2437 LOSEE ROAD
NORTH LAS VEGAS, NV 89030
PH: 702/633-5300, EXT. 232
FAX: 702/633-5200
E-MAIL: NTSCAB@aol.com

COMMUNITY ADVISORY BOARD

8137

Fax

To:	Gary Stegner	**From:**	Phil Claire
Pages:			
Date:	05/18/00		
Re:	Comments on Revised Proposed Plan for Remedial Actions at Silos 1 and 2	**CC:**	

Herewith is the Comments from the Nevada Community Advisory Board and the Low-Level Waste Committee on the Revised Proposed Plan for Remedial Actions at Silos 1 and 2 (40700-PL-001) – Fernald, Ohio.

If there are any questions, please contact us.

Regards,
Phil Claire
Chair, NTS CAB

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Community Advisory Board

A Site-Specific Environmental Management Advisory Board
Chartered Under The U.S. Department of Energy

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Cynthia Ortiz, CAB Vice Chair

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Technical Advisor
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Support Staff
Jim Gorman
Kay Planamento

May 18, 2000

Mr. Gary Stegner
U.S. Department of Energy
Fernald Area Office
P.O. Box 398705
Cincinnati, OH 45239-8705

Subject: **Comments from the (CAB, LLW Committee) on the Revised Proposed Plan for Remedial Actions at Silos 1 and 2 (40700-PL-001) – Fernald, Ohio**

Dear Mr. Stegner;

Attached are comments from the Nevada Test Site Community Advisory Board (NTS-CAB) to the ***Revised Proposed Plan for Remedial Actions at Silos 1 and 2 (40700-PL-001)*** developed by the Department of Energy (DOE) for remediation activities at the Fernald Environmental Management Project (FEMP) in Ohio.

We have appreciated the opportunity to comment on the *Revised Proposed Plan* and the efforts expended by the Fernald project office staff to meet with NTS-CAB members and public on issues associated with the Plan. The NTS-CAB and Nevada community and Fernald personnel, of course, have collaborated on issues of mutual concern over the past several years. We hope that this relationship and dialogue will continue on future issues.

Thank you again for the opportunity to respond. If there are questions please contact us.

Sincerely,

Phil Claire, Chair
Nevada Test Site Community Advisory Board
(Chair LLW/Transportation Subcommittee)

cc: Carl Gertz
Kevin Rohrer
CAB - Fernald

2437 Losee Road
North Las Vegas, NV 89030-4233

Phone: 702/633-5300, Ext. 232
Fax: 702/633-5200

E-mail: NTSCAB@aol.com
Home Page: http://www.univ.edu/Colleges/Urban/cab/cabmain.htm

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Comments of the Nevada Test Site Community Advisory Board (*or Low-Level Radioactive Waste Transportation Committee*) to the *Revised Proposed Plan for Remedial Actions at Silos 1 and 2* (40700-PL-001) – Fernald, Ohio

The following are comments by the Nevada Test Site Community Advisory Board to the *Revised Proposed Plan for Remedial Actions at Silos 1 and 2* (40700-PL-001)

1. **The Nevada Test Site (NTS) setting.** The *Revised Proposed Plan* notes that the NTS is located *in a sparsely populated, arid environment with a low potential for leachate generation* . . [and pollutant] *migration, . . .* On the bottom of Page 7-6 of the Summary of the *Revised Proposed Plan* it is also noted that the isolation of Southern Nevada as being a reason to select the NTS location *in the event of long-term degradation of engineered features or loss of institutional controls . . .* [*that the isolation would*] *ensure* [that] *the protectiveness of human health and the environment is maintained.*

   What is not apparent in reading the document is that Southern Nevada has become a major population center. Rapid growth in Southern Nevada has been experienced over the past several decades, a trend that is projected to continue well into the future. The Amargosa Valley and Pahrump in Nye County adjacent to the NTS are experiencing unprecedented growth. The population of Clark County, through which of many shipments of radioactive waste from Fernald over the years, is projected to grow from 1.3 million in 1999 to an estimated 2.5 million in 2020. The potential risk to increasing numbers of Southern Nevadans from all activities associated with the project, including the transport of the waste, needs to be better described in the report.

   The storage of radioactive waste at the NTS should not be justified because of the isolation of the site but, rather, because the disposal facility has been designed to ensure that contaminants will not impact residents and the environment in Southern Nevada.

2. **The Preferred Treatment Alternative.** Chemical Stabilization (CS) is the preferred treatment alternative for Silos 1 and 2 wastes for a number of reasons including experience in use, lower cost, lower toxicity to workers as well as lower operations and maintenance costs. While there is a rationale to justify its selection, we are also aware that there have been problems with premature degradation from similarly stabilized materials.

   The Proposed Revised Plan should include documentation describing how the Chemical Stabilization process proposed would avoid degradation. Related questions would include

how the CS would compare to VT in maintaining its integrity over the period of danger of the waste (on-site) and as a result of a highway accident. It is also unclear in the Plan whether the CS material will meet the DOE/NV Waste Acceptance Criteria (WAC).

3. **Number of shipments**. The total number of shipments specified for the preferred CS alternative are almost double the number noted for the VT option. With the greater number of shipments the potential exists for more accidents with the CS alternative and more risk potential to the public.

While a case has been made that CS is safer for workers than the VT alternative, one could also be made that twice the number of shipments on the highway would increase the risk to the public adjacent to transportation routes. More shipments provide the potential for additional accidents, as an example. While the NTS CAB obviously supports minimal risk to Fernald residents and workers we also must consider minimizing risk to Nevada residents and visitors as well. The VT alternative with fewer shipments will from a transportation perspective provide lower risk not just to Nevadans but others on transportation routes. We understand that several stakeholders at the Fernald site were also supportive of the VT alternative for similar reasons. There is no discussion of the use of rail in the Plan. Is this an option as well? The use of rail could reduce the total number of shipments and thereby also present lesser risk.

4. **Cumulative impacts**. The NTS was recently named as one of two sites eligible to receive low-level and mixed low-level radioactive waste from all DOE sites being remediated. Fernald will, therefore, be only one of many DOE sites transporting radioactive waste to the NTS.

Fernald will be transporting waste at the same time that other DOE sites will be shipping to the NTS. While not necessarily Fernald's problem this further substantiates why DOE needs to evaluate the potential cumulative affects of shipments from all sites being remediated. While Nevada's, citizens and communities, at the "end of the funnel" for these shipments, will be offered the potential of experiencing more impacts, this, also will be a nationwide issue.

5. **Routing of nuclear waste shipments**. The Proposed Revised Plan notes that truck shipments carrying Silos 1 and 2 wastes will continue to utilize the "Northern" and "Southern" routes currently being utilized. DOE/Fernald, therefore, continues to be responsive to the concerns of Southern Nevadans regarding the transportation of the Silos waste through our rapidly growing communities. Avoiding congestion and the greater potential for accident would be in the interest of DOE as well as Nevada's citizens..

While it appears that DOE/Fernald is actively involved in encouraging certain routes for the transportation of the waste to be used, it is unclear why, based on the experience of the Waste Isolation Pilot Project (WIPP) with the transportation of its waste, routes cannot be

specified by DOE to shippers. The plan should also express how DOE/Fernald intends on monitoring on-going and future shipments to ensure that carriers are actually complying with Department of Transportation routing regulations.

6. **State Acceptance/Community Acceptance.** The Proposed Revised Plan needs a description of how the *State Acceptance and Community Acceptance* criteria are defined, analyzed and weighted by DOE in selecting a preferred alternative.

   Community acceptance should include the history of meetings, correspondence, interactions with stakeholders conducted by DOE on this topic and not be solely from the public hearings..

7. **Equity**. The naming of the NTS as one of two sites eligible for accepting low-level and mixed low-level radioactive waste, as noted earlier, also raises a number of equity-related questions. Nevada, by accepting waste is improving the health, safety and environment of residents and workers at other DOE sites. This also provides evidence of Nevada's further service to the nation on an important nuclear issue. In addition to the benefit to the nation in providing this service, there is also the added burden of stewardship and the associated future costs.

   Fernald, and other sites, in remediating their sites adds to the burden of the NTS and Nevadans. To restore equity as well as to ensure that future stewardship costs are defrayed, it is important that cost savings at sites being remediated be made available to the NTS to defray future stewardship costs.

8. **Energy Consuption.** Analyses of energy consumption for the various project alternatives is required under the National Environmental Policy Act of 1969. In selecting the disposal alternative and transportation mode (truck and/or rail) and routing, the alternative with the minimum energy consumption must seriously be considered by the U.S. Department of Energy, U.S. Department of Transportation, and carrier(s) as the preferred alternative.