



### Recommendation No. 127

July 25, 2000

#### DOE Rev. 3 Implementation Plan for DNFSB Recommendation 94-1/2000-1

##### **Background**

The Defense Nuclear Facilities Safety Board (DNFSB) Recommendation 2000-1, dated January 14, 2000, expressed concern over delays in certain remedial measures that were promised in the DOE Implementation Plan (IP) that was issued in response to DNFSB Recommendation 94-1. An updated IP (Revision 3) has very recently been provided by DOE. This new plan shows the significant delays that are now foreseen in the completion of the remediation program both at SRS and at other sites in the DOE complex. DNFSB has responded to updated IP (Revision 3) by letter Conway to Richardson, July 14, 2000.

At SRS, there is a four to six year setback to the plutonium stabilization program that is the result of cancellation of the APSF project, with it being replaced by a plan to use certain existing structures. A significant reduction in the required capital is envisioned. This change affected the timing of several items that were cited in the 2000-1 recommendation. Budgetary constraints were also factors forcing changes in the IP.

A vulnerability that was of particular concern to DNFSB in both Recommendation 2000-1 and the letter of July 14, 2000 was the highly enriched uranium (HEU) solutions stored in tanks outside of the H Canyon. The intent has been to blend this material with depleted uranium to reach a concentration suitable for use by the Tennessee Valley Authority (TVA) in their power reactors. This program would allow the fuel value of the surplus uranium to be utilized. The alternative to this would be to lose all fuel value and incur additional expense by blending the metal down to less than 1% U235.

For a number of months, the CAB has understood that there was an agreement in principle with TVA for them to take the SRS blended down uranium. The specifics of this agreement were to be negotiated so as to assure that TVA would experience no economic disadvantage against their alternative of buying commercial fuel (natural uranium and enrichment and fabrication services). These negotiations have still not been completed.

##### **Comment**

DOE has advised CAB that it committed to completing the TVA agreement by August 2000. They have also advised that failure to achieve a confirmed TVA plan very shortly will expose SRS to the risks and costs of storing the HEU solutions beyond the date when remediation could otherwise be initiated. In the worst case scenario, safety considerations could force SRS to dilute the HEU beyond a level at which its fuel value could be realized.

The SRS CAB is concerned over the continuing delay in finalizing the TVA agreement. We believe that two federal entities that have a common objective should have completed the negotiation before this late date. Our concern is amplified by the approaching point in time in which significant potential safety and economic risks and cost penalties would be incurred. From the CAB's viewpoint, and that of the DNFSB, the economic terms of a final agreement are of modest concern.

##### **Recommendation**

The SRS CAB recommends that DOE:

- Take all necessary steps to assure that a TVA agreement is completed by the end of August or report to the CAB the specific reasons for failure to come to agreement and
- Report to the CAB or the NM Committee on the specifics and the paths forward by September

25, 2000.

## **References**

- DNFSB letter from John Conway, DNFSB Chairman, to Carolyn Huntoon, Assistant Secretary for Environmental Management, on the Improved Schedule for Remediation, September 22, 1999.
- DOE letter from Carolyn Huntoon, Assistant Secretary for Environmental Management to John Conway, DNFSB Chairman, October 15, 1999.
- "DNFSB Recommendation 2000-1 to the Secretary of Energy", January 14, 2000.
- DOE letter from Secretary of Energy Bill Richardson to John Conway, DNFSB Chairman, March 13, 2000.
- Citizens Advisory Board Recommendation No. 116 (adopted March 28, 2000), "Defense Nuclear Facilities Safety Board Recommendation 2000-1".
- Revision 3, Implementation Plan for DNFSB Recommendations 94-1 and 2000-1 Implementation Plan, June 8, 2000.
- DNFSB Recommendation 94-1/2000-1 Implementation Plan, presentation to the CAB NM Committee by John Anderson, DOE-SR, July 10, 2000.
- DNFSB weekly reports, 1999-2000.
- DNFSB letter from John Conway, DNFSB Chairman, to Bill Richardson, Secretary of Energy, on review of DOE Implementation Plan of May 31, 2000, July 14, 2000.

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## **Agency Responses**

[\*Department of Energy-SR\*](#)