

# Oregon Department of **ENERGY**

What's happened since  
our March meeting?

Ken Niles  
July 15, 2019



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# In the News



Office of  
ENVIRONMENTAL MANAGEMENT



**30**  
**YEARS**





**EDUCATION &  
OPPORTUNITY**  
IN RADWASTE MANAGEMENT  
A NON-PROFIT ORGANIZATION



**DEFENSE WASTE CLEANUP:**

**A PROPOSAL FOR  
A NATIONAL SOLUTION**

**Governor Booth Gardner**  
State of Washington

**Governor Richard F. Celeste**  
State of Ohio

**Governor Cecil D. Andrus**  
State of Idaho

**Governor Neil Goldschmidt**  
State of Oregon

**Governor Garrey E. Carruthers**  
State of New Mexico

**Governor Ray Romer**  
State of Colorado

**Governor Ned Ray McWherter**  
State of Tennessee

**Governor Bob Miller**  
State of Nevada

**Governor Wallace Wilkinson**  
State of Kentucky

**APRIL 1989**



**DEFENSE WASTE CLEANUP:**

**A PROPOSAL FOR  
A NATIONAL SOLUTION**

GOVERNOR BOOTH GARDNER  
STATE OF WASHINGTON

GOVERNOR NEIL GOLDSCHMIDT  
STATE OF OREGON

NOVEMBER 30, 1988



\$178 billion in  
30 years







“The partnership over the last 30 years has at times been frustrating, discouraging and even rancorous. But we never were willing to give up and remained committed to (cleanup)...The federal/state partnership must endure for decades to come.”

Former Washington Governor Chris Gregoire & former Hanford Manager Mike Lawrence



“The TPA has proved its worth over the past 30 years. I expect it to be equally vital to ongoing cleanup for the next 30.”

John Price, TPA Section Manager for the Washington Department of Ecology

“The most impressive cleanup work was accomplished under federal regulations enforced by the EPA verses state regulations enforced by the Washington State Department of Ecology...”



“The effectiveness of the Tri-Party Agreement is being tested in court with both TPA and court-mandated milestones regularly being missed...in part due to the Department of Ecology’s regulatory overreach resulting in what appears to many of us to be a bias for delay verses action.”



United States  
Department of Energy

# Waste Isolation Pilot Plant





# WIPP shipments

- **12,506 shipments**
- **14.992 million miles**
- **~ one dozen minor crashes**



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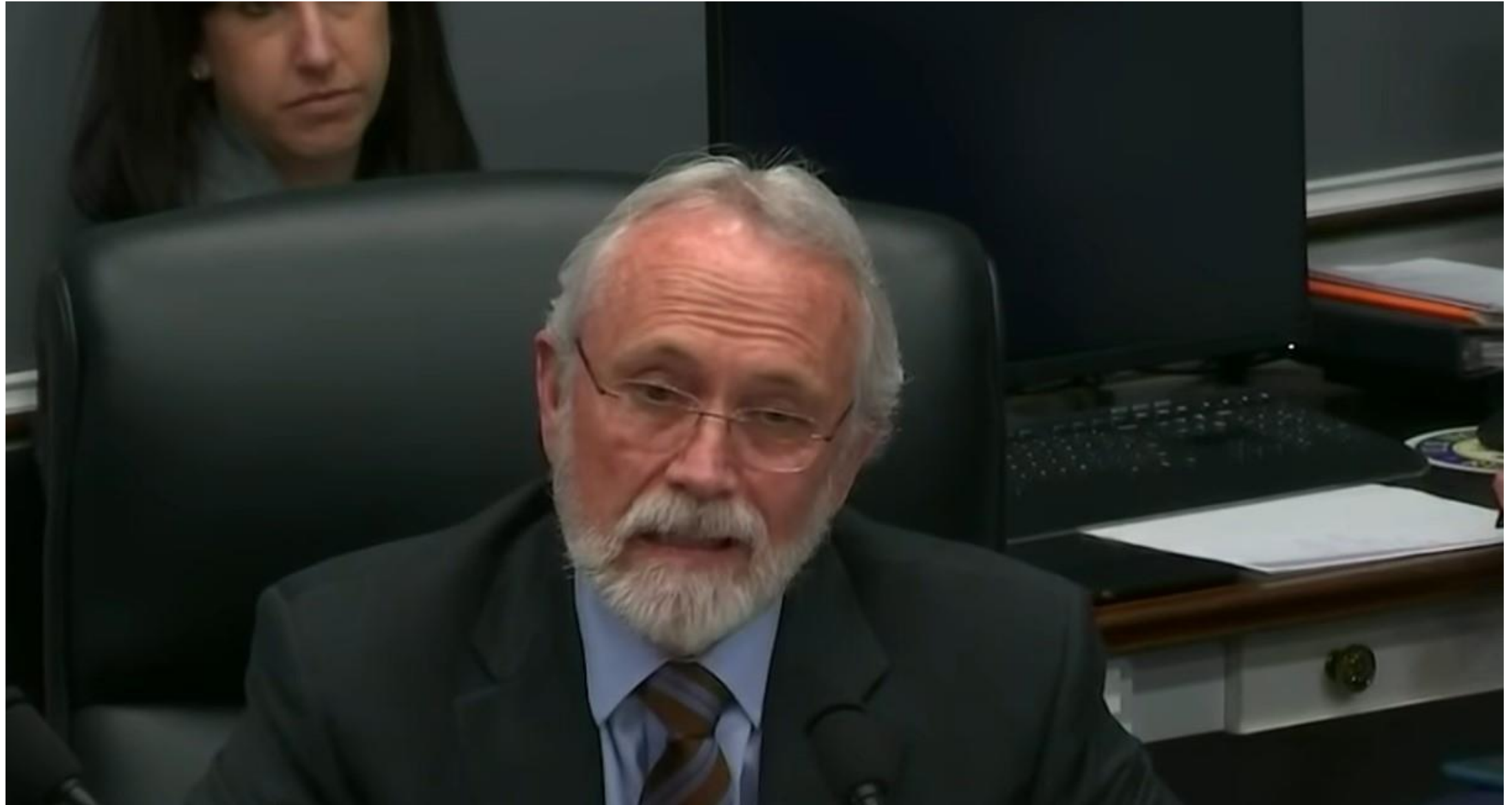








**Hon. Rick Perry**







Appropriations

Hon. Rick Perry

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“We believe that the lack of adequate funding translates into a longer, more drawn-out cleanup, and that in turn is a significant factor in the increased cost of total cleanup...at current funding levels Energy is likely to continue to miss cleanup deadlines and the total cleanup cost will continue to escalate.”

Alex Smith, WA Department of Ecology



**CAUTION**  
Vehicle Entry Requires Shift Manager Approval  
Vehicle Requires Tank Farm Access Authorization Sticker

**DANGER**  
HAZARDOUS MATERIAL  
UNAUTHORIZED PERSONNEL  
KEEP OUT

**DANGER**  
SOME MATERIALS

**CAUTION**  
CHEMICAL CONTAMINATION REDUCTION ZONE









U.S. DEPARTMENT OF

**ENERGY**



# FEDERAL REGISTER

The Daily Journal of the United States Government



**N** Notice

## Supplemental Notice Concerning U.S. Department of Energy Interpretation of High-Level Radioactive Waste

A Notice by the [Energy Department](#) on 06/10/2019



### PUBLISHED DOCUMENT

#### AGENCY:

Office of Environmental Management, U.S. Department of Energy.

#### ACTION:

Notice.

#### SUMMARY:

### DOCUMENT DETAILS

#### Printed version:

[PDF](#)

#### Publication Date:

06/10/2019

#### Agency:

[Department of Energy](#)

#### Document Type:

Notice

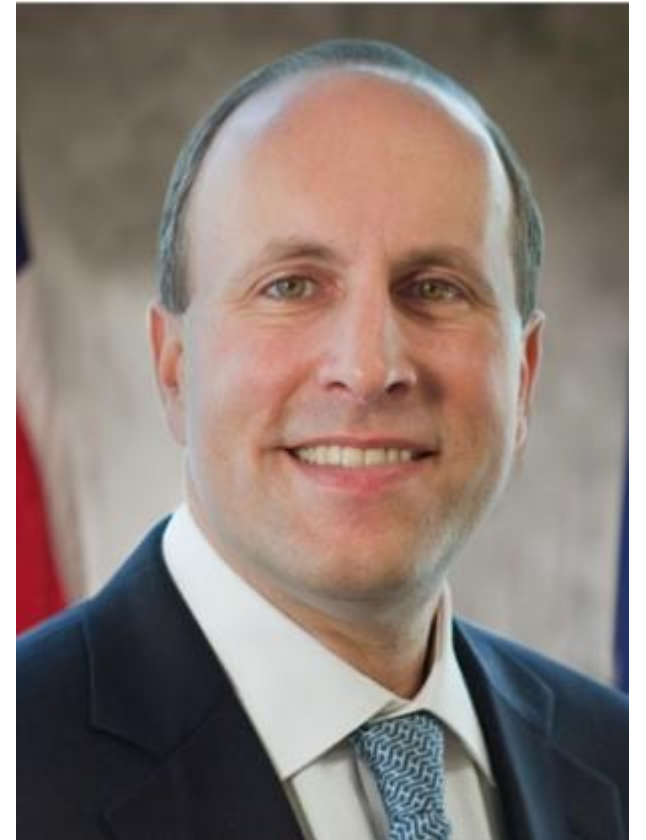
#### Document Citation:

# DOE position

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“This administration is proposing a responsible, results-driven solution that will finally open potential avenues for the safe treatment and removal of the lower-level waste. This will accelerate cleanup and reduce risk...with the goal of getting the lower-level waste out of these states without sacrificing public safety.”

Energy Undersecretary Paul Dabbar



# Ecology reaction

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“I am surprised that DOE is considering taking unilateral action without consent or consultation with the affected states, especially as Washington has continued to offer a path forward that meets the needs of DOE, ensures a role for the state regulatory agency, and protects the environment and our communities.”

Letter from Ecology Director Maia Bellon to Paul Dabbar, June 4, 2019





# Original Definition in the NWPA

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- (A) the highly radioactive material resulting from the reprocessing of spent nuclear fuel, including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations; and
- (B) other highly radioactive material that the [Nuclear Regulatory] Commission, consistent with existing law, determines by rule requires permanent isolation.

# Proposed Interpretation October 2018

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- (I) Does not exceed concentration limits for Class C low-level radioactive waste as set out in section 61.55 of title 10, Code of Federal Regulations; or
- (II) Does not require disposal in a deep geologic repository and meets the performance objectives of a disposal facility as demonstrated through a performance assessment conducted in accordance with applicable regulatory requirements.

# Adopted Interpretation June 2019

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- (I) does not exceed concentration limits for Class C low-level radioactive waste as set out in section 61.55 of title 10, Code of Federal Regulations, **and meets the performance objectives of a disposal facility**; or
- (II) does not require disposal in a deep geologic repository and meets the performance objectives of a disposal facility as demonstrated through a performance assessment conducted in accordance with applicable ~~regulatory~~ requirements.



# Adopted Interpretation June 2019

- (I) does not exceed concentration limits for Class C low-level radioactive waste as set out in section 61.55 of title 10, Code of Federal Regulations, **and meets the performance objectives of a disposal facility;** or
- (II) does not require disposal in a deep geologic repository and meets the performance objectives of a disposal facility as demonstrated through a performance assessment conducted in accordance with applicable ~~regulatory~~ requirements.

Concentration +  
Model Results for  
Disposal Facility  
(assumed)

Subjective Judgment  
+ Model Results for  
Disposal Facility



*Tri-Party Disagreement*

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“We are willing, in good faith, to work with you to collectively identify a holistic and realistic path forward for Hanford’s tank waste, one that addresses all aspects of the tank waste mission and, ideally, does not need to be revisited every few years.”

Letter from Maia Bellon, Director of the WA Department of Ecology, to Anne White of DOE.

May 29, 2019

# Oregon comment letters

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- Deep Vadose Zone technology evaluation and treatability studies
- 2019 Hanford Lifecycle, Scope, Cost and Schedule report
- Transportation implications of the Test Bed Initiative
- Proposed Plan for Interim Action remediation for 200 East Area groundwater operable units

# Hanford Lifecycle Scope Cost & Schedule Report

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“It seems like (the high-end) number could be misused to influence the scope and quality of Hanford cleanup in a negative way. Suggest that the next lifecycle include a case that is more based on real life experience at Hanford and other major cleanups across the county to come up with an actuarial type formula for when problems that affect cost and schedule are encountered.”

Letter from Craig Cameron, U.S. EPA Hanford Project Office

April 4, 2019



# Hanford Lifecycle Scope Cost & Schedule Report

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# Hanford Lifecycle Scope Cost & Schedule Report

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“The high range is overly cautious in that it unreasonably assumes that all risks will be realized. The high range, with its many layers of uncertainty, generates ballooned cost estimates that obfuscate, rather than illuminate, the facts needed to make difficult Hanford decisions...The (Report) does not advance understanding of when cleanup will be completed and how the Tri Parties can or should adjust milestones, scope or schedule to find efficiencies.”

Letter from Alex Smith, Ecology Nuclear Waste Program Manager

April 15, 2019



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April 15, 2019





# Hanford Advisory Board meetings

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- April 17-18 – Richland
- Kristen (in person) & Dan (via phone), Jeff for agency
- 1 piece of advice, 1 White Paper
  - FY 2021 Budget priorities (advice)
  - System Plan assumptions (White Paper)

# Hanford Advisory Board meetings

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- June 12-13 – Richland
- Dan (in person) & Kristen (via phone), Jeff for agency
- no advice, 1 letter
  - DOE's Enhanced Waste Glass Program



# Federal Advisory Committee Act



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## Presidential Documents

**Executive Order 13875 of June 14, 2019**

### **Evaluating and Improving the Utility of Federal Advisory Committees**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and consistent with the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. App.), it is hereby ordered as follows:

**Section 1. *Review of Current Advisory Committees.*** (a) Each executive department and agency (agency) shall evaluate the need for each of its current advisory committees established under section 9(a)(2) of FACA and those advisory committees established under section 9(a)(1) that are authorized by law but not required by statute (eligible committees).

(b) Each agency shall, by September 30, 2019, terminate at least one-



United States  
Department of Energy

# Waste Isolation Pilot Plant





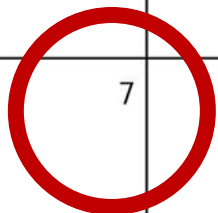
**We had a scheduling conflict. Your tour has been moved up to yesterday, or next month – we don't really care. You just can't come when we told you you could.**

# May

2019

www.freshcalendars.com

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
Mother's Day						
19	20	21	22	23	24	25
26	27	28	29	30	31	
	Memorial Day					



*WIPP tour*

- Tom ✓
- John ✓
- Lori ✓
- Justin ✓
- Steve ✓





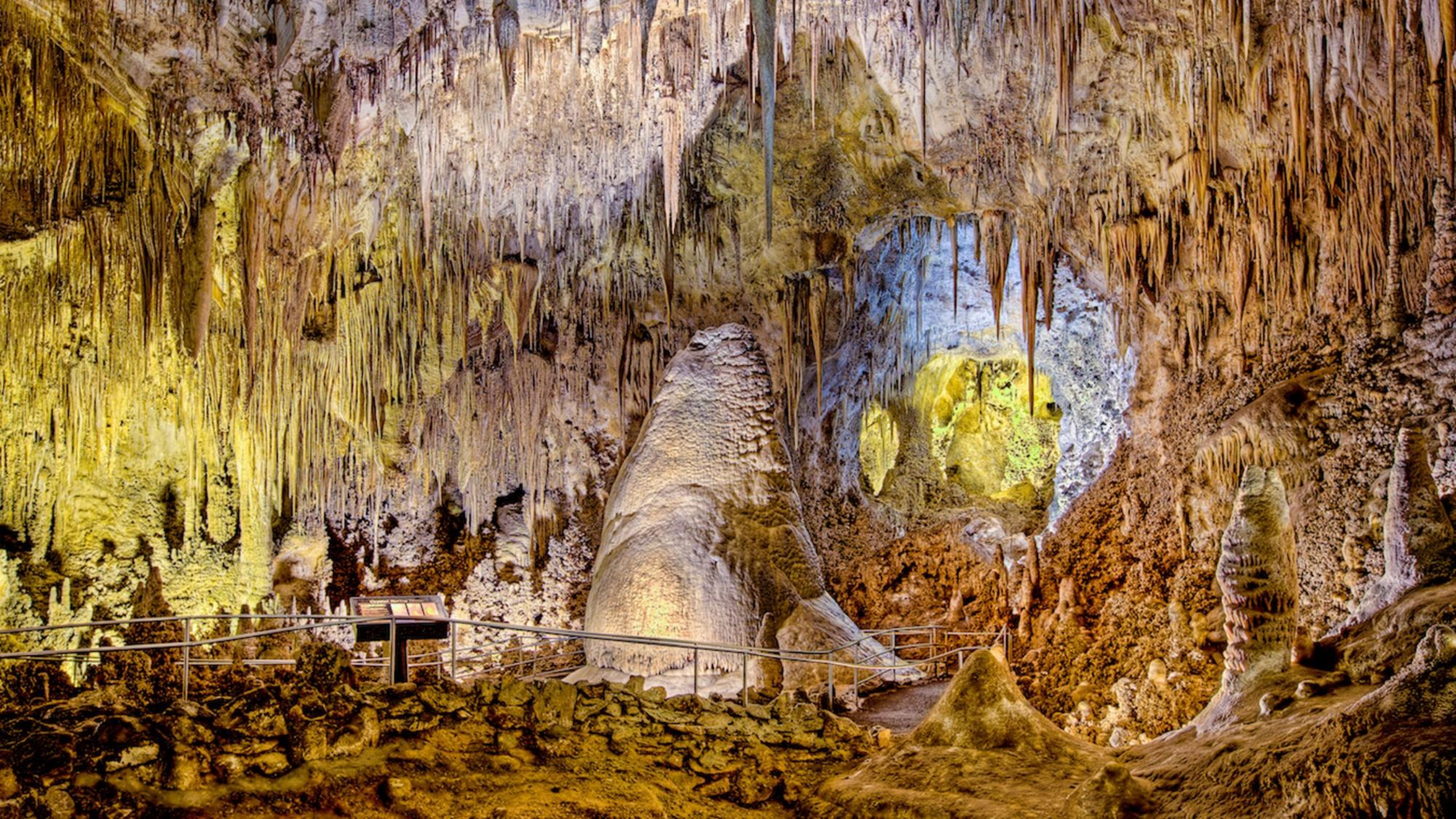


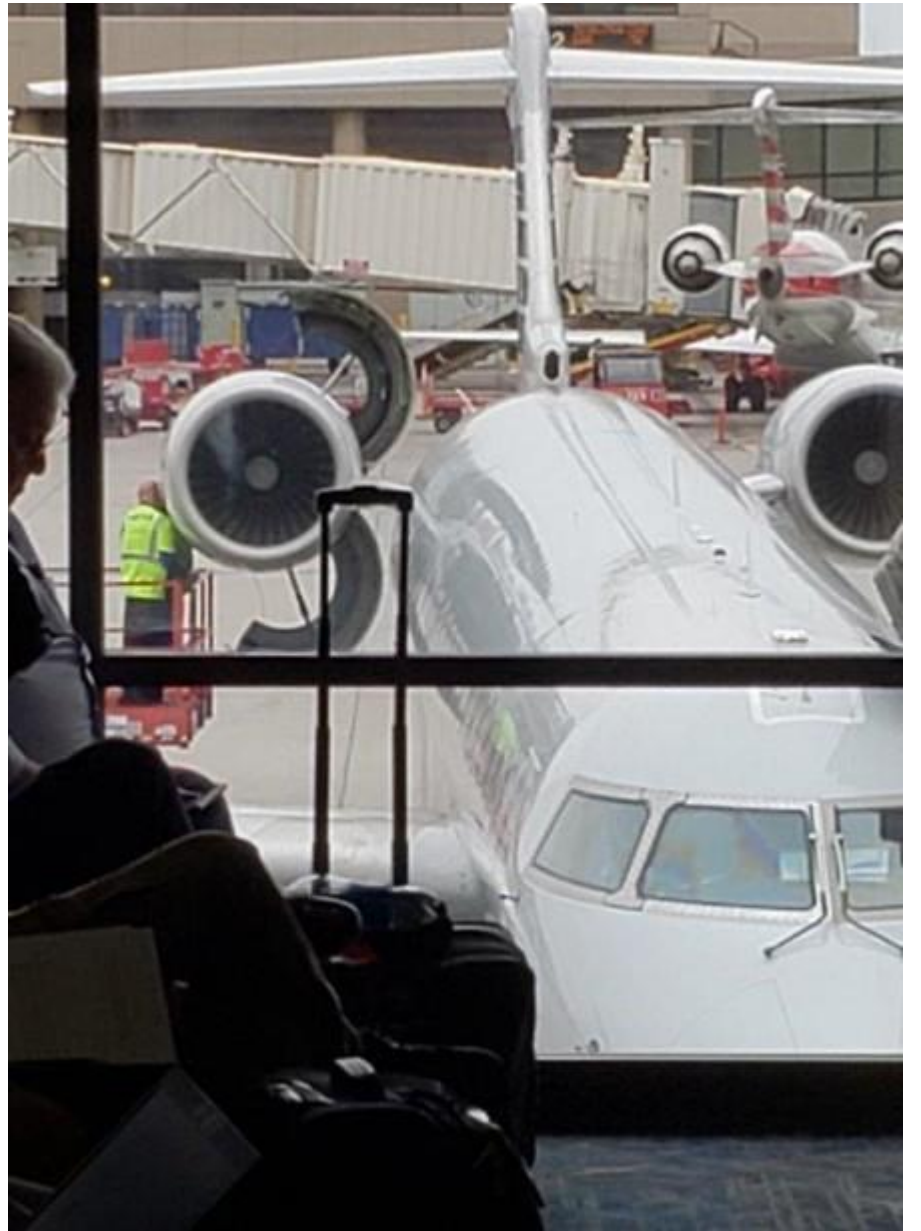
**Sorry folks, the  
elevator's broken  
and your  
underground tour  
is cancelled.**

**The Moose out  
front should of  
told you!**











The image features a central graphic with a hypnotic, concentric circle pattern. The circles are in shades of red and white, creating a tunnel-like effect. Overlaid on this pattern is the text "That's all Folks!" written in a white, elegant cursive script. The text is positioned diagonally across the center of the graphic. The entire graphic is set within a white rectangular border, which is itself on a dark background.

*That's all Folks!*