

EM SSAB CHAIRS
Bi-Monthly Conference Call
December 7, 2011

Participants

<i>Board</i>	<i>Chairs/Representatives</i>	<i>Site Support Staff</i>
Hanford	Susan Leckband, Bob Suyama, Shelley Cimon	Paula Call, Sharon Braswell
Idaho	Willie Preacher	Peggy Hinman
Nevada	Kathleen Bienenstein, Walt Wegst	Kelly Snyder, Denise Rupp
Northern New Mexico Oak Ridge	Ralph Phelps, Maggie Owen	Ed Worth , Menice Santistevan Melyssa Noe, Pete Osborne, Spencer Gross
Paducah	Ralph Young	Eric Roberts
Portsmouth	Dick Snyder	Julie Galloway, Rick Greene
Savannah River		Gerri Flemming, Erica Williams

DOE-HQ Representatives

EM-41	Tish O’Conor
EM-42	Catherine Alexander, Melissa Nielson, Michelle Hudson, Elizabeth Schmitt
EM-43	Mary Bisesi
EM-60	Terry Tyborowski
EM CBC	Sue Smiley

Opening Remarks

Ms. Catherine Alexander, Designated Federal Officer for the Environmental Management Site-Specific Advisory Board (EM SSAB), called the meeting to order.

Budget Update

Ms. Terry Tyborowski, Acting Deputy Assistant Secretary for Program Planning and Budget (EM-60), provided a status update on the Continuing Resolution (CR) for the Fiscal Year (FY) 2012 and 2013 budgets.

FY 2012

Ms. Tyborowski reported that Congress has been conferencing on the Energy and Water Bill to decide on appropriation numbers for FY 2012. All FY 2012 bills will be lumped together into one appropriations bill. Three have been passed by Congress, and the remaining nine, including the Energy and Water Bill, will be discussed in a conference with committee chairmen soon and will be filed on Monday, December 12, 2011. The CR will expire Friday, December 16, 2011, so Congress is aiming to pass the bills by that date.

Ms. Susan Leckband from the Hanford Advisory Board (HAB) asked if Congress will create another CR if the bills do not pass.

Ms. Tyborowski responded that a short-term CR would be necessary if the bills are not passed by December 16, 2011. However, it would be politically prudent for Congress to pass the bills without another short-term CR because constituents are looking to Congress to act.

FY 2013

Last week, EM made an appeal for items in the Office of Management and Budget's (OMB) FY 2013 budget request, the details of which are currently embargoed. OMB now has all of the Department's appeals and is in the process of reviewing them, which may take several weeks to complete. The status of the FY 2013 budget request will be public in the January-February timeframe.

Discussion

Mr. Ralph Young from the Paducah Citizens' Advisory Board (CAB) asked if the FY 2013 budget request will be higher or lower than the previous budget and what the general process for the budget appropriations included.

Ms. Tyborowski stated that she could not presently answer whether the FY 2013 budget would be higher or lower than in previous years. EM has found that in the past few years, discrepancies between budget requests and appropriations levels have challenged the sites' planning capabilities. Representatives from EM Headquarters will meet with field sites to take a look at this process.

Ms. Leckband said that the Government Accountability Office (GAO) has stated that the Federal Facility Agreements (FFAs) create problems with funding profiles. She asked if Ms. Tyborowski was proposing to abrogate the FFAs that are signed at sites as part of the process for creating the planning profiles.

Ms. Tyborowski indicated that since the planning profiles have not been updated in four years, it is important that this be done as soon as possible. The intent is not to abrogate agreements, but instead to reconcile commitments and funding levels. Some sites may not have any problems with these profiles, while some may have large ramp-ups in activities where funds do not exist to pay for them.

Mr. Young stated that the Environmental Protection Agency (EPA) asks the sites to request money first and, when rejected, the EPA will respond with some relief in regulatory requirements, but that the request for full funding levels to meet agreed upon milestones must precede any regulatory relief.

Ms. Tyborowski stated that the Planning and Budget Office will be updating baselines, which have not been revised since 2008. Furthermore, EM must reconcile declining budget projections with the progress made under the American Recovery and Reinvestment Act (ARRA) funding,

which positively impacted EM's planning baselines. This process needs to be transparent; therefore, EM's planning team will work closely with the sites and ask field managers to engage the local advisory boards and other stakeholders.

Mr. Dick Snyder from the Portsmouth SSAB asked if the FY 2011 budget had factored in uranium bartering.

Ms. Tyborowski stated that EM was still allowed to participate in bartering in FY 2011, though the Senate put a \$150 million ceiling on bartering in the FY 2012 appropriations bill. EM has asked to have that ceiling removed, but will not know if that will happen until the bill comes out of conference next week.

Waste Disposition Update

Ms. Mary Bisesi from the Office of Disposal Operations (EM-43) provided highlights from EM's waste disposition activities.

Transuranic Waste

The transuranic (TRU) waste program remains focused on its goal to strive for disposition of 90% of legacy inventories by the end of 2015. This goal requires 8,000 metric tons of TRU inventory to be dispositioned every year.

In FY 2011, TRU was removed from three additional sites: Lawrence Berkeley National Laboratory, Nuclear Radiation Development, LLC (NRD), and Bettis Atomic Power Laboratory. All available legacy TRU was shipped from Argonne National Laboratory, though some additional TRU is being created by deactivation and decommissioning (D&D) activities. The Waste Isolation Pilot Plant (WIPP) also accepted its 10,000th shipment on September 24, 2011, marking a major milestone.

EM started using the TRUPACT-III on August 25th to support the Savannah River Sites' (SRS) TRU project. One unit is being fabricated, and there will be 6 units in the fleet overall.

Mr. Joe Franco is the new manager for WIPP. He has extensive experience in project and contract management and will provide strategic leadership to the site. He is expected to be a great addition to the strong team we have at the Carlsbad Field Office.

Funding constraints have impacted the TRU program, but EM is doing its best under current circumstances to maintain momentum and optimize the TRU program.

In FY 2012, the TRU program will focus on shipping from three sites to WIPP. They are: Los Alamos National Laboratory (LANL), Idaho, and SRS.

LANL is currently working towards accelerating removal of their above-ground TRU and reached its peak shipping year last year with 171 shipments completed.

At Idaho, there is a new Advanced Mixed Waste Treatment Plant contractor in place, and the process of creating new a contract performance baseline has begun. Waste treatment continues on the inventory that was retrieved under the prior contract.

The original Idaho Cleanup Project Contract scope for the Accelerated Retrieval Project (ARP) was completed early so a “bridge scope” is being defined to continue progress. Shipments from ARP will decrease during the transition because the available backlog has nearly been exhausted.

At SRS, the ARRA TRU project is slightly ahead of schedule, and there are four remediation lines processing waste. The remediation of all legacy TRU at SRS is planned to be completed by FY 2012, including, we hope, the 200m³ of difficult waste that is considered a stretch goal. The site recently initiated the first pilot phase to process plutonium oxide in the HB line for disposal at WIPP. These drums will be initially stored in the E-Area as SRS’ legacy TRU waste is worked off. The future pace of plutonium processing will be highly dependent on funding.

The Central Characterization Project (CCP) has left Oak Ridge but the TRU project continues at full pace. Oak Ridge continues to focus on the portion of inventory that has the high “fall out” rate of mixed low-level waste following remediation. Significant M/LLW volumes will be dispositioned at the Nevada National Security Site (NNSS), despite the fact that shipments of TRU waste to WIPP were deferred for about 2 years. A Cask Processing Enclosure is being constructed to allow the lower dose remote-handled TRU casks to be processed quickly outside the hot cell. (A large portion of the inventory processed at CPE will likely yield mostly contact-handled TRU waste).

Also at Oak Ridge, efforts to design and plan for sludge processing are also underway. Once the sludge is processed, it is expected the sludge will be remote-handled low-level waste and will be disposed at NNSS. The schedule is to be determined due to funding.

At Hanford, due to their site priorities within their current funding levels, TRU retrieval and remediation has been suspended. Hanford is expected to resume TRU shipments in FY 2014, but that is subject to funding.

West Valley has no change in its TRU disposition strategy. West Valley’s waste is still being addressed via the Greater-than-Class C (GTCC) Environmental Impact Statement as is DOE’s GTCC-like waste and other non-defense TRU waste. However, our office continues to monitor a legislative proposal by Representative Pearce that could authorize the disposal of non-defense TRU waste at WIPP.

Sodium Bearing Waste (SBW) at Idaho - Construction was completed last year of the Integrated Waste Treatment Unit, and Idaho is actively working to prepare for startup. The Idaho site is actively preparing for treatment and storage of sodium-bearing waste (SBW). The SBW plans to be treated to meet the WIPP Remote-Handled Transuranic Waste Acceptance Criteria, however, regulatory issues remain regarding the disposal at WIPP so the treated waste will be stored at Idaho pending resolution of these issues.

Low-Level Waste/Mixed Low-Level Waste (LLW/MLLW)

The LLW/MLLW program is facing funding challenges and the impacts of this will not be known until the full-year appropriation is enacted.

NNSS is facing especially difficult funding challenges. EM has planned for receipt of 1.2M ft³ from the DOE sites, but to date the receipts are lagging behind the forecasts in part due to funding and in part due to two sites being suspended because of contaminated trailer incidents.

Through November 27, 2011, a total of 143,378 cubic feet of waste was shipped, which is 12% of the initial forecast for disposal at the NNSS in FY 2012. Also, because of trailer contamination incidents, shipments from LANL and Idaho have been suspended pending submission and approval of Corrective Action Plans (CAPs) by the generators. A CAP has been approved for Idaho. The Nevada Site Office will conduct a surveillance of the corrective actions in Idaho in mid-December. Resumption of shipments from both sites is not likely until January 2012.

The following are some site-by-site highlights:

OR ETTP - At Oak Ridge, a new East Tennessee Technology Park contractor is on site and making progress to strengthen the waste management program. A new baseline is under review. The contractor is streamlining the profiling process to EM Waste Management Facility (EMWMF) and is looking for opportunities to reduce volumes to EMWMF by evaluating authorized release for low activity D&D debris.

OR U233 - A revised project strategy is being implemented with U233 Phase one involves preparing to transfer some inventory to offsite storage for future programmatic reuse. Initial transfers (Zero Power Physics Reactor, Inc. (ZPPR) plates to NV) are to begin within a few months. Direct disposal of some of the inventory from the Consolidated Edison Uranium Solidification Program (CEUSP) will hopefully begin in FY 2013. Once the inventory is reduced through this phase, Phase 2 will involve downblending the U233 at existing ORNL facilities to prepare the inventory for disposal. The evaluation of options continues.

LANL - The focus now is on addressing the Corrective Action Report from the trailer contamination issues associated with Material Disposal Area B shipments. The site is not currently shipping to Nevada.

Portsmouth – The efforts of the new contractor s continue to strengthen the waste management program. Also, efforts to complete the CERCLA analysis and decisions related to establishing an onsite cell continue. Remedial Investigation/Feasibility Study development also continues. A proposed plan should be issued in FY 2012, and a Record of Decision (ROD) should be issued in FY 2013.

Separations Process Research Unit (SPRU) - Hurricane impacts were significant and cleanup related to them exhausted site cleanup funds. D&D and waste disposition efforts are largely on hold until additional funding becomes available.

West Valley - There is a new contractor in place at West Valley (WV), and the transition is going well. There is an inventory of shippable waste to work off at a pace that will not impact

the planned D&D activities, Waste will be shipped to Nevada commercial disposal facilities. The WV Melter required a Waste Incidental to Reprocessing (WIR) determination. This is the first DOE Order 435.1 determination, and it should be published soon. This is not a disposal site selection but simply a determination that the melter itself is low-level waste. Transportation of the melter could be years away. There are two other components that need a WIR determination, and work on these determinations are under development.

Discussion

Mr. Ralph Phelps from Northern New Mexico Citizens Advisory Board (NNMCAB) asked whether WIPP will be able to accommodate all of the TRU waste that remains to be removed from cleanup sites.

Ms. Bisesi replied that this had been considered, and it is believed that WIPP does have capacity for all TRU waste that has been identified for shipment to WIPP.

Ms. Leckband mentioned an existing ROD that could involve exhuming TRU waste. She said that if Hanford does not start this process until 2014, and if WIPP closes as scheduled around 2030, there are concerns that all of the Hanford TRU waste may not be retrieved in time for WIPP receipt.

Ms. Bisesi stated that she believed that this has been considered as well.

Long-Term Stewardship

Ms. Tish O’Conor from the Office of Environmental Compliance, and Ms. Sue Smiley from the EM Consolidated Business Center provided an update on current Long-Term Stewardship (LTS) program activities.

Ms. O’Conor stated that she had sent an e-mail asking for input on a fact sheet to explain what happens after cleanup at DOE sites where non-cleanup-related mission is ongoing. The fact sheet, which was created in October, explains what happens to sites after EM’s mission is completed, and how landlord program offices conduct long-term stewardship. The fact sheet is available online at <http://www.em.doe.gov/ltstewardship/ltstewardship.aspx>.

The fact sheet links to several Departmental documents, which will be made available in the future through a single page on the DOE website. This was created to put all information on DOE LTS in one easily accessible place on the internet. This LTS site will likely soon be moved from EM’s homepage to the main DOE website. In February, all comments from the sites on the fact sheet will be gathered and the fact sheet will be revised. Both Ms. O’Conor and Ms. Smiley have been working together with many organizations within DOE on revising the fact sheet.

In addition to the fact sheet, a guidance document will be created on the transition from cleanup status to LTS. The development of this guidance will be led by Ms. Smiley.

Discussion

Mr. Phelps asked if the Department had considered creating another fact sheet for DOE sites for use by local governments in the area of the sites.

Ms. O'Connor explained that, in the future, a fact sheet on the topic will be created or a Question and Answer section will be available on the website to guide visitors to the website. She and Ms. Smiley are also making small changes to the existing fact sheet on site transition from EM to the landlords. This includes adding a links to documents that explain how property may be transferred out of DOE (for various forms of development, for instance) and how DOE's responsibilities continue after this transfer.

Mr. Phelps suggested that DOE add case studies on recent situations where this transfer has occurred.

Ms. Smiley explained that good case examples already exist and that sites have published fact sheets, endorsed by EPA, which explain the transfer process and lessons learned. This information will be on the LTS website in the future.

Mr. Snyder inquired about the role of the Office of Legacy Management (LM) in LTS and how LTS responsibilities are addressed during EM cleanup operations.

Ms. Smiley stated that the newest fact sheet includes a memo written by the EM Assistant Secretary's office that explains the site is the responsibility of EM until all cleanup is finished, at which time it can be transferred to LM.

Ms. Leckband asked about EM's definition of "completion."

Ms. Smiley said the definition is posted on the LTS website.

Fall 2011 Chairs' VTC

Ms. Alexander mentioned that the evaluations from the October video teleconference indicated differences of opinion regarding the purpose of the Chairs' Round Robin. Some want the allotted time to be an opportunity to express their specific board's concerns to the Assistant Secretary, while others want it to be an opportunity to share issues of crosscutting significance for potential consideration as Chairs' recommendations.

Ms. Alexander explained that she thought the Chairs' meetings could accomplish both goals. She suggested that Chairs to use the Round Robin to express issues they wish the Assistant Secretary to hear and later, in the product development sessions, present topics that are of shared concern to other boards for discussion.

Ms. Leckband, Mr. Phelps and Mr. Young supported this idea.

Ms. Alexander stated that she would pass the idea along to the planning committee for the next Chairs' meeting.

Ms. Alexander then asked who would like to volunteer to be part of the planning committee for the next Chairs' meeting in April.

Mr. Young, Ms. Kathy Bienenstein from the Nevada SSAB, and Ms. Susan Leckband and Ms. Shelley Cimon from the HAB volunteered.

Around the Complex

Paducah Citizens Advisory Board – Ralph Young

- The board is waiting for DOE to submit a remedial investigation and feasibility study on the waste disposal options for the CERCLA cell. When the board members receive the study, they will be able to make comments on the process; the board expects this to happen at some time in December.

Portsmouth Site-Specific Advisory Board – Rick Greene

- The Portsmouth SSAB is starting to change how board input is presented during its public meetings. The members will present their positions prior to the public comment period with the intent of providing the public a better idea of the SSAB's stances on issues.
 - Ms. Alexander expressed concern with not receiving public comment before they vote.
- The board issued one piece of advice:
 - [Recommendation 11-02](#): The Construction of a Multi-Purpose Facility for DOE and Community Needs.

Hanford Advisory Board – Susan Leckband

- The HAB held a public meeting on November 2011 and issued two pieces of advice.
 - [Recommendation 251](#): Hanford Public Involvement Plan
 - [Recommendation 252](#): Hanford's 2011 Lifecycle Scope, Schedule and Cost Report
- The HAB subcommittees have refined their work plans and decided they did not need to meet in November or December with the exception of the River and Plateau Committee.
- There has been a workforce reduction of 2,000 employees since the end of ARRA funding, due to layoffs and attrition. The HAB has been following this and is also following the process by which employees are being reassigned throughout the site.
- The HAB is looking forward to the upcoming budget process and receiving public input for priorities and how they will affect the Tri-Party Agreement.
- The Waste Treatment Plant Safety Reviews were completed and have resulted in concerns with site safety, especially involving communication. Advice is being drafted for consideration during the next HAB meeting, encouraging the site to implement integrated safety management immediately.

Idaho National Laboratory EM Citizens' Advisory Board – Willie Preacher

- The CAB made comments on the Blue Ribbon Commission's draft report, expressing concerns about where the waste from reprocessing activities would ultimately be stored.
- During the last meeting, a membership drive was created where the CAB received several applications for membership. The membership committee is currently reviewing these applications.

- A work plan for the coming year has been created.
- The Sodium Bearing Waste Treatment Unit is entering into the operational readiness review process and the CAB is monitoring its continued progress.

Nevada Site-Specific Advisory Board – Kathy Bienenstein

- The NSSAB is working to clarify the role of its student liaisons in order to maximize the benefits of their participation. The board is also working on its next membership drive, which will begin in early 2012.
- The board has developed a work plan for 2012 and will meet monthly from January through May.

Northern New Mexico Citizens' Advisory Board – Ralph Phelps

- At the public meeting on November 30, 2011, the New Mexico Environmental Department (NMED) Secretary, David Martin, gave a briefing. Mr. Martin had contacted the NNM CAB himself and requested to speak. He explained the priorities of the governor, which are similar to the board's priorities, especially the goal of sending TRU waste to WIPP.
- The NNM CAB is in the process of ramping up the new member campaign.
- The annual member survey has been discussed, and the board is willing to share their results with other sites.

Oak Ridge Site Specific Advisory Board – Maggie Owen

- There is a new prime contractor for cleanup, and the ORSSAB has received a briefing from the company president on plans for the K25 demolition.
- A possible problem could be created by historic preservation requirements, as the State and DOE have not made it immediately clear what should be done to commemorate the K25 project. This could impact demolition of the North Tower.
- In October, the board issued one piece of advice:
 - [Recommendation 207](#): Automate the Stewardship Verification Process for Remediation Effectiveness Report

Closing Remarks

Ms. Alexander thanked the participants for their time and adjourned the meeting at 4:30 pm EDT.