

Topics:

- Contingency Planning for Operable Unit One (OU1)
- Intermodal Transport to NTS

Attendees:

CAB members:	Marvin Clawson
	Lisa Crawford
	Tereza Marks
	Doug Sarno
	Bob Tabor
	Tom Wagner
	Gene Willeke
DOE:	Dave Lojek
Fluor Daniel Fernald:	Willy Benson
	Lew Goidell
	Valerie Huff
	Tisha Patton
	Don Walker
FRESH:	Sandi Butterfield
OEPA:	Kelly Kaletsky

Results:

- Letter supporting the Nevada CAB's position on intermodal transport
- Letter supporting the use of Caliente as an intermodal transfer point

Meeting Summary:

Lisa Crawford began the meeting by presenting feedback on budget issues. She had a conference call with Ohio Field Office Manager, Leah Dever. Leah seems to understand the frustration of the CAB over the possibility of receiving the worst-case budget scenario. Lisa let Leah know that Fernald cannot be sacrificed for the other Ohio sites. Last week, Lisa was in Washington, DC, and received good feedback from the Ohio Congressional Delegation. She also met with a staff person for the Appropriations Committee, who assured Lisa that Fernald would get the funding because it is part of the Defense Closure Fund. Acting Assistant Department of Energy Secretary Owendoff told Lisa that all sites would have to tighten their belts. He also informed Lisa that other sites will be added to the Defense Closure Fund for the FY2000 budget. Lisa was assured at the Appropriations Committee that other sites could only be added by Congress, not by DOE. Owendoff mentioned that he also supported the Corps of Engineers taking over the Environmental Management (EM) Program. Lisa was thankful for the good news coverage and the support of the Ohio Congressional Delegation. Doug Sarno pointed out that the Armed Services Committee has proposed a \$1 billion cut in EM's budget. He had heard that Congress has lost interest in the EM Program, because they are not seeing any progress or strong leadership. Congress would prefer to use EM's money to build missiles. Many members of the committee felt that Fernald was making good progress on cleanup and couldn't understand why DOE was so willing to sacrifice Fernald for other less productive sites.

Contingency Planning for OU1

DOE has concluded that "there are no options that allow the DOE to initiate and maintain Waste Pit Remediation at levels contemplated; meet the milestone schedule in the RAWP (Remedial Action Work Plan); and, are in compliance with the decision process that supports the ROD (Record of Decision)." The levels in the contract with IT are

79,773 tons for FY99 and 112,149 tons annually from FY2000 to FY2004. In order to send the waste somewhere other than a commercial disposal facility (CDF), these values would have to be scaled back or the cost would skyrocket. The contract allows for only +/- 10% from these values.

During the Remedial Investigation/Feasibility Study (RI/FS) process, several different options for this waste were evaluated. Only four alternatives passed the screening process: two for on-site disposal and two for off-site disposal. Further evaluation showed that Alternative 5B, off-site disposal at a CDF using rail transport, was the best alternative. DOE recognizes the effort that went into selecting this alternative and would like to stick with it. Seven possible disposal sites were also evaluated. Envirocare was the only rail-accessible facility where the waste would meet the Waste Acceptance Criteria (WAC). NTS was also a viable alternative, but the ROD limits to 62,000 tons the amount of waste that could be sent to NTS, and NTS doesn't have rail access. The NTS was incorporated into the ROD to allow for disposal of material that would not meet the WAC of the CDF. Therefore, it would not be prudent to send the entire 62,000 tons allowed within the first year. NTS is also not a good option because it is very expensive.

The injunction will start impacting the OU1 schedule between June 1 and September 1 of 1998, due to rail tender development and logistical issues with the CDF. During this time period, impacts will prevent meeting the March 1999 milestone for first waste shipment.

DOE has tried to think outside of the box and evaluate additional disposal alternatives. DOE thought it would be better to send some material to a non-CDF rather than to close down the whole project. One alternative evaluated was a no-action alternative, requiring that the IT contract be delayed and possibly costing DOE up to \$10,000/day. Alternatives two and three called for shipment of 20,000 tons of waste to NTS; alternative two is by truck and alternative three is by intermodal transport. Alternative four called for the filling of the 135 railcars and parking them until a CDF can be used. Alternative five called for the shipment of waste to a repackaging facility, which would then send the waste to NTS. Alternative six called for using of supersacks gondola rail cars to ship the waste to NTS by an intermodal system. All of these options have significant cost impacts. The committee offered another alternative involving the temporary storage of material on-site, stopping waste from continuing to leak into the aquifer. DOE feels that the waste is currently in a much more stable configuration, than it would be if removed from the pits, because dried waste would be prone to airborne movement. The committee felt that this option would still allow DOE to show that it was making some progress on the project.

Tom Wagner suggested the possibility of a citizens' countersuit against Waste Control Specialist. As it stands now, WCS has nothing to lose. The National Governors' Association has written a letter suggesting that regulations be changed to require a state license, so that an injunction like this doesn't happen again.

Intermodal Transport

The Environmental Assessment (EA) for intermodal transport has been held up because DOE-Nevada wanted to evaluate two additional alternatives: all truck transport (but not through Las Vegas) and intermodal transport at Barstow, CA. The EA should be released in early to mid summer for public review. A decision on an intermodal facility will be delayed until after the November elections, because of political considerations. The National Waste Policy Act (NWPA) contains language about using Caliente as an intermodal transfer point; right now using Caliente and a road through Nellis Air Force base is the best intermodal alternative. The Nevada CAB is in favor of using Caliente as an intermodal transfer point. The committee decided to write two letters: one supporting the Nevada CAB's position and the other to Congress supporting the transportation language in the NWPA.



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