officials planned to recommend testing programs within 3 years; (3) states with programs differed in the extent of testing and the manner in which they compiled test data and defined violations; (4) most states providing test data showed octane violations in less than 1 percent of the tests; (5) 11 officials indicated that octane mislabelling was a problem in their states, 18 reported that mislabelling was not a problem, and 21 reported that they had no basis to determine whether there was a problem: and (6) 16 state officials reported that they obtained octane rating certifications from refiners and distributors, and 31 said they did not.

138451

[Alternative Financing Methods for the Strategic Petroleum Reserve]. T-RCED-89-27. April 19, 1989. 9 pp. Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-103, March 16, 1989, Accession Number 138436; and RCED-88-170, August 31, 1988, Accession Number 136691.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy. Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Authority: Energy Policy and Conservation Act (P.L. 94-163). Balanced Budget and Emergency Deficit Control Act of 1985. Omnibus Budget Reconciliation Act of 1981.

Abstract: GAO discussed its analysis of financing alternatives for the Strategic Petroleum Reserve (SPR). GAO found that: (1) alternatives dedicating revenues raised through special bonds, taxes, or asset sales to SPR would increase the long-term budget deficit and raise consumer prices, and could impact federal interest costs; (2) the sale of options contracts on stored SPR oil would not generate sufficient revenue for the government to purchase meaningful quantities of SPR oil: (3) alternative oil acquisition strategies could be more costly because of the private sector's cost of borrowing money and desire for profit; and (4) establishing SPR as a separate entity could impact on the budget deficit if the government provided the funds, because SPR would not produce revenue; and (5) it could not support establishing SPR as an offbudget entity.

138482

[Fuel Ethanol: Imports From Caribbean Basin Initiative Countries]. T-NSIAD-89-26. April 25, 1989. 16 pp. *Testimony* before the House Committee on Ways and Means: Trade Subcommittee; by Allan I. Mendelowitz, Director, Trade, Energy, and Finance Issues, National Security and International Affairs Division. Refer to NSIAD-89-106, February 21, 1989, Accession Number 138067.

Contact: National Security and International Affairs Division. Congressional Relevance: House Committee on Ways and Means: Trade Subcommittee.

Authority: Omnibus Trade and Competitiveness Act of 1988. Caribbean Basin Economic Recovery Act. Tax Reform Act of 1986.

Abstract: GAO discussed Caribbean
Basin Initiative (CBI) countries' imports
of fuel ethanol to the United States.
GAO noted that: (1) based on legislation
allowing CBI countries to import fuel
ethanol duty-free if regional production
added at least 35 percent of the value,
several companies built dehydration
facilities to produce ethanol and
imported low-cost, heavily subsidized
European wine alcohol, rather than
using local feedstock; and (2) to

discourage such pass-through operations, ensure meaningful production and employment, and eliminate CBI ethanol producers' unfair cost advantage over the U.S. ethanol industry, new legislation provided that, beginning in 1989, CBI ethanol qualified for duty-free entry only if regional raw materials accounted for at least 75 percent of the ethanol's value. GAO also noted that: (1) gasoline and sugar prices precluded CBI ethanol producers from being costcompetitive with more than a 10- to 30percent local feedstock requirement; (2) although dehydration of imported wine alcohol provided significantly less employment and local production than full fermentation of local feedstock, it did provide some economic benefits through employment, foreign exchange, capital investments, taxes, and revenues; (3) CBI ethanol producers do not receive state tax incentives that many U.S. ethanol producers do; and (4) CBI producers may not be able to secure sufficient quantities of surplus European alcohol stocks to produce ethanol at competitive prices.

138490

Energy Management: States' Use of Oil Overcharge Funds for Legal Expenses. RCED-89-60; B-230258. March 21, 1989.

Released April 27, 1989. 24 pp. plus 4 appendices (7 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Energy and Commerce; House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee; Senate Committee on
Appropriations: Interior Subcommittee;
Senate Committee on Energy and
Natural Resources; Rep. John D. Dingell.
Authority: Emergency Petroleum
Allocation Act of 1973 (15 U.S.C. 751 et seq.). P.L. 97-377.

Abstract: Pursuant to a congressional request, GAO provided information on

states' payments of legal fees they incurred in connection with the Exxon, Stripper Well, and Diamond Rock oil overcharge cases.

Findings/Conclusions: GAO found that: (1) 49 states paid \$13.1 million of the \$15.4 million they incurred for such legal expenses as retaining their own law firms, consultants, and attorneys general; (2) 5 states incurred legal expenses exceeding \$1 million, while 18 states incurred expenses of less than \$50,000; (3) states will use Stripper Well and Diamond Shamrock oil overcharge funds to pay for \$11.3 million and use state funds for the remaining expenses; (4) the Exxon decision prohibited states from using the overcharge funds for legal expenses, while the Stripper Well settlement allowed states to use up to 5 percent of the funds, and the Diamond Shamrock settlement allowed states to use all of the funds, for legal expenses incurred in other cases; (5) states collectively used 9.6 percent of Diamond Shamrock funds to pay for legal expenses, although 12 states used at least 46 percent of those funds for legal expenses; (6) the Department of Energy (DOE) has issued inconsistent guidance on the appropriate expenditure of oil overcharge funds and has not sought clarification from the courts on whether states could use funds from the other cases to pay the legal fees they incurred in the Exxon case: (7) DOE required states to report annual expenditures of Stripper Well and Diamond Shamrock funds but did not require states to identify the cases for which they incurred legal expenses; and (8) states' receipts and expenditures of future crude oil overcharge funds will be governed by the provisions of the Stripper Well settlement. Recommendation To Agencies: To resolve past inconsistencies, the Secretary of Energy should direct the Under Secretary to provide clear policy guidance to the states on the use of Stripper Well and Diamond Shamrock funds for Exxon legal expenses.

138491

Electricity Supply: What Can Be Done to Revive the Nuclear Option? RCED-89-67; B-234213. March 23, 1989.

Released April 27, 1989. 39 pp. plus 2 appendices (2 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-

86-27, December 24, 1985, Accession Number 128713; RCED-88-73, March 18, 1988, Accession Number 135450; RCED-87-141, August 13, 1987, Accession Number 133981; EMD-78-29, April 27, 1978, Accession Number 105656; and RCED-87-200FS, September 10, 1987, Accession Number 133986.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission; Department of Energy.

Congressional Relevance: House Committee on Science and Technology; House Committee on Interior and Insular Affairs; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee: Senate Committee on Governmental Affairs; Senate Committee on Energy and Natural Resources; Congress; Rep. Michael L. Synar.

Authority: Atomic Energy Act of 1954. Price-Anderson Act (Atomic Energy Damages). Environmental Policy Act of 1969 (National). Nuclear Waste Policy Act of 1982. 53 Fed. Reg. 20603. Calvert Cliffs Coordinating Committee v. Atomic Energy Commission, 449 F.2d 1109 (D.C. Cir. 1971). S. 2779 (100th Cong.). Public Utility Regulatory Policies Act of 1978. Nuclear Waste Policy Amendments Act of 1987.

Abstract: Pursuant to a congressional request, GAO studied the future of nuclear power, focusing on: (1) problems preventing new initiatives in commercial nuclear power; (2) actions which could revive nuclear power; and (3) the status of government and industry efforts to revitalize the use of nuclear power. Findings/Conclusions: GAO found that: (1) public and utility concerns about the feasibility of using nuclear power have risen due to oil embargoes, recession, inflation, decreased electricity demand, industrial accidents, and poor utility management; (2) although public opinion largely supported nuclear power's critical role in the nation's energy future, worst-case industrial accidents and environmental, health, and safety problems strengthened public opposition to nuclear power; (3) utility

representatives believed that power plants generally had strong safety records; (4) utility representatives believed that they faced increased financial risk in building new power plants due to the Nuclear Regulatory Commission's (NRC) two-step licensing process, states disallowing the recovery of construction costs, and the Department of Energy's (DOE) slow progress toward building a nuclear waste repository; (5) utilities' increasing reliance on such alternatives as imported electricity and oil- and gaspowered generators raised serious energy security concerns; (6) utility representatives believed that continued safe, efficient plant operations and a strong federal nuclear energy policy would increase public acceptance of nuclear power; and (7) NRC and DOE attempts to reform the licensing process. standardize plant designs, improve reactors and testing models, and select a repository site lacked the necessary support and funding.

Recommendation To Congress: Congress should review the nuclear option within the broad context of the nation's energy security concerns and the changing nature of the electric utility industry. As it reviews the nation's nuclear energy policy, Congress should consider enacting legislation to reform the licensing process into a more predictable procedure and promoting utilities' use of NRC-preapproved standardized designs. It could also reevaluate the goals and objectives of existing federal nuclear research and development efforts.

138492

Energy Management: DOE's Plan to Transfer Fire Department Operations to Los Alamos County. RCED-89-89; B-232152. April 5, 1989. Released April 27, 1989. 7 pp. plus 7 appendices (15 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by David A. Hanna, Regional Manager, Field Operations Division: Regional Office (Denver).

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy

Information, Policy, and Regulation (276.0).

Organization Concerned: Los Alamos County, NM; Department of Energy: Operations Office, Albuquerque, NM. Congressional Relevance: House Committee on Energy and Commerce:

Oversight and Investigations Subcommittee; *Rep.* John D. Dingell. Authority: Atomic Energy Act of 1954 (42 U.S.C. 2201). Atomic Energy Community Act of 1955 (42 U.S.C. 2301). Fair Labor Standards Act of 1938. 5 C.F.R. 680.502. P.L. 99-335.

Abstract: In response to a congressional request, GAO reviewed the legality of the Department of Energy's (DOE) transfer of the Los Alamos, New Mexico, fire department operation to Los Alamos County, focusing on: (1) DOE actions to ensure that the county assumed its financial responsibility for the fire department's operation; (2) fire fighters' views on the transfer; (3) whether DOE exceeded its authorized regional staffing level; and (4) the adequacy of the fire department's equipment.

Findings/Conclusions: GAO found that DOE: (1) had statutory authority to contract for fire-fighting services at Los Alamos and its transfer of the fire department to the county was consistent with the statutory provisions; (2) contracted with Los Alamos County to prepare and implement the transfer; (3) would retain title to fire-fighting property and equipment, while the county would provide staff and firefighting and emergency medical services; (4) did not address the county's financial responsibility for its share of the department's operating costs, but required a study of the county's timetable and methods for assuming financial responsibility; and (5) planned to finance the fire department's operating costs until financial arrangements were completed. GAO also found that: (1) 10 of the 18 fire fighters it interviewed opposed the transfer because they believed that it would affect their retirement eligibility and costs, sick leave, and severance pay; (2) eight fire fighters favored the transfer because they believed that it would benefit them in such areas as training, merit promotions, and additional pay for supplemental duties; (3) contrary to allegations, DOE exceeded its regional staff limit by only 32 positions, and DOE intended the transfer to get itself out of the fire-fighting business; and (4) DOE has replaced or repaired deficient firefighting equipment and damaged facilities.

138542

Nuclear Regulation: License Renewal Questions for Nuclear Plants Need to Be Resolved. RCED-89-90; B-223582. April 3, 1989. Released May 4, 1989. 45 pp. plus 1 appendix (1 pp.). Report to Rep. Edward J. Markey; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-73, March 18, 1988, Accession Number 135450.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission; Department of Energy.

Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Governmental Affairs; Rep. Edward J. Markey.

Authority: Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.). Energy Reorganization Act of 1974 (42 U.S.C. 5841 et seq.). Environmental Policy Act of 1969 (National).

Abstract: Pursuant to a congressional request, GAO reviewed the effects of aging on nuclear power plants, focusing on: (1) the Nuclear Regulatory Commission's (NRC) program to develop a license renewal policy and accompanying regulations; and (2) efforts by the Department of Energy (DOE) and the electric utility industry to extend the lives of nuclear plants.

Findings/Conclusions: GAO found that: (1) many utilities will have to decide whether to renew licenses for older nuclear plants or construct new plants; (2) although NRC has developed 3 possible license renewal policy options and identified 15 unresolved technical, environmental, and procedural regulatory problems, it has made little progress in reaching definitive regulatory criteria; (3) NRC research on the effects of aging on nuclear plants has not identified any generic agerelated conditions that would require nuclear plants to shut down, but has identified some conditions that might require repair, replacement, or special treatment; (4) NRC identified some agerelated degradation that could affect the

continued operation of 12 plants; and (5) DOE and the utility industry have conducted life extension studies at four plants and have not identified any agerelated degradation or technical obstacles associated with plant hardware to preclude continued operations. Recommendation To Agencies: The Chairman, NRC, should: (1) accelerate the schedule for developing license renewal regulations and stipulate the basis that will be used to evaluate renewal applications and the types of records, engineering analyses, and other historical information needed to support a request for continued operations; and (2) resolve the outstanding technical, environmental, and procedural uncertainties.

138580

[The Strategic Petroleum Reserve Amendments of 1989]. T-RCED-89-38. May 4, 1989. 13 pp. Testimony before the Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-103, March 16, 1989, Accession Number 138436; and RCED-88-170, August 31, 1988, Accession Number 136691.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Energy and Natural Resources

Authority: Balanced Budget and Emergency Deficit Control Act of 1985. Omnibus Budget Reconciliation Act of 1981. Energy Policy and Conservation Act (P.L. 94-163). S. 694 (101st Cong.). Abstract: GAO discussed the proposed Strategic Petroleum Reserve (SPR) Amendments of 1989 and alternative, nontraditional methods for financing SPR. GAO noted that: (1) the amendments extended the authorizing legislation for SPR and required the Department of Energy (DOE) to fill SPR at the highest practicable rate and plan for its expansion to 1 billion barrels; (2) as of April 1989, SPR contained over 565 million barrels of oil: (3) DOE estimated a daily fill rate of 60,000 to 65,000 barrels during fiscal year 1989; (4) SPR may require an additional \$5 billion to \$6 billion to increase its inventory to 750 million barrels and another \$6 billion to increase the inventory to 1 billion barrels; and (5) SPR provision of import protection has decreased due to increases in U.S. oil imports, with SPR

inventory providing about 89 days of imports, as opposed to its 1983 through 1987 inventory exceeding 90 days of imports. GAO also noted that proposed alternative financing methods involved: (1) increasing government revenues by selling financial instruments, increasing use fees, selling government assets, or selling futures or option contracts; (2) acquiring oil by means other than outright purchase, such as rental or lease; and (3) establishing a separate SPR entity to handle financing or acquire oil and manage SPR.

138642

Energy Conservation: Federal Shared Energy Savings Contracting. RCED-89-99; B-232922. April 17, 1989.

Released May 17, 1989. 8 pp. plus 2 appendices (2 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Claudine Schneider, Vice Chairman, House Committee on Science, Space, and Technology: Natural Resources, Agriculture Research and Environment Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491); Civil Procurement and Property Management: Assessing Whether Civilian Agencies Efficiently Acquire and Effectively Manage Support Services (4905).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Government-Wide; Department of Energy; United States Postal Service; Department of the Army.

Congressional Relevance: House
Committee on Science, Space, and
Technology: Natural Resources,
Agriculture Research and Environment
Subcommittee; House Committee on
Energy and Commerce: Energy and
Power Subcommittee; Rep. Claudine
Schneider; Rep. Philip R. Sharp.
Authority: Consolidated Omnibus
Budget Reconciliation Act of 1985 (P.L.
99-272). Department of Defense
Authorization Act, 1988 and 1989. P.L.
100-456. OMB Circular A-76. Federal
Energy Management Improvement Act
of 1988 (P.L. 100-615).

Abstract: Pursuant to a congressional request, GAO reviewed federal agencies' use of shared energy savings contracts.

Findings/Conclusions: GAO found that: (1) as of November 30, 1988, only the U.S. Postal Service and the Army had awarded shared energy savings contracts; and (2) the Postal Service will achieve about \$593,000 in cost savings over the life of its 7-year contract, and the Army will achieve about \$3.5 million in savings over the life of its 25-year contract. GAO also found that: (1) impediments to agencies' use of shared savings contracts included uncertainties about the applicability of Office of Management and Budget Circular A-76 to shared savings contracts, lack of management incentives, and difficulty in measuring energy and cost savings due to the lack of energy-use baseline data for facilities; and (2) to address the impediments, the Department of Energy (DOE) developed a manual on shared savings contracting, Congress authorized incentives for federal agencies, and DOE developed a methodology for calculating energy consumption and cost savings. In addition, GAO found that some state governments and private firms were using shared savings contracts.

138644

Energy Management: Appeals Procedures for State and Local Assistance Programs. RCED-89-127; B-235189. May 10, 1989.

Released May 17, 1989. 10 pp. plus 9 appendices (11 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-89-42, May 17, 1989, Accession Number 138645.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Office of Hearings and Appeals; Department of Energy: Office of State and Local Assistance Programs; Department of Energy: Office of the General Counsel.

Energy: Office of the General Counsel.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Energy and Commerce; House
Committee on Energy and Commerce:
Energy and Power Subcommittee; Senate
Committee on Appropriations: Interior
Subcommittee; Senate Committee on

Energy and Natural Resources; Rep. Philip R. Sharp.

Authority: DOE Order 1100.3.

Abstract: Pursuant to a congressional request, GAO examined the Department of Energy's (DOE) administrative review procedures for its state and local energy conservation grant programs. Findings/Conclusions: GAO found that: (1) DOE published regulations for administrative review procedures for its energy conservation, energy extension, and weatherization assistance programs; (2) the procedures included hearings before DOE-appointed panels or operations office managers and appeal to the Secretary; (3) federal regulations provided other appeal routes with broader applicability than just energy conservation grant programs; (4) no state had used the administrative review procedures applicable to the energy conservation grant programs, since most states had not experienced problems that required formal resolution; (5) two states appealed support office decisions to the DOE Office of Hearings and Appeals (OHA) based on guidance from program officials about appropriate appeal routes; (6) many state and DOE officials were not aware of or familiar with the administrative review procedures; (7) state officials characterized the procedures as inadequate, citing confusing and misleading wording and possible bias, since DOE-appointed personnel heard appeals; (8) DOE allowed OHA to continue to hear grant program appeals until it completed its study of OHA authority; and (9) DOE suspended the study, which lacked written objectives and a timetable for completion, in March 1989. Recommendation To Agencies: To resolve uncertainties related to the procedures states may use to appeal support office decisions, the Secretary of Energy should clarify the current types of decisions appealable under the energy conservation, energy extension, and weatherization administrative review procedures and revise the procedures to eliminate the perception of bias in review panel selection for the energy conservation and energy extension programs. To resolve uncertainties related to the procedures states may use to appeal support office decisions, the Secretary of Energy should formalize the objectives of the Under Secretary and General Counsel joint study on appeals procedures and establish a schedule for its timely completion. To resolve uncertainties related to the procedures states may use to appeal support office decisions, the Secretary of Energy should ensure that officials in the Office of

support offices, and state program offices have a clear understanding of the administrative review procedures, when to use these procedures, and when to use the other routes available to states to appeal support office decisions.

138645

[DOE's State Energy Conservation Grant Programs]. T-RCED-89-42. May 17, 1989. 11 pp. Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-89-127, May 10, 1989, Accession Number 138644.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Authority: H.R. 711 (101st Cong.), OMB Circular A-102. OMB Circular A-110. Abstract: GAO discussed four Department of Energy (DOE) state energy conservation grant programs designed to help low-income persons meet home energy costs. GAO found that: (1) there was confusion regarding the procedures states could use to appeal DOE support office decisions on individual energy projects, since states believed that the procedures in the energy conservation and extension programs were potentially biased against them; (2) confusion arose because appeal routes other than the administrative review procedures were available to states: (3) a DOE requirement that grantees have clear title to energy conservation equipment at the time the grant was closed out made it difficult to use performance contracts to finance matching contributions for institutional conservation grants; (4) DOE proposed rules to allow it to hold liens on institutional conservation grant property to protect the government's interest; (5) school administrative buildings and buildings constructed after 1977 were not eligible for grant funding; (6) the energy-saving criteria DOE used to grant awards made it more difficult for smaller institutions to receive grants because larger institutions saved more energy; and (7) states had the responsibility for formulating hardship institution funding criteria. GAO believes that Congress may wish to: (1) provide emphasis for clear, consistent appeal procedures; and (2) change the

State and Local Assistance Programs,

hardship provisions to take into account the need for regional differences.

138675

Energy Information: Status, Cost, and Need for Energy Consumption and Fuel Switching Data. RCED-89-98; B-234824. April 19, 1989. Released May 22, 1989. 5 pp. plus 6 appendices (10 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Energy Information Administration.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Authority: Energy Administration Act of 1974. Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509).

Abstract: In response to a congressional request, GAO reviewed the adequacy of the Energy Information
Administration's (EIA) energy information program data on industrial fuel switching, focusing on the: (1) status of information collected on industrial fuel use and fuel switching; (2) costs to government and industry to collect the information; and (3) need for the

.nformation.

Findings/Conclusions: GAO found that: 1) EIA distributed a survey in 1986, published the results of the energy consumption survey in November 1988 and the fuel-switching survey in December 1988, and planned to conduct he next triennial survey in 1989; (2) the estimated costs to the government of the 1986 survey totalled about \$1.8 million and the cost to participating firms totalled more than \$4 million; (3) most of the potential users of the survey data were federal offices; (4) seven of the eight federal offices indicated various uses for the energy consumption data, while five offices indicated a need for the uel-switching capability data; (5) the greatest need for the information was or contingency planning for emergencies or supply disruptions; (6) imitations in the survey included lack of information on total physical capability to switch fuels, data collection

on a triennial rather than an annual basis, and the lack of information on agricultural, construction, and mining industries; and (7) although EIA identified 17 states as potential users, the 3 states reviewed did not consider the information useful because the data could not be summarized for the individual states.

138692

Nuclear Waste: DOE Has
Terminated Research Evaluating
Crystalline Rock for a Repository.
RCED-89-148; B-202377. May 22,
1989. 3 pp. plus 2 appendices (6 pp.).
Report to Sen. William S. Cohen;
Sen. George J. Mitchell; by Keith O.
Fultz, Director, Energy Issues,
Resources, Community, and
Economic Development Division.
Refer to RCED-90-59, December 12,
1989, Accession Number 140185.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management.

Congressional Relevance: Sen. George J. Mitchell; Sen. William S. Cohen. Authority: Nuclear Waste Policy Amendments Act of 1987.

Abstract: In response to a congressional request, GAO assessed whether and to what extent the Department of Energy (DOE) complied with requirements to phase out funding for all existing research programs that evaluated the suitability of crystalline rock as a potential host medium for a nuclear waste repository.

Findings/Conclusions: GAO found that DOE: (1) terminated funding for research programs that specifically evaluated crystalline rock suitability for a repository; (2) continued other research efforts involving crystalline rock because it would provide information useful in evaluating the suitability of Yucca Mountain for a potential repository; (3) believed that it brought the Office of Civilian Radioactive Waste Management's activities into compliance with Nuclear Waste Policy Act amendments while maintaining international relations that were useful to the nuclear waste program; and (4) redirected some research activities to contribute to reinvestigating and developing the Yucca Mountain site.

138720

[GAO's Views on DOE's New Production Reactor Selection Process]. T-RCED-89-46. May 24, 1989. 17 pp. plus 1 attachment (1 pp.). Testimony before the House Committee on Armed Services: Department of Energy Defense Nuclear Facilities Panel; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-222, September 21, 1988, Accession Number 136971; and RCED-89-206, September 21, 1989, Accession Number 139853.

Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy; Department of Energy: Idaho National Engineering Laboratory.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Armed Services;
House Committee on Armed Services:
Department of Energy Defense Nuclear
Facilities Panel; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Armed Services; Congress;
Rep. Vic Fazio.

Abstract: GAO discussed the Department of Energy's (DOE) new production reactor selection process. GAO found that: (1) DOE recommended a two-reactor strategy that will provide tritium for national defense purposes in 12.5 years, but it did not provide Congress with information concerning the total time necessary to construct and obtain tritium from the two suggested reactors or the actions required to ensure reliability for at least 10 years; (2) some cost estimates were inaccurate because DOE used unrealistic assumptions in development; (3) the DOE safety review process was uncertain; and (4) DOE did not provide an in-depth or realistic analysis of schedule, costs, and benefits associated with its acquisition strategy. GAO believes that: (1) future operation of the reactors depends on resolving numerous technical and resource problems; (2) DOE must analyze the condition and remaining usefulness of each reactor; and (3) environmental challenges and construction risks may increase the schedules for new production reactors. Recommendation To Agencies: The Secretary of Energy should, prior to reaching a final decision on the new production reactors, now scheduled for

late 1991, provide Congress with an indepth analysis of schedule, costs, and benefits of each option.

138753

Mineral Revenues: Implementation of the Federal Onshore Oil and Gas Leasing Reform Act of 1987. RCED-89-108; B-228947. May 8, 1989. Released May 31, 1989. 39 pp. plus 3 appendices (9 pp.). Report to Sen. Dale L. Bumpers; Rep. Nick J. Rahall, II, Chairman, House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-89-69, September 28, 1989, Accession Number 139664.

Issue Area: Natural Resources
Management: Effectiveness of Federal
Government's Management of Its
Mineral Resources (6919).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Other Natural
Resources (306.0).

Organization Concerned: Department of the Interior; Bureau of Land Management.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee: Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources: Mineral Resources Development and Production Subcommittee; Congress; Rep. Nick J. Rahall, II; Sen. Dale L. Bumpers. Authority: Mineral Lands Leasing Act (30 U.S.C. 226 et seq.). Onshore Oil and Gas Leasing Reform Act (P.L. 100-203). Arkla Exploration Co. v. Texas Oil and Gas Corp., 469 U.S. 1158 (1985). Abstract: In response to a congressional request, GAO reviewed the Bureau of Land Management's (BLM) implementation of the Federal Onshore Oil and Gas Leasing Reform Act, focusing on: (1) BLM development of implementing regulations; (2) how BLM conducted oil and gas lease test sales, and the sales' results; and (3) the effect of royalty rate changes for competitively issued oil and gas leases. Findings/Conclusions: GAO found that: (1) BLM issued final regulations to implement the act within the required 180 days; (2) the eight test sales showed that the new system increased

competitively leased acreage from 3

percent to 46 percent of all acreage,

resulting in increased federal and state revenues; (3) although states received 50 percent of bonuses and rents and did not receive a share of the fees BLM charged. they received a larger share of leasing revenues under the act; (4) under the test sales, bonus and rent revenues for leases that would have sold noncompetitively under the prior system comprised 97 percent of revenues; (5) BLM regulations did not require bidder registration, larger deposits by winning bidders, or enforcement of full payment within 10 business days after auctions; (6) BLM changed royalty rates for competitive leases to a flat rate to simplify administration and encourage competitive leasing and exploration; (7) although the act resulted in increased revenues, less than half of the land leased through the test sales was leased competitively; and (8) although some officials believed that sealed bidding would generate higher revenues, there was no evidence to prove that. Recommendation To Congress: Congress may wish to consider authorizing the

Recommendation To Congress: Congress may wish to consider authorizing the Secretary of the Interior to conduct additional oil and gas lease test sales specifically to evaluate the effects of making competitive and noncompetitive lease terms the same (for example, either 5 years or 10 years). Congress may wish to consider authorizing the Secretary of the Interior to conduct additional oil and gas lease test sales specifically to evaluate the effects of making minimum bonus bids the same for all leases.

Recommendation To Agencies: To improve BLM internal controls over the federal onshore oil and gas leasing system, the Secretary of the Interior should direct the Director, BLM, to require that bidders register before auctions. To improve BLM internal controls over the federal onshore oil and gas leasing system, the Secretary of the Interior should direct the Director, BLM, to require that winning bidders deposit 20 percent of their bonus bids or \$2 per acre, whichever is greater, at the auctions. To improve BLM internal controls over the federal onshore oil and gas leasing system, the Secretary of the Interior should direct the Director, BLM, to enforce the regulatory requirement for full payment on competitive leases within 10 days of the auctions. To improve BLM internal controls over federal onshore oil and gas leasing system, the Secretary of the Interior should direct the Director, BLM, to formalize procedures for implementing the leasing system, such as when to accept noncompetitive lease applications after auctions. The Secretary of the Interior should direct the Director, BLM, to delete the nomination option from its regulations governing federal onshore oil and gas leasing and offer all leases at auctions. Congress may wish to consider authorizing the Secretary of the Interior to conduct additional oil and gas lease test sales specifically to evaluate the effects of using sealed bidding to auction all leases.

138795

Nuclear Regulation: NRC's Restart Actions Appear Reasonable--But Criteria Needed. RCED-89-95; B-235146. May 4, 1989.

Released June 6, 1989. 7 pp. plus 7 appendices (8 pp.). Report to Sen. Barbara A. Mikulski; Sen. Paul S. Sarbanes, Vice Chairman, Joint Economic Committee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation

Organization Concerned: Nuclear Regulatory Commission; Philadelphia Electric Co.: Peach Bottom Power Plant, PA.

Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee: Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Governmental Affairs; Joint Economic Committee; Sen. Barbara A. Mikulski; Sen. Paul S. Sarbanes.

Authority: Atomic Energy Act of 1954. 10 C.F.R. 50.70.

Abstract: In response to a congressional request, GAO assessed the criteria that the Nuclear Regulatory Commission (NRC) uses to allow nuclear powerplants to restart operations after a shutdown to correct safety or management problems, focusing on: (1) the Peach Bottom, Pennsylvania, plant's operating history; (2) NRC rationale for allowing the plant to continue operations despite its history of problems; (3) the extent to which NRC would consider outstanding maintenance.

items before allowing the plant to restart; and (4) the manner in which NRC addressed public comments. Findings/Conclusions: GAO found that: (1) although NRC did not have criteria for setting out the actions that either it or the utility should take after a shutdown, NRC actions included approval of the utility's corrective action plan, several inspections, independent reviews, public meetings, and restart approval; (2) the Peach Bottom plant was in a lower range of licensee performance evaluations than 15 other plants reviewed, had more marginally satisfactory ratings than 9 other plants, and had more inspection violations than 5 other plants; (3) between 1970 and 1987, NRC issued eight notices of violation against the Peach Bottom plant and the utility paid civil penalties totalling \$485,000; (4) at the time of shutdown, NRC ordered the utility to reduce its backlog of maintenance repairs, and the utility subsequently found that it had a larger backlog, but it had reduced the backlog signficantly by March 1989; (5) NRC and the utility held nine meetings to allow public comment on restart activities; (6) as a result of the shutdown, NRC permitted inspections of commercial powerplants without advance notice to the utility and published a policy statement concerning the conduct of nuclear powerplant operations, including employees' behavior; and (7) an independent review agreed that NRC could restart the plant subject to completion of certain equipment modifications and procedural changes.

Recommendation To Agencies: To ensure that each plant's readiness to restart is assessed, the Chairman, NRC, should develop criteria that include, at a minimum a review and approval of the utility's corrective action plan, inspections to ensure the actions are taken, independent review of NRC actions, and public participation.

138838

Status of the Department of Energy's Waste Isolation Pilot Plant]. T-RCED-89-50. June 12, 1989. 17 pp. Testimony before the House Committee on Government Department. Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to T-RCED-88-63, September 13, 1988, Accession Number 136759; and RCED-90-1, December 8, 1989, Accession Number 140369.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy: Idaho National Engineering Laboratory; Department of Energy; Environmental Protection Agency.

Congressional Relevance: House
Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Congress.

Authority: Safe Drinking Water Act. B-221801.3 (1989).

Abstract: GAO discussed the Department of Energy's (DOE) plan for a 5-year test of its Waste Isolation Pilot Plant's (WIPP): (1) compliance with the Environmental Protection Agency's (EPA) nuclear waste disposal standards; and (2) waste handling, transportation, and storage activities. GAO noted that the draft plan: (1) did not consider the waste retrieval costs and activities that would be necessary if WIPP did not meet EPA standards; (2) called for storage of waste exceeding that needed to test compliance with EPA standards so that DOE could conduct operational demonstration activities which were not essential to assessing safe WIPP operation; and (3) did not adequately support the proposed experiments and the quantities of waste DOE planned to store for testing. GAO believes that, before Congress can approve the proposed DOE test program: (1) DOE needs to complete the plan, consider state and academy reviews of the plan, and provide Congress with specific information on alternative actions in case of WIPP noncompliance with EPA standards; and (2) Congress needs to enact legislation allowing DOE to store wastes at WIPP if it complies with EPA standards.

138840

Legal Fees Under the Surface Mining Act. RCED-89-140FS; B-234496. May 9, 1989. Released June 13, 1989. 17 pp. plus 1 appendix (1 pp.). Fact Sheet to Sen. Wendell H. Ford; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division.

Surface Mining: Information on

Issue Area: Natural Resources
Management: Assessing the
Effectiveness of Federal and State
Efforts in Implementing the Regulatory
and Reclamation Requirements of the
Surface Mining Control and Reclamation
Act of .

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior.

Congressional Relevance: Sen. Wendell H. Ford.

Authority: Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.). Equal Access to Justice Act (P.L. 96-481; 28 U.S.C. 2412(d)).

Abstract: In response to a congressional request, GAO reviewed the legal fees awarded as a result of litigation brought under either the Surface Mining Control and Reclamation Act (SMCRA) or the Equal Access to Justice Act (EAJA). Findings/Conclusions: GAO found that: (1) as of March 1989, the amount of attorney fees and expenses awarded totalled about \$1.4 million under SMCRA and about \$124,000 under EAJA; (2) there were no awards for expert witness fees; (3) all but \$188,603 of the awarded amount was paid, most of the remainder was pending appeal, and \$500 was not paid as a result of negotiations; (4) the payments resulted from 12 lawsuits against the Secretary of the Interior, other Interior officials, a state regulatory authority, and a coal mine operator; (5) a total of 22 awards were granted, because 5 cases had multiple awards; and (6) 12 of the awards were due to Interior or state failure to perform a nondiscretionary act or duty under SMCRA, 6 resulted from lawsuits challenging Interior's regulations, and 4 resulted from Interior's administrative proceedings.

138857

[Protest of DOE Contractor's Subcontract Award for Steel Containers]. B-234368. June 8, 1989. 4 pp. Decision re: Container Products Corp.; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: Container Products Corp.; Martin Marietta Energy Systems; Voyale Corp.; Department of Energy. 40 C.F.R. 261.31. 4 C.F.R. 21.0(a). B-231343.2 (1988). B-231802 (1988). Resource Conservation and Recovery Act of 1976. 49 C.F.R. 173.154(5). 49 C.F.R. 178.252-3.

Abstract: A firm protested a subcontract award for steel containers under a Department of Energy prime contractor's solicitation, contending that the awardee's containers did not meet flammability standards. GAO held that the: (1) record did not clearly establish that flammability testing requirements

were applicable; (2) awardee's proposal fulfilled the government's actual needs; and (3) protester was not prejudiced, since its product did not meet the standards in question. Accordingly, the protest was denied.

138868

TVA Management: Information on Compensation for Top Managers. RCED-89-137BR; B-222334. May 17, 1989

Released June 16, 1989. 30 pp. plus 2 appendices (6 pp.). Briefing Report to Rep. J.J. Pickle, Chairman, House Committee on Ways and Means: Oversight Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to OCG-89-2TR, November 1988, Accession Number 137328; and GGD-89-117BR, September 25, 1989, Accession Number 140079.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Tennessee Valley Authority.

Congressional Relevance: House Committee on Ways and Means: Oversight Subcommittee; House Committee on Ways and Means: Oversight Subcommittee; Rep. Ronnie G. Flippo; Rep. J.J. Pickle.

Authority: Employee Retirement Income Security Act of 1974. B-222334 (1986). Insurance Contributions Act. Internal Revenue Code (IRC) (26 U.S.C. 457).

Abstract: Pursuant to a congressional request, GAO reviewed the levels and types of compensation the Tennessee Valley Authority (TVA) provided its top management employees and its authority for making additional compensation payments.

Findings/Conclusions: GAO found that: (1) supplemental compensation or relocation incentive payments used to circumvent TVA salary limitations were improper; (2) TVA used its supplemental compensation plan to provide additional compensation to recruit and retain top managers and reward outstanding managerial performance; (3) the plan differed from such Employee Retirement Income Security Act provisions as eligibility, funding, and contribution limits; and (4) TVA provided various types of compensation to its top managers in addition to a base salary, including relocation incentive payments, performance awards and bonuses, and paid medical insurance.

138889

Energy Security: Analysis of Studies on Economic Consequences of an Oil Import Tariff, RCED-89-70BR; B-221750. June 16, 1989. 30 pp. plus 2 appendices (3 pp.). Briefing Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-85-151, August 8, 1985, Accession Number 127772.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy; Harvard University: Energy and Environmental Policy Center.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Abstract: Pursuant to a congressional request, GAO compared the assumptions and statistical methods of separate studies by the Department of Energy (DOE) and the Harvard University Energy and Environmental Policy Center to determine why the studies reached different conclusions on the economic consequences of a tariff on imported oil.

Findings/Conclusions: GAO found that: (1) both studies calculated tariff costs and benefits using economic measures involving welfare losses, the gross national product (GNP), producing countries' tariff shares, and national security; (2) the DOE study, which assumed that the federal government would not change its fiscal or monetary policies to alleviate the recessionary effect of imposing a \$10-per-barrel oil import tariff, estimated a net loss of \$154 billion to the economy over an 8year period; (3) the Center's study, which assumed that the government would adopt fiscal and monetary accommodation policies, estimated that the economy would adjust to higher oil prices within 1 year, with a net effect to the economy ranging from a loss of \$1 billion to a gain of \$10 billion over an 8year period; (4) both studies' estimates of macroeconomic costs were limited by statistical weaknesses, failure to estimate potential trade losses, and failure to address the impact of deficit reduction on GNP losses; (5) the DOE study's conclusions about the duration

and magnitude of GNP losses were within the range of estimates reported in other studies which did not use accommodation policies; and (6) the Center's estimates of GNP losses were smaller than those of other studies which made similar assumptions about accommodation policies.

138891

Federal Research: Final Site Selection Process for DOE's Super Collider. RCED-89-129BR; B-227295. June 16, 1989. 50 pp. plus 2 appendices (2 pp.). Briefing Report to Sen. Dennis DeConcini; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-18, January 30, 1989, Accession Number 137824; and RCED-90-33BR, October 4, 1989, Accession Number 139679.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressiona Interest and Budgetary Constraints (6417).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department ϵ Energy.

Congressional Relevance: Sen. Timothy E. Wirth; Sen. Paul Simon; Sen. Donald W. Riegle; Sen. Carl M. Levin; Sen. Alas J. Dixon; Sen. Dennis DeConcini. Authority: 40 C.F.R. 141.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) site selection process for its superconducting super collider, focusing on whether the site task force: (1) verified data that states submitted and considered changes in the draft environmental impact statements in its site ratings; (2) provided evidence to support its technical evaluation of each site: and (3) considered residents' environmental and geological concerns. Findings/Conclusions: GAO found that the site selection task force: (1) relied or information the states provided, primarily verifying data through site visits to the seven best-qualified sites and through the environmental impact statement process; (2) evaluated and rated the proposed sites in accordance with DOE technical and cost criteria ar generally provided evidence to support its ratings; (3) did not provide sufficient documentation about its rating of one site under a geology and tunneling

criterion and its estimate of underground construction costs; (4) rated all of the sites favorably under an electric power subcriterion, due to its possibly inappropriate use of a weakestlink theory; (5) selected a Texas site for the supercollider from among sites in Arizona, Colorado, Illinois, Michigan, North Carolina, and Tennessee; and (6) did not identify any significant problems in considering two Texas residents' concerns about hazards posed by fire ants, the reliability of geological data, and the potential hazard to nearby residents from increased levels of radiation exposure.

138956

Hazardous Materials: Federal Training for First Responders to Highway and Railroad Incidents. RCED-89-146FS; B-235201. May 26, 1989.

Released June 26, 1989. 28 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Dean A. Gallo; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division.

Issue Area: Environmental Protection: Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division. **Budget Function: Natural Resources** and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Federal Emergency Management Agency; Department of Transportation; Environmental Protection Agency; Department of Energy; Department of Health and Human Services. Congressional Relevance: Rep. Dean A. Gallo.

Authority: Civil Defense Act. Hazardous Materials Transportation Act (P.L. 93-333). Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Atomic Energy Act of 1954. Superfund Amendments and Reauthorization Act of 1986. Highway Safety Act of 1966.

Abstract: Pursuant to a congressional request, GAO provided information on federal provision of training to state and ocal personnel who first respond to highway and rail accidents involving nazardous materials.

Findings/Conclusions: GAO found that ive federal agencies offered diverse approaches to meet the high demand for raining of state and local first responders, with: (1) individual agencies' iscal year (FY) 1988 training expenditures ranging from \$307,000 to

\$2.14 million and expenditures across agencies totalling about \$5.04 million; (2) activities including instructor training courses, teleconferences, videotape development and dissemination, and grants to states and nonprofit institutions; (3) activities covering such topics as federal regulations, incident response management structures, identification of hazardous materials, toxicology, health and safety protection, and response equipment; (4) the Federal **Emergency Management Agency** training about 87,700 first responders and instructors during FY 1987 and FY 1988; (5) the Environmental Protection Agency training about 3,900 first responders during FY 1987 and FY 1988; (6) the Department of Transportation training about 5,580 first responders during FY 1987 and FY 1988 and funding state programs for training first responders; (7) the Department of Energy training about 2,540 first responders during FY 1987 and FY 1988; (8) the Department of Health and Human Services training about 5,590 first responders during FY 1988; and (9) some of the agencies reporting that budget constraints made it difficult for them to meet the demand for such training.

139001

Fossil Fuels: Status of DOE-Funded Clean Coal Technology Projects as of March 15, 1989. RCED-89-166FS; B-230504. June 29, 1989. 2 pp. plus 3 appendices (12 pp.). Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-80, March 29, 1989, Accession Number 138396; and T-RCED-89-25, April 13, 1989, Accession Number 138441.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National **Energy Issues Considering Congressional Interest and Budgetary Constraints** (6417).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy: Energy

Supply (271.0).

Organization Concerned: Department of

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Abstract: Pursuant to a congressional request, GAO reviewed nine demonstration projects that the Department of Energy (DOE) funded under the Clean Coal Technology Program.

Findings/Conclusions: GAO found that: (1) seven of the nine projects experienced coordination, equipment, or financing problems that caused delays in completing project phases, cost overruns, and proposed project modifications; (2) DOE did not know what effect the delays would have on estimated project completion dates and its share of total project costs; and (3) the other two projects, which DOE funded in late 1988 to replace withdrawn proposals, were on schedule and did not experience any cost increases.

139027

Mineral Revenues: Options to **Accelerate Royalty Payment Audits** Need Further Consideration. RCED-89-167; **B-207556**. June 5, 1989. Released July 6, 1989. 8 pp. plus 1 appendix (1 pp.). Report to Rep. Sidney R. Yates, Chairman, House Committee on Appropriations: Interior Subcommittee; by J. Dexter Peach, Assistant Comptroller General. Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Effectiveness of Federal Government's Management of Its Mineral Resources (6919).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Department of the Interior: Minerals Management Service: Department of the Interior.

Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Appropriations: Interior Subcommittee; Congress; Rep. Sidney R. Yates.

Authority: Oil and Gas Royalty Management Act.

Abstract: Pursuant to a congressional request, GAO provided information on the Minerals Management Service's (MMS) audits of oil and gas royalty payments, focusing on the: (1) status of the MMS audit program; (2) effect of a 3year audit acceleration effort by MMS; (3) MMS cost-benefit analysis that it used to support its proposal to hire contract auditors; and (4) possibility of auditor conflicts of interest and steps MMS has taken to address that issue.

Findings/Conclusions: GAO found that: (1) MMS had resident audit staffs at the 12 largest royalty payors, had completed audits of 16 other major payors, and had ongoing audits at 47 other major payors; (2) the 3-year acceleration effort will make the MMS audit program more current, and MMS will move from a 12year audit cycle to a 6-year audit cycle by fiscal year (FY) 1993; (3) MMS did not prepare a cost-benefit analysis to support its decision to hire contract auditors or consider hiring temporary federal employees to complete the audits; (4) it could not determine whether MMS had taken sufficient steps to prevent auditor conflicts of interest; and (5) neither MMS nor the Department of the Interior adequately justified the proposal to hire contract auditors.

Recommendation To Congress: Because MMS has not adequately considered all the options available to accelerate its audits of royalty payors, Congress should not approve the funds Interior has requested for hiring contractor auditors in FY 1990 until Interior considers all options and adequately justifies whatever option it selects.

139029

Nuclear Science: DOE Richland Role in the Proposal to Convert Washington Nuclear Plant No. 1. RCED-89-134BR; B-233552. June 6, 1989.

Released July 6, 1989. 26 pp. plus 3 appendices (4 pp.). *Briefing Report* to Rep. Vic Defazio; Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources
Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-88FS, March 9, 1989, Accession Number 13893; RCED-88-221, September 21, 1988, Accession Number 136983; and RCED-88-222, September 21, 1988, Accession Number 136971.

Issue Area: Energy: Effectiveness of DOE and NRC Management Procedures (6415).

Contact: Resources, Community, and Economic Development Division. Budget Function: General Science, Space, and Technology: Space Science, Applications, and Technology (254.0). Organization Concerned: Department of Energy: Operation's Center, Richland, WA; Washington Public Power Supply System.

Congressional Relevance: House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; Rep. Peter DeFazio; Rep. George Miller.

Authority: Federal Managers' Financial Integrity Act of 1982 (31 U.S.C. 3512(b)).

Declaration of Taking Act (Eminent Domain) (40 U.S.C. 258a et seq.). 42

U.S.C. 2201(g). 40 U.S.C. 257. 40 U.S.C. 2222. 42 U.S.C. 2014 et seq. . 42 U.S.C. 4654(a). U.S. Const. amend. V. Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, Multilateral, T.I.A.S. No. 6839. 18 U.S.C. 1913.

Environmental Policy Act of 1969 (National).

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) possible acquisition and conversion of a partially completed commercial nuclear power plant to a defense production reactor that would produce material for use in nuclear weapons, focusing on the: (1) DOE Richland Office's authority to commission a study of plant conversion; and (2) study's validity.

Findings/Conclusions: GAO found that: (1) the Richland manager acted within his broad management and procurement authority and followed DOE procurement procedures in commissioning the study; (2) inclusion of draft legislation in the study required no specific authorization beyond the Richland manager; (3) the Richland manager was not required to seek approval or notify the Secretary of Energy before initiating the study; and (4) because the Richland manager, the study contractors, and a local business consortium distributed copies of the draft results outside DOE before the Secretary was aware of the study, the Secretary ordered an investigation of the circumstances of the study and its distribution. GAO also found that the study concluded that: (1) DOE could acquire the plant by condemnation, which would not constitute an event of default affecting the bonds used to finance plant construction; (2) plant acquisition would take about 2 years and cost about \$150 million; and (3) the acquisition was based on the assumption that Congress would pass the draft legislation included in the study.

139071

[Decision Concerning DOE Use of Appropriated Funds to Purchase Running Shoes for Nuclear Materials Couriers]. B-234091. July 7, 1989. 3 pp. Decision re: Department of Energy; by James F. Hinchman, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel.

Organization Concerned: Department of Energy.

Authority: 64 Comp. Gen. 835. 63 Comp. Gen. 245. 5 U.S.C. 7903. Occupational Safety and Health Act of 1970 (29 U.S.C. 668(a)(1)).

Abstract: The Department of Energy (DOE) requested an advance decision regarding its legal authority to use appropriated funds to purchase running shoes for nuclear materials couriers. DOE advised that the running shoes would help to reduce the number of lost workdays due to injuries the couriers sustained during required running activities and tests. GAO held that the couriers could reasonably be expected to provide the running shoes, which were primarily for their benefit during personal training programs. Accordingly, DOE could not use its appropriated funds to purchase running shoes for the couriers.

139103

Synthetic Fuels: An Overview of DOE's Ownership and Divestiture of the Great Plains Project. RCED-89-153; B-207876. July 14, 1989. 41 pp. plus 1 appendix (1 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-53FS, November 10, 1987, Accession Number 134362; T-RCED-88-34, April 13, 1988, Accession Number 135534; RCED-88-172, June 10, 1988, Accession Number 136132; and RCED-89-36, October 21, 1988, Accession Number 137132.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressiona Interest and Budgetary Constraints (6417).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy: Energy Supply (271.0).

Organization Concerned: Department o Energy; Basin Electric Power Cooperative: Dakota Gasification Co.; Basin Electric Power Cooperative: Dakota Coal Co.; Shearson Lehman Hutton, Inc.; ANG Coal Gasification Co. Basin Electric Power Cooperative; Grea Plains Gasification Associates.

Congressional Relevance: *House* Committee on Energy and Commerce: Energy and Power Subcommittee; *Rep.* Philip R. Sharp.

Authority: Department of Energy Act of 1978--Civilian Applications (P.L. 95-238). P.L. 100-202. Resource Conservation and Recovery Act of 1976, 40 C.F.R. 261.4(b). Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) control, ownership. and divestiture of the Great Plains Coal Gasification Project after the original owners defaulted on their \$1.54-billion DOE-guaranteed loan for project construction and start-up. Findings/Conclusions: GAO found that: (1) the DOE-appointed contractor generally produced gas exceeding the plant's design capacity, with revenues totalling about \$658.3 million and exceeding expenses by about \$110.3 million; (2) in August 1988, DOE selected a buyer that agreed to waive production tax credits, made the highest offer, and had the strongest long-term project operations commitment, for an estimated net present value of \$600 million; (3) DOE should have reduced its estimated value by about \$397 million to account for the waived production tax credits, project cash which already belonged to DOE, and DOE-provided working capital; (4) DOE also provided \$30 million from project funds to the new owner for modifications so that the plant could meet sulfur emission requirements; (5) under the sales agreement, DOE provided \$120 million of project funds for establishing an environmental trust fund, a cash reserve rust fund, and working capital; (6) the sales agreement also required the owner o report to DOE about its compliance vith sales terms; (7) DOE paid \$1.2 nillion to a firm for its assistance in selling the project, but the firm contended that the fee should have been 33.4 million: and (8) economic analysis ndicated that the new owners could run out of cash in 1991 or 1992, depending on uture gas prices, although the owner vas committed to continued long-term plant operations, since the project's losure would mean it would lose net innual revenues of about \$37 million.

39135

Nuclear Nonproliferation: Better Controls Needed Over Weapons-Related Information and Rechnology. RCED-89-116; B-221179. June 19, 1989.

Released July 21, 1989. 36 pp. plus 2 appendices (2 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee in Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-9-31, October 11, 1988, Accession

Number 187039; NSIAD-87-211, September 9, 1987, Accession Number 133904; IMTEC-88-2, October 14, 1987, Accession Number 134199; and RCED-87-150, August 17, 1987, Accession Number 138906.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0)

Organization Concerned: Department of Energy; Department of Energy: Argonne National Laboratory: National Energy Software Center; Department of Energy: Lawrence Livermore National Laboratory; Department of Energy: Los Alamos National Laboratory; Department of Energy: Sandia National Laboratory.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Foreign Affairs; Senate Committee on Foreign Relations; Senate Committee on Governmental Affairs; Sen. John H. Glenn.

Authority: Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, Multilateral, T.I.A.S. No. 6839. **Export Administration Amendments Act** of 1985. Export Administration Act of 1979. Nuclear Non-Proliferation Act of 1978. Freedom of Information Act. Stevenson-Wydler Technology Innovation Act of 1980. Federal Managers' Financial Integrity Act of 1982. Arms Export Control Act. DOE Order 5600.1. DOE Order 5650.3. DOE Order 5635.4. DOE Order 1430.1A. DOE Order 1430.2A. DOE Order 1360.4A. DOE Order 5800.1. 10 C.F.R. 1017. 10 C.F.R. 810. Technology Transfer Act (Federal). Atomic Energy Act of 1954. Abstract: Pursuant to a congressional request, GAO examined the Department of Energy's (DOE) controls over unclassified nuclear weapons information and technology developed by its three weapons laboratories. Findings/Conclusions: GAO found that: (1) of the 39,000 reports DOE produced in 1986 and 1987, 60 percent were available to the public; (2) 68 percent of recipients of 30 randomly selected reports were from overseas; (3) between October 1985 and December 1987, the laboratories recorded over 2,000 data requests, honoring about 1,700; (4) DOE did not require laboratories to track the number of requests or the information provided and had no systematic method to determine the information that proliferation-risk countries obtained from the laboratories; (5) one of the

laboratories developed a system to track direct requests, but only one of the other two laboratories provided such information: (6) the laboratories lacked DOE guidance for identifying whether specific technological or programmatic material met criteria as unclassified controlled nuclear information under a 1981 legislative mandate; (7) DOE was exempt from most controls that effectively regulated the private sector's export of nuclear-related technology and information; (8) DOE questioned its authority to restrict dissemination of unclassified information without specific legislation exempting export-controlled information from Freedom of Information Act requests: (9) proliferation-risk countries routinely obtained U.S. hardware that had both nuclear weapons and commercial applications; and (10) foreign countries circumvented U.S export controls over materials, including sensitive computer codes, by obtaining them through other foreign countries which did not adequately control export of U.S. material.

Recommendation To Agencies: To help minimize the risks associated with the free dissemination of unclassified but sensitive nuclear-related information and better protect national security, the Secretary of Energy should require the laboratories to track foreign requests for information and institute an effective oversight measure to ensure that they do so. To help minimize the risks associated with the free dissemination of unclassified but sensitive nuclear-related information and better protect national security, the Secretary of Energy should complete and issue guidance to the weapons laboratories for use in identifying and limiting the dissemination of unclassified controlled nuclear information in accordance with the 1981 congressional mandate. To help minimize the risks associated with the free dissemination of unclassified but sensitive nuclear-related information and better protect national security, the Secretary of Energy should require the laboratories to send, and refer requests for, all computer codes to the National Energy Software Center. To help minimize the risks associated with the free dissemination of unclassified but sensitive nuclear-related information and better protect national security, the Secretary of Energy should seek a legislative exemption from the Freedom of Information Act for unclassified data categorized by DOE as export-controlled information.

139157

Uranium Enrichment: Some Impacts of Proposed Legislation on DOE's Program. RCED-89-170BR; B-235838. July 25, 1989.

Released July 26, 1989. 42 pp. plus 1 appendix (1 pp.). Briefing Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs, Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. George Miller; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to EMD-79-29, February 5, 1979, Accession Number 108575; EMD-77-46, June 16, 1977 Accession Number 102777; and RCED-88-18. October 19, 1987, Accession Number 134330.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned:

Environmental Protection Agency; Department of Energy; Nuclear Regulatory Commission.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Interior and Insular Affairs; Congress; Rep. George Miller; Rep. Philip R. Sharp; Rep. Morris K. Udall.

Authority: S. 83 (101st Cong.). S. 2097 (100th Cong.). H.R. 4934 (100th Cong.). H.R. 4984 (100th Cong.). H.R. 4489 (100th Cong.). H.R. 4975 (100th Cong.). H.R. 5181 (100th Cong.). H.R. 2278 (101st Cong.). H.R. 1100 (101st Cong.). Uranium Mill Tailings Radiation Control Act of 1978. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Abstract: Pursuant to a congressional request, GAO reviewed proposed uranium enrichment legislation to determine its impact on uranium prices. uranium production, employment, environmental issues, foreign competition, and decommissioning costs. Findings/Conclusions: GAO found that the legislation would: (1) restructure the Department of Energy's (DOE) uranium enrichment program as a government corporation to improve its competitiveness in domestic and international markets; (2) require DOE to purchase \$750 million of domestic uranium ore over 5 years; (3) establish a uranium mill tailings cleanup fund; (4) establish a fund to pay for decommissioning uranium enrichment

facilities; and (5) require the corporation to recover only a small fraction of the current program's past unrecovered costs. GAO also found that: (1) the proposed DOE purchase of domestic uranium may not significantly increase production, since producers have large inventories, and may increase nationwide mining employment by 2,000 to 3,000 workers; (2) domestic producers believed that the purchase would help them maintain their business: (3) state officials and uranium ore producers supported the establishment of the cleanup fund, although states and the **Environmental Protection Agency** opposed provisions that limited owners' cleanup responsibilities; (4) worldwide excess uranium enrichment production capacity significantly contributed to increasingly heavy international competition; (5) DOE estimated that it could cost more than \$5 billion to bring three enrichment plants into compliance with environmental legislation and decontaminate, clean up, maintain, or demolish the sites; and (6) DOE planned to share decommissioning costs between the federal government and the commercial enrichment program.

139179

[Legislative Proposals Concerning DOE's Uranium Enrichment Program]. T-RCED-89-54. July 26, 1989. 16 pp. Testimony before the House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-18, October 19, 1987, Accession Number 134330.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee.

Authority: Government Corporation Control Act. S. 83 (101st Cong.). H.R. 2480 (101st Cong.). Atomic Energy Act of 1954.

Abstract: GAO discussed proposed legislation that would restructure the Department of Energy's (DOE) Uranium Enrichment Program as a government corporation. GAO noted that the proposed legislation: (1) would limit recovery of past uranium enrichment costs; (2) would establish a fund to pay for the costs of decommissioning three enriched uranium production facilities; (3) would provide for a voluntary utility

ore purchase program: (4) would require the corporation to issue capital stock initially valued at \$3 billion to the United States, and authorize it to issue bonds that would not be government obligations; (5) would require the corporation to seek licenses for enrichment facilities; (6) did not state the corporation's responsibility for facility environmental cleanup and maintenance: and (7) would exempt DOE from committing to future cleanup actions. GAO believes that: (1) although the proposed privatization of the enrichment program would allow for better operation as a business entity, the new corporation would still face serious challenges stemming from licensing problems, undefined environmental and decommissioning costs, and increasing competition; and (2) the proposed legislation should further consider the program's appropriate organizational structure, the appropriate amount of cost recovery, and DOE responsibility fo helping the domestic uranium mining industry.

139211

Nuclear Waste: DOE's Management of Single-Shell Tanks at Hanford, Washington. RCED-89-157; B-235391 July 18, 1989.

Released July 20, 1989. 11 pp. plus 7 appendices (17 pp.). Report to Sen. Broc' Adams; Rep. Jolene Unsoeld; by Neal P Curtin, (for J. Dexter Peach, Assistant Comptroller General), Resources, Community, and Economic Developmen Division. Refer to RCED-90-46FS, November 9, 1989, Accession Number 140193.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of Nation Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.)

Organization Concerned:

Environmental Protection Agency; Department of Energy; Department of Energy: Hanford Power Station; Washington.

Congressional Relevance: House Committee on Energy and Commerce; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Jolene Unsoeld; Sen. Brock Adams. Authority: Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.). Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) management of its Hanford, Washington, site's underground single-shell waste storage tanks containing radioactive and nonradioactive hazardous liquid and solid wastes from nuclear materials production.

Findings/Conclusions: GAO found that DOE: (1) through 1988, identified 66 definite or possible leaks in 66 of 149 single-shell tanks, with an estimated leakage of about 750,000 gallons; (2) in 1987, completed an environmental impact statement for waste disposal, but deferred decisions until the issuance of a supplemental environmental statement in 2000; (3) signed a tripartite agreement with the Environmental Protection Agency and Washington for the removal of feasibly pumpable liquid waste from single-shell tanks by 1996 and for final disposal or removal of any such remaining waste by 2018; (4) did not collect data upon which to sufficiently base management decisions, establish program priorities, or take remedial actions: (5) lacked convincing evidence to support its assertions that the tank leaks had extremely low or nonexistent environmental impact; (6) reduced the volume of single-shell tanks' liquid waste by solidifying liquids or pumping them from tanks; (7) could further reduce the risk of future tank leaks by accelerating ts liquid-pumping program and providing better ground covering in the ank farm areas; (8) cited a lack of convincing data indicating problems vith accelerated movement of wastes as i reason for not placing new ground surface materials over the tank farm's gravel surface; and (9) repeatedly emphasized the production of nuclear naterials to the detriment of invironmental concerns. Recommendation To Agencies: To ninimize the environmental effects of ank leaks on the surrounding soil and. ventually, on the groundwater, the lecretary of Energy should conduct a lata-gathering program sufficient to

ninimize the environmental effects of ank leaks on the surrounding soil and, wentually, on the groundwater, the lecretary of Energy should conduct a lata-gathering program sufficient to issess the risks and extent of roundwater contamination from tank eaks of mobile, nonradioactive ontaminants and mobile, long-lived adioactive substances. To minimize the invironmental effects of tank leaks on he surrounding soil and, eventually, on he groundwater, the Secretary of Energy should assign appropriate esources and priority to the single-shell ank pumping program to ensure that:

1) at a minimum, all feasibly pumpable iquid is removed from the tanks by 996; and (2) the 1996 goal is not used to elay removal of liquid that could be

pumped before 1996. To minimize the environmental effects of tank leaks on the surrounding soil and, eventually, on the groundwater, the Secretary of Energy should develop specific plans to replace the gravel surfaces at the tank farms with a less permeable material and promptly replace the gravel surfaces if ongoing studies indicate that these surfaces could promote the movement of waste toward the groundwater.

139219

Nuclear Regulation: NRC's Decommissioning Procedures and Criteria Need to Be Strengthened. RCED-89-119; B-231254. May 26, 1989.

Released August 3, 1989. 38 pp. plus 2 appendices (12 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-77-46, June 16, 1977, Accession Number U33006; EMD-82-40, May 25, 1982, Accession Number 118510; RCED-88-184, July 29, 1988, Accession Number 136819; RCED-88-169, August 3, 1988, Accession Number 136767; and T-RCED-89-57, August 3, 1989, Accession Number 139229.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission; Environmental Protection Agency.

Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Appropriations: Energy and Water Development Subcommittee: House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Governmental Affairs; Rep. Michael L. Synar.

Authority: Atomic Energy Act of 1954. Energy Reorganization Act of 1974. 10 C.F.R. 40. 10 C.F.R. 50. 10 C.F.R. 70.22(a)(7)(8). 10 C.F.R. 20.

Abstract: In response to a congressional request, GAO assessed Nuclear Regulatory Commission (NRC) actions to ensure that operators of fuel-cycle facilities provide for eventual decommissioning, including: (1) the actions that licensees take to comply with NRC residual radiation guidelines; and (2) NRC assessments of facilities prior to terminating licenses. Findings/Conclusions: GAO found that: (1) NRC fully or partially released two sites for unrestricted use where radioactive contamination was higher than its guidelines allowed; (2) it could not determine whether similar situations occurred at six other sites because licensee cleanup information was sometimes incomplete, ambiguous, or nonexistent, and NRC did not always have information about licensee decontamination activities; (3) NRC regulations did not specify how long either it or licensees should retain decontamination information: (4) licensees did not initially decontaminate their facilities to meet NRC guidelines; (5) although NRC required licensees to decontaminate facilities below its guidelines, 11 of 19 decommissioning plans would not meet that requirement: (6) although NRC required licensees to retain records on the radioactive wastes they buried, five of the eight cases reviewed involved buried waste on-site. but four of the licensees did not keep or complete disposal data; (7) NRC did not require licensees to monitor groundwater or soil contamination from buried waste, but five licensees found groundwater contaminated with radioactive substances at levels higher than drinking water standards allowed; and (8) although NRC believes that it can require former licensees to conduct additional cleanup activities, it does not have regulations to address the actions it can take. GAO also found that: (1) because the Environmental Protection Agency was responsible for developing residual radiation standards, but did not expect to finalize them until 1992, NRC used guidelines it developed to determine whether to terminate a license; and (2) a professional group that also developed residual radiation standards proposed some levels 3 to 50 times higher and some levels 3 to 5 times lower than NRC guidelines. Recommendation To Agencies: To enhance NRC regulatory oversight of nuclear facilities' decommissioning efforts, the Chairman, NRC, should require licensees to specifically list in one document all land, buildings, and equipment involved with their licensed operations. To enhance NRC regulatory

oversight of nuclear facilities' decommissioning efforts, the Chairman, NRC, should ensure that the licensees decontaminate their facilities in accordance with NRC guidelines before NRC fully or partially releases a site for unrestricted use. To enhance NRC regulatory oversight of nuclear facilities' decommissioning efforts, the Chairman, NRC, should determine if NRC residual radiation criteria should be revised on the basis of the standards proposed by the Health Physics Society Standards Committee. To enhance NRC regulatory oversight of nuclear facilities' decommissioning efforts, the Chairman, NRC, should ensure that licensees appropriately monitor buried waste sites to determine the extent of environmental contamination. To enhance NRC regulatory oversight of nuclear facilities' decommissioning efforts, the Chairman, NRC, should ensure that NRC obtains and keeps for more than 10 years decommissioning information such as licensee radiological surveys and certification of materials disposed, NRC or other organizations' confirmatory surveys, and specifics on land, buildings, and equipment that were contaminated over the life of the license. Since NRC believes that it has authority to require additional cleanup activities after terminating a license and to ensure that it has a mechanism to enforce orders requiring such activities, the Chairman, NRC, should act expeditiously to issue regulations governing such actions. In the interim, the Chairman should also ensure that all contamination at a site has been cleaned up so that it is below the levels that NRC guidelines allow before releasing all or part of a site for unrestricted use.

139229

[NRC's Oversight of Licensees' **Decommissioning Practices Can Be** Improved l. T-RCED-89-57. August 3. 1989. 14 pp. plus 1 appendix (2 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-119, May 26, 1989, Accession Number 139219; EMD-77-46, June 16, 1977, Accession Number 102777; EMD-82-40, May 25, 1982, Accession Number 118510; and RCED-88-184, July 29, 1988, Accession Number 136819.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Nuclear Regulatory Commission; Environmental Protection Agency.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Authority: Atomic Energy Act of 1954. Abstract: GAO discussed the Nuclear Regulatory Commission's (NRC) decommissioning requirements for obsolete nuclear facilities, focusing on nuclear fuel facility licenses. GAO found that: (1) NRC requires owners of obsolete nuclear facilities to remove the facilities safely from service and reduce residual radioactivity to allow unrestricted property use: (2) the Environmental Protection Agency (EPA) will not finish developing standards for residual radioactivity until 1992; (3) NRC released property for unrestricted use despite radioactive contamination significantly higher than its guidelines allowed: (4) NRC did not require its licensees to monitor buried low-level radioactive waste for soil or groundwater contamination; (5) NRC has not developed regulations to implement its environmental enforcement authority: and (6) NRC may have to change its regulations when EPA completes its residual radiation guidelines.

139244

Energy Management: DOE Has Not Shown Systems Contracting to Be in Government's Best Interest. RCED-89-118; B-227610. June 20, 1989.

Released August 4, 1989. 5 pp. plus 4 appendices (16 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness of DOE and NRC Management Procedures (6415).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Sandia National Laboratory.

Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Michael L. Synar. Authority; DOE A.R. 970.7103.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) operating contractors' use of systems contracting to determine whether DOE ensures that systems contracting is in the government's best interest.

Findings/Conclusions: GAO found that: (1) although DOE has cited the Sandia National Laboratory's positive experience with systems contracting as a basis for encouraging its other operating contractors to consider systems contracting, it has not shown that systems contracting is in the government's best interest; (2) DOE has not independently evaluated the costs and benefits of systems contracting, verified Sandia's claimed savings and other benefits, or compared contractor procurement costs with the cost of procuring supplies from the General Services Administration (GSA); and (3) DOE has not required Sandia to establish adequate internal controls ove purchases under a systems contract. Recommendation To Agencies: To help ensure that the operating contractors' use of systems contracting is in the besi interest of the federal government, the Secretary of Energy should enforce its requirement that GSA be used when it economically advantageous to the government by having the operating contractors compare and evaluate the costs and benefits of systems contractin with purchases from GSA before awarding such contracts. To help ensur that the operating contractors' use of systems contracting is in the best interest of the federal government, the Secretary of Energy should require DO operating contractors to provide details documentation supporting their evaluations and independently review the contractors' evaluations. The Secretary of Energy should require Sandia to establish adequate internal controls to help ensure that: (1) the lowest-cost items available under a systems contract are selected unless otherwise justified; and (2) items added to the systems contract are obtained at the lowest prices consistent with requirements for quality and timelines The Secretary of Energy should determine whether other operating contractors have established adequate controls over their purchases under

systems contracts and, if not, require them to establish such controls.

139245

Drinking Water: Safeguards Are Not Preventing Contamination From Injected Oil and Gas Wastes. RCED-89-97; B-227690. July 5, 1989. Released August 4, 1989. 43 pp. plus 2 appendices (4 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-170, August 28, 1987, Accession Number 134121.

Issue Area: Environmental Protection: Assessing Federal and State Efforts To Prevent Groundwater Contamination (6816).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: House
Committee on Appropriations: HUDIndependent Agencies Subcommittee;
House Committee on Government
Operations: Environment, Energy and
Natural Resources Subcommittee; Senate
Committee on Appropriations: HUDIndependent Agencies Subcommittee;
Rep. Michael L. Synar.

Authority: Safe Drinking Water Act.
Abstract: Pursuant to a congressional request, GAO reviewed the Environmental Protection Agency's (EPA) Underground Injection Control (UIC) Program, focusing on: (1) whether evidence exists of drinking water contamination from injection wells used in oil and gas production, known as Class II wells, and if so, the causes and actions taken to prevent similar occurrences; and (2) the degree to which states have implemented program safeguards to protect against drinking water contamination.

Findings/Conclusions: GAO found that: (1) there were 23 cases of drinking water contamination, but the full extent of contamination was unknown; (2) EPA estimated that there are about 1.2 million abandoned oil and gas wells in the United States, 200,000 of which may be improperly plugged, and 3 of the 4 states reviewed said that the numbers of improperly plugged wells are increasing; (3) most Class II wells operated before the UIC program, and most

contamination cases involved existing wells, but EPA did not subject existing wells to the requirement to search and plug nearby improperly plugged wells; and (4) some states issued permits to operate Class II wells without evidence that the applicant had conducted pressure tests, and some have not finished reviewing files and pressure testing some of the existing wells. Recommendation To Agencies: In order to better safeguard drinking water supplies from contamination from Class II wells, the Administrator, EPA, should require that UIC program regulations or guidance be established for state- and EPA-administered programs to make existing wells subject to area-of-review requirements as are new wells. The Administrator, EPA, should establish a priority system to ensure that the regulatory agencies review those area reviews containing improperly plugged wells that pose the greatest environmental risks first. To help ensure that Class II wells are structurally sound and not injecting into areas of unplugged wells, the Administrator, EPA, should require state program regulatory agencies to institute the internal controls necessary to ensure that Class II permits are issued only if documentation exists that area-of-review information was checked and the pressure test portion of mechanical integrity tests was conducted.

129271

Inspectors General: Adequacy of TVA's Office of Inspector General. AFMD-89-68; B-233799. July 3, 1989. Released August 8, 1989. 13 pp. plus 3 appendices (4 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by Brian P. Crowley, Acting Assistant Comptroller General, Accounting and Financial Management Division.

Issue Area: Audit Oversight and Policy: Reviews of Government-Wide Auditing Issues (7604).

Contact: Accounting and Financial Management Division.

Budget Function: Financial Management and Information Systems: Internal Audit (998.3).

Organization Concerned: Tennessee Valley Authority: Board of Directors; Tennessee Valley Authority: Office of the Inspector General.

Congressional Relevance: House Committee on Appropriations: Rural Development, Agriculture, and Related Agencies Subcommittee; House Committee on Government Operations; Senate Committee on Appropriations: Agriculture, Rural Development, and Related Agencies Subcommittee; Senate Committee on Governmental Affairs; Congress; Sen. John H. Glenn.

Authority: Inspector General Act of 1978. Inspector General Act Amendments of 1988.

Abstract: Pursuant to a congressional request, GAO reviewed the operations of the Tennessee Valley Authority's (TVA) Office of the Inspector General (OIG), focusing on its duties, powers, performance, and independence.

Findings/Conclusions: GAO found that TVA OIG: (1) had audit and investigation powers and duties similar to those of other inspectors general; (2) reported directly to the TVA Board of Directors: (3) had unrestricted access to TVA records, reports, facilities, assets, and meetings, a separate budget, and the freedom to issue any report it considered necessary and desirable: (4) fully incorporated acceptable performance standards into policies and procedures; (5) took actions to improve communications with TVA managers and employees, report readability, audit and investigation planning, and audit follow-up; (6) satisfactorily complied with reporting requirements and audit and investigative standards; and (7) requested the transfer of some audit functions it believed involved program operating responsibilities to the TVA chief financial officer, although he had an inherent conflict of interest in assessing financial internal controls.

year term for the Inspector General, but did not have to report to Congress on reasons why it did not reappoint an Inspector General for another term; (2) selected an individual outside of TVA to serve as Inspector General, and he selected his principal assistants from outside TVA; and (3) did not interfere with OIG work. GAO believes that there is no need for the President to appoint the TVA Inspector General, since the: (1) TVA Board adequately safeguarded OIG independence; and (2) Inspector General independently and objectively carried out his responsibilities.

GAO also found that the TVA Board of

Directors: (1) established a minimum 3-

Recommendation To Agencies: If the TVA Board of Directors appoints the Inspector General to a fixed term, the Board should amend its resolution to require that the Board report its reasons to Congress when the Board does not reappoint an Inspector General at the end of a term. The TVA Board of Directors should transfer the audit functions now being performed under supervision of the chief financial officer

to OIG, except for audits of contractor records to resolve payment disputes.

139289

[Adequacy of Preparation and Response Related to Exxon Valdez Oil Spill]. T-RCED-89-59. August 10, 1989. 18 pp. Testimony before the House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee; by Victor S. Rezendes, Associate Director, Transportation Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-44, October 30, 1989, Accession Number 140119.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Exxon Corp.; Alyeska Pipeline Service Co.; United States Coast Guard; Alaska. Congressional Relevance: House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation

Subcommittee. Authority: Clean Water Act of 1977. Abstract: GAO discussed the oil industry's and federal government's response to a large oil spill in Alaska. GAO found that: (1) an inadequate initial response to the spill resulted from equipment and personnel shortages, inadequate communications, and an ineffective organizational structure: (2) the pipeline terminal operator only assembled equipment and personnel for the most likely accident, which was far less severe in magnitude than what actually occurred; (3) the pipeline terminal operator did not have an adequate response plan for a large spill; (4) the federal leadership role in oil-spill cleanup operations was unclear; (5) Alaska, not the federal government, required the pipeline terminal operator to have a response plan; (6) oil-spill response technology was inadequate; (7) the tanker operator was able to marshal cleanup resources far more efficiently than the Coast Guard could have; and (8) use of measures that could have prevented the spill was limited in the area where the spill occurred. GAO believes that preventive actions are equally as important as improving response capability.

139315

Nuclear Waste: Quarterly Report as of March 31, 1989. RCED-89-178; B-202377. August 14, 1989. 7 pp. plus 2 appendices (15 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure,

Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-87-166, August 28, 1987, Accession Number 134012.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management; Bechtel Systems Management, Inc.; Science Applications International Corp.

Congressional Relevance: Senate

Committee on Energy and Natural Resources: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston. Authority: Nuclear Waste Policy Act of 1982, 42 U.S.C. 7216, Anti-Kickback Enforcement Act of 1986. Nuclear Waste Policy Amendments Act of 1987. Abstract: Pursuant to a congressional request, GAO provided the status of the Department of Energy's (DOE) implementation of the Nuclear Waste Policy Act of 1982, focusing on: (1) the status of an unsuccessful bidder's pending lawsuit over alleged conflict-ofinterest violations under a pending DOE management contract; (2) concerns about the legal risks of using a management and operating-type contract; and (3) previous findings relating to DOE administration of contracts for managing and operating DOE nuclear facilities. Findings/Conclusions: GAO found that: (1) although a DOE attorney testified that it had not violated conflict-ofinterest statutes because the prescribed time period had expired prior to the contractor's involvement in the procurement, a court decision was still pending; (2) DOE stated that only management and operating-type contracts would permit a contractor to accomplish the range of work required; (3) although DOE took action to improve its contract administration, it did not require its contractors to publish notices for procurements over \$100,000, establish procedures for management contractors to follow in seeking competitive procurements, or establish procedures to implement anti-kickback legislation; (4) DOE hired a new firm to manage and operate one nuclear plant after it found that it could have saved

\$10 million annually through competitive procurement; (5) DOE acceptance of a contractual relationship that permitted deviations from DOE standards resulted in unnecessary personnel costs of about \$20 million in 1987; and (6) DOE needed to implement recommendations resulting from audits of its management and operating contractors to ensure that nuclear waste program operations were more cost-effective.

139405

Financial Management: Improvements Needed in OSMRE's Method of Allocating Obligations. AFMD-89-89; B-225149. July 28, 1989.

Released August 29, 1989. 8 pp. plus 1 appendix (1 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Jeffrey C. Steinhoff, Director, Financial Management Systems Issues, Accounting and Financial Management Division.

Issue Area: Internal Control and Financial Management Systems Issues: Adequacy of Federal Agency Accounting Systems' Support of Management of Agency Programs and Operations (7402). Contact: Accounting and Financial Management Division.

Budget Function: Financial Management and Information Systems (998.0).

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement; Department of the Interior.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Interior and Related Agencies Subcommittee; Congress; Rep. Michael L. Synar.

Authority: Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201). Antideficiency Act (31 U.S.C. 1341). 31 U.S.C. 1301.

Abstract: Pursuant to a congressional request, GAO reviewed the propriety of the Office of Surface Mining Reclamation and Enforcement's (OSMRE) fiscal years (FY) 1987 and 1988 charges to the Abandoned Mine Reclamation (AML) Fund.

Findings/Conclusions: GAO found that OSMRE charged its two primary appropriation accounts, the AML fund

and a regulation and technology program, by dividing its obligations into direct regulation and technology activities, direct AML activities, and administrative activities. GAO also found that, although a review of sample transactions indicated that OSMRE charged the appropriate appropriation accounts, it did not use supportable methodologies to make those allocations, since it: (1) accumulated administrativerelated obligations throughout the year in various accounts and then allocated them at yearend based on the approved budget; (2) decided at the beginning of the year the portion of each of certain invoices it would charge to each account through the year; and (3) lacked documentation to support its allocation of some obligations to the AML fund. GAO believes that, while the OSMRE accounting system has the capability to properly account for and allocate its two programs' obligations, OSMRE instead uses a methodology which allows its budget to become a self-fulfilling prophecy and impedes congressional and agency oversight of its activities. Recommendation To Agencies: To provide the needed assurances to Congress and other interested parties that funds are being obligated as authorized, the Secretary of the Interior should require the Director, OSMRE, to develop and use a supportable methodology for the allocation of obligations for administrative activities between its AML and regulation and technology programs. To provide the needed assurances to Congress and other interested parties that funds are being obligated as authorized, the Secretary of the Interior should require the Director, OSMRE, to issue written procedures requiring that when contracts support multiple offices and appropriations, such as those for computer services, the allocation basis is adequately supported and documented.

139601

Surface Mining: Inadequate Internal Controls Cause Procurement Problems in West Virginia. RCED-89-194; B-223430. September 6, 1989.

Released September 27, 1989. 10 pp. plus 4 appendices (10 pp.). Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; Rep. Nick J. Rahall, II, Chairman, House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues, Resources,

Community, and Economic Development Division.

Issue Area: Natural Resources
Management: Assessing the
Effectiveness of Federal and State
Efforts in Implementing the Regulatory
and Reclamation Requirements of the
Surface Mining Control and Reclamation
Act of .

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior: Office of Surface Mining Reclamation and Enforcement; West Virginia: Department of Energy.
Congressional Relevance: House
Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; House Committee on Interior and Insular Affairs; Rep. Nick J. Rahall, II; Rep. Morris K. Udall.
Authority: Surface Mining Control and Reclamation Act of 1977. OMB Circular A-102. Antikickback Act (Public Works Employees). Executive Order 11246.
OMB Circular A-128.

Abstract: Pursuant to a congressional request, GAO reviewed West Virginia's Department of Energy's (WV/DOE) contracting procedures under its Abandoned Mine Reclamation Project to determine whether it complied with federal procurement and internal control standards.

Findings/Conclusions: GAO found that WV/DOE: (1) did not establish adequate internal controls to ensure compliance with federal procurement standards; (2) lacked written policies and procedures to document or guide procurement activities; (3) did not consistently and uniformly apply federal procurement standards in procurement activities; (4) failed to include federally required clauses and provisions regarding kickbacks, equal employment opportunity, and contract termination rights in 15 contracts; (5) did not comply with one time-and-materials contract's provisions regarding contractor acknowledgement of work directives, notice-to-proceed, and contract extension, and did not adequately monitor performance; (6) did not timely process change orders to revise contracts' scope of work or to extend contracts; (7) incorporated two abandoned mine site reclamation projects into existing contracts rather than using competitive bidding procedures; (8) did not comply with federal audit requirements, although the Office of Surface Mining Reclamation and Enforcement reported that its

procurement activities complied with state and federal requirements; and (9) established a task force to evaluate internal control problems, develop written policies and procedures, provide seminars to state personnel on general procurement procedures under federal grant programs, and review all emergency reclamation program contracts.

139622

Superfund: Contractors Are Being Too Liberally Indemnified by the Government. RCED-89-160; B-231219. September 26, 1989. 57 pp. plus 5 appendices (18 pp.). Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to RCED-88-2, October 16, 1987, Accession Number 134208; RCED-88-1, October 26, 1987, Accession Number 134238; RCED-88-39, January 15, 1988, Accession Number 134843; PEMD-89-6, October 28, 1988, Accession Number 137568; HRD-88-64, July 29, 1988, Accession Number 136658; and RCED-89-57, February 17, 1989, Accession Number 138211.

Issue Area: Environmental Protection: Availability of Adequate Insurance for Liabilities Associated With Hazardous Waste (6812).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency; Planning Research Corp.

Congressional Relevance: Congress. Authority: Superfund Amendments and Reauthorization Act of 1986. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. F.A.R. 52.228. Atomic Energy Act of 1954. Price-Anderson Act (Atomic Energy Damages). Aeronautics and Space Act. EPA A.R, 1552,228, Antideficiency Act (31 U.S.C. 1341). Executive Order 12580. Emergency Planning and Community Right-to-Know Act of 1986, 62 Comp. Gen. 361, Property and Administrative Services Act (40 U.S.C. 541 et seq.). F.A.R. 9.5. EPA A.R. 1509.5. EPA A.R. 1509.509(b).

Abstract: Pursuant to a legislative requirement, GAO reviewed the Environmental Protection Agency's (EPA) Superfund Amendments and Reauthorization Act of 1986 (SARA) Section 119 program for indemnifying Superfund program contractors and subcontractors against liabilities caused

by negligence, focusing on: (1) the use of and need for indemnification agreements; (2) claims against those agreements; (3) the program's compliance with applicable laws and regulations; and (4) program management.

Findings/Conclusions: GAO found that: (1) as of June 1989, EPA had provided over 1,000 indemnification agreements to Superfund prime contractors and subcontractors, most of whom worked directly for EPA; (2) EPA did not grant indemnification to any contractor working directly for parties responsible for the contaminated sites; (3) while no claims had been filed against any of the indemnification agreements, many years could pass before pollution was detected and a claim brought against the alleged polluter; (4) most private insurers generally regarded pollution risks as uninsurable, although three insurers provided some limited-coverage pollution insurance for cleanup contractors; (5) although several contractors cited their reluctance to perform Superfund work without indemnification, some of them had performed Superfund work for states and responsible parties without indemnification; (6) EPA provided indemnification free of charge; (7) EPA did not fully comply with requirements to provide indemnification on a discretionary, case-by-case basis, and did not enforce guidance procedures for granting indemnification; (8) EPA did not set limits on the amount of contractor indemnification; and (9) the EPA contractor for providing section 119 policy support was a direct beneficiary through two major indemnified Superfund contracts.

Recommendation To Agencies: Because SARA section 119 established specific statutory authority to indemnify Superfund response action contractors. the Administrator, EPA, should advise federal agencies to use section 119 rather than general contracting authorities if they choose to indemnify Superfund contractors. To limit the government's potential exposure to liabilities caused by contractor negligence and keep qualified contractors working in the Superfund program, the Administrator, EPA, should: (1) identify and test, through the procurement system, options for providing section 119 indemnification that will make it competitively unattractive for Superfund contractors and subcontractors to obtain more indemnification than is needed; and (2) incorporate the options that are most cost-beneficial to the government into the regular Superfund procurement process. To encourage the development

of pollution liability insurance for response action contractors and limit dependence on federal indemnification, the Administrator, EPA, should implement management controls for the section 119 indemnification program that will ensure that: (1) the insurance requirements in SARA are strictly enforced; and (2) indemnification decisions are made on a discretionary case-by-case basis, as Congress intended. To avoid unnecessary exposure of Superfund while EPA section 119 guidance is being developed, the Administrator, EPA, should attempt to reach an immediate agreement with contractors indemnified under the interim program to place a specific limit on the amount of indemnification they are being provided and specify a limit in indemnification agreements provided under the interim program for new contracts.

139653

Financial Audit: Trans-Alaska Pipeline Liability Fund's 1988 Financial Statements. AFMD-89-104; B-208638. September 29, 1989. 13 pp. Report to Congress; by Brian P. Crowley, (for Charles A. Bowsher, Comptroller General).

Issue Area: Financial Statement Audits of Government Entities: Audits of Government Corporations and Pension Plans (7505).

Contact: Accounting and Financial Management Division.

Budget Function: Financial Management and Information Systems: Regulatory Accounting Rules and Financial Reporting (998.6).

Organization Concerned: Trans-Alaska Pipeline Liability Fund; Touche Ross and Co.; Exxon Corp.: Exxon Shipping Co.

Congressional Relevance: Congress. Authority: Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1653(c)(4)). Abstract: Pursuant to a legislative requirement, GAO reviewed an independent accountant's audit of the Trans-Alaska Pipeline Liability Fund's financial statements as of December 31, 1988.

Findings/Conclusions: GAO found that: (1) the audit found that the Fund's financial statements fairly presented its financial position; (2) the audit did not disclose any material weaknesses or noncompliance with laws or regulations; (3) while the Fund has never had to pay a claim since its establishment in 1973, damages related to a March 1989 oil spill are expected to exceed the Fund's maximum liability; and (4) the Fund will

contest any claims related to that spill, since it believes that a shipping company's negligence caused the spill.

139664

[Implementation of the Federal Onshore Oil and Gas Leasing Reform Act of 1987]. T-RCED-89-69. September 28, 1989. 10 pp. Testimony before the House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues. Resources, Community, and Economic Development Division. Refer to RCED-89-108, May 8, 1989, Accession Number 138753; and T-RCED-90-24, February 6, 1990, Accession Number 140569.

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Forest Service; Bureau of Land Management.

Congressional Relevance: House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee.

Authority: Onshore Oil and Gas Leasing Reform Act. Mineral Leasing Act for Acquired Lands. Environmental Policy Act of 1969 (National). Connor v. Burford, 848 F.2d 1441 (9th Cir. 1988). Abstract: GAO discussed the Bureau of Land Management's (BLM) and the Forest Service's implementation of legislation concerning those agencies' administration of oil and gas leases on public lands. GAO noted that: (1) although both BLM and the Service determined that they needed to study potential environmental impacts and satisfy all environmental requirements before issuing oil and gas leases or approving drilling permits, 75 of 82 land use plans, which the agencies heavily relied on in making such determinations, did not adequately identify or address essential potential environmental impacts; (2) both agencies have begun work to improve the information they use in making lease decisions, but are also continuing to approve drilling permits before they obtain the necessary information; (3) the Service's January 1989 proposed regulations for implementing its legislatively required responsibilities did not clearly address bonding requirements, introduced lease development uncertainties, and improperly separated oil and gas leasing

decisions from the normal land-use plans and environmental studies process; (4) BLM implementation of its responsibilities resulted in a substantial increase in the percentage of competitively leased land and per-acre revenues; and (5) BLM retained a lease-sale procedure which could reduce competition and revenues.

Recommendation To Agencies: The Forest Service should confer with BLM

Recommendation To Agencies: The Forest Service should confer with BLM in order to establish clear responsibilities for bonding to cover subsurface environmental impacts and nonpayment of royalties on Service lands. Given the uncertainty of what adequate bond amounts should be, and the possibility that amounts larger than current BLM requirements may seriously impede oil and gas leasing, the Forest Service should study the need for and availability of larger bond amounts before issuing bonding regulations. The Forest Service should remove bonding from the current rulemaking and propose a new bonding regulation after completing an appropriate study. The Forest Service should improve its information on the environmental impacts of oil and gas leasing and development on its lands so that informed decisions can be made before a lease is issued, thereby negating the need to deny subsequent development. Unless the Forest Service can ensure that its proposed suitability determination process is consistent with its regulations and would be cheaper and faster than using existing land-use planning procedures, the Service should use its existing planning process, rather than establishing a new one, to determine which lands should be available for leasing.

139666

[Usefulness of Space Power Research to Ground-Based Nuclear Reactor Systems]. T-RCED-89-64. September 30, 1989. 8 pp. Testimony before the House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-17, December 6, 1988, Accession Number 137492.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy; National Aeronautics and Space Administration; Department of Defense: Office of the Secretary: Strategic Defense Initiative Organization. Congressional Relevance: House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee.

Abstract: GAO discussed the applicability of the Department of Energy's (DOE) space nuclear power systems research to development of advanced terrestrial nuclear power systems. GAO noted that: (1) DOE, the National Aeronautics and Space Administration, and the Department of Defense's Strategic Defense Initiative Organization are participating in two programs to research and develop space nuclear power systems; (2) it surveyed government and industry experts on the applicability of space nuclear power research to terrestrial power generation; (3) survey respondents believed that space nuclear power research could prove useful in the areas of fuel and fuel systems, materials, heat transport, instrumentation, control methodology, safety, reliability, and modelling and analysis techniques; and (4) respondents also identified technical and institutional limitations on the technology that could be transferred from space nuclear power generation to terrestrial power generation.

139679

Federal Research: Information on Site Selection Process for DOE's Super Collider, RCED-90-33BR: B-227295. October 4, 1989. 25 pp. plus 1 appendix (1 pp.). Briefing Report to Rep. John D. Dingell; Rep. Bob Carr; Rep. Carl D. Pursell; Rep. William D. Ford; Rep. Bob Traxler; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-18, January 30, 1989, Accession Number 137824; RCED-89-129BR, June 16, 1989, Accession Number 138891; and RCED-87-175FS, August 6, 1987, Accession Number 133627.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressional Interest and Budgetary Constraints (6417).

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science, Space, and Technology: General Science and Basic Research (251.0).

Organization Concerned: Department of Energy; Texas; Michigan.

Congressional Relevance: Rep. John D. Dingell; Rep. Bob Traxler; Rep. William

D. Ford; Rep. Carl D. Pursell; Rep. Bob Carr.

Authority: Environmental Policy Act of 1969 (National). 40 C.F.R. 1500. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646).

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) site selection process for the superconducting super collider, focusing on whether DOE: (1) assigned weights to the technical criteria used to evaluate the sites; (2) complied with timing requirements for the draft and final environmental impact statements; (3) considered all the geological information the states submitted subsequent to the initial site proposals; (4) considered whether transfer of federal properties in four site proposals would conflict with the properties' intended use; and (5) considered the \$1billion financial inducement that Texas offered to defray costs.

Findings/Conclusions: GAO found that: (1) although DOE listed the technical evaluation criteria in descending order of importance in the invitation for site proposals, it did not assign weights to the criteria or rank the sites according to their performance on the basis of the technical evaluation; (2) the Secretary considered not only the technical evaluations, but the environmental impact statements and comments, and state representatives' presentations; (3) DOE complied with the timing requirements for both the draft and final environmental impact statements; (4) DOE incorporated all the supplemental geological information that states submitted into its technical evaluations; (5) the federal agencies that owned land proposed for sites had no insurmountable conflicts in using the lands for the super collider; and (6) DOE did not consider inducements that Texas or any other proposers offered to defray costs

139779

[Perspectives on the Potential of Clean Coal Technologies to Reduce Emissions From Coal-Fired Power Plants]. T-RCED-90-3. October 18, 1989. 16 pp. plus 1 attachment (1 pp.). Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to T-RCED-88-47, June 22, 1988, Accession Number 136148; RCED-89-80, March 29, 1989, Accession

Number 138396; and T-RCED-89-25, April 13, 1989, Accession Number 138441.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Authority: Clean Air Act.

Abstract: GAO discussed its reviews of the: (1) extent to which pending acid rain control legislation could influence utilities to consider using clean coal technologies; and (2) Department of Energy's (DOE) process for evaluating and selecting demonstration projects for funding under its Clean Coal Technology Program. GAO noted that: (1) surveyed utilities indicated plans to use clean coal technologies for only 5 percent of their existing coal-fired generating units before 2010; (2) the utilities generally indicated that enactment of acid rain control legislation would result in their giving much greater consideration to using emerging clean coal technologies to achieve emission reductions: and (3) although some technologies could be commercially available by 1995, the technologies may require another 5 or 10 years to penetrate the market. GAO also noted that: (1) the DOE project evaluation and selection process appeared to be reasonable, and project evaluation criteria generally complied with congressional and other program guidance; (2) DOE selected 16 projects which represented a mix of technologies with diverse applications; and (3) although the technologies had the potential to reduce emissions where used, nine had limited potential for achieving national emission reductions.

139802

Nuclear Waste: DOE's Budgeting Process for Grants to Nevada Needs Revision. RCED-90-20; B-202377. October 20, 1989. 6 pp. plus 2 appendices (10 pp.). Report to James D. Watkins, Secretary, Department of Energy; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-4, April 1, 1986, Accession Number 129698.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy (270.0).

Organization Concerned: Department of Energy; Nevada.

Authority: Nuclear Waste Policy Act of 1982.

Abstract: GAO reviewed the Department of Energy's (DOE) process for budgeting funds for financial assistance to the state of Nevada for independent testing and monitoring activities at the Yucca Mountain nuclear waste disposal site. Findings/Conclusions: GAO found that: (1) DOE did not evaluate Nevada's funding needs in developing its financial assistance budget; (2) DOE could have to fund Nevada's testing activities regardless of whether it adequately budgeted for them, since a court decided that DOE could not decline to fund the activities if they met certain criteria; (3) DOE could not meet its commitment to support an appropriate amount of grant funds to Nevada for independent technical oversight of DOE activities without evaluating Nevada's grant request; and (4) Nevada had difficulty submitting a detailed grant request early enough for DOE to evaluate the request because it needed specific information about DOE activities.

Recommendation To Agencies: To ensure that DOE considers Nevada's financial assistance requirements in formulating its nuclear waste program budget, the Secretary of Energy should require Nevada to provide information on its financial assistance needs on a schedule that permits DOE to evaluate the state's funding requests in preparing its budget.

139806

Nuclear Health and Safety: DOE's Award Fees at Rocky Flats Do Not Adequately Reflect ES&H Problems. RCED-90-47; B-222195. October 23, 1989.

Released October 25, 1989, 9 pp. plus 5 appendices (22 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, National Security and International Affairs Division. Refer to RCED-86-175 June 16, 1986, Accession Number 130260; RCED-86-192, September 8, 1986, Accession Number 131121; T-RCED-90-7, October 24, 1989, Accession Number 139809; RCED-90-60FS, October 23, 1989, Accession Number 139878; and T-RCED-90-14, November 17, 1989, Accession Number 140025.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy; Department of Energy: Operations Office, Albuquerque, NM; Rockwell International Corp.; Department of Energy: Rocky Flats Nuclear Weapons Production Facility. Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural

Authority: Clean Water Act of 1977. Abstract: Pursuant to a congressional request, GAO reviewed the extent to which the Department of Energy (DOE) considered environmental, safety, and health (ES&H) matters in its contract award fee determinations for the Rocky Flats nuclear weapons facility.

Resources Subcommittee; Rep. Michael

L. Synar.

Findings/Conclusions: GAO found that the DOE award fee determinations: (1) downplayed a variety of significant ES&H problems through questionable classifications and omissions; (2) emphasized production over ES&H matters; and (3) did not require DOE headquarters review or approval.

Recommendation To Agencies: The Secretary of Energy should require all awards determinations to be approved at the headquarters level. Headquarters program offices should have approval authority over the operations for which they are responsible. Further, advisory roles in the process should be given to those DOE headquarters offices which have important roles in overseeing the operations. The Secretary of Energy should ensure that there is reasonable balance between production and ES&H performance in the award process. Further, if awards are to be given for accomplishing specific objectives, the Secretary should ensure that such objectives do not conflict with ES&H objectives. The Secretary of Energy should restructure the award process to reduce the level of discretion exercised in making a final determination. In this regard, more specific criteria are needed for determining how a deficiency is to be considered in the evaluation process. Further, procedures are needed to ensure that all identified deficiencies are considered in making an award determination.

139809

[DOE's Award Fees at Rocky Flats Do Not Adequately Reflect Environmental, Safety, and Health Problems]. T-RCED-90-7. October 24, 1989. 12 pp. plus 1 attachment (2 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources
Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-47, October 23, 1989, Accession Number 139806; RCED-86-192, September 8, 1986, Accession Number 131121; and T-RCED-90-14, November 17, 1989, Accession Number 140025.

Contact: Resources, Community, and

Economic Development Division. Organization Concerned: Department of Energy; Department of Energy: Rocky Flats Nuclear Weapons Production Facility; Rockwell International Corp. Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee. Authority: Clean Water Act of 1977. Abstract: GAO reviewed the Department of Energy's (DOE) management of award fees to the contractor operating its Rocky Flats Plant. GAO found that: (1) despite significant environmental, safety, and health (ES&H) problems at the plant, the contractor scored well in semiannual performance evaluations and received \$26.8 million in award fees between fiscal years 1986 and 1988; (2) in its award fee process, DOE downplayed ES&H problems and placed more emphasis on production than on ES&H problems; (3) DOE headquarters did not review or approve the award fee evaluations; and (4) DOE began to implement improvements in its award fee process, including having all awards reviewed by DOE headquarters and requiring that evaluations weight ES&H matters by at least 51 percent.

139836

Civilian Agency Procurement: Improvements Needed in **Contracting and Contract** Administration, GGD-89-109; B-232888. September 5, 1989. Released October 27, 1989. 34 pp. plus 2 appendices (4 pp.). Report to Rep. John Conyers, Jr., Chairman, House Committee on Government Operations: Legislation and National Security Subcommittee; by L. Nye Stevens, Director, Government Business Operations Issues, General Government Division. Refers to various GAO reports on civilian agency contracting and contract administration.

Issue Area: Civil Procurement and Property Management: Assessing Whether Civilian Agencies Efficiently Acquire and Effectively Manage Support Services (4905).

Contact: General Government Division. Budget Function: Procurement - Other Than Defense (990.4).

Organization Concerned: Office of Federal Procurement Policy; Department of Education; Department of Energy; Department of Housing and Urban Development; Public Health Service: Centers for Disease Control; National Institutes of Health: National Institute of Environmental Health Sciences.

Congressional Relevance: House Committee on Government Operations: Legislation and National Security Subcommittee; Rep. John Conyers, Jr. . Abstract: Pursuant to a congressional request, GAO examined 87 contracts worth a total of about \$1.4 billion at the Departments of Education, Energy, Health and Human Services, and Housing and Urban Development, focusing on how well the agencies administered large contracts. Findings/Conclusions: GAO found that: (1) 16 of the contracts had planning or specifications deficiencies, which delayed delivery, increased costs, or resulted in incomplete deliveries; (2) the agencies use of cost-plus-fixed-fee contracts for 33 repetitive requirements was questionable, since that type of contract provided minimal performance and cost control incentives; (3) the agencies awarded nine contracts before they were ready to have the contractors commence performance; (4) eight contracts had defective work statements, specifications, or clauses; (5) contract administration deficiencies in 50 contracts increased contract costs, delayed contract completion, or circumvented internal control procedures in the contracting process; and (6) program offices hindered contractor performance on 27 contracts and exceeded their authority on 12 contracts by directing work beyond the original requirements, while contracting officers extended 10 service contracts and modified 21 contracts after their completion dates, resulting in improper sole-source procurements. Recommendation To Agencies: The Administrator, Office of Federal Procurement Policy (OFPP), should encourage civilian agencies to strengthen their contracting practices. Specifically, OFPP should work together with the heads of civilian agencies and initiate a concerted effort to improve civilian agency contracting and contract administration. Weaknesses that should be addressed by this effort include: (1) planning contracts; (2) writing specifications and statements of work; (3) repetitive requirements; (4) hindering contractor performance by failing to comply with contract terms; (5) exceeding authority when program officers direct contractors to do work not covered by the contract; (6) extending contract completion dates because of poor planning for replacement contracts; (7) modifying contracts that have expired; and (8) monitoring contracts and communication between program and contracting officers.

139842

Nuclear Health and Safety: Policy Implications of Funding DOE's K Reactor Cooling Tower Project. RCED-89-212; B-236604. September 27, 1989.

Released October 27, 1989. 8 pp. plus 5 appendices (10 pp.). Report to Sen. J. James Exon, Chairman, Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee; Rep. John M. Spratt, Jr., Chairman, House Committee on Armed Services: Department of Energy Defense Nuclear Facilities Panel; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy: Operations Center, Savannah River, SC.

Congressional Relevance: House Committee on Armed Services: Department of Energy Defense Nuclear Facilities Panel; Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee; Rep. John M. Spratt, Jr.; Sen. J. James Exon. Authority: Water Pollution Control Act Amendments of 1972 (Federal) (P.L. 92-500).

Abstract: Pursuant to a congressional request, GAO reviewed the construction of a cooling tower for the K-reactor at the Department of Energy (DOE) Savannah River Plant in South Carolina, focusing on the: (1) costs and benefits of the cooling tower compared to a potential alternative project that would protect similar wetlands with public access; and (2) policy implications of funding decisions for the project. Findings/Conclusions: GAO found that: (1) the cooling tower would prevent further destruction of cypress and tupelo

using cost-plus-fixed-fee contracts for

trees, protect areas for the endangered wood stork, reduce damage to fish, and maintain a more consistent flow into the Savannah River; (2) the tower would cost about \$127 million for construction and about \$1.2 million per year for operation, but would prevent damage to about 10 to 12 acres each year the reactor operated; (3) if DOE followed its current plans for reactor re-start in 1992 and retirement in 2000, 8 years usage would prevent damage to less than 100 acres, but another 630 acres of damaged streams and wetlands would begin natural recovery from the reactor's effects about 8 years sooner than they otherwise would; (4) alternative project costs would range from \$40 million to \$65 million and would preserve about 90,000 acres of the drainage basin of the Ashepoo, Combahee, and Edisto Rivers; and (5) Congress deferred funding decisions for the cooling tower because of doubts about the limited environmental benefits gained from such a large expenditure of federal funds, but potential compliance problems with the Clean Water Act, uncertainties about future supplies of tritium, and maintenance of the existing nuclear weapons stockpile would continue until DOE put a new production reactor into operation.

139853

Nuclear Science: Better Information Needed for Selection of New Production Reactor. RCED-89-206; B-231142. September 21, 1989. Released October 30, 1989. 10 pp. plus 6 appendices (28 pp.). Report to Rep. Vic Fazio; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-222, September 21, 1988, Accession Number 136971; T-RCED-89-46, May 24, 1989, Accession Number 138720; and RCED-90-73BR, February 2, 1990, Accession Number 140605.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0).

Organization Concerned: Department of Energy: Hanford Power Station; Nuclear Regulatory Commission; Washington Public Power Supply System; Department of Energy: Idaho National

Engineering Laboratory.

Congressional Relevance: Congress; Rep.

Authority: Environmental Policy Act of 1969 (National) (P.L. 91-190). Department

of Defense Authorization Act, 1989 (P.L. 100-456). P.L. 100-202.

Abstract: Pursuant to a congressional request, GAO provided information on the Department of Energy's (DOE) process for selecting a new production reactor for nuclear weapons materials, focusing on the adequacy of its August 1988 report to Congress, in which it recommended an acquisition strategy for new production reactor capacity. Findings/Conclusions: GAO found that DOE: (1) proposed to construct a heavywater reactor at one nuclear weapons site and a modular high-temperature, gas-cooled reactor at one of its engineering laboratories, at a total estimated cost of \$6.8 billion; (2) as a contingency, proposed to continue developing a light-water tritium target and acquire a 63-percent complete lightwater reactor at the DOE Hanford site; (3) did not present a clear schedule for reactor completion or actual tritium production; (4) assumed that its current reactors could reliably produce tritium for at least 10 years, although it later stopped those reactors due to operational reliability problems; (5) estimated that its proposed strategy could realize new production capacity in 10 years, but did not estimate time needed for testing, production, or extraction; (6) considered a total of 18 options involving various reactor technologies, but did not clearly indicate whether any of the technologies could produce the required amount of tritium; (7) did not consider such contingencies as safety review, environmental challenges, and construction delays in schedule estimates; (8) provided unrealistic cost estimates for some of its various production reactor strategies; and (9) has two different programs which are developing similar modular hightemperature, gas-cooled reactors.

139878

Nuclear Health and Safety: Information on Award Fees Paid at Selected DOE Facilities. RCED-90-60FS; B-232984. October 23, 1989. Released October 24, 1989. 12 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-47, October 23, 1989, Accession Number 139806; and T-RCED-90-14, November 17, 1989, Accession Number 140025.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Abstract: Pursuant to a congressional request, GAO provided information about the Department of Energy's (DOE) fiscal years 1987 and 1988 award fees to contractors at six facilities, focusing on the extent to which DOE considered environmental, safety, and health (ES&H) matters in evaluating contractors' performance and determining award fees.

Findings/Conclusions: GAO found that DOE: (1) rated the overall performance of five of the six contractors as very good or excellent, and the remaining contractor as marginal to satisfactory; (2) paid award fees ranging from \$1.4 million to nearly \$10 million to all six contractors, accounting for 46.5 percent to 89.0 percent of the total available award fees; (3) generally rated all contractors as satisfactory to excellent in regard to their ES&H performance, although it rated one contractor as marginal during one evaluation period; (4) assigned weights ranging from 0 percent to 50 percent to ES&H performance in the overall scoring process; and (5) did not consistently consider ES&H performance as a distinct performance factor.

139884

[Ability of Underground Petroleum Storage Tank Owners to Comply With Federal Financial Responsibility Requirements]. T-RCED-90-9. October 31, 1989. 14 pp. Testimony before the House Committee on Small Business: Antitrust, Impact of Deregulation and Privatization Subcommittee; by Peter F. Guerrero, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-39, January 15, 1988, Accession Number 134843.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency.

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Congressional Relevance: House Committee on Small Business: Antitrust, Impact of Deregulation and Privatization Subcommittee.

Authority: Superfund Amendments and

Reauthorization Act of 1986, Hazardous and Solid Waste Amendments of 1984. Abstract: GAO discussed the Environmental Protection Agency's (EPA) requirements for underground petroleum storage tank owners to demonstrate their financial responsibility. GAO noted that EPA: (1) was gradually phasing in its requirements for tank owners to demonstrate their financial ability to clean up tank leaks and compensate anyone harmed by leaks; (2) did not defer the financial responsibility requirements for larger firms, which it believed would not experience compliance difficulties, since they could self-insure or use state funds available for cleanups; (3) planned to make a decision about postponing smaller firms' 1990 compliance deadlines as they approached, since the small firms could still experience compliance difficulties; (4) expected to receive and approve some state requests to operate and enforce underground storage tank programs in lieu of the federal program; (5) reported that more insurance companies offered tank coverage and more states created funds to pay for tank leak damages since it enacted the deadlines; (6) assigned a low priority to enforcement of the financial responsibility requirements and advised its regional offices to pursue alternative, nonpunitive enforcement responses, as opposed to penalties, for those owners who did not comply with financial responsibility requirements: and (7) did not intend to actively check tank owners' compliance or penalize noncompliant firms unless they did not clean up tank leaks.

Recommendation To Agencies: The Administrator, EPA, should determine what regulatory course to follow by: (1) actively monitoring the cost and availability of tank insurance and other financial responsibility mechanisms as the 1990 deadlines approach; and (2) evaluating how noncompliance will affect tank owners' credit and supplies. The Administrator, EPA, should plan and implement a strategy to more actively enforce the financial responsibility requirements.

139914

Nuclear Health and Safety: Information on a Quality Assurance Problem at DOE's Savannah River Site. RCED-90-61FS; B-236604. October 23, 1989. Released October 24, 1989. 14 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to T-RCED-87-5, March 12, 1987, Accession Number 132383; and T-RCED-88-68, September 30, 1988, Accession Number 136949.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy: Savannah Nuclear Power Station; E.I. du Pont de Nemours and Co., Inc.; Westinghouse Savannah River Co.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Abstract: Pursuant to a congressional request, GAO provided information about the Department of Energy's (DOE) Savannah River Plant's material content problem with the nuclear reactor fuel and target tubes it used to make tritium, focusing on: (1) why some of the fuel and targets did not have the correct material content for reactor placement; (2) the material content problem's effects on reactor safety; (3) the costs to address the problem; and (4) implications for reactor restart.

Findings/Conclusions: GAO found that: (1) DOE had the former site operation contractor cease assembly of fuel and target tubes in September 1988, after the contractor reported that tube contents were too low; (2) the former contractor subsequently found that 174 tubes either did not meet content specifications or had inadequate documentation to determine whether they met specifications; (3) DOE did not plan to use the 174 problem tubes or an additional 101 tag-along tubes that were included in the problem tubes' assemblies: (4) the former contractor did not adequately ensure that tube assemblies met all of the specifications, independently verify the accuracy of comparisons between tubes' physical examinations and content documentation, or keep adequate tube retesting records; (5) DOE and the present contractor reported that no safety problems resulted from the tube problems, since the tubes' variation from

specifications was very small and well within established safety margins; (6) although the contractor estimated that it would cost \$731,000 to replace the defective tubes, it did not develop cost information regarding production overhead, staff time, or the closing of operations for the year it took to resolve the problem; (7) DOE reported that the tube problems would not affect the planned restart of the closed reactor; and (8) DOE approved a new quality assurance program the contractor developed to address the tube problem.

139918

Federal Electric Power: Information Concerning the Colorado River Storage Project. RCED-90-2FS; B-217826. October 3, 1989.

Released November 6, 1989. 38 pp. plus 6 appendices (11 pp.). Fact Sheet to Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (2760)

Organization Concerned: Bureau of Reclamation; Western Area Power Administration.

Congressional Relevance: House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; Rep. George Miller.

Authority: P.L. 84-485. 43 U.S.C. 620 et seq. Rural Electrification Act of 1936. Abstract: Pursuant to a congressional request, GAO provided information about the Colorado River Storage Project, a comprehensive federal water project designed to develop the Upper Colorado River Basin's water resources, focusing on: (1) investment costs and repayments; (2) power sales revenues; (3) power asset values; (4) wholesale power rates; and (5) the effects of its Central Utah Project's proposed modification of a planned power system to enable it to provide commercial power. Findings/Conclusions: GAO found that:

Findings/Conclusions: GAO found that: (1) the federal government expected to recover about \$1.8 billion of its \$2.5-billion project investment as of September 30, 1987; (2) the project had

repaid about \$630 million of the investment; (3) the federal government expected reimbursable investment costs to total about \$3.9 billion; (4) the project estimated that power customers would provide 80.6 percent of revenues, with municipal and industrial water customers and irrigators contributing most of the remaining revenues; (5) project revenues will pay for operating costs, interest, and the reimbursable investment costs; (6) power revenues averaged \$106 million annually between 1980 and 1987; (7) the book value of the project's power assets was \$741.8 million as of September 30, 1987; (8) the project's composite wholesale electric power rates have ranged from 6.15 to 9.92 mills per kilowatt-hour from 1980 to March 1989; (9) the proposed power system would cost about \$1.91 billion and provide about 18 megawatts of power for project-pumping purposes; (10) to pay for the proposed power system, the project would need to increase its wholesale electric power rates from 9.92 to 11.08 mills per kilowatt-hour; and (11) an alternative power system design, which would add about 60 megawatts of commercial power to the system and increase costs to \$1.957 billion, would increase the project's rate to between 10.66 and 11.34 mills per kilowatt-hour.

139934

[Improvements Needed in DOT's Hazardous Materials Rail Safety Program]. T-RCED-90-13. November 7, 1989. 11 pp. Testimony before the House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; by Kenneth M. Mead, Director, Transportation Issues, Resources, Community, and Economic Development Division. Refer to RCED-87-3, April 13, 1987, Accession Number 132655.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Federal Railroad Administration; Department of Transportation: Research and Special Programs Administration; Office of Technology Assessment.

Congressional Relevance: House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee.

Authority: Hazardous Materials Transportation Act. **49** C.F.R. 171.15. 49 C.F.R. 171.16. 49 C.F.R. 174.45. 49 C.F.R. 174.48.

Abstract: GAO discussed its work on rail transportation of hazardous materials, focusing on the: (1) Federal Railroad Administration's (FRA) Hazardous

Materials Inspection Program; and (2) Research and Special Programs Administration's (RSPA) Hazardous Materials Information System. GAO noted that FRA implementation of its inspection program has been hampered by: (1) inadequate guidance and excessive independence for program inspectors; (2) inappropriate targeting of inspection resources on railroad facilities instead of shipper facilities and on tank cars instead of on safety procedures; and (3) insufficient staff. GAO also noted that both it and the Office of Technology Assessment had criticized RSPA because: (1) while RSPA made some improvements, the data base on hazardous materials releases was inaccurate and incomplete; (2) RSPA should require shippers to submit reports on hazardous materials releases and should collect other data to ensure that all releases are reported; and (3) RSPA has not established a program to register hazardous materials shippers.

139954

[Energy Security and the World Oil Market]. T-RCED-90-12. November 8, 1989. 12 pp. plus 1 appendix (1 pp.). Testimony before the House Committee on Banking, Finance and Urban Affairs: Economic Stabilization Subcommittee; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-170, August 31, 1988, Accession Number 136691.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned: Energy
Information Administration;
Organization of Petroleum Exporting
Countries; International Energy Agency;
Department of Energy.

Congressional Relevance: House Committee on Banking, Finance and Urban Affairs: Economic Stabilization Subcommittee.

Authority: Defense Production Act of 1950. Energy Policy and Conservation Act

Abstract: GAO discussed the possible economic and other impacts of an oil supply disruption. GAO noted that: (1) a major oil supply disruption would severely impact the entire economy; (2) U.S. oil consumption and dependence on external oil sources have increased since 1985 after a significant decline and are now approaching 1976 levels; (3) world oil production outside of the Organization of Petroleum Exporting Countries is likely to remain stable or decline in the next decade; (4) U.S. daily production has decreased by about 1

million barrels since 1985; (5) the development of the Strategic Petroleum Reserve (SPR) has improved U.S. ability to respond to a supply disruption; (6) participation in international oil-sharing programs has also contributed to U.S. energy security; (7) various legislative authorities allow the President a broad variety of responses to a supply disruption, but Congress should expand current authorities to exempt oil industry executives from conflict-ofinterest requirements during a supply disruption and allow the President greater authority to draw on SPR; and (8) U.S. policy options for improving energy security include developing alternative fuel technologies, continuing to stockpile petroleum, adopting standby measures to avoid excessive reliance on SPR, and maintaining a stable economic and regulatory atmosphere to encourage investment in petroleum and alternative energy programs.

139994

[GAO's Views on DOE's Environmental Restoration and Waste Management Five-Year Plan]. T-RCED-90-16. November 14, 1989. 12 pp. Testimony before the Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs. Abstract: GAO discussed a Department of Energy (DOE) environmental restoration and waste management plan. GAO noted that: (1) DOE proposed a 5year plan to address problems regarding radioactive waste tank leakage. groundwater contamination, inactive waste sites, environmental law compliance, and DOE management oversight; (2) DOE estimated that its cleanup plan would cost about \$19.1 billion from 1991 through 1995; (3) the plan's cost estimates will probably increase over the next 5 years, given cleanup cost uncertainties; (4) the plan included new waste management technologies which could reduce future cleanup costs, although the technologies were years away from application; and (5) overall, DOE cleanup goals will require a strong, nationwide commitment over the next 30 years.

139997

Air Pollution: EPA's Efforts to Control Gasoline Vapors From Motor Vehicles. RCED-90-21; B-236358. October 6, 1989.

Released November 15, 1989. 38 pp. plus 1 appendix (1 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-151, August 7, 1987, Accession Number 133903.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:

Environmental Protection Agency.

Congressional Relevance: House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee; Congress; Rep. John D.
Dingell.

Authority: Clean Air Act. H.R. 3030 (101st Cong.). S. 1490 (101st Cong.). Abstract: Pursuant to a congressional request, GAO evaluated the Environmental Protection Agency's (EPA) efforts to control motor vehicle emissions of gasoline vapors, focusing on whether EPA: (1) could lower gasoline volatility immediately; and (2) adequately addressed concerns regarding the safety of onboard emissions controls and the feasibility of vapor recovery equipment for service station pumps. Findings/Conclusions: GAO found that: (1) in 1987, EPA proposed a two-stage reduction in gasoline volatility, with reductions to occur in 1989 and 1992; (2) EPA required lower volatility beginning in the summer of 1989, which should result in a 3-percent reduction in hydrocarbon emissions; (3) proposed legislation would require EPA to reduce the volatility standard to the planned level by 1992; (4) EPA still needs to determine whether it should further reduce the standard, whether refiners can meet the standard by 1992, and how it will treat ethanol fuels under the standard; (5) seven states adopted the more stringent standard beginning in 1989; (6) EPA believes that onboard controls will not degrade passenger safety, but federal transportation safety agencies disagreed, contending that onboard systems would increase the complexity of fuel systems and the

likelihood of vehicle fires and engine problems; and (7) while EPA believes that motor vehicle manufacturers could incorporate onboard controls within 2 years, the industry believes that it needs 4 years.

Recommendation To Congress: In considering the proposed amendments to the Clean Air Act, Congress may wish to consider directing EPA to continue efforts to resolve the safety concerns associated with onboard controls.

140018

Hazardous Waste: Contractors Should Be Accountable for Environmental Performance. RCED-90-23; B-232925. October 30, 1989.

Released November 17, 1989. 31 pp. plus 2 appendices (10 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. Ron Wyden, House Committee on Energy and Commerce; Rep. Thomas A. Luken, Chairman, House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, July 6, 1988. Accession Number 136310; and T-RCED-90-14, Nocember 17, 1989, Accession Number 140025.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:

Environmental Protection Agency; Department of Defense; Department of Energy.

Congressional Relevance: House
Committee on Energy and Commerce;
House Committee on Energy and
Commerce: Transportation and
Hazardous Materials Subcommittee;
House Committee on Energy and
Commerce: Oversight and Investigations
Subcommittee; Rep. Ron Wyden; Rep.
Thomas A. Luken; Rep. John D. Dingell.
Authority: Resource Conservation and
Recovery Act of 1976. Department of
Defense Authorization Act, 1986. H.R.
2597 (101st Cong.). H.R. 1056 (101st
Cong.). Federal Managers' Financial
Integrity Act of 1982.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) and the Department of Defense's (DOD): (1) payment of contractors' penalties and associated legal costs for noncompliance with the Resource Conservation and Recovery Act (RCRA); and (2) reductions of contractors' award fees when they failed to comply with environmental regulations.

Findings/Conclusions: GAO found that: (1) DOD generally held its contractors accountable for costs resulting from RCRA violations; (2) DOD limited its payment of contractors' fines and costs to cases where the contractors requested but did not receive compliance assistance from DOD; (3) DOE believed that it was responsible for shielding its contractors from virtually all financial risks and liabilities, and generally paid its contractors' costs associated with RCRA noncompliance; and (4) DOE did not pay contractors' costs in cases of criminal behavior by the contractor's top management. GAO also found that: (1) neither DOD nor DOE regulations or guidelines required consideration of contractors' environmental performance in award-fee determinations; (2) DOD and DOE both considered contractors' environmental performance to some extent in eight award-fee determinations GAO reviewed, with four of the determinations citing environmental performance as a distinct evaluation area; (3) DOD and DOE rated contractors' environmental performance as satisfactory or better in six of the eight determinations, although the contractors had been repeatedly cited for RCRA violations; and (4) contractors' entire award fees were withheld in the other two cases, primarily due to their poor environmental management. Recommendation To Agencies: To ensure that its contractors are held accountable for charged RCRA violations and resulting costs, the Secretary of Energy should, in consultation with appropriate congressional oversight committees, initiate a rulemaking to revise the current DOE policy and practice of paying for penalties, settlement agreements, and legal costs incurred by its contractors. Recognizing that there may be limited circumstances warranting such payment, the revised policy should include criteria that detail when such payments should or should not be allowed. To help maximize awardfee contractors' incentives to comply with environmental laws and regulations, the Secretaries of Defense and Energy should initiate a rulemaking to revise DOD and DOE regulations to

require all award-fee contracts to include environmental performance as a distinct evaluation area.

140025

{Contractors Should Be Accountable for Environmental Performance]. T-RCED-90-14. November 17, 1989. 13 pp. Testimony before the House Committee on **Energy and Commerce:** Transportation and Hazardous Materials Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-47, October 23, 1989, Accession Number 139806; T-RCED-90-7, October 24, 1989, Accession Number 139809; RCED-90-60FS, October 23, 1989, Accession Number 139878; and RCED-90-23, October 30, 1989, Accession Number 140018.

Contact: Resources, Community, and Economic Development Division. **Organization Concerned:** Department of Defense; Department of Energy. Congressional Relevance: House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee. .

Authority: Resource Conservation and Recovery Act of 1976. H.R. 2597 (101st

Abstract: GAO discussed Department of Energy (DOE) and Department of Defense (DOD) procedures and policies concerning: (1) their payment of contractor fines, settlement payments and legal costs incurred in noncompliance with environmental law; and (2) contractor award fee reductions for noncompliance with environmental regulations. GAO noted that: (1) with few exceptions, DOE paid contractor noncompliance fines and associated costs, while DOD held its contractors financially accountable for environmental violations; (2) DOD and DOE regulations did not require environmental compliance considerations in award fee determinations, although both agencies included environmental performance criteria to some degree; (3) DOE and DOD contractors charged with repeated violations still received satisfactory environmental performance ratings and the majority of the available award fees; and (4) proposed legislation would limit agencies' payment of contractors' noncompliance penalties and related costs, and include criteria for allowable agency payments.

140067

Federal Land Management: Chandler Lake Land Exchange Not in the Government's Best Interest. RCED-90-5; B-229232. October 6, 1989.

Released November 22, 1989. 35 pp. plus 6 appendices (72 pp.). Report to Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-179, September 29, 1988, Accession Number 136981; and RCED-87-9, February 5, 1987, Accession Number 132423.

Issue Area: Natural Resources Management: Effectiveness of Policies and Procedures for Determining Federal Land Ownership Patterns (6912). Contact: Resources, Community, and Economic Development Division. **Budget Function:** Natural Resources and Environment: Conservation and Land Management (302.0). Organization Concerned: Department of the Interior; Bureau of Land Management; National Park Service: Gates of the Arctic National Park, AK; Arctic Slope Regional Corp. Congressional Relevance: House Committee on Interior and Insular

Affairs: Water and Power Resources Subcommittee; Congress; Rep. George Miller. Authority: Alaska National Interest Lands Conservation Act (P.L. 96-487). Alaska Native Claims Settlement Act (P.L. 92-203). Barrow Gas Field Transfer Act of 1984. Land Policy and

Management Act. Environmental Policy Act of 1969 (National) (42 U.S.C. 4332). Abstract: Pursuant to a congressional request, GAO reviewed the Chandler Lake exchange, which gave the Department of the Interior surface rights to Alaskan native-owned lands and gave the Alaskan native corporations subsurface rights to land within the Arctic National Wildlife Refuge (ANWR) for petroleum exploration, focusing on whether the exchange was in the government's best interest.

Findings/Conclusions: GAO found that: (1) although the Chandler Lake exchange accomplished Interior objectives of consolidating federal lands and obtaining access to parklands in the national park, it was not in the government's best interest; (2) the exchange limited natives' use of allterrain vehicles (ATV) to easements along riverbeds, but they continued to

use ATV throughout the lands as before and increased ATV usage in park wilderness areas; (3) the exchange gave one native corporation the right to drill the only exploratory test well within ANWR and to retain exclusive rights to the test data, resulting in its superior position in assessing ANWR oil and gas potential; (4) without the test data, the federal government has a disadvantage in estimating the oil and gas value of the ANWR subsurface and in setting sale terms for possible future leases; (5) the exchange also allowed the natives to select the unspecified 23,040 acres without acquiring Interior's approval, and they chose an area that Interior now considers to hold the highest oil and gas potential within ANWR; (6) the exchange made inapplicable the revenue-sharing provisions of the Alaska Natives Claims Settlement Act, which would divide the revenues among the 12 Alaska regional corporations; and (7) Interior used its broad authority to avoid procedural requirements otherwise applicable to land exchanges, such as full public review, preparation of environmental impact statements, and disclosure of the fair market value of the land and interest exchanged. Recommendation To Congress: Congress should direct the Secretary of the Interior to develop and issue written procedures to execute land exchanges under the Alaska Native Claims Settlement and the Alaska National Interest Lands Conservation Acts. At a minimum, the procedures should require: (1) the preparation of environmental assessments or environmental impact statements, when

140071 Railroad Safety: DOT Should Better Manage Its Hazardous Materials Inspection Program. RCED-90-43; B-235877. November 17, 1989. Released November 22, 1989. 37 pp. plus 2 appendices (2 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-109, April 5, 1989, Accession Number 138511; and RCED-87-3, April 13, 1987,

appropriate; (2) full review by the public,

state, and local governments, and other

proposed exchange; (3) justification for

exchange is in the public interest; and

(4) establishment and disclosure of the

affected parties, of all aspects of the

determining whether a proposed

fair market value of the lands and

interests to be exchanged.

Accession Number 132655.

Issue Area: Transportation: Assessing FAA Management of Air Travel Safety (6618); Environmental Protection: Other Issue Area Work (6891). Contact: Resources, Community, and Economic Development Division. **Budget Function: Transportation:** Ground Transportation (401.0). Organization Concerned: Department of Transportation: Federal Railroad Administration; Department of Transportation: Research and Special Programs Administration. Congressional Relevance: House Committee on Energy and Commerce; Rep. John D. Dingell. Authority: Railroad Safety Act of 1970 (Federal) (P.L. 91-458; 84 Stat. 971). Hazardous Materials Transportation Act (P.L. 93-633; 88 Stat. 2156). 49 C.F.R. 171.2. 49 C.F.R. 171.15. 49 C.F.R. 171.16. 49 C.F.R. 174.45. 49 C.F.R. 174.48. Paperwork Reduction Act of 1980. Abstract: Pursuant to a congressional request, GAO evaluated the: (1) effectiveness of the Federal Railroad Administration's (FRA) hazardous materials inspection program; and (2) extent to which the Department of Transportation's (DOT) Research and Special Programs Administration (RSPA) improved its Hazardous Materials Information System (HMIS) and established a program to register hazardous materials shippers. Findings/Conclusions: GAO found that: (1) FRA inspectors' hazardous materials enforcement manual included outdated and contradictory inspection goals and guidance, did not describe ways for inspectors to identify and target highrisk shippers, and did not clearly delineate when inspectors should cite shippers and railroads for noncompliance or inspectors' authority to issue violations at shippers' facilities; (2) FRA did not use information available from its sources or HMIS to target inspection resources at high-risk shippers and railroad facilities; (3) FRA inspectors generally focused on inspecting individual cars carrying hazardous materials, rather than reviewing the adequacy of shippers' or railroads' safety procedures; (4) FRA lacked adequate staffing to accomplish its objective of ensuring that shippers and railroads complied with RSPA regulations; (5) FRA cited budget restrictions as the primary reason for not actively seeking to fill six position vacancies or adding more positions; (6) FRA has not sought statutory authority to certify state inspectors to participate in its hazardous materials inspection program, although some states have adopted federal standards and shown an interest in assisting FRA; (7) HMIS did

not include data about 23 of 96 railroad hazardous materials releases GAO reviewed; and (8) RSPA did not require shippers to submit reports of hazardous materials releases, require postinvestigation report updates, share accident and enforcement data with other agencies, or require major hazardous materials shippers to register. Recommendation To Agencies: The Secretary of Transportation should direct the Administrator, FRA, to update the enforcement manual to: (1) provide consistent guidance, including agencywide goals and objectives; and (2) clarify inspectors' authority to write violations at shipper facilities before rail cars are transferred to railroads for transportation. The Secretary of Transportation should direct the Administrator, FRA, to establish a new inspection approach that: (1) includes identifying high-risk shippers and railroads, and targets them for inspection; and (2) emphasizes concentrating on reviewing safety procedures and secondarily inspecting tank cars. The Secretary of Transportation should direct the Administrator, FRA, to initiate a study of the staffing needs for realistic program implementation, considering the changes in objectives and procedures developed as a result of the recommendations in this report. The Secretary of Transportation should direct the Administrator, FRA, to perform a comprehensive survey of states with railroad inspection programs to determine the degree of interest in allowing state inspectors to perform hazardous materials inspections. If so indicated by the results, DOT should request legislative changes that would authorize state participation in the federal hazardous materials inspection program. The Secretary of Transportation should direct the Administrator, RSPA, to improve the completeness of the hazardous materials incident reporting system by requiring that hazardous materials incident reports be submitted by all firms, such as shippers, involved with any aspect of transportation as defined in the Hazardous Materials Transportation Act. The Secretary of Transportation should direct the Administrator, RSPA, to improve the completeness of the hazardous materials incident reporting system by establishing a procedure to routinely compare HMIS data with similar data in other systems, such as FRA data on railroad accidents involving hazardous materials releases. This would: (1) improve the accuracy and completeness of HMIS data; and (2) identify nonreporters. Where

nonreporters are identified, appropriate enforcement action should be taken. The Secretary of Transportation should direct the Administrator, RSPA, to improve the completeness of the hazardous materials incident reporting system by requiring reporters of hazardous materials incidents to submit revised incident reports if significant changes occur in previously submitted reports. The Secretary of Transportation should direct the Administrator, RSPA. to follow through on a 1980 GAO recommendation to establish a mandatory registration program for hazardous materials shippers.

140079

Tennessee Valley Authority: Special Air Transportation Services Provided to Manager of Nuclear Power. GGD-89-117BR; B-231245.4. September 25, 1989.

Released November 27, 1989. 3 pp. plus 2 appendices (9 pp.). Briefing Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by L. Nye Stevens, Director, Government Business Operations Issues, General Government Division. Refer to RCED-89-137BR, May 17, 1989, Accession Number 138868.

Issue Area: Civil Procurement and Property Management: Assessing Whether Civilian Agencies Efficiently, Effectively, and Economically Acquire, Manage, and Dispose of Personal Property (4904).

Contact: General Government Division. Budget Function: General Government: General Property and Records Management (804.0).

Organization Concerned: Tennessee Valley Authority.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Internal Revenue Code (IRC). B-222334.4 (1989).

Abstract: Pursuant to a congressional request, GAO reviewed the Tennessee Valley Authority's (TVA) provision of special air transportation services to its manager of nuclear power.

Findings/Conclusions: GAO found that TVA: (1) contracted for the manager's services in January 1986, in response to growing concerns over and problems with its nuclear power program; (2) continued the contractual arrangement, since a June 1986 GAO determination that the contract exceeded statutory

ceilings on compensation was not legally binding: (3) reimbursed the manager for out-of-pocket expenses he incurred in commuting between his home in Charlottesville, Virginia, and his office in Chatanooga, Tennessee, until October 1987, when it amended the management services contract to provide air transportation services; (4) provided \$172,700 in air transportation services to the manager, including three trips with his wife, between October 2, 1987 and September 30, 1988; (5) provided the transportation through use of a contractor, agency, and commercial aircraft; (6) provided the transportation as an incentive after becoming concerned that the manager's absence from his residence would adversely affect his continued availability to TVA; and (7) did not routinely provide special air transportation services to its employees or contractor employees. GAO also found that: (1) only the Internal Revenue Service could determine whether the fair market value of the transportation services TVA provided should be considered taxable income; and (2) it did not know how the manager, his wife, or his personal services firm treated the services for federal income tax purposes.

140119

Coast Guard: Adequacy of Preparation and Response to Exxon Valdez Oil Spill. RCED-90-44; B-236137. October 30, 1989.

Released November 29, 1989. 7 pp. plus 2 appendices (13 pp.). Report to Rep. Walter B. Jones, Chairman, House Committee on Merchant Marine and Fisheries; Rep. Robert W. Davis, Ranking Minority Member, House Committee on Merchant Marine and Fisheries; Rep. W.J. (Billy) Tauzin, Chairman, House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee; Rep. Don Young, House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee: Sen. Frank R. Lautenberg, Chairman, Senate Committee on Appropriations: Transportation and Related Agencies Subcommittee; Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-89-59, August 10, 1989, Accession Number 139289; and RCED-90-83,

January 26, 1990, Accession Number 140533.

Issue Area: Transportation: Assessing How Effectively and Efficiently the Coast Guard Manages Its Diverse Missions (6623); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division. Budget Function: Transportation: Water Transportation (403.0).

Organization Concerned: Exxon Corp.; Alyeska Pipeline Service Co.; United States Coast Guard; Alaska.

Congressional Relevance: House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee; House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee; House Committee on Merchant Marine and Fisheries; House Committee on Merchant Marine and Fisheries: Senate Committee on Energy and Natural Resources; Senate Committee on Appropriations: Transportation and Related Agencies Subcommittee; Congress; Rep. George Miller; Rep. Don Young; Rep. W.J. (Billy) Tauzin; Rep. Robert W. Davis; Rep. Walter B. Jones: Sen. J. Bennett Johnston; Sen. Frank R. Lautenberg.

Authority: Clean Water Act of 1977. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. 40 C.F.R. 300.

Abstract: Pursuant to a congressional request, GAO: (1) evaluated the oil industry's and the federal government's preparedness for responding to a March 1989 spill of over 10 million gallons of crude oil in Prince William Sound, Alaska; and (2) examined industry and government measures that could prevent future spills.

Findings/Conclusions: GAO found that: (1) the firm operating the vessel targeted its oil spill response plan for spills that accounted for less than 1 percent of the amount spilled in March 1989; (2) equipment breakdowns and weather and water conditions hampered recovery efforts; (3) current recovery and response technology was not adequate for addressing such large spills as the March 1989 incident and had not significantly changed over the last 2 decades due to substantial cuts in federal funding for research and development; (4) although Alaska required the firm operating the vessel to have a spill response plan, other states did not require such plans; (5) the Coast

Guard believed that it had authority to monitor spill response and assume partial or total control over response, but lacked authority to ensure the adequacy of response plans before accidents occurred; (6) the federal and state governments widely varied in their use of such oil spill prevention methods as monitoring and directing ship movement, using harbor pilot or tug escort assistance, licensing, and industry training procedures; (7) over the past 20 years, there has been an average of 80 accidents a year involving about 900 tankers transporting other types of hazardous cargo; (8) funding sources for increased prevention efforts included direct industry funding, user fees, and direct appropriations; and (9) there was no single entity or leader responsible for developing, monitoring, or enforcing oil spill prevention and response methods. Recommendation To Congress: To help ensure that an effective course of action is developed for improving the nation's capabilities for preventing and responding to oil and other hazardous cargo spills, Congress may wish to consider legislation designating a single entity or leader for developing an action plan. Alternatives for filling this role include a federal agency, such as the Coast Guard, or commission comprised of representatives from industry, federal agencies, states, and other groups that play key roles in spill prevention and response. To help ensure that sufficient funds are available to support improved prevention and response capabilities. Congress may wish to consider establishing a fund, or modifying existing funds, to finance the improvements. Funding options include allowing direct industry funding, user fees such as a per-barrel tax on oil, direct appropriations, or a combination of those three options. Because the Coast Guard does not now believe that it has the necessary authority to ensure that adequate response preparations have been made, Congress may wish to consider providing the Coast Guard with explicit authority to carry out its role. Congress may also wish to consider allowing the Coast Guard to delegate this responsibility to states demonstrating an ability to effectively carry out this role.

140185

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of June 30, 1989. RCED-90-59; B-202377. December 12, 1989. 6 pp. plus 4 appendices (18 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and

Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-178, August 14, 1989, Accession Number 139315; RCED-89-66, February 6, 1989, Accession Number 138088; and RCED-89-148, May 22, 1989, Accession Number 138692.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation

Organization Concerned: Department of Energy: Department of Energy: Office of the Inspector General; Bechtel Systems Management, Inc.; AT&T Technologies, Inc.; Department of Energy: Sandia National Laboratory; TRW Environmental Safety Systems, Inc. Congressional Relevance: Senate Committee on Energy and Natural Resources; Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston. Authority: Nuclear Waste Policy Act of 1982. Nuclear Waste Policy Amendments Act of 1987. 42 U.S.C. 7216. Abstract: Pursuant to a congressional request, GAO provided its quarterly status report on the Department of Energy's (DOE) implementation of the Nuclear Waste Policy Act of 1982, focusing on: (1) changes in waste program contracting patterns since enactment of 1987 amendments: (2) the status of a legal challenge to the selection of the waste program's management and operating (M&O) contractor; and (3) concerns about DOE management of M&O contracts. Findings/Conclusions: GAO found that: (1) the number of active waste program contracts decreased from 203 to 80; (2) the cumulative costs for all nuclear waste program contracts totalled about \$1.9 billion, of which \$654 million was for Yucca Mountain Project contracts; (3) Yucca Mountain contract costs increased 67 percent, while other nuclear waste contract costs increased only 28 percent; (4) an unsuccessful bidder filed a preaward protest against the DOE M&O contract and the court granted a permanent injunction that restrained DOE from awarding a contract to any bidder other than the protester because DOE violated conflict-of-interest statutes; (5) DOE issued a report on its policy to indemnify its M&O contractors except for unallowable costs, losses resulting from willful misconduct, and fines on activities outside the scope of work; (6) one DOE contractor provided the most comprehensive indemnification of any M&O contractor, but its contract did not require that allowable costs be reasonable; and (7) DOE instituted a new procedure that required approval for all projects exceeding \$25 million to ensure compliance with new accountability and oversight guidelines.

140193

Nuclear Waste: DOE's Program to Prepare High-Level Radioactive Waste for Final Disposal. RCED-90-46FS; B-231294. November 9, 1989. Released December 14, 1989. 35 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Planning and Reporting, Resources, Community, and Economic Development Division. Refer to RCED-89-157, July 18, 1989, Accession Number 139211.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation

Organization Concerned: Department of Energy; Department of Energy: Idaho National Engineering Laboratory.

Congressional Relevance: House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; Rep. Michael
L. Synar.

Authority: West Valley Demonstration Project Act (P.L. 96-368).

Abstract: Pursuant to a congressional request, GAO provided information on the Department of Energy's (DOE) four high-level radioactive waste immobilization sites.

Findings/Conclusions: GAO found that: (1) the four sites stored an estimated total of 95 million gallons of waste in underground tanks; (2) DOE estimated \$13 billion in processing, immobilization and storage costs; (3) complete waste immobilization could take 2 to 17 years; (4) the Savannah River immobilization facility was 2 years behind the 1983 projected schedule, but current costs corresponded with 1984 cost estimates; (5) although the West Valley

immobilization project was 8 years behind its 1984 schedule, and the \$1.1billion cost estimate was almost double the 1984 estimate, a proposed 5-year plan could reduce costs by about \$890 million; (6) the estimated 2008 Hanford facility completion date was questionable, because waste immobilization needs were uncertain and defense activities were expected to end in the mid-1990s; (7) DOE had not yet determined the Idaho National Engineering Laboratory's (INEL) immobilization technology, since the facility was still in the early planning stages; and (8) because DOE will begin immobilization before a planned repository is completed, all the sites except INEL will initially store their waste on-site.

140234

Industrial Base: Adequacy of Information on the U.S. Defense Industrial Base. NSIAD-90-48; B-234482. November 15, 1989.

Released December 20, 1989. 3 pp. plus 4 appendices (14 pp.). Report to Rep. John Conyers, Jr., Chairman, House Committee on Government Operations: Legislation and National Security Subcommittee; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to PEMD-85-3, April 4, 1985, Accession Number 126862.

Issue Area: Research, Development, Acquisition, and Procurement: Other Issue Area Work (5791).

Contact: National Security and International Affairs Division.

Budget Function: National Defense: Defense-Related Activities (054.0).

Organization Concerned: Department of Defense; Department of Commerce; Federal Emergency Management Agency.

Congressional Relevance: House Committee on Government Operations: Legislation and National Security Subcommittee; Rep. John Conyers, Jr. . Authority: Paperwork Reduction Act of 1980, DOD F.A.R. Supp. 252.204-7005.

1980. DOD F.A.R. Supp. 252.204-7005. Defense Production Act of 1950. Executive Order 12656. Department of Defense Authorization Act, 1989.

Abstract: Pursuant to a congressional request, GAO reviewed the adequacy of official information on the U.S. defense industrial base.

Findings/Conclusions: GAO found that: (1) the Department of Defense (DOD) had no reliable system to identify foreign dependence for parts, components, and technologies essential to defense

production; (2) there was no coordinated system to increase federal policymakers' awareness of or access to defense industrial base data; (3) DOD and the Department of Commerce recently began using interim consultation procedures so that Commerce could provide input into DOD industrial base impact assessments; and (4) a 1986 Joint Logistics Commanders' report reviewed 13 DOD weapon systems and found dependencies on foreign sources for 8 of them, with severe problems for 6. GAO also found that the DOD approach to defense industrial base data collection and analysis provided information on general industry sectors and foreign dependencies through special studies, but was inefficient and of limited effectiveness because it did not: (1) provide adequate information on DOD subcontract awards to foreign sources; (2) facilitate the identification of acquisition strategies so that DOD would know which domestic sources to maintain for particular items; or (3) shorten the DOD decisionmaking process for acquiring weapon systems, subsystems, and components by facilitating market research, as a more systematic approach would.

140251

Nuclear Materials: Information on DOE's Replacement Tritium Facility. RCED-90-54; B-237571. November 22, 1989.

Released December 22, 1989. 6 pp. plus 1 appendix (1 pp.). Report to Sen. J. James Exon, Chairman, Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee; Sen. Sam Nunn, Chairman, Senate Committee on Armed Services; by Keith O. Fultz, Director, Planning and Reporting, Resources, Community, and Economic Development Division.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0).

Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy. Congressional Relevance: Senate

Congressional Relevance: Senate
Committee on Armed Services: Strategic
Forces and Nuclear Deterrence
Subcommittee; Senate Committee on
Armed Services; Sen. J. James Exon;
Sen. Sam Nunn.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) plans to complete and operate its replacement tritium facility,

focusing on: (1) how the facility would correct the present facility's shortcomings; and (2) why estimated costs for construction and start-up have greatly increased since the project began in 1986.

Findings/Conclusions: GAO found that: (1) the new facility will increase workload capacity, provide greater resistance to natural hazards and sabotage, and greatly reduce tritium releases; (2) construction costs increased by 20 percent, from \$120 million to \$144 million, and start-up costs increased by 350 percent, from \$17 million to \$62 million; (3) DOE attributed the construction cost increases to greater DOE quality assurance, fire protection, and security requirements, underestimated design and construction costs, and increases in the cost of such materials as stainless steel; and (4) DOE attributed the increased start-up costs to more stringent safety standards and corrections of errors it made in earlier estimates due to inexperience in making estimates for such a unique facility.

140325

Uranium Enrichment: U.S. Imports of Soviet Enriched Uranium. RCED-90-70BR; B-237747. December 8, 1989.

Released January 8, 1990. 12 pp. plus 1 appendix (1 pp.). *Briefing Report* to Rep. Marilyn Lloyd; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy
Information, Policy, and Regulation

Organization Concerned: Union of Soviet Socialist Republics; Department of Energy; Nuclear Regulatory Commission; Energy Information Administration.

Congressional Relevance: Rep. Marilyn Lloyd.

Authority: Comprehensive Anti-Apartheid Act of 1986.

Abstract: GAO reviewed U.S. utilities' use of Soviet uranium ore and enriched uranium, focusing on: (1) uranium imported into the United States; (2) whether utilities engaged in flagswapping or other practices to conceal enriched uranium purchases; (3) the Soviet Union's enriched uranium trade policy and practices; (4) U.S. uranium import requirements; and (5) reasons that utilities give for cancelling

Department of Energy (DOE) uranium enrichment contracts.

Findings/Conclusions: GAO found that: (1) since 1986, the United States has directly imported only small amounts of Soviet enriched uranium and no Soviet uranium ore; (2) increased Soviet sales to the European market have impacted the U.S. market through lowered prices and an estimated \$260 million in lost sales since 1986; (3) there was no indication that U.S. utilities had engaged in flagswapping or other activities to conceal enriched uranium purchases; (4) the Soviet Union did not publicize its uranium trade policies, but indicated a willingness to increase uranium sales to Western countries; (5) the Nuclear Regulatory Commission (NRC) stated that the Soviet Union requires only Finland and Eastern Bloc countries to return spent nuclear fuel; (6) any nuclear utility can import enriched uranium without a license after filing a report with DOE and NRC; and (7) U.S. utilities cited cheaper and more abundant uranium supplies, requirements to obtain the best available prices, and declining confidence in DOE enrichment capabilities as reasons for terminating DOE contracts.

140369

Nuclear Waste: Storage Issues at DOE's Waste Isolation Pilot Plant in New Mexico. RCED-90-1; B-202377. December 8, 1989.

Released January 12, 1990. 47 pp. plus 2 appendices (9 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-63, September 13, 1988, Accession Number 136759; and T-RCED-89-50, June 12, 1989, Accession Number 138838.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy (270.0).

Organization Concerned: Department of Energy; Environmental Protection Agency; Department of the Interior; National Academy of Sciences.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Congress; Rep. Michael L. Synar. Authority: Energy Reorganization Act of 1974. Department of Energy, National Security and Military Applications of Nuclear Energy Authorization Act, 1980 (P.L. 96-164). Resource Conservation and Recovery Act of 1976. Land Policy and Management Act. 40 C.F.R. 191. Nuclear Waste Policy Act of 1982. P.L. 100-203. B-221801.3 (1989). Safe Drinking Water Act.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) 5-year program for demonstrating its Waste Isolation Pilot Plant's (WIPP) capacity for safe disposal of transuranic (TRU) wastes produced by DOE atomic energy defense activities. Findings/Conclusions: GAO found that: (1) DOE established the 5-year test program to help determine WIPP compliance with 1985 Environmental Protection Agency (EPA) standards by conducting experiments involving brine seepage, gas generation, and other technical issues; (2) pursuant to a court order. EPA planned to issue revised standards in 1991; (3) DOE also planned to demonstrate safe waste handling, transport, and storage operations by storing 18,300 drums over 3 years, beginning in 1990; (4) DOE would have to remove or rehandle wastes it stored under the demonstration program if it determined that WIPP did not meet compliance standards; (5) the National Academy of Sciences (NAS) recommended that DOE address such issues as waste disposition contingencies, merits of early storage, noncompliance risks, and technical justification for experiments, before starting the demonstration program; (6) early waste storage at WIPP would enable DOE to begin removing wastes from its aging defense facilities, most of which had limited storage space; (7) two states opposed additional storage at their defense facilities and sought prompt removal of existing wastes; (8) although DOE had not issued its test plan in final form, NAS agreed that the proposed experiments on gas generation should begin without delay; and (9) DOE was seeking legislation to permanently withdraw the WIPP site from public use and authorize waste storage. Recommendation To Congress: If DOE adopts the GAO recommendations. Congress should consider the material that DOE provides in deciding on the future of WIPP. If DOE does not accept the recommendations, Congress may wish to require DOE to provide it with such material. Congress may wish to include a provision in land withdrawal legislation that would specify the amount of TRU wastes DOE can store in WIPP before determining that the

facility complies with EPA disposal standards. Congress may wish to make permanent land withdrawal conditional upon a positive determination of compliance.

Recommendation To Agencies: To ensure that Congress has relevant information to decide on the DOE request for authority to store TRU wastes in WIPP for demonstration purposes, the Secretary of Energy should analyze and report to Congress on the technical justification for storing TRU wastes in WIPP, and the quantity of such wastes, in advance of determining if the facility can be used as a repository. To ensure that Congress has relevant information to decide on the DOE request for authority to store TRU wastes in WIPP for demonstration purposes, the Secretary of Energy should analyze and report to Congress on contingency plans for the disposition of any TRU waste stored in WIPP in the event that DOE eventually determines that the facility, as currently designed, does not meet EPA disposal standards. To ensure that Congress has relevant information to decide on the DOE request for authority to store TRU wastes in WIPP for demonstration purposes, the Secretary of Energy should analyze and report to Congress on options for continued temporary storage of TRU waste at other DOE defense facilities while DOE is completing its assessment of WIPP compliance with EPA standards.

140445

Air Pollution: Improved Atmospheric Model Should Help Focus Acid Rain Debate. RCED-90-14; B-226428. November 3, 1989. Released January 25, 1990. 44 pp. plus 3 appendices (4 pp.). Report to Ben. John

appendices (4 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-81-131, September 11, 1981, Accession Number 116306; RCED-85-13, December 11, 1984, Accession Number 125835; RCED-86-7, December 17, 1985, Accession Number 129175; RCED-87-89, April 29, 1987, Accession Number 133051; and RCED-88-32, December 7, 1987, Accession Number 134872.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency; Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Acid Precipitation Act of 1980. Energy Security Act (P.L. 96-294). Clean Air Act.

Abstract: Pursuant to a congressional request, GAO reviewed the National Acid Precipitation Assessment Program's (NAPAP) progress in developing, applying, and evaluating the Regional Acid Deposition Model (RADM).

Findings/Conclusions: GAO found that: (1) although NAPAP completed RADM developmental work 2 years beyond its original target date, the delay did not affect the final assessment, since other portions of the assessment were incomplete and the project became more complicated than initially envisioned; (2) a disagreement between the Environmental Protection Agency (EPA) and the Department of Energy (DOE) over the extent to which the utility industry would adopt clean coal technologies delayed agreement on the emissions projections needed as input for future emissions analyses, resulting in a 10-week delay in the RADM applications schedule; (3) NAPAP officials planned to incorporate RADM-assisted analyses in their assessment, since the model had already undergone significant testing and showed major improvements for regional modelling; (4) unlike earlier models, RADM accounted for such atmospheric complexities as chemical conversion of sulphur and nitrogen dioxides to acidic compounds; (5) RADM should estimate with greater accuracy than previous models the changes in acidic deposition resulting from various levels of emissions reductions; (6) because RADM should depict interactions among different atmospheric pollutants, it should assist policymakers in deciding whether and where to concentrate controls and in avoiding inadvertently worsening one pollution problem while trying to control another; and (7) although the EPA-DOE impasse over future emission estimates caused uncertainty over the inclusion of these studies in the assessment, current congressional proposals to control acidic deposition could proceed without the assessment without risking excessive or unnecessary control actions.

140514

Naval Petroleum Reserve No. 1: Work Still Needed to Improve Accuracy of Reserve Estimates. RCED-90-16; B-237661. December 13, 1989.

Released February 1, 1990. 34 pp. plus 2 appendices (6 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-84-180, July 30, 1984, Accession Number 124961; RCED-87-105BR, March 24, 1987, Accession Number 132664; RCED-88-174, June 28, 1988, Accession Number 136200; and RCED-88-151, August 25, 1988, Accession Number 136934.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency

Energy Preparedness

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EPA Federal Underground Injection Control Reporting System Drinking Water: Safeguards Are Not Preventing Contamination From Injected Oil and Gas Wastes (Report) 139245

EPA Hazard Ranking System Nuclear Waste: Unresolved Issues

Nuclear Waste: Unresolved Issues Concerning Hanford's Waste Management Practices (Report) 131661

Nuclear Waste: Problems Associated With DOE's Inactive Waste Sites (Report) 136767

EPA Lead Phasedown Program

Petroleum Products: Effects of Imports on U.S. Oil Refineries and U.S. Energy Security (Report) 129798

EPA Lead Rights Banking Program Vehicle Emissions: EPA Program To Assist Leaded-Gasoline Producers Needs Prompt Improvement (Report)

EPA National Acid Precipitation Assessment Program

131105

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Nuclear Nonproliferation: Better Controls Needed Over Weapons-Related Information and Technology (Report) 139135

Usefulness of Space Power Research to Ground-Based Nuclear Reactor Systems (*Testimony*) 139666

Perspectives on the Potential of Clean Coal Technologies to Reduce Emissions From Coal-Fired Power Plants (Testimony) 139779

Coast Guard: Adequacy of Preparation and Response to Exxon Valdez Oil Spill (Report) 140119

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Temporary employment

Mineral Revenues: Options to Accelerate Royalty Payment Audits Need Further Consideration (Report) 139027 amount of recoverable reserves BLM should count to establish the leases' coal production requirements; (2) the firm and its parent company appealed the BLM determination, hoping to reduce it to a level that would ensure compliance; (3) the BLM proposal contained an alternative to improve the likelihood of compliance; (4) since the firm did not request that BLM act on its proposal, BLM took no action; and (5) the firm and its parent company have appealed the determination.

134123

Oil Reserves: An Analysis of Costs-Past, Present, and Future. RCED-87-204FS; B-208196. September 29, 1987. Released October 13, 1987. 19 pp. plus 2 appendices (2 pp.). Fact Sheet to Sen. Ted Stevens; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-83-135, May 29, 1983, Accession Number 121413; RCED-85-80, June 5, 1985, Accession Number 127146; RCED-87-145BR, May 21, 1987, Accession Number 133121; and NSIAD-89-42, February 6, 1989, Accession Number 137967.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Sen. Ted Stevens

Authority: Energy Policy and Conservation Act (P.L. 94-163). Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509). H.R. 2712 (100th Cong.).

Abstract: Pursuant to a congressional request, GAO investigated the cost of the Strategic Petroleum Reserve (SPR). Findings/Conclusions: GAO found that: (1) the total estimated cost of developing

(1) the total estimated cost of developing and filling SPR through fiscal year 1987 was \$18 billion, with an average perbarrel cost of \$33.74; (2) the estimated cumulative incremental cost per barrel for oil-fill activities was \$23.00 for 1988 through 1992, \$25.85 for 1988 through 1997, and \$25.85 for 1988 through 2002; and (3) there was little agreement on what the market price of crude oil would be under conditions which might lead to an SPR drawdown.

134126

[Protest Against Bonneville Power Administration Solicitation for Transmission Line Construction]. B-227811. October 8, 1987. 7 pp. Decision re: International Line Builders; by James F. Hinchman, General Counsel.

Contact: Office of the General Counsel. Organization Concerned: International Line Builders; Power City Construction; Bonneville Power Administration.

Authority: Competition in Contracting Act of 1984 (31 U.S.C. 3551 et seq.). Bonneville Dam Act (16 U.S.C. 832). Columbia River Transmission System Act (16 U.S.C. 838 et seq.). Pacific Northwest Electric Power Planning and Conservation Act. Property and Administrative Services Act (40 U.S.C. 472 et seq.). Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.). Small Business Act. 46 Comp. Gen. 349. 64 Comp. Gen. 756. 60 Comp. Gen. 104. B-114858 (1976). 42 U.S.C. 7131 et seq.

Abstract: A firm protested the Bonneville Power Administration's (BPA) use of allegedly improper prequalification procedures under a solicitation for transmission line construction, contending that the procedures: (1) unduly restricted competition; and (2) denied its right as a small business to protect against a negative responsibility determination. BPA contended that GAO did not have jurisdiction to decide the protest. GAO held that BPA: (1) was a federal agency subject to its bid protest jurisdiction under the Competition in Contracting Act; (2) reasonably determined that the protester did not have the capability or experience to perform the contract; and (3) properly decided not to refer nonresponsibility determinations to the Small Business Administration, since the procurement was critical. Accordingly, the protest was denied.

134134

Alternative Fuels: Information on DOE's Methanol Vehicle
Demonstration Program. RCED-88-38BR; B-226783. October 7, 1987. 15
pp. plus 1 appendix (1 p.). Briefing
Report to Rep. Philip R. Sharp,
Chairman, House Committee on
Energy and Commerce: Energy and
Power Subcommittee; by Flora H.
Milans, Associate Director,
Resources, Community, and
Economic Development Division.
Refer to RCED-87-91, May 22, 1987,
Accession Number 133278.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Department of Defense.

Congressional Relevance: House
Committee on Energy and Commerce:
Energy and Power Subcommittee; Rep.

Philip R. Sharp.

Abstract: Pursuant to a congressional request, GAO examined the status of the Department of Energy's (DOE) Methanol Vehicle Demonstration Program, focusing on: (1) reasons why other federal agencies have not participated in the program; (2) DOE experience in acquiring and operating demonstration fleets; (3) coordination between the DOE and Department of Defense (DOD) programs; and (4) a recent initiative to acquire flexible-fueled vehicles which could operate on gasoline, methanol, or a combination of both fuels.

Findings/Conclusions: GAO found that: (1) other federal agencies have not participated in the DOE program because of vehicle requirements, concerns about methanol reliability and availability, and data collection requirements; (2) although DOE gained experience in operating methanol-fueled vehicles, its demonstration fleets contributed little to increasing the federal and commercial use of methanol fuel and vehicles; (3) DOE and DOD exchange monthly reports on program status and maintain informal contact; and (4) DOE will probably provide technical assistance and advice to a government initiative to procure 5,000 flexible-fueled vehicles.

134176

Mineral Revenues: Interior's Control Over Oil and Gas Allowances. RCED-87-207BR; B-228947. September 17, 1987. Released October 19, 1987. 26 pp. plus 1 appendix (1 p.). Briefing Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by Robert W. Wilson, (for James Duffus III, Associate Director), Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Effectiveness of Interior's Oversight of Federal Minerals Revenues (6907). should direct the Assistant Secretary for Defense Programs to: (1) determine whether work under task 2.2a should be continued, considering what other services are available to DOE and the appropriations for the work; and (2) if there is a need for the work and it is appropriate, ensure that all efforts under the task are in accordance with applicable DOE regulations and FAR governing inspection and acceptance of work products; approvals, authorizations, and documentation for payments requested; and supervision of contractor personnel.

134218

[Key Elements of Effective Independent Oversight of DOE's Nuclear Facilities]. T-RCED-88-6. October 22, 1987. 14 pp. Testimony before the Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-30, March 31, 1988, Accession Number 135455; EMD-81-108, August 4, 1981, Accession Number 115979; and RCED-86-175, June 16, 1986, Accession Number 130260.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee.

Authority: S. 1085 (100th Cong.). Abstract: GAO discussed the proposed Nuclear Protections and Safety Act of 1987, specifically the establishment of a Nuclear Safety Board to oversee the Department of Energy's (DOE) nuclear facilities. GAO noted that the proposal addressed five key elements it considered essential, specifically: (1) independent oversight; (2) technical expertise; (3) ability to perform reviews of DOE facilities as needed; (4) authority to require DOE to address the board's findings and recommendations; and (5) a system to provide public access to the board's findings and recommendations. GAO also noted that the legislation should clarify the: (1) board's review function as a specific responsibility; and (2) frequency with which the board will evaluate the implementation of DOE health and safety standards.

134247

Nuclear Health and Safety: Radiation Exposures for Some Cloud-Sampling Personnel Need To Be Reexamined. RCED-87-134; B-222195. September 29, 1987. Released October 28, 1987. 49 pp. plus 7 appendices (35 pp.). Report to Sen. Alan Cranston, Chairman, Senate Committee on Veterans' Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-15, November 8, 1985, Accession Number 128548.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** National Defense: Defense-Related Activities (054.0): Veterans Benefits and Services: Other Veterans Benefits and Services (705.0). Organization Concerned: Department of Defense; Defense Nuclear Agency. Congressional Relevance: House Committee on Appropriations: Defense Subcommittee: House Committee on Armed Services; Senate Committee on Appropriations: Defense Subcommittee: Senate Committee on Armed Services; Senate Committee on Veterans' Affairs; Sen. Alan Cranston.

Authority: Veterans' Dioxin and Radiation Exposure Compensation Standards Act (P.L. 98-542).

Abstract: In response to a congressional request, GAO examined the Department of Defense's (DOD) atmospheric nuclear weapons testing program to determine: (1) how many military personnel participated in the cloud-sampling work between 1952 and 1962 during operations Tumbler-Snapper, Redwing, and Dominic 1; and (2) the extent of their exposure to radiation.

Findings/Conclusions: GAO found that: (1) approximately 300 Air Force personnel took part in the sampling; (2) the amount of radiation personnel received was questionable due to inadequate information; (3) at two of the test sites, ground personnel failed to wear protective breathing devices when working around the aircraft used for the sampling; and (4) the records gathered at two of the sites had high error rates. GAO also found that: (1) the methods used to measure internal exposure to radiation were inadequate, since only one urine test was performed within a 24-hour period: (2) the monitoring devices installed in the cockpits showed a higher level of exposure than the devices the crews wore; and (3) individual records kept at one of the test sites showed a 6-percent error rate.

Recommendation To Agencies: The Secretary of Defense should direct the Defense Nuclear Agency (DNA) to correct the GAO-identified errors in the film badge exposure records of cloudsampling personnel participating in operations Redwing and Dominic 1 and, given the frequency of such errors identified, review for similar errors the film badge exposure record of each Air Force individual who participated in any of the other atmospheric nuclear weapons tests. The Secretary of Defense should direct DNA to use integron readings in conjunction with film badge readings to better define the radiation dose received by cloud-sampling personnel for all atmospheric nuclear weapons tests, including operations Redwing and Dominic 1.

134250

(276.0).

Federal Electric Power: Western Area Power Administration's Tracy/Livermore Transmission Project. RCED-88-19; B-229083. October 27, 1987. 4 pp. plus 4 appendices (14 pp.). Report to Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-89-43, December 6, 1988, Accession Number 137665.

Issue Area: Energy: Effectiveness of Government in Fulfilling Its Role of Ensuring That an Adequate and Reliable Power Supply Is Provided by the Electric Utility Industry (6403).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation

Organization Concerned: Western Area Power Administration; Pacific Gas and Electric Co.; Department of Energy: Lawrence Livermore National Laboratory.

Congressional Relevance: House
Committee on Interior and Insular
Affairs: Water and Power Resources
Subcommittee; Rep. George Miller.
Abstract: Pursuant to a congressional
request, GAO reviewed the Western
Area Power Administration's (WAPA)
construction of an independent electric
power transmission line to the
Department of Energy's (DOE) Lawrence
Livermore National Laboratory and
addressed an electric utility's concerns
over the project's propriety.

to write off its unproductive assets. which would leave about \$3.4 billion in unrecovered costs; (3) price flexibility would allow DOE to balance cost recovery objectives with other program objectives; (4) DOE lowered its production levels to meet the objectives even though the continued low production would cost more than \$80 million over the next few years; and (5) DOE proposed to restructure the program as a federal corporation to increase competition, free it from budget restrictions, and permit flexible pricing. Recommendation To Congress: In order to place the enrichment program on firm financial footing, Congress should enact legislation to define a reasonable amount of costs the program needs to recover. In defining the amount of costs to be recovered, Congress should allow the write-off of unproductive assets and consider freezing total interest charges. In order to place the enrichment program on firm financial footing. Congress should enact legislation to provide the enrichment program with sufficient budget and management flexibility to ensure that optimum production schedules are followed and long-term customer commitments are not compromised. In order to place the enrichment program on firm financial footing. Congress should enact legislation to allow DOE sufficient flexibility in setting its pricing strategy to allow it to meet market competition. In order to place the enrichment program on firm financial footing. Congress should enact legislation to require that DOE include future decontamination and decommissioning costs in its base of costs to be recovered.

134362

Synthetic Fuels: Status of the Great Plains Coal Gasification Project. RCED-88-53FS; B-207876. November 10, 1987. 22 pp. plus 1 appendix (1 p.). Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-49FS, November 8, 1985, Accession Number 128559; RCED-86-109FS, February 28, 1986, Accession Number 129305; RCED-86-190FS, July 3, 1986, Accession Number 130305; RCED-87-90FS, February 27, 1987, Accession Number 132273; and RCED-89-153, July 14, 1989, Accession Number 139103.

Issue Area: Energy: Assessing Whether the DOE R&D Program Will Result in Developing Needed Alternative Energy Technologies To Meet Future Energy Demand (6410).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy
Supply (271.0).

Organization Concerned: Department of Energy; ANG Coal Gasification Co.; Great Plains Gasification Associates; North Dakota.

Congressional Relevance: *House* Committee on Energy and Commerce: Energy and Power Subcommittee; *Rep.* Philip R. Sharp.

Authority: Resource Conservation and Recovery Act of 1976.

Abstract: Pursuant to a congressional request, GAO provided information on the Great Plains Coal Gasification Project, focusing on: (1) relevant litigation and appeals; (2) plant operating levels; (3) operating agreements; (4) project audits; and (5) plans to sell the project.

Findings/Conclusions: GAO found that: (1) the Department of Energy (DOE) continued to operate the project following the default of the project's partnership; (2) DOE renewed its agreement with the plant operator for a 6-month period beginning October 1, 1987; (3) gas production averaged about 104.8 percent of the plant's design capacity rating; and (4) plant employees have expressed concern over the possible sale of the plant. GAO also found that: (1) North Dakota did not issue an operating permit because sulfur emissions were above allowable limits; (2) the state did issue a permit for the project's solid waste disposal facilities; and (3) DOE and the plant operators are studying ways to reduce sulfur emissions and produce and sell plant by-products. In addition, GAO found that: (1) plant operating costs remained relatively stable while gas prices generally increased; (2) the project had a cash balance of \$109.5 million as of September 1, 1987; (3) its financial statements presented fairly the project's financial position, subject to future determination of the project's true market value and the outcome of ongoing litigation and disputes; and (4) DOE is proceeding with plans to sell the

134393

plant.

[Decision Concerning Foreign Countries' Claims for Reimbursement for Fuel and Support Services to Navy Vessels]. B-225673, B-224905, B-180569. November 6, 1987. 6 pp. Decision re: British, Dutch, and Italian Claims for Fuel and Services for U.S. Navy Vessels; by Milton J. Socolar, (for Charles A. Bowsher, Comptroller General).

Contact: Office of the General Counsel.
Organization Concerned: United
Kingdom of Great Britain and Northern
Ireland; Kingdom of the Netherlands;
Italian Republic; Department of the
Navy.

Authority: Meritorious Claims Act (31 U.S.C. 3702(b)(1)). 31 Comp. Gen. 340. 62 Comp. Gen. 187. 42 Comp. Gen. 622. 64 Comp. Gen. 155. P.L. 85-804. B-152388 (1964). B-212529 (1984). 50 U.S.C. 1431 et seq.

Abstract: The Navy requested a decision concerning foreign governments' claims for reimbursement for fuel and support services to naval vessels. GAO held that: (1) since the United Kingdom and Italy established the validity of their claims, they were entitled to reimbursement; and (2) it would not consider the Netherlands' claim, since it did not receive the claim within 6 years of the date of first accrual. GAO noted that since the claim involved matters of national security, the Navy should seek administrative relief for the Netherlands under appropriate legal provisions. Accordingly, two claims were sustained and the other denied.

134430

Federal Land Management: Limited Action Taken To Reclaim Hardrock Mine Sites. RCED-88-21; B-222092. October 21, 1987.

Released November 17, 1987. 6 pp. plus 2 appendices (24 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-48, March 27, 1986, Accession Number 129435.

Issue Area: Natural Resources Management: Effectiveness of Policies and Procedures for Determining Federal Land Ownership Patterns (6912); Natural Resources Management: Other Issue Area Work (6991).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Bureau of Land Management.

Organization Concerned: Department of Energy; Washington; Yakima Indian Nation.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). Safe Drinking Water Act. 10 C.F.R. 961. S. 1668 (100th Cong.). H.R. 2967 (100th Cong.). H.R. 2888 (100th Cong.). H.R. 2700 (100th Cong.).

Abstract: In response to a congressional, GAO presented its quarterly report on the status of the Department of Energy's (DOE) nuclear waste program.

Findings/Conclusions: GAO found that: (1) DOE revised the release dates for its draft site characterization plans for each proposed first repository site to allow the affected states and Indian tribes to present their concerns; (2) DOE set back the date for starting exploratory drilling at the Hanford site because it needed to obtain drilling permits from the state; (3) because Congress did not act on the DOE request to delay work for a second repository, work on the second repository will resume; (4) Congress held hearings on several bills aimed at redirecting or significantly changing the nuclear waste management program; (5) the Nuclear Waste Fund received about \$140 million in fees and investment income, of which DOE obligated about \$72 million for program activities; and (6) the fund balance as of September 30, 1987, was about \$1.5 billion.

134512

{Protest of DOE Prime Contractor Award of Subcontract for Removal of Mill Tailings}. B-228028. November 23, 1987. 4 pp. Decision re: American Nuclear Corp.; by Robert M. Strong, Deputy Associate General Counsel, Office of the General Counsel. Refer to HRD-89-27FS, February 24, 1989, Accession Number 138091.

Contact: Office of the General Counsel.
Organization Concerned: M.K. Ferguson
Co.; American Nuclear Corp.; Umetco
Minerals Corp.; Department of Energy.
Authority: Uranium Mill Tailings
Radiation Control Act of 1978 (42 U.S.C.
7901 et seq.). Competition in Contracting
Act of 1984 (31 U.S.C. 3551(1)). 4 C.F.R.
21.3(f)(10). 65 Comp. Gen. 683. F.A.R.
15.5. F.A.R. 33.103(a). F.A.R. 15.508(a). B227091 (1987). B-225756 (1987). B-219108.2
(1985). B-224607 (1987). B-194119 (1979).

Abstract: A firm protested a Department of Energy (DOE) prime contractor's subcontract award for the removal of mill tailings. GAO held that the prime

contractor did not award the subcontract by or for the government, since DOE did not own the site where the work was required. Accordingly, the protest was dismissed.

134527

Oil Reserve: DOE's Management of the Strategic Petroleum Reserve. RCED-87-171BR; B-208196. July 17, 1987.

Released December 1, 1987. 52 pp. plus 1 appendix (1 p.). Briefing Report to Rep. Jack Brooks, Chairman, House Committee on Government Operations; Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-87-72, March 10, 1987, Accession Number 132645; and RCED-87-145BR, May 21, 1987, Accession Number 133121.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; House Committee on Government Operations; Rep. Michael L. Synar; Rep. Jack Brooks.

Authority: Energy Policy and Conservation Act (P.L. 94-163). Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509; 42 U.S.C. 6240). H.R. 2712 (100th Cong.).

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) management and policies regarding the Strategic Petroleum Reserve (SPR) to determine: (1) its response to management and operations improvement recommendations; (2) the seriousness of pipeline erosion and corrosion problems; (3) possible damage to SPR oil from salttolerant bacterial contamination; (4) decommissioning plans for the Sulphur Mines, Louisiana, oil storage site; (5) SPR oil distribution and filling plans; and (6) the adequacy of the SPR security system.

Findings/Conclusions: GAO found that: (1) although DOE closed all 170 recommendations, it had not

implemented 6 recommendations: (2) several SPR sites have pipeline failures caused by serious erosion and corrosion, which may indicate future problems at other SPR sites; (3) although the probability of bacterial contamination damaging SPR crude oil is low, DOE is testing for possible contamination; (4) although DOE plans to decommission the Sulphur Mines site, future capacity development and oil-fill decisions could delay the decommissioning and result in the loss of funds; (5) although the distribution enhancement program provides for matched drawdown and distribution at a rate of 3.57 million barrels per day, DOE has not finalized its current plans for achieving the initially planned 4.5-million-barrel-perday rate; (6) the SPR oil-fill rate is legislatively established at the highest practicable fill rate achievable, subject to the availability of appropriated funds: (7) the DOE-proposed capacity development and fill rate could delay completion of the 750-million-barrel reserve and limit oil purchase flexibility and the option to close the Sulphur Mines site; (8) SPR site security requires greater dependence on state and local law enforcement and military forces for assistance, since its security forces contain intruders only until outside help arrives; and (9) DOE procedures for issuing, updating, and terminating security clearances need improvement.

134528

Oil Reserves: Proposed DOE Legislation for Firearm and Arrest Authority Has Merit. RCED-87-178; B-208196. August 11, 1987. Released December 1, 1987. 10 pp. Report to Rep. Jack Brooks, Chairman, House Committee on Government Operations; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on the Judiciary; House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Appropriations: Interior Subcommittee; House Committee on Government Operations: Environment, Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission.

Congressional Relevance: Sen. Timothy E. Wirth.

Authority: 10 C.F.R. 100.

Abstract: In response to a congressional request, GAO provided information on the: (1) design, risk, and safety similarities between the Fort St. Vrain nuclear power plant near Denver, Colorado, and the Soviet Union's Chernobyl plant; (2) basis for the Nuclear Regulatory Commission's (NRC) conclusion that an accident similar to the one at Chernobyl could not occur at the Fort St. Vrain plant; and (3) management problems and emergency preparedness program deficiencies at the plant.

Findings/Conclusions: GAO found that: (1) although both reactors have graphite cores and utilize the same basic reactor systems, their specific designs and operating characteristics are significantly different; (2) since Fort St. Vrain's design provides a wider time margin to correct problems, NRC has concluded that the probability of a Chernobyl-like accident is beyond the credible range; (3) because of limited NRC regulatory attention, management deficiences and employee morale problems resulted in poor plant performance from 1982 through 1986; (4) in April 1986, NRC found the plant deficient in maintenance, management, security, and emergency preparedness; (5) after a shutdown to upgrade the plant's electrical system, NRC refused to allow management to restart the reactor until it demonstrated sufficient improvement in the deficient areas; and (6) plant management has implemented a program to improve the plant's management and performance.

134672

Naval Petroleum Reserve-1: Government and Industry Comments on Selling the Reserve. RCED-88-43FS; B-208196. November 23, 1987.

Released December 18, 1987. 18 pp. plus 2 appendices (4 pp.). Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-84-180, July 30, 1984, Accession Number 124961; RCED-88-198, July 28, 1988,

Accession Number 136457; and GGD-88-114, September 8, 1988, Accession Number 137031.

Issue Area: Energy: Enhancing the Effectiveness, Economy, and Efficiency of Strategic Petroleum Reserve Management (6402).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Emergency Energy Preparedness (274.0).

Organization Concerned: Department of Defense; Department of Energy; California.

Congressional Relevance: *House* Committee on Energy and Commerce: Energy and Power Subcommittee; *Rep.* Philip R. Sharp.

Authority: Defense Production Act of 1950. Energy Security Act (P.L. 96-294; 10 U.S.C. 7430). 10 U.S.C. 2404(a).

Abstract: Pursuant to a congressional request, GAO examined the: (1) need for the Elk Hills Naval Petroleum Reserve (NPR-1) as an oil reserve for the Department of Defense (DOD); and (2) potential impact of the proposed sale of the government's ownership interests on industry groups that purchase or use NPR-1 light crude oil.

Findings/Conclusions: GAO found that DOD believes that: (1) quick access to a source of oil is important to maintain military readiness; (2) crude oil shortfalls are still a possibility; (3) NPR-1 is a preferred supply source, since other emergency provisions require approvals that are external to its control; and (4) the Strategic Petroleum Reserve (SPR), proposed as an alternative source of crude oil, may not be available within the same time frame as NPR-1. GAO also found that measures available to DOD to access petroleum products include: (1) waiver of petroleum procurement restrictions; (2) NPR-1 drawdown: (3) SPR drawdown and use; and (4) invocation of the Defense Production Act of 1950. In addition, GAO found that the Department of Energy: (1) believes that DOD has sufficient options to meet fuel supply needs; (2) acknowledges concerns of pipeline companies, independent producers, and small and independent refiners that sale of the reserve may force them to reduce or cease production; and (3) plans to solicit offers from foreign and domestic buyers. GAO also found that California state energy officials were not concerned about the proposed sale's impact on the state's energy security.

134734

Nuclear Science: Challenges Facing Space Reactor Power Systems Development. RCED-88-23; B-229134. December 2, 1987.

Released January 4, 1988. 36 pp. plus 4 appendices (4 pp.). Report to Rcp. Robert A. Roe, Chairman, House Committee on Science, Space, and Technology; Rep. Manuel Lujan, Jr., Ranking Minority Member, House Committee on Science, Space, and Technology; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-17, December 6, 1988, Accession Number 137492.

Issue Area: Energy: Achieving Budgetary Savings Through Improved Management of DOE's Nuclear Research and Development Programs (6412).

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science, Space, and Technology: Space Science, Applications, and Technology (254.0).

Organization Concerned: Department of Defense; Department of Energy; National Aeronautics and Space Administration; Department of Defense: Office of the Secretary: Strategic Defense Initiative Organization.

Congressional Relevance: House Committee on Science, Space, and Technology; Rep. Manuel Lujan, Jr.; Rep. Robert A. Roe.

Abstract: In response to a congressional request, GAO provided information on the Department of Energy's (DOE) space nuclear development programs, specifically: (1) management and coordination among the sponsoring organizations; and (2) safety-related tasks associated with DOE program activities.

Findings/Conclusions; GAO found that, although both the SP-100 Space Reactor Program and the Multimegawatt (MMW) Space Nuclear Power Program are still in the developmental stages, they have encountered problems. including: (1) coordination and control of the activities by the numerous organizations involved in the SP-100 program; (2) the inability to demonstrate that the technology can meet the required size, weight, performance, and safety standards; and (3) the Department of Defense's and National Aeronautics and Space Administration's failure to commit themselves to the use of SP-100 power system technology. GAO also found that: (1) Strategic Defense Initiative (SDI) power requirements are much greater than SP-100 has demonstrated that it can produce; (2) in

enforcement programs, and tank upgrading and replacement regulations. Recommendation To Agencies: The Administrator, EPA, should implement financial responsibility requirements over a timetable that: (1) is realistic in terms of availability of insurance and other financial assurance methods: (2) provides incentives for prompt and appropriate technical improvements by tank owners and operators; and (3) allows for the development of appropriate state regulatory and enforcement programs. The Administrator, EPA, should modify the timetable for tank upgrading or replacement by establishing a staggered schedule under which older tanks will be upgraded or replaced first. The Administrator, EPA, should continue to investigate the appropriate levels of liability for tank owners and proper requirements for self-insurance.

134925

[Protest of DOE Rejection of Bid for Site Proposals for the Superconducting Super Collider]. B-228258. January 27, 1988. 2 pp. Decision re: Major Tom Enterprises, Inc.; by Robert M. Strong, Deputy Associate General Counsel, Office of the General Counsel.

Contact: Office of the General Counsel. Organization Concerned: Major Tom Enterprises, Inc.; Department of Energy. **Authority:** 4 C.F.R. 21.3(f). Abstract: A firm protested the Department of Energy's (DOE) rejection of its site proposal for the Superconducting Super Collider, DOE contended that GAO lacked jurisdictional authority to consider the protest because it concerned a request for a donation of real property at no cost to the government. GAO held that: (1) DOE properly rejected the bid, since it did not comply with the solicitation's requirement that there be no cost to the government; and (2) it was unnecessary to determine the question of jurisdiction, since the protest was without merit.

134948

Public Utilities: Information on the Cash Position of the Electric Utility Industry. RCED-88-76; B-229389.

December 30, 1987. 10 pp. plus 1 appendix (1 p.). Report to Rep. Byron L. Dorgan; by Keith O. Fultz, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-97, February 26, 1988, Accession Number 134120.

Accordingly, the protest was dismissed.

Issue Area: Energy: Other Issue Area Work (6491); Tax Policy and Administration: Other Issue Area Work (4691).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0); General Government: Tax Administration (803.1).

Congressional Relevance: Rep. Byron L. Dorgan.

Authority: Tax Reform Act of 1986. Abstract: In response to a congressional request, GAO examined the public utility industry's financial position to determine whether the industry's apparent improved cash position would enable it to return excess deferred taxes to utility ratepayers earlier than required under the Tax Reform Act of 1986.

Findings/Conclusions: GAO found that, from 1976 to 1985, the industry: (1) increased its liquidity after meeting major obligations; (2) increased its total cash from internal operations relative to cash it obtained through long-term borrowings and stock sales: (3) decreased the cash earmarked for construction; and (4) increased the cash it used to retire long-term debt and dividends. GAO believes that: (1) shortening the allowable time period to return the excess taxes would have an immediate financial impact on the industry; and (2) the financial impact of the flow-through approach to excess taxes would affect each utility according to its individual financial position.

134966

[Proposed Sale of the Naval Petroleum Reserves]. T-RCED-88-17. January 29, 1988. 8 pp. Testimony before the President's Commission on Privatization; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-85-66, July 15, 1985, Accession Number 127498; and RCED-87-105BR, March 24, 1987, Accession Number 132664.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy; President's Commission on Privatization; Chevron, U.S.A., Inc.

Abstract: GAO discussed the proposed sale of Naval Petroleum Reserves 1 and 3, focusing on the: (1) adequacy of reserve and production information; (2) current operating contract; and (3) impact of discount rates and oil prices on divestiture. GAO found that: (1) there was insufficient accurate data on past

production, estimated recoverable reserves, and appropriate production rates to support divestiture; (2) the government and the contractor would have to negotiate a settlement of the current operating contract to provide for selling shares of the field and for the imbalance between production and actual distribution; (3) although the Department of Energy stated that the imbalance would reverse itself as the field depleted, the government should obtain any revenues resulting from the imbalance now rather than including them in the procurement package; and (4) increases in interest rates reduced the present value of net revenues.

134973

Mine Safety: Questions Regarding Enforcement at Wilberg Coal Mine. HRD-88-30BR; B-229231. November 3, 1987.

Released February 8, 1988. 19 pp. Briefing Report to Sen. Orrin G. Hatch, Ranking Minority Member, Senate Committee on Labor and Human Resources; by Charles I. Patton, Jr., (for William J. Gainer, Associate Director), Human Resources Division. Refer to Testimony, September 25, 1986, Accession Number 131130.

Issue Area: Education and Employment: Assessing Whether Department of Labor Worker Protection Programs Adequately Ensure Safe and Healthful Workplaces and Fair Compensation (5312).

Contact: Human Resources Division.

Budget Function: Education, Training,
Employment, and Social Services:
Training and Employment (504.0).

Organization Concerned: Mine Safety and Health Administration: Coal Mine Safety and Health Administration: District Nine; Utah Power and Light Co.; Emery Mining Corp.

Congressional Relevance: Senate Committee on Labor and Human Resources; Sen. Orrin G. Hatch.

Authority: Mine Safety and Health Amendments Act of 1977 (Federal). 30 C.F.R. 44. 30 C.F.R. 75.

Abstract: In response to a congressional request, GAO evaluated the Mine Safety and Health Administration's (MSHA) enforcement of certain safety standards at the Wilberg Coal Mine in Utah at the time a fire broke out, to determine whether MSHA: (1) violated any federal laws, regulations, or policies in approving the mine operator's proposal to use an alternative method to meet a ventilation safety standard; (2) should have requested up-to-date evacuation plans from the mine operator; and (3)

Environmental Policy Act of 1969 (National). 10 C.F.R. 2.714. 10 C.F.R. 50.92.

Abstract: In response to a congressional request, GAO provided information on the proposed plan by a utility company to replace the existing spent-fuel storage racks at the Diablo Canyon nuclear power plant.

Findings/Conclusions: GAO found that: (1) the utility company applied to the Nuclear Regulatory Commission (NRC) for a license amendment to increase by 5 times its storage pool capacity because of inadequate space; (2) NRC approved the amendment without public hearings because it determined that no significant hazard was involved; and (3) in response to a suit brought by three local interest groups, a federal court held that NRC improperly approved the amendment. GAO also found that: (1) NRC reissued the company's license amendment after it determined that the concerns raised by the interest groups were without merit; (2) the litigants requested a further delay of the reracking pending the outcome of their federal appeals; and (3) the court refused to delay the reracking process and, as of January 1988, the appeal proceedings had not been completed.

135019

[Request for Reconsideration of Dismissed Protest of Subcontract Award Under DOE Contract for Mill Tailings Disposal]. B-228028.2. February 11, 1988. 4 pp. Decision re: American Nuclear Corp.; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel. Organization Concerned: American Nuclear Corp.; M.K. Ferguson Co.; Umetco Minerals Corp.; Department of Energy.

Authority: Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7901 et seq.). 4 C.F.R. 21.3(f)(10). 65 Comp. Gen. 683. B-228028 (1987). B-227091 (1987).

Abstract: A firm requested reconsideration of its dismissed protest against a subcontract award for construction work involving the removal of mill tailings. GAO had held that the prime contractor did not act for the government in making the subcontract award. In its request for reconsideration, the protester contended that the: (1) Department of Energy (DOE) operated and managed the facility from which the prime contractor operated; and (2) prime contractor's contract contained a clause stating the DOE preference for the

prime contractor to accomplish any required construction tasks through competitive procurement. GAO held that the: (1) federal government did not own the facility; and (2) prime contract with DOE neither required nor prohibited subcontracting of any work. Accordingly, the original dismissal was affirmed.

135037

Energy Conservation: States' Use of Interest Earned on Oil Overcharge Funds. RCED-88-51; B-226517. February 4, 1988.

Released February 17, 1988. 6 pp. plus 4 appendices (5 pp.). Report to Sen. Pete V. Domenici, Ranking Minority Member, Senate Committee on Budget; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-85-46, February 14, 1985, Accession Number 126403; RCED-88-119BR, May 17, 1988, Accession Number 135879; and RCED-88-152, June 14, 1988, Accession Number 136356.

Issue Area: Energy: Effectiveness and Efficiency of Federal and Nonfederal Energy Conservation Programs and Efforts (6406).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Conservation (272.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Energy and
Commerce: Energy and Power
Subcommittee; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources; Senate Committee on Budget;
Sen. Pete V. Domenici.

Authority: Intergovernmental Cooperation Act of 1968 (P.L. 90-577; 31 U.S.C. 6501 et seq.; 82 Stat. 1103). P.L. 97-377.

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) compliance with a GAO recommendation that it implement a policy requiring states to use the interest earned on oil overcharges for energy assistance programs.

Findings/Conclusions: GAO found that: (1) DOE failed to adequately ensure that states implemented its policy requiring them to use oil overcharge interest only for energy assistance programs; (2) eight states stated that DOE failed to inform them of its policy on the use of oil overcharge interest; (3) four of the eight

states did not use the interest for energy assistance programs; (4) a DOE survey of states' use of oil overcharge interest showed that some were using the funds for purposes other than energy assistance; and (5) in California, officials deposited oil overcharge interest to the state's general fund because they were unaware of DOE requirements. GAO believes that other states may be improperly using oil overcharge interest. Recommendation To Agencies: The Secretary of Energy should formally notify states that interest earned on Warner funds must be used for the authorized energy assistance programs. As part of this notification, the Secretary should require states to: (1) report interest earned on Warner funds; and (2) certify that this interest has been or will be used for the authorized energy assistance programs.

135065

Surface Mining: Interior and State Management of Regulatory Grants. RCED-88-68; B-229954. February 3, 1988.

Released February 18, 1988. 8 pp. plus 5 appendices (6 pp.). *Report* to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: OSM and State Effectiveness in Meeting Regulatory Responsibilities Under SMCRA (6910). Contact: Resources, Community, and

Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and

and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of

the Interior: Office of Surface Mining Reclamation and Enforcement; Office of Management and Budget.

Congressional Relevance: House Committee on Interior and Insular Affairs; Rep. Morris K. Udall.

Authority: Surface Mining Control and Reclamation Act of 1977. OMB Circular A-102. OMB Circular A-128. OMB Circular A-87.

Abstract: In response to a congressional request, GAO reviewed: (1) how the Department of the Interior's Office of Surface Mining Reclamation and Enforcement (OSMRE) ensures that the amount of regulatory funds requested by each state is appropriate; (2) whether states conducted required audits of their program activities; and (3) what

availability from 1976 to 1984 was varied but favorable; (2) cash availability after it met major obligations decreased, and the percentage of its total cash from internal operations decreased relative to cash obtained through borrowing and stock sales between 1984 and 1986; (3) cash devoted to construction decreased. while cash used to retire long-term debt and pay dividends increased; and (4) deferred taxes were in excess of \$75 million. GAO also found that: (1) although the telephone industry's cash availability declined from 1976 to 1979, it improved from 1979 to 1983; (2) between 1981 and 1983, the industry's cash flow was positive and it could both fund its construction budget and pay dividends from internal sources: (3) between 1983 and 1986, the industry experienced a negative cash flow; and (4) the industry had an excess of \$500 million in deferred taxes.

135163

[The Nuclear Regulatory Commission's Proposed Withdrawal From Participation in the Small Business Innovation Research Program]. T-RCED-88-21. March 1, 1988. 7 pp. Testimony before the House Committee on Small Business; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-13, October 25, 1985, Accession Number 128342.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Nuclear Regulatory Commission; Small Business Administration.

Congressional Relevance: House Committee on Small Business. Authority: Small Business Innovation Development Act of 1982 (P.L. 97-219). Competition in Contracting Act of 1984 (41 U.S.C. 253(b)(2)). Small Business Act. Abstract: GAO discussed the legality of the Nuclear Regulatory Commission's (NRC) proposed withdrawal from participation in the Small Business Innovation Research Program. GAO found that: (1) NRC stated that its projected extramural research and development (R&D) budget for fiscal years 1988 and 1989 was less than the required \$100 million; (2) NRC had not received any R&D supplemental appropriations for the last 3 years to assist it in program participation; (3) since the Small Business Innovation Development Act neither provided for nor excluded issuance of a withdrawal procedure, the Small Business Administration (SBA) could utilize its

policy directive authority to establish orderly withdrawal procedures consistent with program purposes; (4) correspondence between SBA and NRC did not constitute formal policy; (5) the Competition in Contracting Act did not mandate agency participation in the program; and (6) another agency that withdrew from the program provided funding to its awardees through the next year. GAO believes that SBA should develop a withdrawal process that would allow agencies to fulfill any existing commitments with small businesses through funding extensions.

135170

Resource Protection: Using Gasoline Taxes To Fund the Nongame Act. RCED-88-87BR; B-229454. January 29, 1988. Released March 2, 1988. 22 pp. plus 1 appendix (1 p.). Briefing Report to Sen. George J. Mitchell, Chairman, Senate Committee on Environment and Public Works: Environmental Protection Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to GGD-87-43BR, June 9, 1987, Accession Number 133152; and RCED-88-88BR, February 1, 1988, Accession Number 135171.

Issue Area: Natural Resources
Management: Assessing Whether
Wildlife Protection Programs Are
Efficiently Meeting Their Goals (6918);
Transportation: Other Issue Area Work
(6691); Tax Policy and Administration:
Other Issue Area Work (4691).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Conservation and

Land Management (302.0); Transportation: Ground Transportation (401.0).

Organization Concerned: Federal Highway Administration; United States Fish and Wildlife Service; Department of the Treasury.

Congressional Relevance: Senate
Committee on Environment and Public
Works: Environmental Protection
Subcommittee; Sen. George J. Mitchell.
Authority: Fish and Wildlife
Conservation Act of 1980 (16 U.S.C. 2901
et seq.). Pittman-Robertson Act (Wildlife
Conservation). Fish Restoration and
Management Projects Act. Highway
Revenue Act of 1956. Deficit Reduction
Act of 1984.

Abstract: In response to a congressional request, GAO: (1) estimated the potential revenues available from gasoline taxes to fund the Nongame Program to

conserve fish and wildlife species not taken for sport, fur, or food; and (2) obtained federal officials' opinions on the merits of using such revenues for the program.

Findings/Conclusions: GAO found that: (1) residential outdoor power equipment consumed an estimated 248 to 563 million gallons of gasoline each year; (2) this consumption would generate between \$21.3 million and \$48.3 million in tax revenues at the current excise tax rate and would account for less than 0.5 percent of the taxes collected in 1986 for the Highway Trust Fund: (3) the Federal Highway Administration opposed taking money from the Highway Trust Fund for wildlife conservation, since it was unrelated to motor fuel use and highways; (4) the U.S. Fish and Wildlife Service supported it as a revenue source, since it would provide significant and stable funds for state planning and program development; and (5) the Department of the Treasury had no specific views on the merits of diverting the revenues, but suggested methods for effectively administering a nongame trust fund.

135194

[Protest of DOE Cancellation of Solicitation for Natural Gas]. B-229487. March 2, 1988. 4 pp. *Decision* re: Independent Gas Producers Corp.; by Seymour Efros, (for James F. Hinchman, General Counsel).

Contact: Office of the General Counsel.
Organization Concerned: Independent
Gas Producers Corp.; Union Natural Gas
Co.; Department of Energy.

Authority: 4 C.F.R. 21.6(d). F.A.R. 14.404-1. B-224160.2 (1987). B-224421.2 (1986). B-224678 (1987).

Abstract: A firm protested the Department of Energy's (DOE) cancellation of a line item after bid opening, under a solicitation for natural gas, contending that: (1) DOE lacked any compelling reason to cancel the line item; (2) DOE should have awarded it the contract as the low bidder; and (3) it was entitled to reimbursement for its bid and protest preparation costs. GAO held that: (1) DOE properly cancelled the solicitation, since it determined that the evaluation criteria were incomplete; (2) the protester failed to show that the DOE determination was unreasonable; and (3) the protester was not entitled to reimbursement for its bid and protest preparation costs. Accordingly, the protest was denied.