

**NORTHERN NEW MEXICO CITIZENS' ADVISORY BOARD
Recommendation to the Department of Energy
No. 2010-04**

Regarding Unfunded Liabilities

**Drafted by the Environmental Monitoring, Surveillance and Remediation Committee and
Waste Management Committee**

Background:

On September 16 and September 17, 2008, the members of the Site Specific Advisory Board (SSAB) held their fall meeting in Washington D.C. Members of the SSAB include: Northern New Mexico Citizens Advisory Board (NNMCAB) (site Los Alamos National Laboratory (LANL)), Hanford Advisory Board, Washington State, Idaho National Engineering and Environmental Laboratory Citizens Advisory Board, Nevada Test Site Advisory Board, Oak Ridge Site Specific Advisory Board, Paducah Gaseous Diffusion Plant Citizens Advisory Board, Savannah River Site Citizens Advisory Board, and Portsmouth Citizens Advisory Board.

This was the last meeting for Mr. James Rispoli, Assistant Secretary for Environmental Management, as he planned to retire at the end of the year. During his presentation, he mentioned that across the Department of Energy (DOE) complex, there were approximately \$9 to \$13 Billion of Unfunded Liabilities. He said this amount was very uncertain and more facilities were being added to the list over time. Unfunded Liabilities include cleanup of waste at various DOE sites which has not been strictly identified, and for which plans for cleanup have not been developed.

According to The 2009 DOE Agency Financial Report, (page 17) the 2009 environmental unfunded liability is \$262 billion. The Environmental Management (EM) portion is approximately \$180 billion. The most significant of these represent ongoing efforts to clean up environmental contamination resulting from past operations of the nuclear weapons complex. This cleanup represents one of the most technically challenging and complex cleanup efforts in the world.

Comments and Observations:

The individual SSABs have worked very earnestly with DOE on the existing sites for which they are chartered. However, some foresight and early planning seems prudent.

For example, the NNMCAB's major focus has been on the Consent Order of 2005 with the New Mexico Environment Department. Some other issues which have arisen since the Order are also being monitored, for instance high concentrations of Cr (VI) in some monitoring wells. Beyond this time frame, existing liabilities have not been specifically identified.

All SSAB sites would like to identify additional concerns at their site. Also, new sites where SSAB's may be needed should be identified.

Recommendations:

No. 1. Assign a person in DOE to further investigate these Unfunded Liabilities.

No. 2. Identify the Unfunded Liabilities for an upcoming time period, from approximately 2014 into the future.

- No. 3.** Estimate future costs for these items and develop an appropriate facility budget for all the sites in the DOE complex.
- No. 4.** Assign liaisons in each member SSAB organization for further communication.
- No. 5.** Assign a person at each DOE SSAB laboratory site to coordinate on Unfunded Liabilities.
- No. 6.** Identify DOE locations of Unfunded Liabilities, which are not at a site with a SSAB.

Intent:

The intent of this Recommendation is to assure that Unfunded Liabilities are identified across the DOE complex, incorporated into the baseline plans, and funded. The SSAB should be included in the funding decisions at DOE facilities and should be utilized in the future as partners in the cleanup of waste at DOE sites.