



Many Voices Working for the Community

Oak Ridge Site Specific Advisory Board

Approved February 13, 2013 Meeting Minutes

The Oak Ridge Site Specific Advisory Board (ORSSAB) held its monthly meeting on Wednesday, February 13, 2013, at the DOE Information Center, 1 Science.gov Way, Oak Ridge, Tenn., beginning at 6 p.m. A video of the meeting was made and may be viewed by contacting the ORSSAB support offices at (865) 241-4583 or 241-4584. The presentation portion of the video is available on the board's YouTube site at www.youtube.com/user/ORSSAB/videos.

Members Present

Jimmy Bell
Lisa Hagy
Janet Hart
Bob Hatcher
David Hemelright, Vice
Chair

Bruce Hicks
Chuck Jensen, Secretary
Jennifer Kasten
David Martin, Chair
Fay Martin
Scott McKinney

Donald Mei
Greg Paulus
Robert Stansfield
Coralie Staley
Scott Stout

Members Absent

Alfreda Cook
Howard Holmes
Ross Landenberger¹
Jan Lyons
Thomas Valunas
Sam Yahr^{1,2}

¹Student Representative

²Second Consecutive Absence

Liaisons and Federal Coordinator Present

Dave Adler, Liaison and Alternate Deputy Designated Federal Officer, Department of Energy-Oak Ridge Office (DOE-ORO)

Connie Jones, Environmental Protection Agency (EPA), Region 4

Melyssa Noe, ORSSAB Federal Coordinator, DOE-ORO

John Owsley, Tennessee Department of Environment and Conservation (TDEC)

Others Present

Susan Gawarecki
Spencer Gross, ORSSAB Support Office
Pete Osborne, ORSSAB Support Office
Alan Stokes, DOE

Nine members of the public were present.

Liaison Comments

Mr. Adler – Mr. Adler reported that demolition of the North Tower of the K-25 Building at East Tennessee Technology Park (ETTP) had been completed on January 23 and the remaining debris is being disposed at the waste disposal facility in Bear Creek Valley. All that remains of K-25 are five units that made up the lower east wing of the building that are contaminated with technetium-99. Mr. Adler said a report on the first six months of historic preservation efforts at ETTP will be issued soon. The report describes what has been done as part of a memorandum of agreement that was signed in the summer of 2012 among DOE and other interested parties. He said the report speaks primarily to procurement and design activities for a planned virtual museum and other historic interpretation features that will be added around ETTP.

Mr. Adler said DOE EM still does not have a complete funding profile for FY 2013 as the federal government is currently working under a continuing resolution using FY 2012 budget allocations.

Mr. Bell said there is interest by DOE in how to dispose of spent nuclear fuel from commercial reactors. He believes a good repository for such material would be in the remaining K-31 Building at ETTP. He said the advantage would be that much spent fuel from 15-20 reactors around the country could be shipped by water to the site, which would result in the creation of a number of jobs for the area. Mr. Bell wondered if this was an area that the board could provide input.

Mr. Adler said DOE has two separate programs for dealing with waste. EM is responsible for cleaning up sites and sending waste away for disposition. Another program is responsible for finding repositories for waste. What Mr. Bell mentioned would be out of the purview of EM. Mr. Adler said the board, if it so desired, could make a recommendation to DOE EM suggesting that ETTP be used for the purpose of a repository. He said, however, that would be a very controversial proposition.

Mr. Martin asked if this was a topic the board should follow up on in committee. There was no other suggestion to pursue the topic from board members.

Mr. Owsley – no comments

Ms. Jones – Ms. Jones said negotiations are ongoing between DOE-ORO EM and EPA regarding certain milestones. This is not regarding the uncertainties of budget but project priorities.

Ms. Jones said in addition to the demolition of the K-25 Building other remedial actions are underway at ETTP. She mentioned work being done around the closed Toxic Substances Control Act Incinerator and the Central Neutralization Facility.

Public Comment

None

Presentation

Mr. Stokes' presentation was on the FY 2015 DOE-Oak Ridge EM Program Budget and Prioritization. The main points of his presentation are in Attachment 1.

He began by saying his ability to answer questions board members may have about the budget are limited because of the uncertainties in the government's current budgeting process.

Mr. Stokes said the federal government operates on a fiscal year running from October 1 to September 30. He said this time last year DOE EM knew what the appropriation for FY 2012 was from Congress. For FY 2013 the budget has been appropriated only through March. He said there is much speculation about how much will be appropriated for the remainder of FY 2013.

Regarding development of the FY 2014 budget, Mr. Stokes said this time last year the President had presented to Congress his budget request. The President has not yet submitted a budget to Congress for FY 2014.

Mr. Stokes said normally guidance on preparing a budget request for FY 2015, which is developed two years ahead of time, would have been received from DOE Headquarters. Guidance has not been received yet. Mr. Stokes said it could be one to two months before guidance is received. Even though guidance has not been received, planning has been underway to develop an FY 2015 budget request.

Mr. Stokes showed a timeline explaining the budget process (Attachment 1, page 2). The process for developing an FY+2 budget request begins in January with budget guidance issued to sites. Using that guidance the sites begin developing their budget requests between January and the end of March. During this time input is provided to the sites from stakeholders. In the case of Oak Ridge that is EPA, TDEC, and ORSSAB. Budget requests are submitted between the end of March and about the middle of May. After requests are submitted they become embargoed and no information is available about deliberations among the sites, DOE Headquarters, and the Office of Management and Budget (OMB). Budget requests are submitted to OMB in the August/September timeframe. Negotiations go back and forth between OMB and all the other federal agencies until a budget is finalized the following January. The President will submit the proposed budget for FY 2015 to Congress in February 2014.

Mr. Stokes showed the budget request submitted to Congress for DOE-ORO EM for FY 2013 was \$421 million (Attachment 1, page 3). What has been appropriated thus far is \$198 million under Congress' continuing resolution. Mr. Stokes explained that a continuing resolution is what Congress appropriates for a portion of a fiscal year in which a full budget has not been approved. The continuing resolution is based on the previous fiscal year appropriation. He noted that the continuing resolution appropriation of \$198 million for the first half of FY 2013 is not quite half of the request of \$421 million. He said the \$421 million is what DOE-ORO EM had been planning for. That shortfall has had impacts on work at ETTP. Specifically some work planned for K-25 and K-27 has been slowed because of the lessened appropriation than what was expected. There is still about \$50 million of Recovery Act money left over that will be used this fiscal year.

Mr. Stokes showed a comparison of what was received by DOE-ORO EM in FY 2012 and what was requested for FY 2013 (Attachment 1, page 4). He said DOE-ORO gets two appropriations from Congress. The Defense EM appropriation is divided among all DOE sites. The D&D (decontamination and decommissioning) Fund is divided among DOE-ORO and the Lexington Office, which includes Portsmouth, Ohio, and Paducah, Ky.

In the Defense Funding are five separate accounts. Money may not be moved among accounts without permission.

Mr. Stokes noted that in FY 2012, \$37 million had been received for uranium-233 disposition. For FY 2013 \$30 million requested for U-233 disposition had been placed into the waste disposition account, which allows for more flexibility in moving money among projects if needed.

He noted that ORSSAB is funded out of the Stakeholder Support account along with grants to TDEC.

Mr. Stokes said it is not known how much DOE-ORO will receive for the second half of FY 2013. The worst case would be a 5 to 7.5 percent reduction in what was received in FY 2012, about \$394 million for the entire year.

Mr. Stokes said in developing budgets, work is broken down by work that needs to be done and the work is prioritized. He showed the guiding principles for project prioritization (Attachment 1, page 5).

Mr. Stokes showed DOE-ORO near term priorities for FY 2013-15 (Attachment 1, page 6). He said complete demolition of K-25 and removal of debris is expected to be completed by 2015, assuming there are no further funding cuts over the next two years.

Mr. Stokes said the planning for Y-12 Outfall 200 Mercury Treatment System is a new concept to capture mercury leaving the Y-12 National Security Complex. He said his estimate for that system is \$100-\$150 million and four to five years to implement.

He showed mid-term activities for FY 2016-26 and long-term activities for FY 2027-2043 (Attachment 1, page 7). He said complete closure of ETTP will free up much money that can be applied to cleanup work at Oak Ridge National Lab and Y-12.

Mr. Stokes showed the path forward for the FY 2013-15 budgets (Attachment 1, page 8). A public workshop on the budget development has not been scheduled yet, but probably in March. The submittal of the FY 2015 budget request to DOE Headquarters usually is scheduled for April, but he said it would probably be submitted in May.

After Mr. Stokes' presentation a number of questions were asked. Following are abridged questions and answers.

Mr. Hatcher – How do you make your projections for the rest of the fiscal year when you have nothing to work with? Do you model based on what you have on hand or on last year's budget? Mr. Stokes – We have work under contract that is already underway. If we continue that level of operations we know what our costs will be. We get some preliminary planning numbers from headquarters and we're running many planning scenarios based on best case/worst case appropriations. Right now we're planning toward the worst case.

Mr. Paulus – You really can't do the budget process until you find out what your 2013 budget is and find out what your target is in the 2014 budget. Does headquarters allow you to take your targets and milestones and move them to the left or to the right based on how delinquent they are in giving you information? You still have to meet your deadlines in having this done by mid-April. Mr. Stokes – Headquarters is trying to catch up as well. Once their process starts flowing again that will flow down to us. We'll have time. That doesn't stop us from planning in anticipation of getting a number. We're doing that so we don't have to start from scratch. It's just a matter of tweaking that planning based on what final numbers we get from headquarters.

Mr. Bell – What is being done at ETTP with safeguards and security that costs \$20 million (Attachment 1, page 4)? I don't believe there is anything out there that is confidential in terms of technology. Mr. Stokes – It consists of a variety of safeguards and security activities, but most of it is for the guard force. A vulnerability assessment is done as to what is a security risk that drives the number of guards needed. Our risk doesn't drop until K-25 and K-27 and demolished. It also funds security clearances for workers. It funds cyber security and counter intelligence. Mr. Adler – The reality is a lot of the technology at the site remains classified, even though that kind of technology to enrich uranium is no longer in wide use. There are also residues of enriched uranium in the systems at K-27 that have to be guarded.

Mr. Bell – Where is the uranium-233 being disposed? Mr. Adler – Any of the U-233 that can be used by some other program is provided. The balance is downblended and disposed at the Nevada National Security Site.

Mr. Bell – Regarding the mercury treatment system at Y-12, why treat the water leaving the system rather than attacking the source? Mr. Adler – The cost for a treatment system is in the range of \$100-\$150 million. The cost to get at the source is in the range of \$1-1.5 billion. We need to get to the sources eventually, but recent projects have indicated that when you go in and start tearing things down you tend to kick up some mercury that is then flushed out of the site. The treatment system should result in some relatively near term reductions of mercury discharges and setting up a capture system that will deal with fugitive releases as we D&D the facilities in the future. That has been a fundamental shift in approach to that problem. Mr. Stokes – And it will takes years to get to the sources and eliminate them.

Ms. Gawarecki – Where in the prioritization is the proposed second waste disposal facility on the reservation? Mr. Stokes – That’s in the mid-term activities (FY 2016-2027). We realize we’re going to need additional disposal capacity in the mid-term and long-term timeframes.

Ms. Gawarecki – Back in 2007 DOE agreed with TDEC that it would fund cleanup in the range of \$500-\$550 million a year. Has the state formally released DOE from that agreement? Mr. Owsley – Yes, the latest agreement we have establishes an expectation of \$420 million a year for the next five years and then a nominal escalation rate from 2018 through 2043.

Ms. Gawarecki – What is being done to raise Oak Ridge’s priority at the national level? Other sites have much higher budgets, yet we have higher population densities and more difficult cleanup problems. Mr. Stokes – Mark Whitney (DOE-ORO manager of EM) and Sue Cange (deputy manager of EM) continue to make the case to headquarters that Oak Ridge is investment worthy, that we do have serious priority needs, and we would be warranted in getting additional funding. In FY 2012 we did better in FY 2011 and some of that is fruit of their labors. Demolition is the lowest priority at DOE Headquarters. We realized at most sites their excess buildings are not nuclear category buildings like we have. We are not sure that point has been made to headquarters sufficiently that distinguishes us from other sites. We’re going to start making that point.

Ms. Gawarecki – Is there a disposal pathway for the technetium contaminated debris in the remaining sections of K-25? Mr. Adler – At one point the thinking was that most or all of the remaining tech-99 contaminated sections would have to be disposed out west at significant cost. A lot of work has been done to understand where the technetium is in those sections. We’re learning that significant portions of the sections may eligible for disposal in the Environmental Management Waste Management Facility near Y-12. The technetium is largely concentrated in a few areas. Of the five units that remain it appears the first two are in pretty good shape for disposal on site. In the remaining three if we can selectively remove portions where technetium is concentrated, what would be left appears to be eligible for local disposal. That’s not agreed upon yet. We’re working with EPA and TDEC on that. Mr. Owsley – When DOE, EPA, and TDEC come to an agreement on an appropriate level of characterization, the equipment that meets the onsite disposal criteria will be eligible for onsite disposal. But the state is not prepared to modify the technetium criteria to allow more waste to go in the onsite facility.

Ms. Gawarecki – I had heard that K-27 contains quite a bit more technetium than K-25. Ms. Jones That had been the theory that operations at K-27 had caused a lot more contamination in the building. We haven’t had the opportunity to characterize K-27 to the extent that we have K-25, so that’s still an unknown.

Mr. Paulus – You mentioned the problems of prioritization at headquarters for Oak Ridge. Are you comfortable that you have the support of the Tennessee senators and Congressional delegation from this area in making your case? Mr. Stokes – Yes.

Committee Reports

Board Finance & Process – Mr. Paulus reported that the board's budget was in good shape.

He said the committee will meet to draft a recommendation on DOE-ORO EM's FY 2015 budget request. A date for that meeting has not been set. Mr. Adler said he thought he would be prepared to work with the committee on that topic at its next scheduled meeting date on March 5. Normally, the committee would meet on February 28, but because Mr. Adler will be out of town on that date, the committee moved its meeting date to March 5. Mr. Adler said the timing of March 5 is good, because DOE will be meeting with EPA and TDEC to get their input, and he said they would be interested in knowing what the committee's thoughts are.

Mr. Paulus said it is time to begin planning the board's annual meeting in August. He said that Mr. Hemelright had offered to work on planning, and other volunteers were needed to evaluate locations for an offsite meeting. He said a suggestion has been to look at locations on the Cumberland Plateau. Mr. McKinney, Ms. Staley, and Mr. Stout agreed to assist with planning.

EM – Mr. Hatcher reported the committee had a follow up presentation in January to the November board presentation on radioactive and hazardous waste in long-term storage on the Oak Ridge Reservation. Mr. Hemelright and Mr. Martin have drafted a recommendation on the topic that will be discussed at the February 20 meeting.

Public Outreach – Mr. McKinney said each member of the committee has been busy with various assignments. He said Alfreda Cook had spent time with a DOE representative touring the reservation looking at stream posting signs. His expectation is that something will be written describing what the various stream signs on the perimeter of the reservation mean.

The committee will also consider some updates to the board's exhibit at the American Museum of Science and Energy. Savings realized from reduced printing costs will be used to update the exhibit.

Mr. McKinney said volunteers are needed to staff the ORSSAB booth at the Earth Day observance on April 27 and the Secret City Festival June 21-22. Only two people (Mr. Hemelright and Mr. McKinney) have volunteered so far to staff the booth for Earth Day.

Efforts are still being made to invite governmental officials to board meetings.

Mr. McKinney said Jan Lyons is responsible for finding historical events to include in the Advocate newsletters.

Stewardship – Ms. Staley reported that the committee had an update on the National Priority List site boundary delineation process for the Oak Ridge Reservation. Adjustments would only indicate areas of the reservation that contain contamination.

At the February 19 meeting, Mr. Adler will be the guest of the committee and will address some reservation stewardship issues.

Executive – Mr. Martin said the committee discussed the January presentation to the board on the status of cleanup at ETP. He had asked about any decision regarding the K-25 slab. Mr. Adler said the decision to keep the slab or not will be based on environmental conditions around and beneath the slab. He said preliminary investigations indicate there is not much of a problem with most of the slab. Any problems found could be eliminated and the slab patched.

Mr. Martin said the discussion led to a conversation about slabs in general and if they should be removed or left in place. He wondered if this was a topic the EM Committee might consider. Mr. Hatcher said the topic would be placed on the committee's agenda in February for discussion. The Executive Committee's February meeting was also rescheduled to March 5.

Announcements and Other Board Business

ORSSAB will have its next meeting on Wednesday, March 13 at 6 p.m. at the DOE Information Center.

The minutes of the January 9, 2013, meeting were approved.

The first reading of a proposed amendment to the ORSSAB bylaws regarding the addition of a vision statement was read (Attachment 2).

The first reading of a proposed amendment to the ORSSAB bylaws to revise the board's mission statement was read (Attachment 3).

Federal Coordinator Report

Ms. Noe reminded the board that the new travel coordinator for the board is Donna Gilliard. Any members with travel plans already in the system will be handled by Judy Martin until that travel is completed. New travel plans will be handled by Ms. Gilliard.

Ms. Noe reported that appointment packages for two interim members have been sent to DOE Headquarters but are still pending. She said those packages have been included with two additional candidates for June appointments.

Additions to the Agenda

None.

Motions

2/13/13.1

Mr. Jensen moved to approve the minutes of the January 9, 2013 meeting. Mr. Paulus seconded and the motion passed **unanimously**.

2/13/13.2

During the reading of the proposed vision statement (Attachment 2) a suggestion was made by Ms. Gawarecki that the word 'effective' be inserted between the words 'helpful' and 'productive.' Requiring a motion from the board, Mr. Paulus so moved. Mr. Hatcher seconded. The motion failed with two voting 'yea' (Mr. Martin and Mr. Hatcher) and 13 voting 'nay.' Mr. Jensen was not present for this vote.

The meeting adjourned at 7:50 p.m.

Action Items

Open

None

Closed

1. Mr. Adler will determine if any properties have been sold by the Community Reuse Organization of East Tennessee (CROET) to companies leasing the facilities. **Complete.** Steve Cooke, DOE-ORO Office of Reservation Management reported on February 4 that out of the nine buildings that DOE has transferred to CROET, five have been sold by CROET to a private real estate business which now leases the buildings. The buildings that have been sold by CROET are: K-1036, K-1007, K-1580, K-1330, and K-1225. None of the buildings were purchased by an entity that had previously leased the building from CROET.

Attachments (3) to these minutes are available on request from the ORSSAB support office.

I certify that these minutes are an accurate account of the February 13, 2013, meeting of the Oak Ridge Site Specific Advisory Board.

Chuck Jensen, Secretary



David Martin, Chair March 14, 2013
Oak Ridge Site Specific Advisory Board
DM/rsg