



Savannah River Site Citizens Advisory Board

Recommendation 173

High Level Waste Classification

Background

With the recent court decision against DOE in the WIR lawsuit, the Savannah River Site (SRS) Citizens Advisory Board (CAB) submitted a letter to Secretary Spencer Abraham requesting action by DOE to continue to accelerate the High Level Waste (HLW) program at SRS (Ref. 1). Options suggested included appealing and/or seeking legislative relief from the Court's ruling. While not a direct response to the CAB's letter, Secretary Abraham did submit to Congress legislation to allow DOE, in consultation with the Nuclear Regulatory Commission (NRC), to address the management and disposal of HLW (Ref. 2). In addition, DOE has initiated an appeal of the Court's decision (Ref. 3).

The four states (Idaho, Oregon, South Carolina, and Washington) with a vested interest in the HLW issue, responded to Secretary Abraham's letter expressing their concern and requested DOE to reconsider its strategy (Ref. 4). They believe that reasonable solutions exist within the current law to properly manage nuclear waste. Furthermore, they offered to work with DOE to develop a waste classification strategy and acknowledged that it will take a combined effort to devise and implement responsible, effective policies that protect human health and the environment as well as respect taxpayer dollars.

Comment

The SRS CAB is fully convinced that it will take a combined effort to resolve the HLW classification issue. However, we believe that the proposed legislation offered by DOE provides the best option to accelerate the HLW Tank closure program. The SRS CAB supports the proposed legislation but encourages DOE to begin negotiations with the States to resolve their differences surrounding this proposed legislation. We also understand that any communications associated with the WIR or proposed legislation take place at the Under Secretary's level.

Recommendation

The SRS Citizens Advisory Board (CAB) is interested in accelerating the HLW Tank closure program and therefore recommends the following:

1. DOE-HQ continue to pursue the legislative action to address classification of HLW safely and cost effectively and to ensure that stakeholders and regulators share in the decision making process.
2. DOE-SR continue to work with SCDHEC to move forward with tank closure under the Clean Water Act.

References

1. Mr. Wade Waters, CAB Chairperson and Mr. William Willoughby, WM Committee Chairman, letter to the Honorable Spencer Abraham, U.S. Department of Energy Secretary, July 23, 2003.
2. The Honorable Spencer Abraham, U.S. Department of Energy Secretary letter to the Honorable J. Dennis Hastert, Speaker of the U. S. House of Representatives, August 1, 2003.
3. Waste Incidental to Reprocessing (WIR) Lawsuit Update, presentation to the WM Committee by Larry Ling, September 16, 2003.
4. Representatives from four states (Idaho, Oregon, South Carolina, and Washington) letter to the Honorable Spencer Abraham, U.S. Department of Energy Secretary, August 12,

2003.

Agency Responses

[Department of Energy-SR](#) (PDF)