



Recommendation No. 118

March 28, 2000

Waste Management Equity Issues

Background

Since 1997, the CAB is concerned over the lack of meaningful dialogue with stakeholders on the equity issue of waste treatment, storage and disposal throughout the DOE complex. The CAB realizes that equity issues is multi-faceted, but is only addressing Waste Management equity issues in this motion.

In response to CAB recommendations to foster communications, DOE and SCDHEC appear to be receptive to advising stakeholders on the discussions and actions among the State of South Carolina, other states and DOE on equity issues. The CAB appreciates the letters from R. Lewis Shaw of SCDHEC and David Huizenga, and the effort SCDHEC and DOE have made to tackle this complex issue through the National Governor's Association.

Despite the recent Waste Management PEIS Record of Decision that addresses many of the equity issues, the CAB wants to ensure that two things are accomplished in a timely fashion; first the implementation of the resolved equity issues; and second, the resolution of the remaining issues.

One of the remaining equity issues is the continued use of CIF for treatment of off-site generated waste. No comments have been received from South Carolina in opposition to the receipt of waste from other DOE sites during the public review period for the Site Treatment Plan. Recommendation 104 states that receiving future shipments of waste for the CIF from other sites will not be acceptable until equity issues are satisfactory to the stakeholders. To date, this equity issue has not been resolved.

The Statement of Principles signed by the Governor of South Carolina and the Secretary of Energy lay a foundation for a cooperative working relationship between DOE and SC; however the CAB believes these principles need to be implemented at the working levels of both DOE and SCDHEC instead of just being a high level mission statement.

Comments

The September 9, 1999, Statement of Principles signed by the Governor of South Carolina and the Secretary of Energy does lay a foundation for a cooperative working relationship between the DOE and the State of South Carolina and sets the stage for meaningful discussions on the issue of equity. However, the SRS CAB believes these principles need to be more than a "high level" mission statement but actually implemented at the working levels of both DOE and SCDHEC. Specifically the SRS CAB has identified the following "edited" Statement of Principles as pertaining to the equity issue.

1. Finding ways, where feasible and cost effective, to integrate SRS waste management challenges among DOE sites.
2. Ongoing, active consultation and communication between individual Governors, the Secretary, and the collective group about DOE sites.
3. Determine a shipping date for transuranic (TRU) waste to WIPP. Since the Statement of Principles was signed, the SRS CAB was informed during the March 9, 2000 Waste Management Committee meeting that the first shipping date of TRU waste would be in September 2000. If this date changes, the CAB wants to be notified.
4. Ensure a disposition path for high level waste (HLW) to a HLW repository. In addition, the SRS CAB believes the Statement of Principles should also specifically address the removal of vitrified high level waste from the SRS to a repository as documented in our Recommendation No. 109.
5. Find mutually acceptable solutions across the DOE complex for disposal of low level waste (LLW) and mixed low level waste (MLLW) that include agreement on the impact on equity of sending LLW and MLLW to a commercial site. The Waste Management PEIS Record of Decision provides solutions to the disposal of LLW and MLLW. The SRS CAB will monitor the progress to see if these solutions are implemented.
6. Assure that funding is adequate to support new missions and offsite waste/material processing, handling and storage and that equity is addressed in new missions.

7. Ensure that the equitable treatment of SRS in the allocation of congressional "general reductions" is a major factor in the overall equity issue.
8. As part of the equity position, the SRS CAB expects that DOE will continue and expand the operation of CIF to treat offsite wastes to assure that equity is maintained for the SRS orphan wastes and MLLW taken by other DOE sites.

Recommendations

The SRS CAB repeats and strengthens its recommendations concerning these issues:

1. DOE and SCDHEC should develop and present to the SRS CAB, a plan and schedule to describe the resolution between DOE and the State of South Carolina of the eight issues listed above and alternatives for their resolution by September 25, 2000.
2. DOE provide annual updates on unresolved equity issues to the SRS CAB each November.

Related Recommendations

SRS CAB Recommendation 47, Environmental Management Integration and some SRS Specific Recommendation, November 18, 1997

SRS CAB Recommendation 63, Political, Regulatory, and State Equity Issues and Treatment, Storage and Disposal of Defense-Related Nuclear Wastes and Materials, July 28, 1998

SRS CAB Recommendation 72, Waste Management Programmatic Environmental Impact Statement, November, 17, 1998

SRS CAB Recommendation 103, Waste Management Programmatic Environmental Impact Statement Orphan Waste, November 16, 1999

SRS CAB Recommendation 104, Hazardous Combustors Clean Air Act SRS Consolidated Incinerator Facility, November, 16, 1999

References

1. Letter to Ms. Ann Loadholt from R. Lewis Shaw, Deputy Commissioner, January 10, 2000
2. Letter to Ms. Ann Loadholt from Dave G. Huizenga, Deputy Assistant Secretary for Integration and Disposition, January 21, 2000
3. Statement of Principles, United States Department of Energy and the State of South Carolina, September, 9, 1999
4. SRS CAB Recommendation 109, "DOE and South Carolina Agreement on Removal of High Level Vitrified Waste", January 25, 2000
5. Record Of Decision for the Department of Energy's Waste Management Program: Treatment and Disposal of Low Level Waste and Mixed Low Level Waste; Amendment of the Record of Decision for the Nevada Test Site, 65 FR 10061, February 25, 2000.

Agency Responses

[Department of Energy-SR](#)