

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

QUARTERLY REPORT

June 1, 1998 – September 30, 1998

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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 June 1, 1998 through September 30, 1998, 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 June 1, 1998 through September 30, 1998, 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 developing materials for the June 10 conference call with DOE through analysis of data and information on treatment location options for low-level (LLW) and mixed low-level waste (MLLW). Other activities were focused on gathering information on and staying abreast of recent DOE activities, including products of analyses to support the Waste Management Programmatic Environmental Impact Statement, plans for moving ahead with Contractor Integration cost savings recommendations, and revisions to disposition maps for Environmental Restoration wastestreams.

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 June 1, 1998 through September 30, 1998, 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 developing materials for conference calls with the states and DOE through analysis of data and information on treatment location options for low-level (LLW) and mixed low-level waste (MLLW).

NGA continues to work with DOE and keep the states informed on a variety of activities and issues within the DOE environmental management complex. Other activities were focused on gathering information on and staying abreast of recent DOE activities, including products of analyses to support the Waste Management Programmatic Environmental Impact Statement, plans for moving ahead with Contractor Integration cost savings recommendations, and revisions to disposition maps for Environmental Restoration wastestreams.

Results and Discussion

State Dialogue

NGA project team activities during this reporting period were focused on developing materials for the June 10 conference call with DOE through analysis of data and information on treatment location options for low-level (LLW) and mixed low-level waste (MLLW).

We received and analyzed data in preparation for the June 10 conference call during the last reporting period. During this period, we developed briefing materials summarizing the findings of our data analysis and distributed it to the states. In preparation for the conference call we reviewed materials related to DOE's budget, DOE's cost analysis of its disposal options for LLW and MLLW, the Waste Control Specialists' lawsuit, and DOE's policy review of its use of commercial disposal facilities. In addition, we participated in a conference call with Helen Belencan of DOE to establish an agenda for the conference call between DOE and the states.

While reviewing new items on DOE's Environmental Management (EM) website, we discovered "Recommendation Evaluation Plans" for cost-savings opportunities for LLW and MLLW described in the EM contractor integration report. These plans more fully describe the cost-saving opportunities as well as next steps to implementing the plans. In order to update states on recent DOE efforts in this area, particularly in light of upcoming departmental decisions, we distributed the recommendation plans to the states to solicit their feedback on these issues.

We also participated in a conference call with Doug Tonkay and Helen Belencan of DOE to discuss recent DOE progress on developing plans for its EM Integration opportunities. Doug Tonkay updated us on the development of Recommendation Evaluation Plans for high level waste and transuranic waste. It was agreed that we would hold another call in which next steps for the recommendations for LLW and MLLW can be more fully explored.

We maintained contact with Karen Guevara of DOE regarding ongoing DOE activities and analyses in support of the Waste Management Programmatic Environmental Impact Statement. She reported that the Transportation Analysis and the Environmental Safety and Health Analysis will be ready to share with the states on August 10.

Jennifer Clay of EM's Environmental Restoration program contacted us regarding revised disposition maps, which the ER program is developing. She asked for our input regarding specific changes that had been made to the format of the maps and whether or not this satisfied some of the states' concerns expressed at the NGA FFCA Task Force meeting in March. After reviewing the maps, we suggested further changes to the maps, including adding footnotes regarding the uncertainty of clean-up volumes, adding codes or symbols indicating the decision path for a given wastestream, and using two significant digits for all waste volumes.

We participated in a conference call with Helen Belencan of DOE on August 5 regarding the decision mechanisms and next steps for the recommendation evaluation plans for cost-savings opportunities for LLW and MLLW developed as part of the contractor integration effort within DOE. Based on this discussion, we developed a table displaying recommendations, subrecommendations, and decision mechanisms. This table was distributed with the recommendation plans themselves to the states in preparation for the August 27 conference call.

We received and reviewed the Transportation Impacts Analysis and the Environmental Safety and Health Impacts Analysis of WMPEIS from DOE in preparation for the August 27 conference call.

On August 27 we had a conference call with DOE that focused on DOE's recommendation evaluation plans for LLW and MLLW cost-savings opportunities; the transportation impact analysis and environmental safety and health analysis for the WM PEIS; DOE's policy for the use of commercial disposal facilities; the recent Nevada Test Site Citizen's Advisory Board LLW Workshop; and the revised format for Environmental Restoration baseline disposition maps.

On August 28 we received a draft summary of the technical analyses performed to date (cost, transportation, and environmental safety and health) from DOE. We were asked to provide comments regarding whether this document or something like it would be appropriate to distribute to the states and to provide specific comments on the document itself. We confirmed that this document would probably satisfy the states' need for all of the technical information in one document. We also provided some detailed comments on the document itself, including wording and formatting suggestions.

We convened the NGA FFCA task force states for a conference call on September 23 to discuss the agenda and activities needed to prepare for the upcoming meeting with DOE in October. We developed questions and distributed them to the states for their consideration. We later interviewed the states and compiled their responses into the document "Summary of States' Perspectives."

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 activities related to a configuration for MLLW and LLW by being in the review loop for materials through electronic mail and phone calls with DOE staff and contractors.