



## SRS Citizen's Advisory Board

### January 2000 Meeting Minutes

#### **SRS Citizens Advisory Board**

January 24-25, 2000  
Hilton Oceanfront Resort  
Hilton Head Island, SC

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#### **Members Present**

Bill Adams	Barbara Murphy
Arthur Belge	Karen Patterson
Tom Costikyan	Maria Reichmanis
Mel Galin	Lola Richardson
Ken Goad	Murray Riley
Brendolyn Jenkins	P.K. Smith
Bill Lawless	Charlene Townsend
Georgia Leverett	Bill Vogeles
Ann Loadholt	Wade Waters
Jimmy Mackey	Beaurine Wilkins
Kathryn May	Beckie Witter

#### **Ex-Officio Representatives**

Ann Clark  
Tom Heenan

Members absent were Earnest Marshall, Lane Parker and Ed Tant. Currently, there are no Board vacancies. The Department of Energy (DOE) Designated Federal Official present was Tom Heenan. Mike Schoener served as facilitator. The Environmental Protection Agency was not represented.

The meeting was open to the public and posted in the *Federal Register* in accordance with the Federal Advisory Committee Act.

#### **Key Decisions Made by the Board**

##### *Recommendation 108-Yucca Mountain Draft Environmental Impact Statement*

A recommendation to open Yucca Mountain on schedule as outlined in the EIS and to initiate steps that would lead to congressional reconsideration of the 70,000 MTHM repository limit. The Board recommended that DOE more correctly assess the true risks of a no-action analysis and re-evaluate the proposed management and containment of "sealed source" and other general wastes. The Board also requested a comparative cost benefit analysis of commercial spent fuel, DOE spent fuel and DOE high level waste to establish the optimum order of shipment of materials to the repository.

##### *Recommendation 109-DOE and SC Agreement on Removal of High Level Vitrified Waste from SRS*

The SRS CAB recommended that DOE work with the Governor's office in implementation of the Statement of Principles to establish a schedule for removing vitrified high level waste from the state.

##### *Recommendation 110- Proposed EPA Rule Change*

In response to a request for comments from EPA on a proposed rule change that impacts the management of low level mixed wastes, the Board supported the recommended proposed rule be adopted with one revision. The Board recommended that EPA revise the proposed rule to exempt low-level mixed waste from the Resource Conservation & Recovery Act for those DOE low-level waste disposal facilities that have approved Disposal Authorization Statements.

*Recommendation 111-Waste Isolation Pilot Plant RCRA Permit/Transuranic Waste*

The SRS CAB resubmits previous recommendations regarding the WIPP RCRA Permit and supports DOE in its lawsuit regarding the permit and its attempt to reduce administrative burdens while continuing to protect health and safety. The Board feels strongly that New Mexico Environmental Department should not have regulatory authority over how SRS prepares its waste for shipment to WIPP, which is already regulated by SCDHEC. The Board also provided more specific comments regarding criteria, radiation containment areas and visual examination requirements.

*Recommendation 112-Selection of High Level Waste Salt Processing Alternative*

This recommendation asks DOE to commit to a salt waste processing alternative technology selection schedule by September 2001 and ensure it meets regulatory commitments. The Board also requested an overall schedule for implementation and an assessment of incremental risks and benefits associated with an early technology decision based on one acceptable technology versus a late technology decision potentially based on multiple acceptable technologies.

*Recommendation 113-Stakeholder Review of Integrator Operable Unit Plans, Studies and Reports*

The Board requested that DOE, EPA and SCDHEC revise the current schedule for IOU plans to provide the public with an opportunity to review reports during the same review period as the regulators and that this change be documented.

*Recommendation 114-Proposed Interim Action Plan for A Area Burning Rubble Pit*

A recommendation that the three agencies implement the preferred alternative for final soil remedial action (soil cover with institutional controls) and interim groundwater remedial action (active air sparging system).

*Recommendation 115- Draft SRS Strategic Plan*

The Board recommended that DOE incorporate public comments regarding how the Strategic Plan tiers from other SRS documents, infrastructure improvements, stewardship, management of SRS forestland, and decontamination and decommissioning objectives.

The Board also agreed to send a commendation to DOE noting that the CAB believes the DOE-Headquarter-approved Disposal Authorization Statement signifies excellent operational performance in the management of low-level wastes at the E-Area vaults and slit trenches.

**Approval of the Minutes**

The November 1999 meeting minutes were approved with no changes.

**Agency Update**

Ann Clark of the South Carolina Department of Health and Environmental Control (SCDHEC) provided a response to CAB Recommendation 107 (see attachment). Jim Brownlow of SCDHEC provided the Environmental Surveillance and Oversight Program 1999 annual report. Tom Heenan of DOE provided the Operations Update and status report (see attached). He also provided the Defense Nuclear Facilities Safety Board 2000-1 Recommendation (see attached). Mr. Heenan noted the formation of the NNSA and how various programs within DOE would be reorganized under this program as of March 1, 2000. Mr. Heenan also announced that former CAB member Brian Costner had been named Senior Policy Advisor to Secretary Richardson.

**Administrative Consideration**

Beaurine Wilkins announced that the Administrative Committee recommended that Board Member Earnest Marshall of Decatur, Ga. be removed from Board membership due to excessive absenteeism. Lola Richardson moved the Board ask DOE to withdraw Mr. Marshall's appointment to the Board. Bill Lawless seconded. Nineteen members were in favor and three abstained.

### **Facilitator Update**

Board Facilitator Mike Schoener provided an overview of the Process Retreat held January 14-15, 2000. He presented the new CAB organizational structure, which now consists of four issues-based committees; discussed the newly revamped recommendation format and processes; and discussed plans for a CAB workplan (see attachment). Mr. Schoener noted that the Board had decided to elect officers and committee chairs in the same manner with the top candidate as Chair and the runner-up as Vice Chair. He presented a list of action items from the Process Retreat and presented the results of a feedback survey regarding the retreat (see attachments). Mr. Schoener also provided a recommendation status noting that 21 were pending responses, 40 recommendations are open and 46 closed. He noted that the CAB was awaiting twelve responses from EPA, one from DHEC and one from DOE. SCDHEC had responded to four recommendations since the November Board meeting and DOE had responded to five. Mr. Schoener also presented subcommittee recommendations to update the status of various Board recommendations (see attachment). It was agreed that Mr. Schoener would follow-up with EPA regarding its participation and status of responses to Board recommendations.

### **Long Term Stewardship**

Mr. Jim Werner of DOE-Headquarters was unable to attend the meeting. Tom Heenan, DOE-SR provided a brief update regarding the Savannah River perspective in terms of the Environmental Restoration Program (see attachment). Mr. Heenan noted that 2006 is the target to close as many sites as possible. He noted that DOE-SR planned to close 291 sites by 2006 at a cost of \$832 million. Long term operations would continue at eight sites at a cost of \$447 million and stewardship of 27 sites would be required at a cost of about \$112 million. Discussion revolved around the need to drive costs down, how we should respond to Congress regarding funding and how the budget can be misinterpreted, technology development initiatives and the need to utilize existing infrastructure required for different programs.

### **Nuclear Materials Management Subcommittee Report**

Subcommittee Chair Tom Costikyan introduced John Anderson, DOE-SR Deputy Assistant Manager for Material and Facility Stabilization who presented an update on nuclear material stabilization, storage and disposition; receipt of offsite materials; and domestic and foreign spent nuclear fuel receipt, storage and disposition (see attachment). Mr. Anderson stated that DOE-SR is focus on completing DNFSB Recommendation 94-1 and noted that the new DNFSB 2000-1 Recommendation implores DOE to complete stabilization of materials in accordance with 94-1. Mr. Anderson stated both canyons are operating and provided a status of the various nuclear materials to be stabilized, 56% of which is complete. He noted the spent fuel receipt program is on track and discussed the current inventory as well as domestic and foreign receipts expected. Currently, 1779 domestic assemblies of an expected 9500 have been received and 2609 foreign assemblies of an expected 12,000 have been received. Mr. Anderson also discussed nuclear material and spent nuclear fuel planning activities.

Tom Costikyan presented a draft motion regarding the Yucca Mountain Environmental Impact Statement (see attachment). It recommended the opening of Yucca Mountain on schedule as outlined in the EIS and that DOE initiate steps that would lead to congressional reconsideration of the 70,000 MTHM repository limit. It also asks that DOE more correctly assess the true risks of a no-action analysis and that they re-evaluate the proposed management and containment of "sealed source" and other general wastes. The motion also requested a comparative cost benefit analysis of commercial spent fuel, DOE spent fuel and DOE high level waste to establish the optimum order of shipment of materials to the repository. Bill Lawless moved the Board adopt the recommendation and Wade Waters seconded. The motion was adopted by a vote of 21 in favor and one abstention by Charleen Townsend who stated she was not familiar with the issues.

Tom Costikyan presented a second draft motion regarding DOE and South Carolina agreement on removal of vitrified high level waste from SRS (see attachment). It recommended that DOE work with the Governor's office in implementation of the Statement of Principles to establish a schedule for removing vitrified high level waste from the state. Bill Lawless moved the Board accept the motion and Brendolyn Jenkins seconded. The motion was adopted by a vote of 20 in favor and two abstentions by Charleen

Townsend for lack of familiarity with issues and P.K. Smith due to her position in the high level waste program at SRS.

### **Environmental Remediation & Waste Management Subcommittee Report**

#### **Proposed EPA Rule Change**

Sonny Goldston, WSRC, provided a briefing on the proposed EPA rule change on mixed wastes (see attachment). The Proposed Rule Change was in a public comment period ending in mid-February 2000. The proposed rule change includes two major parts. Part 1 addresses treatment and storage of mixed wastes and Part 2 addresses transportation and disposal. Part 2 requests comments on the proposal to exempt DOE from Resource Conservation and Recovery Act (RCRA) for the off-site transportation and disposal of the mixed low-level wastes generated by DOE. The proposed rule applies when those wastes transported and disposed away from DOE sites meet the waste acceptance criteria at the low-level radioactive waste disposal facilities licensed by the Nuclear Regulatory Commission or an Agreement States (South Carolina is an Agreement State). Although the specified wastes would be exempted from RCRA, they would continue to be regulated by NRC or Agreement States during transportation and disposal under regulations comparable to RCRA regulations.

Wade Waters presented the subcommittee's motion that the Board support the recommended proposed rule with one revision - that EPA revise the proposed rule to exempt low-level mixed waste from the Resource Conservation & Recovery Act for those DOE low-level waste disposal facilities that have approved Disposal Authorization Statements (see attached). This change would significantly reduce the costs of disposal of mixed low-level wastes. Ann Clark of SCDHEC provided clarifying information to ensure the Board understood the implications of the recommendation noting that the recommendation supports DOE becoming self-regulated for low level mixed waste whereas DOE is currently regulated by EPA and SCDHEC. Following much discussion, Bill Lawless moved the Board accept the motion and Jimmy Mackey seconded. The motion was adopted with 21 members in favor and one opposed.

#### **Transuranic Mixed Waste to Waste Isolation Pilot Plant (WIPP)**

Bill Noll, DOE, provided a transuranic waste update (see attachment). He discussed the status of WIPP's RCRA Part B permit and the "SRS Ship to WIPP" program. WIPP is a repository built deep within underground salt deposits near Carlsbad, NM that DOE operates to dispose of non-mixed TRU wastes. Mr. Noll explained that most of DOE's TRU wastes are mixed wastes due to its non-radioactive hazardous content. The New Mexico's Environmental Department (NMED) has regulatory authority over the disposal of mixed TRU wastes at WIPP. This authority required DOE to obtain a RCRA Part B operating permit before accepting mixed TRU wastes at WIPP. A RCRA permit is not required for non-mixed TRU wastes. On November 3, 1999, the Department of Justice filed suit in federal district court in New Mexico on behalf of DOE contesting the terms of the RCRA permit. DOE believes the RCRA permit places onerous and unlawful requirements on its operations that could lead to workers being unnecessarily exposed to hazards, delays in the disposal of TRU wastes at WIPP, and significantly more costs without increasing the protection of the environment. Mr. Noll discussed some of these requirements, such as visual examinations, gas sampling, etc.

Wade Waters presented the draft motion asking the CAB to support DOE in its lawsuit and in its attempt to reduce administrative burdens without jeopardizing health, safety, environmental protection, and to minimize costs to the taxpayers (see attached). Most comments in the motion were presented in a previous Board recommendation and the CAB continues to feel strongly that New Mexico Environmental Department should not have regulatory authority over how SRS prepares its waste for shipment to WIPP, which is already regulated by SCDHEC. Becki Witter moved the Board adopt the motion and Bill Lawless seconded. The motion was adopted by a unanimous vote of 22 members.

#### **SRS Low Level Waste Disposal Authorization Statement**

Sonny Goldston, WSRC, provided a briefing on the SRS Low Level Waste Disposal Authorization Statement (DAS) (see attachment). The DAS was obtained in response to a DOE Order 435.1, "Radioactive Waste Management" requirement in order to continue LLW. Mr. Goldston discussed the

technical and regulatory basis for authorization and discussed the specifics of how it authorizes low level waste disposal in E-Area and Saltstone disposal facilities.

Kathryn May read a commendation noting that the CAB believes the DAS signifies excellent operational performance in the management of low-level wastes at the E-Area vaults and slit trenches (see attached). It also stated the Board believes that all SRS low-level waste can be managed at SRS safely and more cost effectively than shipping waste to sites across the United States. Bill Lawless stated that the motion, which had been modified into a commendation, expounded on closure of the SRL Seepage Basins and the extraordinary expense of shipping soils to Utah. Maria Reichmanis stated that discussion had been tabled but would be addressed at a later date. Karen Patterson moved the Board accept the commendation and Murray Riley seconded. The commendation was accepted by a vote of 21 in favor and one abstention by Bill Lawless who requested to submit a minority statement with the commendation.

#### Salt Processing Focus Group

Bill Lawless provided a Salt Waste Processing Program Briefing (see attachment). He provided an overview of the Defense Waste Processing Facility process and discussed how In-Tank Precipitation had failed to effectively dispose of cesium-bearing salt solutions. He discussed the process for identifying and evaluating alternative technologies, how these technologies had been narrowed to a few preferred alternatives and the uncertainties associated with them. The preferred alternative proposed is small tank precipitation because foaming can be controlled in a smaller tank, he said. Karen Patterson read the subcommittee motion noting that it was significant in that it had been developed specifically to assist DOE in determining a timely and cost effective solution to disposal of cesium-bearing salt solutions (see attached). The motion asks DOE to commit to a salt waste processing alternative technology selection schedule by September 2001 and to ensure it meets regulatory commitments. It also requested an overall schedule for implementation and an assessment of incremental risks and benefits associated with an early technology decision based on one acceptable technology versus a late technology decision potentially based on multiple acceptable technologies. Brendolyn Jenkins move the Board accept the motion and Bill Lawless seconded. The motion was adopted by a vote of 20 in favor and two abstentions by P.K. Smith due to her affiliation with the high level waste program and Mel Galin due to a lack of understanding of implications of motion.

#### Integrator Operable Units

Thomas Johnson, DOE, provided a status update on Integrator Operable Units (see attachment). Mr. Johnson discussed the Federal Facility Agreement (FFA) and how it sets the standards and schedules for the comprehensive remediation of SRS. Distinct geographic areas or media-specific units requiring cleanup are called Operable Units (OUs). Mr. Johnson discussed the various phases of the IOU program, which includes development of six workplans. He discussed the development of a geographical information system, which catalogs the numerous samples taken at various waste units making the data more useful and accessible. He also provided the expected submission dates for the IOU workplans, which are staggered seven months apart until 2002.

Jimmy Mackey presented the subcommittee's motion regarding the IOU program (see attached). Since 1997, the SRS CAB voiced concerns that the IOU process not place additional burdens on SRS with additional significant operational and administrative costs that do not improve the protection of the environment, public, or SRS workers. In addition, the CAB has expressed its opinion that they would like to participate in decisions among the three agencies as they are made. This motion requests that DOE, EPA and SCDHEC revise the current schedule for IOU plans to provide the public with an opportunity to review reports during the same review period as the regulators and that this change be documented. Bill Lawless moved the Board accept the motion and Bill Vogeles seconded. It was adopted by a unanimous vote.

#### A-Area Burning/Rubble Pits

Bob Van Pelt, Bechtel Savannah River Company, provided a unit history for the pits under consideration in the Interim Action Proposed Plan for the A-Area Burning/Rubble Pits (see attachment). He also discussed contaminants of concern, which are benzo(a)pyrene-contaminated soil that may cause

significant risk to current and future workers (Pit 731-2A only) and trichloroethylene (TCE) in the water table aquifer. He provided the schedule for remediation at this unit and presented the preferred remedy, which is a soil cover over Pit 731-2A and air sparging with staged active/passive soil vapor extraction for groundwater remediation. The soil remedy is final while groundwater remediation is an interim remedy. Mr. Van Pelt also discussed how this is the first time SRS has addressed commingled plumes of contamination.

Maria Reichmanis read the subcommittee's motion that supports the proposed actions as a reasonable choice among the alternatives (see attached). She noted, however, that it is the CAB's preference to spend remediation dollars toward actual cleanup and not additional study research. Bill Lawless moved the Board accept the motion and Karen Patterson seconded. The motion was adopted by a unanimous vote.

#### **Risk Management & Future Use Subcommittee Report**

Subcommittee Co-Chair P.K. Smith presented a draft motion regarding the Draft SRS Strategic Plan. This motion included public comments gathered during several a subcommittee meetings regarding how the Strategic Plan tiers from other SRS documents, infrastructure improvements, stewardship, management of SRS forestland, and decontamination and decommissioning objectives. Mel Galin moved to table the motion stating that the comments addressed issues that do not belong in a strategic plan. He noted that the plan would lose its real purpose if covered with too many tactical actions. P.K. Smith urged the Board not to disregard the work of the subcommittee members and by virtue tell them it is not valid. The Board agreed to change the recommendation such that the public comments are included in the recommendation as "Comments" and the actual recommendation is for DOE to address these comments. Bill Vogeles moved the Board accept the motion and Karen Patterson seconded. The motion was adopted by a unanimous vote.

#### **Administrative Subcommittee Report**

Beaurine Wilkins conducted officer and committee chair elections. Karen Patterson was elected Chair of the Board and Brendolyn Jenkins was elected Vice Chair. They will serve for two years in this capacity.

The following members were elected Committee Chairs to serve for 2000:

- Administrative Committee - Beaurine Wilkins, Chair, Becki Witter, Vice Chair
- Education Committee - P.K. Smith, Chair
- Environmental Remediation Committee - Jimmy Mackey, Chair, Maria Reichmanis, Vice Chair
- Nuclear Materials Committee - Tom Costikyan, Chair, Ken Goad, Vice Chair
- Strategic & Long Term Issues Committee - Mel Galin, Chair
- Waste Management Committee - Wade Waters, Chair

Ms. Wilkins asked Lola Richardson to present candidates for 2000 membership. Thirty-three individuals are running for 11 vacant positions. Several candidates were present and introduced themselves to the CAB.

#### **Public Comments**

John Simpson, Hilton Head Island, S.C.

Mr. Simpson requested a reply to 60-Minutes, which aired Sunday, January 23. A few Board members provided their perspective, however it was noted that the subject of this lawsuit was not within the purview of the Board. Mr. Simpson also requested website and contact information for SRS. This information was provided.

George Minot, Hilton Head Island, S.C.

Mr. Minot thanked the Board for returning to Hilton Head. Mr. Minot asked that DOE provide the amount of radioactivity addressed by the DWPF canisters in addition to the number of canisters filled.

Meryl Alalof, Augusta, Ga.

Ms. Alalof introduced herself to the Board noting she was a prospective candidate for membership.

Larry Callair, Augusta, Ga.

Mr. Callair thanked the Board for its work noting he had been attending meetings for sometime. He is also a prospective candidate for membership.

Bill Lawless for Lee Poe, Aiken, S.C.

Bill Lawless read the following statement provided by Lee Poe:

"I would like to give some perspective on Subcommittee Meetings this year. Started out to prove that stakeholder attendance falls off in meetings away from Augusta/Aiken. Found Non-CAB stakeholder attendance does fall off but decrease is matched by additional CAB attendance at meetings. (Away for Augusta/Aiken meetings are normally associated with CAB meetings the next day.)

Subcommittee has had 20 meetings in 1999 and had a total attendance of 602 people or an average attendance of 30 people/meeting. About half were DOE/Contractor people. The other half were about equally split between CAB and non-CAB stakeholders.

I reach several conclusions about this Subcommittee program. They are:

- Subcommittee activities foster communications between stakeholders and SRS staffs. The program has resulted in about 1,800 person-hours of interaction at the meetings and probably an equal amount of time preparing for the meetings and perhaps one third in follow-up activities.
- These meetings also integrate a wide range of considerations, background, and ideas applied to problem solution.
- These activities appeal to a broad range of stakeholders who are willing to give their time to participating. The subcommittee provides a valuable means of getting stakeholders involved with in-depth analysis of SRS activities through Focus Groups. Subcommittee has fostered 3 Focus Groups and two ISPRs.

I want to point out what the numbers show to be the only negative point. That is lack of Regulator participation. Over the year, 37 regulators have participated, mostly in meetings that occur prior to the CAB meetings the next day (15 persons in five meetings or an average of 3/meeting). In the other 15 meetings, the average has been 1.5 regulator-persons/meeting and 5 meetings had no regulator participation."

Perry Holcomb, North Augusta, S.C.

Mr. Holcomb stated he was a candidate for membership and introduced himself to the Board. He commended the Board for its outstanding work and stated he believed in doing the right thing just as the Board had done in taking action on Yucca Mountain and WIPP. He noted that although the Board included many individuals with different backgrounds and perspectives, he thought they compromised well.

Charlotte Marsala, Hilton Head, S.C.

Ms. Marsala requested information regarding plutonium disposition. She asked how much of the 17 metric tons of plutonium slated for SRS currently resides there.

**Other Administrative Items**

Ann Loadholt announced that Brendolyn Jenkins and Karen Patterson would attend the SSAB Chairs meeting February 17-20 in Idaho Falls, Id. She also announced that the Executive Committee had agreed to extend Mike Schoener's facilitation contract for an optional year. Rick McLeod was introduced as the Board's new technical advisor. A selection committee consisting of Bill Lawless, P.K. Smith and Ken Goad determined the new advisor following a competitive bidding process.

**Handouts**

January 25, 2000 Meeting Agenda  
Operations Update, January 2000  
Defense Nuclear Facilities Safety Board Recommendation 2000-1, dated January 14, 2000  
Letter from Barbara Murphy to CAB, dated January 18, 2000  
Letter from SCDHEC to CAB, dated January 26, 2000  
SR CAB Recommendation Summary Report, dated January 20, 2000  
Action Items from January 2000 CAB Process Improvement Retreat, Mike Schoener, CAB  
SRS CAB Focus Groups, Mike Schoener, CAB  
Recommendation Format, Mike Schoener, CAB  
SRS CAB Process Improvement Retreat Survey-2000, Mike Schoener, CAB  
Environmental Restoration Division Long Term Stewardship, Tom Heenan, DOE  
Nuclear Materials Management Status, John Anderson, DOE  
Yucca Mountain Draft Environmental Impact Statement, Tom Costikyan, CAB  
DOE and South Carolina Agreement on Removal of Vitrified Waste from SRS, Tom Costikyan, CAB  
Proposed EPA Rule on Mixed Waste, Sonny Goldston, WSRC  
Proposed EPA Rule Change, Wade Waters, CAB  
Transuranic Waste Update, Bill Noll, DOE  
WIPP RCRA Permit/Transuranic Waste, Wade Waters, CAB  
SRS Low Level Waste Disposal Authorization Statement, Sonny Goldston, WSRC  
Commendation, SRS DOE-HQ Approved LLW Disposal Authorization Statement, Kathryn May, CAB  
Salt Processing Focus Group, Bill Lawless, CAB  
Selection of HLW Salt Processing Alternative, Karen Patterson, CAB  
Integrator Operable Unit Status Update, Thomas Johnson, DOE  
Stakeholder Review of Integrator Operable Unit Plans, Studies and Reports, Jimmy Mackey, CAB  
A Area Burning/Rubble Pits, Bob Van Pelt, WSRC  
Proposed Interim Action Plan for A Area Burning/Rubble Pit, Maria Reichmanis, CAB  
SRS Strategic Plan, P.K. Smith  
SRS CAB 1998-1999 Bi-Annual Report  
Monthly NEPA Report  
SRS CAB Activity Calendar  
1999 Annual Report Environmental Surveillance and Oversight Program, Jim Brownlow, SCDHEC

*Approved March 28, 2000*