

THE NGA–DOE GRANT TO EXAMINE CRITICAL ISSUES RELATED TO
RADIOACTIVE WASTE AND MATERIALS DISPOSITION INVOLVING DOE
FACILITIES

QUARTERLY REPORT

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Abstract

Through the National Governors' Association (NGA) project "Critical Issues Related to Radioactive Waste and Materials Disposition Involving DOE Facilities" NGA brings together Governors' policy advisors, state regulators, and DOE officials to examine critical issues related to the cleanup and operation of DOE nuclear weapons and research facilities. Topics explored through this project include:

- ◆ Decisions involving disposal of mixed, low-level, and transuranic (TRU) waste and disposition of nuclear materials.
- ◆ Decisions involving DOE budget requests and their effect on environmental cleanup and compliance at DOE facilities.
- ◆ Strategies to treat mixed, low-level, and transuranic (TRU) waste and their effect on individual sites in the complex.
- ◆ Changes to the FFCA site treatment plans as a result of proposals in the Department's Accelerating Cleanup: Paths to Closure plan and contractor integration analysis.
- ◆ Interstate waste and materials shipments.
- ◆ Reforms to existing RCRA and CERCLA regulations/guidance to address regulatory overlap and risks posed by DOE wastes.

The overarching theme of this project is to help the Department improve coordination of its major program decisions with Governors' offices and state regulators and to ensure such decisions reflect input from these key state officials and stakeholders.

This report summarizes activities conducted during the quarter from February 1, 1999, through April 30, 1999, under the NGA grant. The work accomplished by the NGA project team during the past four months can be categorized as follows:

- ◆ maintained open communication with DOE on a variety of activities and issues within the DOE environmental management complex;
- ◆ maintained communication with NGA Federal Facilities Compliance Task Force members regarding DOE efforts to formulate a configuration for mixed low-level waste and low-level treatment and disposal, external regulation of DOE; and EM Integration activities; and
- ◆ continued to serve as a liaison between the NGA FFCA Task Force states and the Department.

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Executive Summary

This report summarizes activities conducted during the quarter from February 1, 1999 through April 30, 1999, under the National Governors' Association (NGA) project, "Critical Issues Related to Radioactive Waste and Materials Disposition Involving DOE Facilities." The overarching theme of this project is to help the Department improve coordination of its major program decisions with Governors' offices and state regulators and to ensure such decisions reflect input from these key state officials and stakeholders.

NGA project team activities during this reporting period were focused on providing strategic input to DOE on how to organize interaction with the Governors' offices on the Secretary's proposed summit; analyzing DOE's transportation protocols for materials and waste, and preparing a presentation for the State and Tribal Government Working Group meeting April 27-29, 1999.

NGA continues to work with DOE and keep the states informed on a variety of activities and issues within the DOE environmental management complex.

Introduction

Through the National Governors' Association/DOE grant, NGA brings together Governors' policy advisors, state regulators, and DOE officials to examine critical issues related to the cleanup and operation of DOE nuclear weapons and research facilities. Topics explored through this project include:

- ◆ Decisions involving disposal of mixed, low-level, and transuranic (TRU) waste and disposition of nuclear materials.
- ◆ Decisions involving DOE budget requests and their effect on environmental cleanup and compliance at DOE facilities.
- ◆ Strategies to treat mixed, low-level, and transuranic (TRU) waste and their effect on individual sites in the complex.
- ◆ Changes to the FFCA site treatment plans as a result of proposals in the Department's *Accelerating Cleanup: Paths to Closure* plan.
- ◆ Interstate waste and materials shipments.
- ◆ Reforms to existing RCRA and CERCLA regulations/guidance to address regulatory overlap and risks posed by DOE wastes.

The overarching theme of this project is to help the Department improve coordination of its major program decisions with Governors' offices and state regulators and to ensure such decisions reflect input from these key state officials and stakeholders.

This report summarizes activities conducted during the quarter from February 1, 1999 through April 30, 1999, under the NGA project. The work accomplished by the NGA project team during the past three months can be categorized as follows:

NGA project team activities during this reporting period were focused on:

- ◆ providing strategic input to DOE on how to organize interaction with the Governors' offices on the Secretary's proposed summit;
- ◆ convening conference calls with the Governors' staffs of the states involved in the potential summit;
- ◆ planning for a May 7, 1999 meeting between the states and DOE;
- ◆ drafting *Clean Up of the Nuclear Weapons Complex: A Governor's Primer*
- ◆ analyzing DOE's transportation protocols for materials and waste; and
- ◆ preparing a presentation for the State and Tribal Government Working Group meeting April 27-29, 1999.

NGA continues to work with DOE and keep the states informed on a variety of activities and issues within the DOE environmental management complex. The NGA project team

has been staying abreast of next steps in the WM PEIS LLW and MLLW Records of Decisions process through electronic mail and phone calls with DOE staff.

Results and Discussion

State Dialogue

Among the activities we focused on during this reporting period were providing strategic input to DOE on how to organize Governors' offices to interact with DOE on the Secretary's proposed "summit." Secretary Richardson and the Governors of Colorado, Idaho, New Mexico, Nevada, Ohio, South Carolina, Tennessee, and Washington met during NGA's winter meeting in February. At that meeting, the Secretary described his idea of convening a national summit with stakeholders and his desire to work more closely with the Governors on developing a national plan to cleanup the weapons complex. The Secretary asked the Governors to designate a staff member to work with DOE over the next several months on these issues. DOE later asked NGA to help in this effort and to serve as a liaison to the Governors' offices and also to help plan a meeting in May.

We have met with DOE staff to help focus the purpose of the May 7 meeting. At DOE's request, NGA has drafted an agenda for the meeting and will seek input from the states. NGA has secured a hotel for the meeting and will be providing all logistical support at the meeting. The NGA project team will also facilitate the discussion at the meeting.

We are also preparing a document—at the suggestion of Governor Locke—that will help explain in laymen's terms, each site's current and potential role in the complex, and show the interrelationships and cumulative impacts of DOE's potential decisions affecting the nation. The document is tentatively titled *Cleaning Up the Nuclear Weapons Complex: A Governors' Primer*.

We received a summary package of DOE transportation protocols. After examining the protocols, we found it difficult to compare across either waste/material types or protocol categories. Hence, we developed a summary table of all the materials and protocols contained in the package. We believe this table will facilitate analysis of and commentary of the protocols by ourselves as well as the NGA FFCA task force.

NGA participated in the April 27-29 STGWG meeting in Richland, Washington and gave a presentation to the group on the NGA FFCA task force activities.

Conclusion

NGA will continue to work with DOE and keep the states informed on a variety of activities and issues within the DOE environmental management complex. The NGA project team has been staying abreast of follow-up activities from the DOE "Proposed Configuration Workshop for MLLW and LLW" by being in the review loop for materials through electronic mail and phone calls with DOE staff and contractors.