



Recommendation No. 117

March 28, 2000

Alternatives for On-site Disposal of CERCLA Waste

Background

The disposition of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) waste at SRS has been an area of discussion for over three years between the SRS Citizens Advisory Board (CAB) and the three agencies (DOE, SCDHEC, and EPA Region IV). These exhaustive discussions between the stakeholders and the three agencies have been frustrating for everyone involved but necessary to highlight the different perspectives while realizing everyone's common goal of cleaning up SRS in the most cost effective manner that is protective of both human health and the environment.

While the SRS CAB does not agree with the three agencies that shipping CERCLA waste to an out-of-state low level waste disposal facility is more protective than utilizing the SRS Low Level Waste Disposal Facility (LLWDF) in the case of the SRL Seepage Basin soils, the SRS CAB has concluded that it is more important to expedite the closure of the SRL basin than to attempt to reverse the decision. This was apparent at the January 25, 2000, SRS CAB meeting where the SRS CAB commended the SRS on the issuance and approval of the Disposal Authorization Statement (DAS) for the LLWDF (Ref. 1) and at the same time tabled part of the Motion to specifically address CERCLA waste disposal in the LLWDF. The later issue was addressed separately in a Minority Statement on the DAS commendation (Ref. 2). The SRS CAB recognizes that it is time to move forward with the issue of CERCLA waste disposal and begin to look to the future.

DOE has stated that they do not foresee any situations where the SRS Low Level Waste Disposal facility would be a potential candidate under the CERCLA remedy selection process until 2006 (Ref. 3). As stated by EPA informally and by SCDHEC in response to CAB Recommendation 67, until DOE has identified to the regulators any need to utilize the E-Area trenches as part of an overall site-wide waste management strategy under the three-party cleanup agreement now, in 2006, or beyond (Ref. 4), both EPA and SCDHEC see no need to spend resources on deciding an issue that is not currently relevant. However, the SRS CAB believes there are CERCLA waste currently and in the future where on-site disposal in the E-Area trenches will meet the SRS CAB's criteria of reducing risks to workers, the public and the environment, and makes the best use of taxpayer dollars. In addition, the SRS CAB is open to other on-site alternatives to disposal of these potential waste streams as long as the same criteria are met.

However, the SRS CAB does not support the construction of a new single SRS consolidation facility built to CERCLA specifications when the existing LLWDF meets the Board's criteria discussed above. From additional EPA communications (Ref. 5 & 6), EPA believes that a proposal to start sending CERCLA wastes to the E-Area trenches is a proposal to establish a CERCLA waste consolidation facility at SRS. Furthermore, EPA states that DOE can propose the E-Area trenches as a disposal alternative for an operable unit cleanup, but EPA doubts that the trenches will ever emerge as the preferred cleanup alternative based upon the CERCLA nine remedy criteria. The main reasons given for their position is the fact that the E-Area trenches were not designed and built with EPA oversight and that the operational and compliance oversight belongs solely to DOE.

The SRS CAB appreciates the February 10, 2000, letter from John H. Hankinson, Jr., Regional Administrator of EPA Region 4 (Ref. 7) explaining their position on the use of the SRS Low Level Waste Disposal facility for disposal of CERCLA waste (response to Recommendation No. 67). Per the letter, EPA's position is to evaluate the Low Level Waste Disposal facility, which is considered to be an off-site remedy under the CERCLA process, on an individual operable unit basis and to not pursue the facility as a disposal remedy without consideration of other alternatives. In general, the CERCLA process favors on-site remedies over off-site remedies to avoid creation of additional waste units.

Comment

From the correspondence discussed above, the SRS CAB concludes that EPA will not consider the use of E-Area trenches for the disposal of CERCLA waste.

While the SRS CAB prefers on-site in situ remedies for radioactive CERCLA soil/debris, it believes that there will be instances in the future where physical removal of CERCLA waste will be required (like the SRL Seepage Basin). When such situations arise in the future, the SRS CAB wants to be involved in the very early discussions on the proposed disposal alternatives.

This may mean involvement of stakeholders earlier than the normal CERCLA process currently dictates. This is required to ensure that a disposal option is chosen which reduces the risks to workers, the public and the environment at acceptable costs. Any preferred remedy to ship slightly radioactive CERCLA waste off the property of SRS will not be acceptable to the SRS CAB unless the Board is part of the decision making process.

The SRS CAB needs to be made aware of potential cleanup waste at SRS that could have radiological LLW where physical removal could reasonably be utilized as part of the disposal remedy. Furthermore, the SRS CAB wants to see identified potential disposal alternatives for such waste where the criteria of the three agencies and the SRS CAB can be met in unison.

Recommendations

To meet these objectives, the SRS CAB recommends the following:

1. On or before March 28, 2001, DOE identify and provide a list of any Operable Units from the most current FFA for which the physical removal of radiological LLW could reasonably be expected to occur as part of the potential disposal remedy.
2. The three agencies involve the SRS CAB and the public in the decision making process for each Operable Units identified above and any future units at least six months prior to the public review period of the proposed remedy or Proposed Plan step in CERCLA. In general, the SRS CAB would like to establish this level of involvement (being part of the decision making process before not after the fact) for all SRS CAB issues-based committees (Waste Management, Nuclear Materials, Strategic & Long Term Issues, and Environmental Remediation).
3. On or before March 28, 2001, DOE identify potential disposal alternatives for the wastes identified above where physical removal may be required.

References

1. SRS CAB Commendation, " SRS DOE-HQ Approved Low Level Waste (LLW) Disposal Authorization Statement", dated January 25, 2000
2. SRS CAB Minority Statement, " SRS CAB Disposal Authorization Statement Commendation", dated January 25, 2000
3. September 1998 SRS CAB meeting minutes - Comments from Tom Heenan
4. Electronic message from Julie Corkran (EPA) to Jimmy Mackey (SRS CAB), dated March 16, 2000
5. Electronic message from Julie Corkran (EPA) to Jimmy Mackey and Bill Lawless (SRS CAB), dated March 17, 2000
6. Electronic message from Julie Corkran (EPA) to Jimmy Mackey, Karen Patterson, and Bill Lawless (SRS CAB), dated March 20, 2000
7. Letter to Ms. Karen Patterson from John H. Hankinson, Regional Administrator, EPA Region 4, February 10, 2000
8. SRS CAB Recommendation 34, "Soils Consolidation Facility" dated March 25, 1997
9. SRS CAB Recommendation 38, "SRL Seepage Basins" dated May 13, 1997
10. SRS CAB Recommendation 53, "SRL Seepage Basins Remediation", dated March 24, 1998
11. SRS CAB Recommendation 64, "SRL Seepage Basins Disposal of Contaminated Vegetation and Soils Remediation Alternative Selection", July 28, 1998
12. SRS CAB Recommendation 67, "Disposal of Low-level Radioactive Waste from SRS CERCLA Site in Trenches of SRS Low Level Waste disposal Facility", September 29, 1998
13. SRS CAB Recommendation 68, "SRL Seepage Basin Contaminated Soils Disposal", September 29, 1998

Agency Responses

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