

United States Department of Energy Hanford Site (Bryan Trimberger)

Please see the attached file for the United States Department of Energy Hanford Site comments on the proposed rule.

July 30, 2025

The U.S. Department of Energy (DOE) previously provided comments to the Washington State Department of Ecology (Ecology) on the Climate Commitment Act (CCA) in 2022 concerning the potential applicability of the CCA at the Hanford Site. Ecology's 2022 comment response did not fully address DOE's concerns, as explained below. Furthermore, Ecology's recent draft rulemaking regarding emissions from centralized electricity markets has exacerbated DOE's concerns and raised new issues.

The Hanford Site, once a crucial component of the United States' nuclear production infrastructure, is now among the most contaminated nuclear sites in the country. The urgency to effectuate the safe and expeditious cleanup mission at the Hanford Site is paramount and involves essential environmental, health, and economic factors that affect both the local region and the broader national context. The cleanup occurs under an agreement with Ecology which provides a framework and deadlines that DOE must meet with the appropriations it receives. Ecology has a responsibility to ensure implementation of its cap-and-invest program does not negatively impact the Hanford Field Office's (HFO) other commitments to Ecology for regulatory compliance and the cleanup mission.

In its 2022 comment response, Ecology did not adequately address DOE's key concerns about its need for an exemption. DOE asked that Hanford "be exempted entirely from the cap-and-invest program." Ecology responded that Hanford is currently below emission thresholds, and Ecology addressed only emissions related to fuel use.

Ecology did not address at all HFO's emissions associated with electricity consumption. Referencing Hanford's current status does not address the expected situation, as the projected electricity ramp up, associated with the cleanup mission, has the potential to exceed CCA emission thresholds. DOE's exemption request is still both relevant and unanswered. DOE believes cleanup funds should be used for cleanup rather than the expected and unexpected cost impacts from Ecology's program. The DOE HFO should not be subject to the cap-and-invest program. The intent of the CCA is to reduce long-term carbon emissions by driving industry behaviors. As a federal site, with an energy-intensive cleanup mission, HFO is not in a position to significantly reduce its carbon emissions or electricity consumption and meet its goal to safely and expeditiously clean up the Hanford site.

DOE is concerned that the CCA, including this rulemaking, may significantly impact DOE's ability to efficiently and cost effectively carry out the Hanford cleanup mission. In support of DOE's cleanup mission, DOE again requests an exemption. An exemption would help Washington State meet the environmental health goals of the CCA and would be consistent with Federal Executive Orders, including Executive Order 14260, *Protecting American Energy From State Overreach* (Apr. 8, 2025).