

**ENVIRONMENTAL MANAGEMENT SITE-SPECIFIC ADVISORY BOARD
to the
U.S. DEPARTMENT OF ENERGY**

PUBLIC MEETING MINUTES

**Shilo Inn Convention Center
780 Lindsay Boulevard, Idaho Falls, ID 83402
September 17-18, 2014**

LIST OF ACRONYMS

AIB – Accident Investigation Board	M&O – Management and Operating
AMWTP – Advanced Mixed Waste Treatment Project	NPL – National Priorities List
CAB – Citizens Advisory Board	NMED – New Mexico Environment Department
CBC – EM Consolidated Business Center	NNMCAB – Northern New Mexico Citizens’ Advisory Board
CD – Critical Decision	NNSS – Nevada National Security Site
CPARS – Contractors Performance Assessment Rating System	NPL – National Priorities List
CR – Continuing Resolution	NSSAB – Nevada Site-Specific Advisory Board
D&D – Decontamination & Decommissioning	Oak Ridge – (DOE) Oak Ridge Site
DDFO – Deputy Designated Federal Officer	OMB – DOE Office of Management and Budget
DOE – Department of Energy	ORISE – Oak Ridge Environmental Information System
DUF6 – Depleted Uranium Hexafluoride	ORSSAB – Oak Ridge Site-Specific Advisory Board
EM – DOE Office of Environmental Management	Paducah – (DOE) Paducah Site
EM SSAB – Environmental Management Site-Specific Advisory Board	Paducah CAB – Paducah Citizens Advisory Board
EPA – U. S. Environmental Protection Agency	PBS – Project Baseline Summary
ETTP – East Tennessee Technology Park	PORTS SSAB – Portsmouth Site-Specific Advisory Board
FAR – Federal Acquisition Regulations	Portsmouth – (DOE) Portsmouth Site
FCAB – Fernald Citizens Advisory Board	RAD – Radioactive
FDO – Fee Determining Official	RFCAB – Rocky Flats Citizens Advisory Board
FFA – Federal Facility Agreement	ROD – Record of Decision
FY – Fiscal Year	SC DHEC – South Carolina Department of Health and Environmental Control
GAO – Government Accountability Office	SRNL – Savannah River National Laboratory
GIS – Geographic Information System	SRS – (DOE) Savannah River Site
HAB – Hanford Advisory Board	SRS CAB – Savannah River Site Citizens Advisory Board
Hanford – (DOE) Hanford Site	SWPF – Salt Waste Processing Facility
HLW – High-Level Waste	TRU – Transuranic Waste
HQ – EM Headquarters Office	WCS – Waste Control Specialists
IDIQ – Indefinite Delivery/Indefinite Quantity	WIPP – Waste Isolation Pilot Plant
IPL – Integrated Priority List	WTP – Waste Treatment Plant
INL – Idaho National Laboratory	
INL CAB – Idaho National Laboratory Site EM Citizens Advisory Board	
IWTU – Integrated Waste Treatment Unit	
LANL – Los Alamos National Laboratory	

PARTICIPANTS

Hanford Advisory Board: Stephen Hudson, Chair; Susan Leckband, Vice Chair; Mark McKenna, Contractor Support Staff

Idaho National Laboratory Citizens Advisory Board: Herb Bohrer, Chair; Harry Griffith, Vice Chair; Bob Pence, Federal Coordinator; Jack Zimmerman, Deputy Designated Federal Officer

Nevada Site-Specific Advisory Board: Kathleen Bienenstein, Chair; Donna Hruska, Vice Chair; Barbara Ulmer, Contractor Support Staff

Northern New Mexico Citizens' Advisory Board: Carlos Valdez, Chair; Doug Sayre, Vice Chair; Allison Majure, Member; Lee Bishop, Deputy Designated Federal Officer; Christina Houston, Alternate Deputy Designated Federal Officer; Bridget Maestas, Menice Santistevan, Contractor Support Staff

Oak Ridge Site-Specific Advisory Board: David Hemelright, Chair; Corkie Staley; Spencer Gross, Contractor Support Staff

Paducah Citizens Advisory Board: Ben Peterson, Chair, Judy Clayton, Member; Robert Smith, Federal Coordinator; Eric Roberts, Contractor Support Staff

Portsmouth Site-Specific Advisory Board: Will Henderson, Chair; Vice Chair; Sharon Manson, Member; Joel Bradburne, Deputy Designated Federal Officer; Julie Galloway, Contractor Support Staff

Savannah River Site Citizens' Advisory Board: Marolyn Parson, Chair; Harold Simon, Vice Chair; Gerri Flemming, Federal Coordinator; Ashley Whitaker, Contractor Support Staff

DOE Headquarters:

Mark Whitney, Acting Assistant Secretary for Environmental Management

Connie Flohr, Acting Deputy Assistant Secretary for Program Planning and Budget

Frank Marcinowski, Associate Deputy Assistant Secretary for the Office of Waste Management

Thomas Johnson, Associate Deputy Assistant Secretary for Acquisition and Project Management

David Borak, EM SSAB Designated Federal Officer

Elizabeth Schmitt, Office of Intergovernmental and Community Activities

Alexandra Gilliland, e-Management

Sayoh Mansaray, e-Management

Others:

Rick Provencher, Manager of the Idaho Operations Office

Bill Murphie, Manager of the Portsmouth/Paducah Project Office

MEETING MINUTES

The U.S. Department of Energy's (DOE) Office of Environmental Management (EM) Site-Specific Advisory Board (SSAB) met on Wednesday, September 17, 2014, and Thursday, September 18, 2014, at the Shilo Inn Convention Center in Idaho Falls, Idaho. Participants included EM SSAB officers and members, DOE staff, EM SSAB Deputy Designated Federal Officers (DDFO), Federal Coordinators and contractor support staff. The meeting was open to the public and conducted in accordance with the requirements of the Federal Advisory Committee Act.

Day One: Wednesday, September 17, 2014

Opening Remarks

Mr. David Borak, Designated Federal Officer for the EM SSAB, called the Chairs Meeting to order at 8:00 a.m. MST.

Mr. Eric Roberts, the meeting facilitator, introduced a pre-recorded video message from Ms. Rebecca Casper, Mayor of Idaho Falls, Idaho.

Mayor Casper spoke highly of the technical work performed at Idaho National Laboratory (INL) as well as the high level of trust that exists between DOE, contractor staff and the public. She commended the Idaho National Laboratory Site EM Citizens Advisory Board (INL CAB) for contributing to this high level of trust and for being effective watchdogs of the cleanup.

Mr. Borak thanked the meeting participants for their commitment, noting that it is the 20th anniversary of the formation of the EM SSAB.

Mr. Rick Provencher, Manager of the Idaho Operations Office, welcomed the meeting attendees. He summarized the site's missions, which include cleanup of legacy contamination, and nuclear and renewable energy research at INL. He noted that DOE and the State of Idaho work well together and share a high level of trust. Much of the cleanup at Idaho is nearing completion. One of the remaining key issues is the disposition of high-level waste (HLW). Mr. Provencher concluded by noting that the EM SSAB has always worked to provide advice and guidance to make the cleanup program stronger.

Mr. Jack Zimmerman, Deputy Manager of the Idaho Cleanup Project, and DDFO for INL CAB, noted that there is great collaboration between DOE, local citizens, and the INL CAB. He added that he is impressed by the level of two-way communication.

Mr. Herb Bohrer, Chair of the INL CAB, welcomed participants and noted that the remaining challenges to site cleanup are significant. He summarized the priorities of the INL CAB: safety, meeting compliance agreements, and protecting the Snake Plain Aquifer, which is the primary source of clean water in the state.

EM Program Update

Mr. Mark Whitney, Acting Assistant Secretary for Environmental Management, gave an update on cleanup activities, including challenges facing the program and recent accomplishments across the complex. He affirmed the importance of the EM SSAB Chairs meeting, noting that many senior managers for both EM headquarters (HQ) and the field were in attendance.

Mr. Whitney thanked the members of the EM SSAB for assisting EM in setting the right priorities for cleanup decisions and helping to gain community support. The end result is an informed stakeholder community. Mr. Whitney approached the issue of community involvement from a DOE perspective, stating that it is an obligation for field managers to commit to a process of stakeholder engagement. EM is fortunate to be able to take advantage of the advice, counsel, recommendations and knowledge of the EM SSAB.

Mr. Whitney then discussed some of the challenges facing the EM program, noting that although a lot has been done, the most challenging work is in the future. Budgets will be a challenge; the current \$5.6 billion level of annual funding is not likely to increase in the immediate future. There are also budget constraints associated with the Budget Control Act, and additional funding needs for recovery of the Waste Isolation Pilot Plant (WIPP). However, Mr. Whitney noted, \$5.6 billion still represents a substantial investment in cleanup across the complex, and EM is committed to moving forward to make progress, handle the highest-risk work, and reduce risk across the complex.

Mr. Whitney addressed the recent events at WIPP. Two incidents in February 2014 – a salt haul truck fire and a separate radiological release – resulted in the shutdown of WIPP. Sites rely on WIPP to complete their cleanup mission and reopening WIPP is a priority for EM, as well as for the Secretary of Energy, who has been actively engaged in recovery operations, planning, and decision making. Investigations are underway. The Accident Investigation Board (AIB) issued reports on the salt haul fire and the radiological release. A Technical Assistance team, led by Savannah River National Laboratory, is providing analytic work and peer review in support of the AIB. The AIB's final report will be released soon, and will focus on what happened, why it happened, and ensuring that when operations resume, it will not happen again.

The WIPP recovery plan, which will outline the process of when EM can resume operations, will be completed by the end of September. The recovery plan will be made available to the public. EM anticipates WIPP will resume initial operations in approximately 18 months.

Mr. Whitney assured the meeting participants that as EM continues to analyze the events at WIPP, it will use lessons learned to look at other operations to improve the safety and reliability across the complex, and develop deferred maintenance plans for its sites.

EM remains focused on improving execution of its capital projects. The Waste Treatment Plant (WTP) in Washington has faced numerous construction issues. However, EM and its contractors have made progress toward solving technical issues in both the HLW and pre-treatment facilities. Likewise, the Integrated Waste Treatment Unit (IWTU) in Idaho is getting on track.

Construction of the Salt Waste Processing Facility (SWPF) at Savannah River Site (SRS) is expected to be completed in 2016, with startup planned for 2018-2019.

Mr. Whitney shared recent accomplishments in the EM program:

In Oak Ridge, EM completed the demolition of K-25, more than one year ahead of schedule and approximately \$300 million under budget. K-25, a gaseous diffusion plant, was once the largest facility in the DOE complex.

EM completed 16 facility modifications three months ahead of schedule in support of the continued operation and sustainability of the SRS H-Canyon facility, the only hardened nuclear chemical separations plant still operating in the U.S.

At Portsmouth and Paducah, depleted uranium hexafluoride (DUF6) continues to be processed and converted into a safer and more stable form. Paducah recently awarded a deactivation contract and is transitioning to a new contractor, a major milestone for EM.

EM's Hanford site safely completed demolition of a massive underground structure that supported and shielded the last of six test reactors. The project used a unique approach to protect workers and save taxpayers \$2.5 million.

Since 1989, EM has closed approximately 90 contaminated sites in 35 states, and achieved a footprint reduction of almost 90 percent.

Mr. Whitney emphasized that although progress has been significant, the most challenging and risky work lies ahead. It is important that everyone works together to achieve successes. EM's cleanup program is vastly improved by the involvement of stakeholders, and the EM SSAB is a cornerstone of EM's stakeholder involvement program.

Mr. Whitney directed the EM SSAB to focus on the following topics for the upcoming year:

- Waste disposition priorities. As EM's schedule with WIPP becomes clearer, priorities and sequencing of cleanup and disposition activities may change. Community priorities will inform EM's decision making.
- Budget priorities. EM wants to continue to partner with stakeholders to better align cleanup priorities and commitments with expected performance and funding levels.
- Citizen Engagement. EM wants the Board's thoughts on how to involve more members of the community, particularly groups that are not represented or underrepresented in discussions about cleanup. Diverse citizen involvement is important.

Mr. Whitney concluded his remarks by thanking the Chairs and other members of the EM SSAB for their dedication and volunteer work on behalf of the local communities that surround and support EM sites.

Discussion

Ms. Susan Leckband, Vice Chair of the Hanford Advisory Board (HAB), expressed concern over how the needs identified in the deferred maintenance program will impact future budget requests. Ms. Leckband also decried the lack of transparency that exists when budget formulation information becomes embargoed.

Mr. Whitney noted that EM does not have a good process for including deferred maintenance items in its budget process. In the past, EM has relied on the discretion of site managers and assumed that they would ensure that the required maintenance was completed. Currently, EM is pulling together the deferred maintenance reviews from all the sites and coming up with a plan to address the identified deferred maintenance items and how to integrate them into EM's budget process.

Mr. Whitney noted that Secretary Moniz initiated a separate process through the Laboratory Operations Board to look at deferred maintenance and infrastructure investment requirements. This is likely to give EM additional insight into how the Secretary wants to address the deferred maintenance issue going forward.

Mr. David Hemelright, Chair of the Oak Ridge SSAB (ORSSAB), commented that deferred maintenance is typically the first thing to be cut because it is not visible. He also expressed approval for Mr. Whitney recognizing successes in EM, getting EM's message to Congress, the media, and the public is important.

Ms. Marolyn Parson, Chair of the SRS CAB, expressed concern that the newly-formed Commission to Review the Effectiveness of DOE's National Laboratories could have potential negative outcomes for the national laboratories in general and Savannah River National Laboratory (SRNL) in particular. She asked if there was anything citizen groups could do to show the Commission how much the national labs are valued.

Mr. Whitney expressed familiarity with the Commission, but also noted that he had yet to see the minutes from the Commission's first meeting, which occurred one or two days earlier. He noted that EM has one national lab, SRNL, and it is critical to EM's mission. To date, it is estimated that the work of SRNL has saved the EM program \$5 billion. He noted that EM is looking at ways to leverage SRNL's services and expertise at other sites. Mr. Whitney committed to letting the Commission know the importance of SRNL to EM's mission.

Budget Update

Ms. Connie Flohr, Acting Deputy Assistant Secretary for Program Planning and Budget, provided a brief overview of the fiscal year (FY) 2014 EM budget process and discussed the outlook for FY 2015. A copy of the Budget Update presentation is available at: <http://energy.gov/em/downloads/chairs-meeting-september-2014>.

Unfortunately, FY 2014 began with a lapse in appropriations that impacted DOE and the EM program, in addition to other government agencies, in many ways. In some instances, the lapse in appropriations resulted in work scope being delayed or not being performed. Employee

morale suffered as well. Congress passed a Continuing Resolution (CR) on October 17, 2013, ending the government shutdown. Ultimately, EM was funded at a level of \$5.8B for FY 2014, which was \$209M above President Barack Obama's initial request.

On March 4, 2014, the President released his FY 2015 budget request, which proposed a budget of \$5.622B for EM. In July 2014, after committee review, the House passed an FY 2015 mark of \$5.632B for EM, \$10M above the President's request. The Senate Appropriations Subcommittee on Energy and Water Development passed a mark of \$5.924B, \$320M over the President's request. Ideally, after conferencing, Congress will land on an amount closer to the Senate mark, which would be very beneficial for EM. The deadline for Congress to pass appropriations for FY 2015 is September 30. Members are currently considering a CR for the beginning of FY 2015 that will keep the government open and operating under FY 2014 levels until a full budget is approved.

If EM is funded with a CR based on the FY 2014 levels and activities, EM will be prohibited from taking up new work to ensure that the funds executed in the CR period do not presuppose the intent of Congress; EM will be required to operate within the same authority of activity approved for FY 2014. This means that the sites will be held to a fairly constrained level of funding. If passed, the proposed CR will extend government operations through December 11, 2014.

Ms. Flohr was unable to share information regarding the President's budget request for FY 2016 because the information is currently embargoed. The budget embargo time period is intended to provide the Executive Branch the opportunity to deliberate its agency requests and priorities. The embargo requirement is derived from the Office of Management and Budget's (OMB) Circular A-11, which provides an overview of the federal budget process, including the basic laws that regulate that process. Circular A-11 is available online at: http://www.whitehouse.gov/omb/circulars_all_current_year_all_toc.

The timeline for EM's budget formulation process is set up such that at the beginning of the year, HQ issues guidance to the sites, directing them to engage stakeholders and identify priorities for the next FY; it is an open process at that point. Ms. Flohr encouraged the Chairs to proactively work with their sites to ensure they are a part of the early formulation process. The embargo on budget formulation generally occurs in the March – May timeframe. At that junction, budget deliberations and discussion of specific funding levels are restricted to DOE and OMB. Although the public is not privy to the specific data points of those deliberations, they can continue to voice opinions and recommendations on what work should be funded and how that work should be prioritized. Continued engagement to discuss cleanup priorities is encouraged, so long as that engagement does not include discussion of specific funding amounts or mention of what activities are funded or not funded in the target.

Ms. Flohr acknowledged a historical process whereby HQ issued guidance to the field managers directing them to engage with advisory boards, intergovernmental groups, and other stakeholders to obtain priorities and recommendations for building the next budget. However, since EM budget guidance (issued each spring) contains the same instruction, several years ago Ms. Flohr recommended that EM do away with the issuance of separate guidance on stakeholder engagement. However, Ms. Flohr has since been made aware that the new protocol does not afford sufficient time for adequate stakeholder engagement in the budget process. Therefore,

Ms. Flohr plans to reinstitute the issuance of separate guidance for engaging with stakeholders. This new process will begin in January 2015 to support the FY 2017 budget formulation cycle.

Ms. Flohr briefly explained the role of the OMB Examiner, noting that the Examiner's responsibilities and authorities are clearly described in Circular A-11. She also noted that OMB has apportionment authority over the EM budget, which allows it to meter out funding over the course of the year or by Project Baseline Summary (PBS), if determined necessary, rather than all at once. These are Category A and Category B apportionments. There is also a Category C apportionment authority that enables OMB to withhold funding for obligation in future fiscal years.

Ms. Flohr concluded her remarks by noting that EM continues to work closely with the DOE Chief Financial Officer and OMB throughout the budget formulation process, to remain as flexible and transparent as possible.

Discussion

Ms. Leckband asked which law governs Circular A-11 and gives OMB the authority to apportion funding. Ms. Flohr took a note to locate that information and provide it to the Chairs at a later date.

[Update: Ms. Flohr provided the following after the Chairs' meeting: the answer is Section 207 of the *Budget and Accounting Act of 1921*, which established the Bureau of the Budget under the Treasury Department. The Bureau moved to the Executive Office of the President in 1939, reorganized, and was renamed OMB in 1970.]

Mr. Hemelright asked for more information regarding how decisions are made on how to appoint or allocate funding during the embargoed formulation process.

Ms. Flohr explained that EM uses the current FY funding level as a starting point for the formulation process. The Office of Program Planning and Budget issues guidance to the field sites requesting information for several different budget scenarios. Examples include:

- What level of funding is necessary to fully meet site compliance requirements? Executive Order 12088 requires EM to submit a fully compliant budget request to OMB.
- In the event of a flat level of funding continued from the previous year, what could the site accomplish? How would work be prioritized?
- What additional funding is needed beyond the current FY levels? What work could be started or accelerated if additional funding was received?

Each site then builds a budget briefing document that is used to convey each site's priorities and rationale for funding certain activities to EM leadership. Collectively, over the next several weeks, The Office of Program Planning and Budget and the HQ mission units discuss the briefing documents and make preliminary decisions to help guide the sites as they build their Integrated Priority Lists (IPL). The IPLs are then used to help build the overall EM budget request that is submitted to DOE Senior Management for review and approval before going to OMB.

Ms. Parson asked for clarification regarding where the funding comes from to pay enforcement penalties. For example, if the State of South Carolina were to assess penalties for failure to meet an SRS Federal Facility Agreement (FFA) milestone, what would be the impact to the site's budget?

Ms. Susan Cange, Acting Manager for the Oak Ridge Office of EM, shared her site's experience with this type of situation, reiterating that payment for fines or penalties does typically come from the site's budget. In the past, Oak Ridge has had the opportunity to structure its repayments over the course of several years, allowing the site to ensure additional funding was secured in budget requests to account for repayment needs. Oak Ridge has also negotiated alternative agreements with the State of Tennessee, and has performed supplemental environmental projects in lieu of paying fines monetarily. This practice, when possible, allows the site to preserve its budget while performing a cleanup or community activity that benefits the State.

Mr. Whitney added that the funding for penalties ultimately comes from the EM cleanup program-- if EM has to pay fines, it comes from cleanup work. Theoretically, this results in less cleanup work that can get done in a FY, particularly in the current budget environment. These types of issues could be detrimental to the success of the EM program going forward.

Mr. Mark Gilbertson, Deputy Assistant Secretary for Site Restoration, noted one exception to the issue of fines, which is that EM holds its contractors accountable for being in compliance with laws and requirements. If it is deemed that noncompliance is due to a problem with contractor performance, the contractor is held responsible for payment of the penalty.

Chairs' Roundtable: Setting Budget Priorities

The EM SSAB Chairs discussed challenges and successes that occur when the local boards provide input during the budget formulation process and recommend funding priorities to their site management. Prior to the Chairs' meeting, the members developed a set of questions to help frame the roundtable discussion:

- (1) The availability of information is so compressed, how can the EM SSAB develop advice to be on point with where funding goes?
- (2) How does each board communicate to DOE on budget priorities, and how is the information shared with the public?
- (3) What evidence do boards have that their advice on budget priorities has made an impact?

Mr. Hemelright shared that the ORSSAB's budgetary process runs in tandem with DOE's two-year budget cycle. The ORSSAB also has a subcommittee that meets on a quarterly basis to review the budget. As the budget cycle approaches, the board is briefed by site management. As the budget is prepared, the ORSSAB communicates its agreement or disagreement with the site's request to DOE. So far, the ORSSAB has always been in agreement.

Mr. Carlos Valdez, Chair of the Northern New Mexico Citizens' Advisory Board (NNMCAB), expressed that it is difficult for local EM SSABs to participate in the budget process because once recommendations on budget priorities are submitted, the boards receive little feedback, and do not see the results. It is unclear if the recommendations are included in the budget request for

the site, or in EM's budget request. The board only finds out once the budget numbers are made public.

Mr. Valdez explained that the EM SSAB wants to help DOE create a budget request for Congress, but also take into consideration what is the best for local communities in terms of cleanup. Because in some ways the EM SSAB serves as a liaison between the public and DOE, it would be helpful if the Board could participate at a higher level in decisions regarding budget priorities.

Mr. Whitney noted that budget constraints are likely to continue to exist, and that across the boards there are varying levels of satisfaction with the budget process. Lessons learned and successful strategies for how to work with site management should be shared and applied across the sites. Mr. Whitney emphasized that while DOE cannot release budget numbers because of constraints, the focus should be on improving the budget process complex-wide.

Ms. Cange discussed the budget process at Oak Ridge. Throughout the year, site management discusses priorities for the program, looking at near-term, mid-term, and long-term priorities. The site focuses on a plan to move forward with near-term priorities and the ORSSAB is able to provide input during the budget formulation stage. Ms. Cange believes that the key to Oak Ridge's success is education, opportunity for engagement, and discussion on budget priorities prior to the budget formulation stage.

The EM SSAB Chairs discussed budget successes. Ms. Leckband shared that the HAB approaches the budget as a one-time-per-year process. Over the past few years, it has seemed that the amount of budget information shared with the public has decreased. Historically, the HAB was provided with an IPL early on, and site representatives waited for budget guidance from DOE HQ to initiate discussions. Ms. Leckband noted that a more proactive approach might be necessary because it appears that site staff believe they are not allowed to discuss the budget until they receive guidance from HQ.

The HAB has a budget meeting and a public meeting at which the board encourages the public to share budget priorities. The HAB has worked well with local DOE staff but budget information is usually received late, without numbers that are detailed enough for the board to provide its priorities. Ms. Leckband is hopeful that in the future site staff will be more forthcoming with information. More open communication would enable the HAB to provide advice based on community values.

Mr. Whitney stated that Ms. Flohr would take the action to make sure that the field sites understand what information can be shared, and when. With the current and likely future budget situation, it is critical that the priorities are properly set.

Ms. Kathy Bienenstein, Chair of the Nevada Site-Specific Advisory Board (NSSAB), shared that her board has open communication with the Nevada Field Office all year long, especially during budget time. Annually, DOE staff discusses budget priorities with the NSSAB, which is included in its work plan. The NSSAB develops its annual work plan with the goal of meeting

the requirements of certain milestones. All of the NSSAB's recommendations and priorities are then enveloped into the budget request from the Nevada Field Office.

Ms. Donna Hruska, Vice Chair of the NSSAB, specified that once a year DOE shares a list of projects with the NSSAB and gives a presentation on each project. Each board member individually prioritizes the projects. NSSAB then tallies the individual board members input to rank the projects from highest to lowest, resulting in a prioritized list from the NSSAB for the specified budget year.

Mr. Bohrer shared that the INL CAB meets on a quarterly basis. Usually the DDFO shares the status of the budget and possible funding levels. There have been no major budget issues for INL because in the last few years the contractors have been making greater-than-required progress. For this reason, DOE has made decisions to curtail some activities. The INL CAB agreed with the decision; when there is an issue, the INL CAB weighs long-term benefit vs. short-term budget gain. The INL CAB is interested in long-term impacts on the INL site, community, infrastructure, and employment as EM divides funds among projects.

The INL CAB has not gotten involved in the way the cleanup contract is set up; if the contractor makes efficiencies in cleanup, the money saved is reinvested into additional cleanup. In general, the INL CAB has been satisfied with the way DOE is managing its money.

The Chairs discussed examples of evidence that the local boards' advice on budgeting priorities makes an impact.

Ms. Parson shared an impact relative to budget cuts in regulatory oversight. The budget was cut for Project Baseline Summary (PBS) 100, which would have resulted in a reduction of regulatory oversight by the U.S. Environmental Protection Agency (EPA) and the South Carolina Department of Health and Environmental Control, and staff reductions. The SRS CAB put forth a recommendation that the budget for the PBS not be cut, and as a result, the funds were put back into the PBS.

Mr. Steve Hudson, Chair of the HAB, stated that the HAB sees the biggest impact in terms of values. If the HAB makes observations about projects that will protect, sustain, and correct the difficulties along the Columbia River, the HAB sees that funds are expended toward the river. Prime values of the Pacific Northwest National Laboratory include worker safety, and projects on groundwater and the Vadose Zone, which tend to rise to the top of the priority schedule.

Mr. Valdez noted that the NNM CAB has a good working relationship with EM staff at Los Alamos National Laboratory (LANL). NNM CAB's yearly priorities for budget have turned out to be very similar to the LANL cleanup staff's priorities. Mr. Valdez mentioned that in 2013 LANL was able to get one-time funding which did not become part of the base budget, but helped get the site back on track with cleanup.

Ms. Bienenstein shared that when the NSSAB is asked to give advice on a certain topic, the Nevada Field Office supplies subject matter experts to allow the board to make more informed decisions. Last year, the NSSAB made 39 recommendations to the Nevada Field Office. Thirty-

three recommendations were accepted, and two were rejected outright, with reasoning given. Four recommendations were sent to HQ for consideration.

Mr. Harold Simon, Vice Chair of the SRS CAB, shared that site management provides a quarterly briefing to the SRS CAB's Strategic and Legacy Management Committee and the full SRS CAB. These meetings are open to the public. Mr. Simon noted that when the SRS CAB submits its IPL to SRS, and SRS submits its budget request, the board is unable to measure if its input is making a difference. He asked for greater transparency moving forward.

Mr. Simon said that he is satisfied with the SRS CAB's efforts, but needs transparency to determine if the board's input and priority list is making a difference. The SRS CAB has no way of knowing unless the board submits a recommendation, receives a response and sees an increase in funds when the budget is submitted and approved.

Mr. Hudson stated that the HAB has conflicts because the board does not have work plans that are well coordinated with those provided by DOE, unlike the NNM CAB and the NSSAB. The HAB responds to the communities that it represents and often the priorities of the communities differ from the priorities that have been established by DOE, EPA, and the Washington State of Ecology. Discussions about budget priorities cannot be held without conflict about which set of work plan goals are most important, and it is often hard to reach an agreement.

Ms. Leckband volunteered to compile the main points of the Budget Priorities Roundtable into a list of lessons learned and best practices for the product development portion of the Chairs meeting.

Mr. Ben Peterson, Chair of the Paducah CAB, said that as members of the community, the Paducah CAB considers employment and economic stability to be high priorities. Because the board represents a cross-section of the public, community values are a key part of discussions and the board's recommendations. Often there is a disconnect when planned DOE projects seem to be based solely on cost.

Mr. Whitney acknowledged that it is a fair priority for the EM SSAB to bring values to the table in representing the cross-section of a community. He added that DOE's focus is on reducing risk and executing projects that do so, while also considering the impact to local economies.

Ms. Judy Clayton, a member of the Paducah CAB, asked how much of the money allocated to Paducah, or any individual site, goes toward cleanup and not just the "hotel" costs (i.e. those costs needed to for general infrastructure, security, and maintenance).

Mr. Whitney responded that federal management in Paducah is in a better position to understand what those costs are. EM discusses the issue of "hotel" costs, min-safe costs, essential services and costs to keep the facility operating safely with the sites across the complex

Ms. Flohr added that those costs are certainly on HQ's radar. DOE has discussed how to continue to reduce those costs to a minimum, but it requires a large amount of funds to keep fire services and guard services at the ready at sites.

Mr. Bill Murphie, Manager of the Portsmouth/Paducah Project Office, added that in the past, the Paducah CAB has seen presentations that display the infrastructure and hotel costs. As the United States Enrichment Corporation transitions the site over to DOE, specific budget information is not yet available, especially as planning for the FY 2015 budget is underway. The Paducah site had to make a lot of assumptions as to what costs might be. Mr. Murphie also added that the Paducah site is attempting to get the newly hired contractor to separate out specific numbers regarding how funds are allocated for fire and emergency operations. Hopefully within the next few months, as part of the continuing development for the FY 2016 budget, the Paducah site will get that information.

Mr. Bohrer shared that when the INL CAB is briefed by its DDFO, if the budget is lower than the previous year the board asks if the site has enough money to meet its regulatory requirements; the answer has always been yes. If there were a point at which the answer was no, the INL CAB would become more actively involved in the budget process. Mr. Bohrer believes that it is within DOE and its contractors' discretion to parcel out money the way they believe is best. He stated that he is satisfied that the INL CAB receives necessary budget information and is able to provide input.

Mr. Whitney discussed regulatory compliance and noted that DOE is fortunate to have participation from state and federal regulators. He noted that whether all regulatory commitments are funded in a given year does not necessarily mean DOE is able to meet them, since technical issues sometimes occur. When DOE renegotiates missed milestones, it is the regulators' job to regulate DOE and also try to focus on risk reduction. Often DOE is put in a position in which the newly negotiated milestones are greater than the previous milestones. With a flat budget, it becomes more difficult to meet additional milestones. Mr. Whitney encouraged the EM SSAB to take the opportunity to weigh in from a community perspective at each site.

The Chairs discussed how the EM SSAB would like to see the budget priorities process function differently at sites in the next budget year.

Mr. Valdez expressed the need for more transparency so the boards know which budget priorities made the cut, and what the numbers are. The boards do not know if budgets are built by line item or categorically, whether they are program-effort driven or performance-based driven.

Mr. Valdez questioned how the budget is broken down, and what it means for each site in terms of personnel and contracts. He expressed the importance of sharing that information with the public, especially when a CR is concerned. Transparency and communication would help the EM SSAB better recommend use of available funds. Mr. Valdez also questioned whether the EM SSAB has the opportunity to provide input on which priorities should be carried forward once a CR is put into place, in terms of budget adjustments and operations such as waste transportation and shipping.

Ms. Parson stated that the SRS CAB has a good input process, and the board gets updates often. One shortcoming of the process is that it is difficult for the public to understand the implications of a budget shortfall, and what it means in terms of cleanup at the site. Ms. Parson shared that

the SRS CAB asked DOE staff to include in the performance assessment how changes to the budget affects goals and cleanup deadlines.

Mr. Simon shared that the SRS CAB's funding comes from PBS 100, and it covers community and regulatory support. The support team submits a budget based on the next quarter, and gets funded for the expenditures. Mr. Simon asked for clarification that under the PBS system, sites cannot move funds from one PBS to another.

Ms. Flohr explained that SRS is unique. PBS 100 is its own congressional control point that is distinct from the rest of the PBS', which means that DOE cannot flexibly move money in or out. The SRS PBS system was designed to ensure that activities were funded to the necessary level because community regulatory support is important. In other instances, the system is supposed to ensure that cleanup dollars stay focused on cleanup, and do not get moved around at will. OMB apportions the funds for SRS to come out at the PBS level, whereas other sites have more control points, such as the Hanford site, which has River Corridor, Central Plateau, and cleanup.

Mr. Peterson asked for Ms. Flohr to define PBS, and explain how it equates to the site level. Ms. Flohr responded that a PBS is the unit of work, and the way EM breaks down the funding and the scope of work. It is more a scope distinction than a funding distinction.

Mr. Valdez inquired about the EM HQ's takeaway from the discussion. Mr. Whitney stated that it was helpful to hear the level of issues that the EM SSAB is having with the perceived lack of transparency in the budget process. There are opportunities to learn lessons from other sites and apply methods that are working well for other boards. DOE is committed to ensuring that representatives at the sites understand what information can be shared with the EM SSAB. Mr. Whitney added that there is a plenty of room regarding budget priorities for HQ and the sites to work successfully with the EM SSAB.

Presentations: Chairs Round Robin: Chairs' Site Reports

The Chairs shared current issues facing their sites and significant local board accomplishments and activities. A copy of the Round Robin presentation is available at: <http://energy.gov/em/downloads/chairs-meeting-september-2014>.

Hanford Advisory Board (HAB) – Steve Hudson

Mr. Hudson discussed publicizing cleanup successes and the challenges sometimes associated with communicating technical information to the community in a way that conveys its significance. This issue is relevant to the HAB as the board is working on strengthening public involvement and outreach.

As an example, Mr. Hudson shared a recent site accomplishment that is historically notable: cleanup of the McCluskey Room in Hanford's Plutonium Finishing Plant. The room was named for Harold McCluskey, after an explosion in the room seriously injured him in 1976. Fourteen teams of five people each are entering the space daily to complete cleanup, using technology that was developed specifically for handling the materials. However, the press focused more on Mr. McCluskey and the accident, rather than the cleanup and technological advances that paved the way toward the significant accomplishment of the cleanup.

Idaho National Laboratory (INL) Site EM Citizens Advisory Board (CAB) – Herb Bohrer

The INL CAB is concerned about the impact of the WIPP shutdown on INL activities. The shutdown jeopardizes several milestones for shipping waste out of Idaho. A milestone to have all transuranic (TRU) waste out of Idaho by 2018 is still on schedule, but it may be in peril the longer the WIPP shutdown continues. The citizens of Idaho are extremely interested in the WIPP shutdown and the plans for recovery.

Originally, the milestone for completing the processing of waste at the IWTU was the end of 2012. Currently, the IWTU is still in the startup phase. It is not clear when the facility will start up, but the INL CAB is satisfied that DOE and the contractor are taking the right steps by proceeding deliberately. Recently, there were some documents issued to start procurement for the Idaho Cleanup Project.

INL has two major contractors, one dedicated to the Advanced Mixed Waste Treatment Project (AMWTP) and one responsible for the larger cleanup at the site. In the past, transition to a new contractor for the AMWTP did not go smoothly because of safety and production challenges. The INL CAB is concerned that unless the transition issues are dealt with properly, there will be similar problems associated with new procurements. The INL CAB wrote a letter regarding the issue to DOE and received a response; the board feels it is a serious issue that needs to be continually managed.

The INL CAB started an e-newsletter and has published three issues so far. Five new members were recently appointed to the INL CAB, including one local elected official. This expands the board's diversity and brings a new perspective to the board.

Nevada Site-Specific Advisory Board (NSSAB) – Kathleen Bienenstein

The NSSAB's membership recruitment drive was successful in recruiting 11 new members out of 35 applicants. The new members will begin their terms on October 1, 2014.

Members of the NSSAB participated in the following events in 2014:

- Intergovernmental meetings held by NSSAB
 - Before each full board meeting, Ms. Bienenstein attends a federally-led meeting with the NSSAB's liaisons. An educational session takes place concurrently to the intergovernmental meeting, where DOE subject matter experts share information that pertains to items on the NSSAB's work plan.
- Groundwater open houses held by DOE
 - The NSSAB had a display and was able to recruit new members at the event.
- Table top exercise from the Transportation Emergency Preparedness Group
- Tour of the Waste Control Specialists (WCS) site in Texas
- Observation of a radioactive waste generator audit at Oak Ridge and Argonne National Laboratory in support of a work plan item
- 9th Annual RadWaste Summit in Las Vegas
 - Participated on a panel on the future of disposal at Nevada National Security Site (NNSS) by giving a presentation focused on the board's perspective on low-level waste transportation and disposal at the site.

NNSS is the featured site for next year's Waste Management Symposia in Phoenix, and the NSSAB has been invited to speak.

The NSSAB has a student liaison that is mentored by Ms. Hruska. The student liaison created a presentation on site cleanup to determine his student body's knowledge before and after the presentation by administering surveys.

There are issues concerning a particular waste stream. The board, local communities, and the emergency services of the communities were briefed on what might happen to the stream and how it will be dealt with.

The Community Environmental Monitoring Program is funded by DOE, and led by the Desert Research Institute. The program runs monitoring stations that focus on air and water quality. The NSSAB was asked whether DOE should continue funding the project. The board recommended that DOE should continue funding the project, but should eliminate two of the stations, one at the Duckwater Shoshone Tribe location, and another at a private location. The Duckwater Shoshone Tribe requested that the monitoring station near the tribe not be eliminated because it is a focal point for community gathering. Although there has never been an issue with the air quality as a result of activities at NNSS, the monitoring stations provide psychological reassurance to the residents of the area.

Northern New Mexico Citizens' Advisory Board (NNMCAB) – Carlos Valdez

The NNMCAB is currently comprised of 21 members, and over the past year has successfully recruited new members from the multicultural populations surrounding the site, thereby increasing the board's diversity. Seven members are currently eligible for reappointment. The NNMCAB's staff is constantly working on outreach and recently contacted a dozen city mayors, several civil groups, and other government entities in the community.

The NMMCAB is in its second year of having student interns on the board; the first year was successful. The board communicates to the public using social media, including YouTube and Facebook. The NNMCAB also publishes four newsletters a year. Mr. Terry Aguilar, governor of the Pueblo de San Ildefonso, spoke to the board at its July 2014 meeting.

The NMMCAB serves as a neutral forum for LANL and the New Mexico Environment Department (NMED) to discuss issues relevant to TRU waste, WIPP, and cleanup that occurs in Los Alamos. The NMMCAB has built an outstanding relationship with local tribes, DOE, LANL, regulatory agencies, and the citizens of Northern New Mexico.

The WIPP closure has impacted the framework agreement that LANL entered into with NMED. The agreement was not met, though LANL came close. The site moved 90 percent of the above-ground TRU waste off the mesa. Less than 380 cubic feet of waste remained before the WIPP shutdown; however, approximately 93 percent of the highest activity TRU waste was removed. The NNMCAB is hopeful that WIPP reopens safely and quickly.

Oak Ridge Site-Specific Advisory (ORSSAB) – David Hemelright

Each year, prior to the ORSSAB's annual planning meeting, the board requests a list of the last year's achievements from the subcommittees. The public outreach committee usually has the most successes. The board's EM Stewardship Committee expressed the need to begin focusing on the site's transition from long-term cleanup to stewardship.

EM has a number of stewardship tracking tools including the Land Use Manager, DOE Geographic Information System (GIS), and the Oak Ridge Environmental Information System (ORISE). All of these tools run are run in real time, and are accurate, user friendly, and feature public mapping systems. The DOE GIS and ORISE are online repositories of information that contain an overview map of Oak Ridge that allows users to pinpoint data. Users can refer back to the record of the decision (ROD) and the FFA. The tools show rivers and boundaries of each ROD as it concerns cleanup.

The ORSSAB has a longstanding interest in stewardship. The board has completed two stakeholders' reports on the subject, hosted a national stewardship conference, developed a stewardship information resource kit, and received a national EPA award for stewardship efforts and community action and education.

Oak Ridge is not seeking funding for any new projects at this time. The site has significantly reduced the amount of land that it has on the National Priorities List (NPL). Originally the entire Oak Ridge Reservation was on the NPL, but about 70 percent of the land has since been removed from the list.

Prior to the establishment of the ORSSAB, an End Use Working Group was founded to focus on the future of the site, and determine the essential elements of stewardship. Many of the members of the working group later became members of the ORSSAB.

In FY 2015, the ORSSAB is expected to provide input on two of three major cleanup decisions. The site is focusing on the Oak Ridge National Lab, the Y-12 Weapons Complex, and the East Tennessee Technology Park (ETTP).

ETTP cleanup is almost complete, and the K-25 building has been demolished. DOE is working to complete remediation of the land to turn it over to the Community Reuse Organization of East Tennessee. The goal is to encourage and produce revenue off of the land, and to develop Oak Ridge into a viable economic city and industrial area.

DOE is required to conduct a five-year review of stewardship activities to determine if the implemented remedies are working, and are still appropriate. Oak Ridge also prepares an annual remediation effectiveness report that documents the effectiveness of completed remedial actions. The entire site is monitored, including the fences, burial grounds, waste disposal facilities, and plant, to gather information for the annual report. Oak Ridge used the Land Use Manager to help document the information.

Paducah Citizens Advisory Board (Paducah CAB) – Ben Peterson

A Paducah site lead was named and communications are improving with the local Paducah office in Lexington, Kentucky. The Paducah CAB continues to work with the office during the transition period of the site and is focusing on the best ways to communicate to the community.

Mr. Peterson thanked Mr. Murphie and the DOE staff for their efforts to open local lines of communication.

Issues and challenges remain, including the written and spoken messaging that the site is receiving at the HQ level. The Paducah CAB looks forward to having conversations with HQ in the near future.

Another accomplishment for the site was the issuance of the indefinite delivery/indefinite quantity (IDIQ) contract. Mr. Peterson acknowledged the efforts that DOE took to hasten the process. The immediate notice to proceed with the IDIQ contract did not go unnoticed by the community of Paducah, and it was an important factor in providing an easier transition for local residents. The site is now focusing on rehiring workers.

Mr. Peterson relayed the Paducah CAB's gratitude to EM leadership, and expressed that the community of Paducah recognizes the efforts that DOE has taken on Paducah's behalf.

Mr. Peterson discussed economic stability in Paducah and the importance of establishing new programmatic baselines and milestones during the three-year transition of the IDIQ contracts.

The Paducah CAB needs to communicate with local residents, so that DOE knows where the community stands. If the Paducah site is able to establish a future use plan in combination with new milestones, it will culminate in enforceable milestones similar to those at other sites.

Paducah currently does not have regulatory milestones, in part because cleanup began while the site was still operating, and therefore the site had to accommodate ongoing operations. Since the operating site recently shut down, it is now possible to take a comprehensive look at the site's remediation needs and reevaluate these needs. The site needs reasonable flat line funding to transition to decontamination and decommissioning (D&D).

The issue of regulatory milestones is important to Paducah and Portsmouth because the two sites do not necessarily have future missions; neither site has a national lab or factory to sustain it. Economic stability is important for the community to avoid a pattern of employment followed by unemployment.

Hiring spikes are not necessarily helpful, either. An influx of money for one year, followed by a year of unstable funding does not help the community. Workers end up moving in order to seek stable employment, and do not connect with the Paducah community. The Paducah CAB considers these issues of significant concern.

Portsmouth Site-Specific Advisory Board (PORTS SSAB) – Will Henderson

The uranium barter has created a significant problem for the Portsmouth site; it has led to a budget shortfall of \$110M for FY 2015. The site has a 70 percent reliance on the barter and the supply of the uranium that is currently being used to barter will run out in 2016. This issue will require a significant response from DOE through the budgeting process. The community is theoretically in support of an on-site disposal cell.

The PORTS SSAB is encouraging DOE to look at ways the Portsmouth site can recycle and reuse as much material and resources as possible. Consolidating the existing landfill into an on-site disposal cell would open up valuable land.

The PORTS SSAB is encouraged by the openness and willingness of DOE to have these discussions. The path forward for D&D is to have openness and transparency. Mr. Henderson stated that the PORTS SSAB appreciates the efforts of Mr. Whitney, Mr. Murphie, and Mr. Joel Bradburne, DDFO of the board, in the discussion process.

The site has had issues with the asset transfer program. The contractor in charge of the program is conflicted because the scope of work conflicts with the community's desire for the contractor to find as much recyclable material as possible to transfer to the Community Reuse Organization. There are members of the PORTS SSAB who would like to see an outside third party push the contractor to move the asset recovery program forward.

The PORTS SSAB has executed multiple educational outreach initiatives that benefit students, such as the Science Alliance and a science competition. There was a tremendous response to these initiatives, and the programs encouraged many students in Portsmouth to pursue education in science, technology, engineering, and mathematics.

Savannah River Site Citizens Advisory Board (SRS CAB) – Marolyn Parson

A major topic for the SRS CAB is the high level radioactive liquid waste program. Enforceable milestones to close two of the tanks in 2015 are going to be missed. As a result of pushing back some of the activities to close the gap, additional milestones in future years will also be missed. This increases the risk to the environment and workers, and extends the life cycle of the cleanup program by years, thereby increasing life cycle costs. Also, fines could be assessed by the South Carolina Department of Health and Environmental Control (SC DHEC), which would impact the cleanup program.

At public meetings, DOE shared that the milestones will be missed. Recently, DOE formally asked SC DHEC to extend the dates of the milestones, but the State of South Carolina declined to change the timeline. EPA, which is not responsible to enforce the milestones, but is part of the Tri-Party Agreement under the FFA, submitted a letter with an alternate plan suggesting milestone dates that were between the original dates and the new dates that DOE proposed.

DOE included a justification for missing the milestones. The explanation provided information that helped the public understand the complexity of the issue.

Recently, the SRS CAB took a tour of the site that focused on the liquid waste program. The program has achieved many accomplishments, including the closing of tanks. The program is reducing environmental risk, but risk still remains. The HLW tanks are the most significant environmental threat in South Carolina and the remaining waste in the tanks is of concern to the public.

The cleanup program at SRS has also had setbacks with part of the construction of the Saltstone Disposal Facility, but progress is being made. Technical problems were responsible for part of the delay.

Waste Disposition Update

Mr. Frank Marcinowski, Deputy Assistant Secretary for Waste Management, provided an update on EM's recovery of WIPP and other waste disposition activities. A copy of the presentation is available at: <http://energy.gov/em/downloads/chairs-meeting-september-2014>.

WIPP Recovery

Operations at WIPP were halted after two incidents in February 2014. The first occurred on February 5, when an underground salt haul truck caught fire. As a result, the underground area was evacuated and operations at the repository ceased. Shortly after the incident, the AIB was deployed to determine the cause of the fire. During the investigation, all waste operations were suspended, and only members of the investigation team were allowed underground. The AIB completed its investigation and an incident report was released on March 13, 2014.

The second incident, a radiological release in Panel 7, Room 7, involving a breached drum from LANL, occurred on the evening of February 14, 2014. NMED, EPA and the Carlsbad Environmental Monitoring Research Center, an independent monitoring company, all performed monitoring to evaluate the extent of the release. The extent of the release was minimal-- barely above detection levels-- and the potential health effects from the incident were determined to be insignificant.

Surveys are being conducted underground to evaluate the extent of the contamination and cause of the breach. The AIB was appointed to investigate the February 14 incident, analyze, and identify the contributing causes, root causes, and the Judgment-of-Need. The AIB was extremely critical of the contractor and federal staff at the WIPP site, and the staff at HQ. The AIB found significant lapses in the emergency response program and how non-waste handling equipment was maintained. The AIB's first report identified issues EM needs to address, and EM is drafting corrective actions plans based on these incident reports. Until all issues are thoroughly addressed, operations at WIPP will remain suspended.

The second AIB report addressed the response to the radiological release. EM expects a third investigative report by the end of the calendar year addressing the cause of the radiological release.

A technical assessment team, comprising various national labs across the DOE complex, is conducting experiments to try and recreate what happened underground in Panel 7. The team is working with a group at LANL to evaluate what may have happened with the breached drum.

EM has started Project Reach, which will allow EM to conduct video mapping of the entire waste pile in Panel 7, Room 7. As of now, EM has only been able to reach a portion of the waste pile. Project Reach consists of a long boom steady enough to hold cameras that would provide visual evidence of the entire waste pile area. The boom has been delivered to WIPP and will be assembled on the surface, where EM will hold mockups before taking it underground. Once EM is satisfied with the mockups and training, the boom will be disassembled and moved underground, and reassembled in Panel 7, Room 7, to complete visual mapping of the room. The boom will

move not only across the top of the waste space, but in between the stacks of drums. The data will be collected and sent to the AIB.

WIPP employees have returned to work and are achieving a comfort level with going back underground. EM is surveying and mapping the radiological levels underground to determine the areas where workers will have to wear additional clothing and protection. Areas are being designated as RAD and non-RAD.

NMED has required EM to expedite the closure of Panels 6 and 7, given that there are between 300 and 400 drums containing similar waste streams from LANL in these panels. EM wants to close Panel 6 as quickly as possible, on the off chance that there is another event underground. That will be one of the first tasks once operations are reestablished underground. Before Panel 7 is closed, EM wants to ensure that all investigations are complete.

Currently, ventilation is a key issue underground. The ventilation system throttled back to a lower ventilation rate when the release occurred. The ventilation rate must be a specific flow rate in order to operate the diesel equipment underground and comply with Mining Safety and Health Administration requirements. EM is working to get interim ventilation measures in place so operation can begin, but even with the interim ventilation measure, EM can only operate a limited number of diesel equipment underground.

EM must also make sure that the mine is stable. Since there have not been any operations underground for the past seven months, the salt will creep, though EM is pleased with the initial visual investigations and inspections of the condition of the mine. Rock bolts have sheared off, but the bolts would have sheared off during the normal course of operations as well.

EM is in the process of putting together a comprehensive recovery plan that will be made public in the near future. The plan will lay out the actions EM is currently undertaking, which actions EM needs to undertake, how the actions will be completed, how much the process will cost, and how long it will take to accomplish recovery activities and resume operations. The plan is especially important in informing Congress on the budget needs of WIPP, since the normal operating budget of WIPP will be insufficient to cover the costs of recovery and start up to resume operations underground.

Shortly after the radiological release, EM launched a WIPP recovery website to keep the public informed. The website includes monitoring data, videos from underground excursions, and photographs. EM has also been holding regular town hall meetings in Carlsbad, which are webcast. EM will continue these efforts throughout the recovery process.

Although WIPP is in standby, the decision was made for generator sites to continue to process TRU waste. Currently, generator sites have sufficient interim storage capacity, but this may become an issue in the future. There are also concerns surrounding compliance milestones. In the State of Idaho, it is inevitable that the 2,000 cubic meter rolling milestone will be difficult to meet, given the current position of EM. EM is interacting with the State of Idaho regarding this issue, and the State seems to understand that EM will be unable to meet the milestone at this

point. Oak Ridge is another site that is continuing to process waste, and attempting to deal with future storage issues.

LANL's TRU waste processing program has shut down for the time being; the remaining TRU waste onsite is in a safe and stable configuration. EM will have to wait to see what comes out of the AIB report in order to determine how to move forward with the program.

SRS has already processed all of its legacy waste. The legacy waste is safely stored onsite, and will remain there until operations at WIPP can start again. SRS has also processed, packaged, and characterized excess plutonium. The plutonium will also continue to be safely stored onsite.

When the WIPP radiological incident occurred, EM was working to meet a very near-term milestone at LANL, the 3706 TRU Waste Campaign, which is a project to disposition 3,706 cubic meters of TRU waste that is being stored above ground. EM was able to work with WCS and the State of Texas to store some of the TRU waste onsite at WCS. EM has several hundred containers of waste at WCS and it is being stored in a variety of configurations until EM is able to restart shipments to WIPP.

In early September, EM participated in a workshop at the RadWaste Summit. At the summit, sites discussed plans to manage TRU waste during the shutdown.

EM is working on the sequence of future shipments to WIPP. There are a few hundred containers of waste currently on the surface of WIPP that EM was unable to put underground. When WIPP becomes operational again, Idaho and Oak Ridge will both have a significant backlog of waste, so EM will have to work on an appropriate sequencing plan to determine how waste will be shipped to WIPP.

Commercial Disposal and Other Waste Disposition Activities

Mr. Marcinowski believes EM is in a good place in terms of commercial disposal. Both Energy Solutions and WCS disposal facilities are available to EM. Energy Solutions has been a long-time recipient of Class A waste, debris waste, and bulk waste from EM's disposal operations. WCS can accept both Class B and C waste. Recently, WCS received a major amendment to their license, allowing them to accept large quantities of DUF6, and all volumes coming out of DUF6 facilities in Portsmouth and Paducah. EM would like to retain as many options as possible when it comes to disposal of radioactive waste. Nevada and Utah have both taken DUF6 from EM in the past, and EM would like to keep those options open for future disposal decisions.

In response to the Chairs' recommendation on waste disposition mapping, EM is working to update maps of the sites and make them more interactive and visually appealing.

Discussion

Ms. Leckband asked whether the third AIB report on the WIPP incident would contain information from the first two reports, and whether the third report would be released to the

public. Mr. Marcinowski responded that it would be a public document and that it would be a companion document to the other reports.

Ms. Leckband asked whether the characterization of the waste before it was emplaced is part of the investigation. Mr. Marcinowski responded that attempting to understand the contents of the breached drum is part of the investigation.

Ms. Allison Majure, the incoming Vice Chair for the NMMCAB, asked whether EM knows how many drums related to the breached drum are in Panel 6.

Mr. Marcinowski responded that LANL is evaluating the number of drums that have the same conditions as the one that reacted underground. LANL believes it has it narrowed to two drums, including the one that experienced the breach. The number of drums at risk is quite small at this point, based on information from LANL.

Ms. Leckband asked whether the TRU waste at Hanford is part of the WIPP equation, given that the Land Withdrawal Act is expiring. Mr. Marcinowski clarified that there is no expiration date on the Land Withdrawal Act, but that TRU waste at Hanford has always been part of the WIPP equation.

Mr. Hemelright asked whether EM had considered the possibility of pre-staging some of the TRU waste prior to disposal underground, since WIPP is located in a relatively remote area. Mr. Marcinowski responded that this is being considered and it is something that EM will have to discuss with NMED and the State of New Mexico.

Ms. Parson asked whether there was a surveillance plan for unexpected events, so that incidents can be investigated in a timely manner. Mr. Marcinowski reiterated Mr. Whitney's point about an ongoing critical infrastructure review. He also mentioned that in August EM began sending a team out to each of the TRU waste generator sites to review how waste is packaged.

Ms. Corkie Staley, a member of the ORSSAB, commented that she hopes consideration will be given to the fact that the Oak Ridge site sits in the middle of the town, and that there are significant concerns about the safe onsite storage of TRU waste.

Mr. Doug Sayre, Vice Chair of the NNM CAB, asked whether the excavation for Panel 8 will precede the reentering of barrels. Mr. Marcinowski responded that is a ventilation issue. The excavation of new panels will most likely be one of the last things that EM does because such a high ventilation rate is needed to operate the diesel equipment, especially given all the dust and debris that will be generated throughout the excavation process. Panel 8 is not fully excavated, but the hope is to use most of Panel 8. Panels 9 and 10 are already fully excavated, so EM can start putting waste in before ventilation sufficient for excavation activity is achieved.

Ms. Hruska asked what impacts WIPP will have on funding for other EM activities. Mr. Marcinowski responded that EM submitted an anomaly request to Congress for FY 2015. An anomaly is a budget request in addition to the base funding that is above and beyond the normal

budget. Both the U.S. House of Representatives and the U.S. Senate have indicated that there would be additional funding above normal EM funding for FY 2015.

Ms. Majure asked whether it would be possible to include a layer relevant to offsite disposal that includes some sort of time factor on the planned disposition map. Mr. Marcinowski stated that his office would go back and look at the map, but the largest driving factor in going forward with the map is funding.

Mr. Valdez asked if sites start looking at re-characterizing waste, in light of the WIPP shutdown and the timeframe for operations to resume.

Mr. Marcinowski responded that reclassifying waste is not something that EM advocates or practices, but if there is waste in the existing inventory that was previously characterized as TRU waste due to lack of an adequate characterization, then it should be reviewed to obtain a more accurate characterization.

Acquisition and Project Management: How EM Does Business

Mr. Thomas Johnson, Associate Deputy Assistant Secretary for Acquisition and Project Management, gave a presentation on EM's contracting methods. A copy of the Acquisition and Project Management presentation is available at: <http://energy.gov/em/downloads/chairs-meeting-september-2014>.

Mr. Johnson discussed procurement policy implementation as well as key principles that are utilized in acquisitions for EM.

EM tries to ensure that contracts align with taxpayer interests, and strives to structure contracts so that contractors bear responsibility for performance. In cases in which the contractor is overrunning target costs because of their own negligence or poor performance, and through no action or fault of DOE, EM wants to be able to exercise all the tools under DOE's capability to make sure that the contractor is held accountable.

EM also wants to be fair. In cases in which the contractor is performing very well and costs are considerably lower than target costs, EM wants to be able to share the savings with the contractor.

EM continues to make progress toward improving up-front acquisition planning and contracting requirements. This is particularly important for construction projects, where ideally, the design should be completed before any construction begins. EM also has to make sure that the technology that will be used has been proven before it is put into contracts.

Firm-fixed-price contracts work well in most instances, but are not the most appropriate contract vehicle in every case. Firm-fixed-price contracts work best when EM clearly understands the scope of a project, and when EM is reasonably certain of the funding stream to cover the work.

In cases in which firm-fixed-price contracts are not being used, EM is moving toward using hard cost caps. Under these contract vehicles, the contract is structured so that once the cost has reached a certain target value, the contractor will bear most, if not all, of the costs that exceed the

particular targeted value. EM has utilized cost caps on several contracts as a whole, and also within particular contracts. For example, EM was able to negotiate a cost cap for the construction portion of the SWPF at SRS.

EM wants to utilize objective performance-based incentives for non-firm-fixed-priced contracts. When EM puts the incentives in place, EM wants to have the incentives based on a specific scope, and a corresponding period of performance. EM also wants the work to have specific costs laid out so that it is easily measurable, and the contractor and federal staff are able to assess the contractor's performance against the scope, schedule and cost targets set for the incentives.

Mr. Johnson noted that EM is moving towards the payment of provisional fees. EM is concerned with the end product and making sure that the agreed-upon scope is completed, but the contractors also want to receive payment in the interim, as they make progress towards completion of the full scope. EM is paying these fees on a provisional basis, such that if the contractors get to the end of the contract and the expected scope is not completed, EM has the capability to recover the fee. Mr. Johnson believes this approach is a good incentive for the contractors to work towards delivering the full scope that was agreed upon.

Mr. Johnson mentioned that EM wants to make sure that each party is responsible for its own actions. EM strives to hold the contractors accountable for their responsibilities, and do the same with federal employees. EM also documents contractors' performance, and only hires contractors that have the best performance history. Past performance is an important factor in the selection process.

Mr. Johnson discussed the evolution of EM contracts. In the early 1990s, EM operated mostly under the Management and Operating (M&O) contract framework, which the organization has now moved away from. In 1995, EM had approximately 12 M&O contracts; today EM only has two at WIPP and SRS, which cover laboratory and cleanup services.

EM now has 35 cost-based contracts in place across the complex. These contracts require a considerable difference in up-front planning versus what is done under the M&O contracts, because cost-based contracts require a good understanding of scope. These cost-based contracts need to cover the full scope that EM is expecting.

Many of the acquisition and project management principles that EM is operating under regarding new procurements stem from an initiative launched by the Deputy Secretary of Energy. Past performance is now of greater importance, so that contractors who performed poorly in the past are not hired again.

EM also does interim performance assessments on contractors if the contractors run into significant issues during the period of their performance. These assessments occur prior to the annual rating or assessment of the contractor. These assessments may also impact the contractor when they are trying to bid on future DOE or EM contracts or other federal work, because past performance information is made available to contracting officers throughout the federal government.

Mr. Johnson mentioned that EM emphasizes the use of small businesses. EM has tried to break the scope of projects into smaller pieces for this reason. For FY 2014, EM had a goal that six percent, or \$303M, of the budget would go towards first tier or prime small businesses. Mr.

Johnson stated that as of the September 1, 2014, about \$360M, or 6.6 percent of EM's budget, had been placed on small business contracts during FY 2014.

Mr. Bohrer asked about the primary principles that EM follows. Mr. Johnson reiterated that EM wants to make sure the contractors and federal staff bear responsibility for their own actions. EM also wants to have firm-fixed-price contracts as the preferred contract vehicle if possible. In addition, EM strives to provide opportunities for small businesses.

Ms. Majure inquired about when a provisional fee is used. She gave a scenario of a contractor completing 50 to 75 percent of the work unsatisfactorily, and asked if the provisional fee is used so that if contractor does not reach 100 percent of EM's satisfaction EM can pull the fee. Mr. Johnson responded that in new acquisitions EM attempts to put the provisional fee language in initially. For existing contracts, if there are significant issues and EM has to renegotiate the contract, the language is added along with stipulations like a hard cost cap.

Ms. Majure asked if the provisional fee situation is a factor when EM ranks contractors based on performance. Mr. Johnson responded that the provisional fee is not necessarily one of the factors because in some cases the language is in the initial contract. He mentioned that performance information would be included in the Contractors Performance Assessment Rating System (CPARS), or the annual contract performance rating. There are also cases like WIPP, where EM was not yet at the point of conducting the annual performance rating on the contractor, but because of the truck fire and the radiological release in February 2014, EM did an interim performance rating on the contractor. This information would be available to any contracting officer in the federal government, should those companies that are part of the WIPP contract participate in any other acquisition.

Mr. Hemelright asked about the pre-qualification and the grading of contractors. He asked if there is a cutoff point at which a contractor that consistently received low ratings is no longer able to participate in the contracting process.

Mr. Johnson responded that there is no cut-off point, but if past performance is either the first or one of the highest selection factors, it will impact that contractor when they are bidding on subsequent work. This information is taken into consideration at the time of the bid evaluation.

Ms. Leckband asked what criteria qualify a company as a small business, such as the number of employees or it being woman-owned. She added that employing small businesses helps stabilize economies in some areas.

Mr. Johnson explained that the criteria could be a size standard regarding the number of employees within the company, or sometimes there is a dollar value on the services that a contractor may provide over the course of a given year or number of years. Also there are sub-categories within the socioeconomic categories of the small business, including 8(a), veteran-owned or women-owned.

Mr. Henderson shared that as a small business owner, he appreciates EM's efforts. He added that he believes that moving forward, a community commitment program should be included as part of the Request for Proposal fee. He stated that it is an intricate part of the process, and it has been tremendously effective in the Portsmouth area. Other sites might benefit from this as well.

Mr. Johnson acknowledged that some older contracts contained language on community commitment. This is harder to include in traditional contracts, but EM will take the suggestion into consideration.

Mr. Johnson explained that there are different sections within the Federal Acquisition Regulations (FAR) that are related to where there is an M&O contract or a traditional contract, and what parts of the FAR will cover the contracts.

The M&O contract is budget-based, whereas a traditional contract is scope or cost-based. For an M&O contract, it is necessary to identify the work that should be accomplished on an annual basis dependent upon the budget for that particular year. Typically the M&O contract is 10-15 years, while traditional contracts last 5-10 years. Traditional contracts also contain option periods: the contract may be for three years, plus a single two-year or two one-year options. This leaves it up to the government as to whether unilaterally exercise the option or not, depending on the performance of the contractor – i.e., if a contractor is performing well, the government can utilize the options for additional services or continuation of services.

The three to eight percent fee incentive under the M&O contract is typically less than the available fee under a traditional contract, but there are many costs under the M&O contract that are typically passed on to the government, whereas there is greater visibility in cost-type contracts. Under cost-type contracts, EM is able to identify the fee for the contractor and impact how much of the fee the contractor is receiving.

After the contract award has been made, there are post-award actions that have to take place on the contract. Generally, the contracting officers who are located at the specific site or the EM Consolidated Business Center (CBC), which services the small sites, have the responsibility for the day-to-day management of the contract. If there is any change greater than \$25M that has to be made to the contract, HQ approval is required. Any change between \$25M and \$50M can be processed through the Head of Contracting Activity for EM. Any change beyond \$50M goes to an office outside of EM for review and approval before changes can be made.

Post-award activities include Performance Evaluation Measurement Plans or Award Fee Plans, which is where EM identifies to the contractor items that are of specific importance to DOE or EM. These are the items that EM is providing actual incentives against. Performance Evaluation Measurement Plans can be either on a six-month interval or on an one-year interval. Next, the Fee Determining Official (FDO) makes a decision as to how much of the award fee the contractor has earned. At large sites, the FDO is generally the site manager, while at small sites the FDO role takes place at the CBC. If the FDO has capital scope within a particular contract, depending on the value, it will go to HQ for review so HQ can provide input to the FDO.

CPARS handles the past performance evaluation of the contractor, done on an annual basis. Interim CPARs are completed if significant events occur on the contract prior to the planned annual date.

Workforce Restructuring Plans are cases in which there needs to be a change in the number of employees that a contractor is employing on the site. The site sends its general plan to HQ for review and approval, in advance of any workforce adjustments that may be needed. Specific plans are sent for HQ review and approval whenever the need for layoffs exceeds 50 employees.

Executive Compensation Plans are sent to HQ for review and approval for the top person on each contract. There are specific guidelines as to how much DOE or the federal government can reimburse an executive. Prior to the most recent Congressional action, the permissible amount was about \$768,000; the amount is now about \$400,000. However, the executives on EM contracts are reimbursed considerably less by DOE. This number is not necessarily the full salary of the contractor executive, but only the portion that DOE will reimburse. HQ also reviews and approves the Compensation Increase Plans for the general employees of the contractor.

Contract Management Plans are plans that outline how EM will manage a particular contract or subcontracts. These plans are updated whenever there are major changes to the contract.

Ms. Majure asked if CPARS is a uniform set of measurement criteria. Mr. Johnson replied that there are specific guidelines in the FAR that describe the categories that will be part of the rating process.

Ms. Majure asked if the measurement or benchmark is adjusted for the type of contractor when referring to different categories of measurement. Mr. Johnson replied that cost is always a factor. The guidelines ask how the contractor is performing cost-wise, if the contractor is performing on schedule, and how the contractor is doing technically. The guidelines look at quality and how the contractor is managing the work.

Ms. Majure asked for clarification on whether contractors in a database all have uniform measurement system so that they can be compared with each other. Mr. Johnson responded that in terms of the CPARS portion, contracting officers within the federal government are able to see past performance information and prior assessments that were done on any individual contractor. Information on the value of the contract and the scope that the contractor was performing is also available.

Mr. Hemelright asked if DOE has oversight of the subcontract awards when awarding a very large contract to a particular vendor. Mr. Johnson answered that for most of the large contracts there is also a requirement that a percentage of the work be subcontracted. Also for significant subcontracts, the subcontracts will come to DOE for review before the award is made by the contractor.

Mr. Sayre asked if EM is still considering design-build contracts and where that fits into the criteria. Mr. Johnson stated EM would like to have one contractor perform the design and a different contractor responsible for the actual building of the design.

Mr. Johnson discussed improvements that EM made between 2006 and 2014. In 2006-2007, the National Academy of Public Administration did an assessment on DOE management practices. The Academy found that improvements needed to be made in the standardization and integration of project performance management teams across the DOE complex.

To the best extent possible, DOE has made adjustments in the acquisition or project management process. In June 2008, a root cause analysis was completed to address the Government Accountability Office (GAO) High-Risk List. In February 2013, GAO narrowed its focus to DOE contracts in project management greater than \$750M, because DOE exhibited better performance in recent years. As EM went through the Recovery Act Program, EM was able to

demonstrate a 92 percent success rate for smaller projects. A total of 135 initiatives were undertaken. Most of these initiatives were operations activities and about 49 were capital asset projects. Under the Recovery Act, EM had funding certainty and divided the projects into smaller, more discrete work.

In September 2010 the Project Assessment Reporting System (PARS II) was ongoing. This system is for capital projects where the contractor is able to report their performance directly into the DOE Reporting System monthly. The Office of Acquisition and Project Management can access the data on the capital projects so that an independent assessment separate from EM and the contractor can be done.

In April 2014, EM began a hiring initiative. The use of more traditional contracts led to a need for additional contracting officers and contract specialists. This hiring initiative allowed EM to hire 28 additional contracting officers and contract specialists across the complex.

Mr. Johnson discussed items that the EM portfolio covered in 2014. About 75 percent of EM funds went to operations activities, which includes deactivation and clean-out of facilities to prepare for eventual demolition, and operations of on-site disposal facilities. The other 25 percent of the funds went to capital scope, which comprises D&D and the large construction projects.

One of the offices under the Office of Acquisition and Project Management has responsibility for performing project assessments and providing independent oversight for capital asset projects that may be performed on the site.

Mr. Harry Griffith, Vice Chair of the INL CAB, asked how many project reviews and peer reviews EM does in a typical year, and if field staff are involved. Mr. Johnson responded that in 2014 EM conducted 24 project peer reviews and construction project reviews. EM's goal is to do a project assessment on each of the major projects twice a year. On the acquisition side, EM does six procurement reviews in a typical year. Field staff is involved, and the review team is set up using people from outside sites. This serves two purposes: there are outside eyes looking at a specific site, and it is an opportunity for members of the team to take lessons learned back to their respective sites.

Mr. Johnson provided information on EM's capital projects. EM looks at data in three-year windows. In FY 2012, FY 2013 and FY 2014, a total of 27 projects were completed, with 16 of the 27 projects completed successfully. EM defines success as the project being complete within 110 percent of the original baseline cost, and being completed within its specific schedule. For projects that take five years or longer, the schedule can go about 20 percent longer than the original schedule.

For those 27 projects, the original estimated cost was \$4.1B; for those that were completed during the time period the actual cost was \$3.4B, which is \$760M or 18% under budget.

Current major construction projects include the WTP at Hanford and the SWPF at SRS. There are also a number of cleanup projects across the sites, as well as 10 pre-critical decision 2 (CD-2) projects that have not yet been baselined.

For DOE capital projects there are several critical decision points:

- CD-0: Identifying the mission need for the work.
- CD-1: Looking at alternatives.
- CD-2: Selecting an alternative and setting a baseline for that specific project.
- CD-3: Beginning demolition or construction.
- CD-4: Completed demolition or construction of a facility.

The current Total Project Cost is created when EM gets approval for a new targeted completion amount or when EM has to re-baseline or add information to a project. An estimate at completion shows the current federal project director's estimate as to what the cost will be when the project is completed.

There are some current projects that are not yet complete, but are not close (within 110%) to the original estimated cost; these projects will be rated as non-success when completed. Mr. Johnson noted that a project not meeting the DOE success criteria may still be considered successful with the regulator or a community because the planned work was completed.

Mr. Bohrer mentioned that the contract transition at INL's AMWTP resulted in degraded safety performance. The INL CAB is interested in how DOE is going to manage the next procurement, which involves four contractors. The INL CAB would like to know what measures DOE is going to undertake to make sure that the interfaces are identified and the transition process does not impact safety. The AMWTP has a great safety record, and the board wants to see it continue.

Mr. Johnson stated that because there are a number of contracts that EM is anticipating awarding, and rather than doing a separate acquisition plan or acquisition strategy for each contract, EM put together a Master Acquisition Plan to view all of the procurements needed for the INL site. EM also reviewed input into how the transition went during the last process, and EM has taken that into account. This time, the transition is longer than what it was for the prior acquisitions.

Mr. Johnson stated that in 2014 operations activities represented about 75 percent of the total funding that was under contract. Out of the \$4.2B, about 20 percent went to waste management activities, 26 percent to site restoration and 54 percent to tank waste and nuclear materials. As with the capital asset projects, quarterly reviews are also performed on the operations activities.

Ms. Parson asked if contractor reviews were public information. Mr. Johnson responded that he did not believe they were available for public release; the review process is EM's opportunity to speak directly to the federal staff regarding the particular project or operations activity. Sometimes there is summary information provided from construction project reviews, but not full detailed reports.

Ms. Majure noted that on the DOE website it states that "a CPAR has the unique characteristic of always being pre-decisional in nature. Access to the CPARs and other performance information will be restricted to those individuals with an official need to know."

Day One: Wednesday, September 17, 2014

DOE HQ News and Views: David Borak

Mr. Borak discussed organizational changes at EM HQ. Mr. Mark Whitney is serving as both the Acting Assistant Secretary for Environmental Management and the Principal Deputy Assistant Secretary. Dr. Monica Regalbuto is currently the Associate Principal Deputy Assistant Secretary and has been nominated to be the Assistant Secretary for Environmental Management, pending Congressional confirmation.

Former Acting Assistant Secretary for Environmental Management David Huizenga has returned to the National Nuclear Security Administration as the Principal Assistant Deputy Administrator for Nuclear Nonproliferation. However, Mr. Huizenga has also been asked by Secretary Moniz to continue his role in discussions with the State of Washington on a path forward for its waste mission.

Dr. Elizabeth Sherwood-Randell has been nominated to be the Deputy Secretary for the Department of Energy. She testified in Congress in July 2014, and DOE is awaiting a full vote on her confirmation from the Senate.

Mr. Borak thanked all those who submitted abstracts for papers for the upcoming Waste Management Symposium scheduled for March 15-19, 2015 in Phoenix, Arizona. There will be a panel featuring the accomplishments and lessons learned over the past 20 years of the EM SSAB.

The Chairs discussed the frequency of Chairs' teleconferences and confirmed that bimonthly calls, with more teleconferences in the weeks immediately preceding biannual Chairs meetings would be sufficient. They also discussed replacing some of the teleconferences with webinars.

Mr. Borak announced that he would be taking a detail with the Department of Labor's Workforce Investment Program and that Ms. Elizabeth Schmitt, from the EM Office of Intergovernmental and Community Activities, would be fulfilling his duties in the interim.

EM SSAB Twentieth Anniversary Presentation: David Borak

Mr. Borak gave a brief overview of the EM SSAB and its history. A copy of the presentation is available at: <http://energy.gov/em/downloads/chairs-meeting-september-2014>.

The EM SSAB is chartered under the Federal Advisory Committee Act. There are about 45,000 members on 900 different advisory committees operating throughout the federal government. The EM SSAB was created to provide advice and recommendations to both site field managers and HQ. There is one chartered EM SSAB, currently comprised of eight local boards and more than 200 members.

In 1989, DOE's Office of Environmental Restoration was formed; it later became the Office of Environmental Management. In 1992, the Keystone Center, a non-profit environmental conflict-management group, began a dialogue on community involvement in cleanup. The Keystone Center had several recommendations, including forming site-specific advisory boards to involve stakeholders more directly in the cleanup process.

Mr. Borak discussed activities and accomplishments of some of the early local boards organized under the EM SSAB charter that have since disbanded, including the Fernald CAB (FCAB), the Rocky Flats CAB (RFCAB), and the Sandia CAB. The FCAB worked through basic cleanup recommendations to DOE using FutureSite, a unique board game, to teach community members

in a nontechnical way about the volume of waste at the Fernald Site. When EM's cleanup mission at the Fernald Site cleanup was completed in 2006, it was almost exactly what FCAB had recommended in 1995. In FCAB's final years, it focused on long-term stewardship. Following the dissolution of FCAB, the Fernald Community Alliance, a group trying to preserve all aspects of Fernald's history, was formed.

The RFCAB began in 1993 as a nonprofit corporation. RFCAB's main mission was to incorporate community values into the cleanup at Rocky Flats. Rocky Flats was on an accelerated cleanup schedule, and RFCAB took it upon itself to make sure that worker safety was a priority during the fast-paced cleanup effort.

The Sandia Citizens Advisory Board was formed in 1995. The Sandia site is located in New Mexico, and is the only DOE site on an Air Force Base. The Sandia CAB disbanded after a decreased workload and transitioned into a long-term stewardship working group, which still works on issues at the site.

Mr. Borak noted that the EM SSAB's effectiveness is often difficult to quantify, but there is unanimity in the words of reviewers of the EM SSAB that it has significantly contributed to the effective cleanup of the sites.

Mr. Borak urged the local boards to continue to focus on balance and diversity. Secretary of Energy Ernest Moniz is extremely interested in diversity on boards. Mr. Borak mentioned the importance of continuing to identify community values and acknowledged that budget limitations may be an issue going forward. He also stated that exploring new ways to communicate is something the local boards should focus on in the coming years, and that getting the next generation involved is important.

Discussion

Mr. Lee Bishop, DDFO for the NNM CAB, mentioned that he has seen a positive impact in including student members on the NNM CAB. NNM CAB has brought on college students with environmental interests to spend time in the lab and brought on a couple of high students to sit on the NNM CAB. The NNM CAB went outside the Los Alamos area to Pewaukee High School, a high school associated with one of the Pueblos, to recruit student members.

Mr. Hemelright asked how long the student members served on the Board. Mr. Bishop responded that the NNM CAB does not have a term limit for students because they are informal site appointments.

Ms. Hruska asked about the activities that the ORSSAB student members are tasked with. Mr. Hemelright responded that in Oak Ridge, students are encouraged to participate in stewardship activities.

Ms. Hruska responded that the NSSAB asks its students to develop questionnaires for their peers based on a presentation about the NNSS. Student members do a pre-presentation survey and a post-presentation survey to determine whether the students they surveyed had any change in knowledge after the presentation.

Product Development: Discussion of Recommendations from the EM SSAB Chairs

The Chairs discussed the development of two products, one related to the Boards' participation in site budget prioritization processes, and the other related to TRU waste shipments to WIPP. The Chairs discussed compiling the boards' expectations concerning DOE budget updates, and best practices for providing input on funding priorities. It was noted that compiling this sort of information may take some time.

The Chairs discussed using the communication between boards and DOE as a springboard for a recommendation, separating budget communication issues from other communication issues.

Mr. Borak stated that the Board is not required to make a recommendation, but could make a set of guidelines on a topic. The Chairs determined that guidelines on communications between the local DOE site and the local board would be a useful product for both the Chairs and the DOE local sites. The Chairs agreed to work on these guidelines over the next several months, before the Spring 2015 Chairs' meeting.

Mr. Sayre introduced a recommendation urging DOE to take actions that would permit additional surface storage at WIPP, so that sites can proceed with their TRU waste shipments during the shutdown.

Mr. Bohrer added that it makes more sense to build storage capacity at WIPP, which is going to be around for a fair amount time, instead of at other EM sites, which may cease to operate in the near term.

Mr. Sayre stated that building additional TRU waste storage facilities at various generator sites with limited lifetime expectancies is neither efficient nor cost effective. It would be wise to not duplicate the permitting process at multiple sites and to concentrate on a site that can facilitate the permanent long-term disposal of TRU waste. Additionally, transportation costs may rise.

Mr. Valdez added that WIPP does have surface storage, and that it is just a matter of expanding what is already available through certification or permit modification.

After incorporating edits and reworking the draft, the Chairs agreed to move forward with the recommendation and present it to their local boards for consideration.

Public Comment

Ms. Beatrice Brailsford of the Snake River Alliance commented that in previous years there was a lot more budget information made available, to not just the CAB members, but to members of the public. She does not believe that stakeholders should accept that this information is no longer available to the community, and stressed the importance of transparency.

She also stated that, in regards to the Chairs' recommendation on WIPP, the most important thing for DOE to do right now is to figure out what exactly went wrong with WIPP instead of focusing on shipping concerns. Ms. Brailsford was impressed that INL began to figure out ways to save space at its site, when it was discovered that INL would be unable to ship to WIPP.

Closing Remarks

Ms. Parson shared that she had participated in a two-part workshop sponsored by the National Academy of Science on the topic of *Risk-Informed Decision Making Regarding Contaminated Sites*. The workshop featured a number of presentations that may be of interest to other boards, most notably, one focused on the transition from risk-informed decision making to sustainability as the basis for decisions, and another that discussed a future of functional monitoring versus monitoring for compliance. She asked if those materials could be made available to the other Chairs and their boards.

Mr. Borak noted that the report from that workshop was not a DOE product and that hard copies had to be obtained through the National Academies at a cost. However, a link to the presentations posted online could be shared with the boards. The topics covered in that workshop could also serve as agenda topics for future Chairs' meetings or conference calls, if requested.

The next EM SSAB Chairs meeting will be hosted by the SRS CAB in April 2015, followed by a fall meeting to be held in September 2015, in Santa Fe, New Mexico.

Mr. Borak adjourned the meeting at 10:33 a.m. MST.