



**Savannah River Site  
Citizens Advisory Board**

## **Recommendation 186 High Level Waste Proposal**

### **Background**

The high level waste (HLW) disposition program at the Savannah River Site (SRS) is highly integrated. Successful implementation of the program is contingent upon:

- Available funding
- Successful management of Tank space
- Successful performance of waste removal projects
- Successful sludge batch preparation
- Successful implementation of salt process initiatives

Any delays in one part of the program will have impacts to one or more of the other activities (Ref. 1). Adequate funding, the first item noted above, is a major prerequisite in the successful disposition of HLW. DOE recently released its \$24.3 billion budget request for fiscal year 2005, a part of President Bush's overall budget request to congress. President Bush's FY 2005 Budget includes \$8.6 billion to support the DOE goal of protecting the environment. This amount includes increases to accelerate environmental cleanup (increase of \$426 million) and establish a permanent nuclear waste repository (increase of \$303 million). The budget includes funds to continue high level waste operations but sets aside a \$350 million High Level Waste Proposal. These monies would fund activities that DOE believes will be impacted by the WIR lawsuit. Assistant Secretary Roberson has stated to Congress that DOE will request that funds only if the "legal uncertainties are satisfactorily resolved" (Ref. 2). According to Secretary Roberson, DOE was not holding the funds to put pressure on the states to compromise on the WIR lawsuit. If Congress approves the President's budget as proposed, the withholding of set aside funds will seriously impact the HLW disposition schedule at SRS. The SRS portion of the funds DOE does not plan to ask Congress for is \$188 million (54% of the set aside funds). Of this amount, \$85 million is to continue design and construction of the Salt Waste Processing Facility (SWPF). The remaining \$103 million was to modify building 241-96-H for use as additional Actinide Removal Process capacity; construct a Caustic Side Solvent Extraction (CSSX) pilot facility to demonstrate the cesium removal process; and remove and pretreat the salt waste from HLW tanks. A large portion of the funds (approximately 80%) is tied to the necessary workforce to accomplish these activities. (Ref. 3)

### **Comment**

SRS has the largest decrease in funding (\$69.2 million reduction) under the 2035 Accelerated Completions account of any DOE facility across the DOE complex (Ref. 4). In fact, Hanford receives a \$62.6 million increase in the FY 05 budget. Although the Hanford HLW program is also affected by the outcome of the WIR lawsuit, funding to continue construction of Hanford HLW projects was not withheld. The CAB continues to be concerned about equity within the DOE complex (Ref. 5). As voiced repeatedly in numerous motions (Ref 6,7,8,9,10, 11), one of the primary concerns of the SRS Citizens Advisory Board (CAB) is to accelerate the HLW stabilization program at SRS, particularly the removal of liquid HLW from the tanks and the final closure of HLW Tanks. The planned High Level Waste Proposal to withhold funds is in direct opposition to this primary goal. The SRS CAB feels a great sense of urgency to minimize the greatest remaining risk as SRS – the waste in the HLW tanks. Although DOE

espouses a shared concern about reducing risk at SRS, the actions of the Department suggest otherwise. The SRS CAB respectfully suggests that DOE should commit all necessary resources to ensuring a favorable outcome of this lawsuit. Until it is settled (and unless it is settled in favor of DOE), SRS can not significantly reduce the risk posed by keeping 34 million gallons of HLW in 50-year old tanks, and will ultimately delay its mission of dispositioning nuclear materials in H-Canyon, or of vitrifying HLW. DOE filed its appeal in the 9<sup>th</sup> Circuit Court in January. The plaintiff, NRDC, is scheduled to file its appeal by the end of March. Oral arguments will likely occur in October or November, with a decision by the Court some months after that. Clearly, the WIR lawsuit will not be decided before 2005. Senator Graham and Congressman Barrett are working to change the language of the National Waste Policy Act to better identify what is and is not high-level waste. However, in an election year, it is highly unlikely that Congress will amend any legislation related to nuclear waste. Again, resolution by this route, if it occurs at all, will not occur before 2005. Due to the tight integration of the HLW disposition program, a year's delay in funding could result in a year or more delay in other aspects of the program. The SRS CAB believes that there are certain aspects of the HLW program that can move forward regardless of the WIR lawsuit resolution. The withholding of funds will jeopardize the momentum of the program and increase its final cost. Furthermore, the CAB is concerned about the impact the fund withholding will have on the retention of the highly skilled technical staff and the possible need for a reduction in the SRS workforce. Although the direct impact on the number of jobs is not known, a generally accepted business practice is that one full time employee equates to \$100,000. Therefore a reduction of \$100 million would equal about 1,000 jobs.

### **Recommendation**

Based upon eight earlier recommendations (see Recommendations #17, #33, #40, #79, #91, #120, #121, and #149), the SRS CAB has learned that it needs to get involved early in the DOE budget and planning processes and therefore recommends the following:

1. DOE-HQ reconsider the High Level Waste Proposal and reinstate adequate funding in the SRS budget to permit an aggressive HLW disposition program at SRS with measurable progress toward HLW tank closure.
2. DOE-HQ show how the proposed \$350 million High Level Waste Proposal budget is allocated among the three DOE facilities (Idaho National Laboratory, Hanford, and SRS) being impacted by the WIR lawsuit.
3. SRS provide a list and associated timelines of HLW activities that are and are not impacted by the WIR lawsuit to the SRS CAB on or before May 24, 2004.
4. DOE-HQ initiate constructive planning, including budgeting, for the removal and treatment of HLW from the HLW tanks based on the two eventual outcomes of the WIR lawsuit and to work closely with the regulators while doing so.
5. DOE-HQ initiate constructive planning, including budgeting, for pursuing HLW tank closure at SRS based on the two eventual outcomes of the WIR lawsuit and to work closely with the regulators while doing so.

### **References**

1. "Savannah River Site High Level Waste System Plan", Westinghouse Savannah River Company, Report HLW-2002-00025, Revision 13, March 2002.
2. Statement of Jessie H. Roberson Asst. Secretary for Environmental Management, U. S. DOE, before the Subcommittee on Strategic Forces, Committee on Armed Services, U. S. Senate, February 25, 2004.
3. SRS e-mail response to budget questions raised by Bill Lawless dated March 11, 2004.
4. DOE, Office of Management, Budget and Evaluation, [www.mbe.doe.gov](http://www.mbe.doe.gov).
5. Citizens Advisory Board Recommendation No. 150 (adopted April 23, 2002), "Cleanup Reform Appropriations."
6. Citizens Advisory Board Recommendation No. 69 (adopted November 17, 1998), "Selection of HLW Salt Disposition Alternatives."
7. Citizens Advisory Board Recommendation No. 81 (adopted March 23, 1999), "High Level Waste Salt Disposition Alternatives to the In-tank Precipitation Process Supplemental Environmental Impact Statement."

8. Citizens Advisory Board Recommendation No. 112 (adopted January 25, 2000), "Selection of HLW Salt Processing Alternative."
9. Citizens Advisory Board Recommendation No. 137 (adopted April 25, 2001), "Salt Processing Alternatives Draft Supplemental Environmental Impact Statement."
10. Citizens Advisory Board Recommendation No. 147 (adopted January 15, 2002), "Parallel salt Disposition Strategy."
11. Citizens Advisory Board Recommendation No. 159 (adopted March 25, 2003), "Low-Curie Salt to Saltstone."

## **Agency Responses**

[Department of Energy-SR](#)