

OREGON HANFORD WASTE BOARD

Minutes

Regular Meeting

June 27, 2000
Knight Library
Eugene, Oregon

Attendees

Voting Board Members: Casey Beard, Shelley Cimon, Larry Clucas, Norm Dyer, Norma Jean Germond, Michael Grainey (Oregon Office of Energy) Paige Knight, Barbara Jarvis, Fred Lissner, Armand Minthorn (Confederated Tribes of the Umatilla Indian Reservation).

Legislative Members: Senator Ted Ferrioli.

Oregon Office of Energy Staff: Dirk Dunning, Susan Coburn Hughs, Doug Huston, Ken Niles, Susan Safford.

U.S. Department of Energy: Felix Miera, Dana Ward, Stephen Wiegman.

Bechtel Hanford Inc.: Dru Butler.

CH2M Hill Hanford Group, Inc.: Carolyn Haass

Confederated Tribes of the Umatilla Indian Reservation: Jo Marie Tessman.

Pacific Northwest National Laboratory: Ted Poston.

Public: Robert A. McFarlane.

Administrative Business

Ms. Jarvis moved to approve the minutes of the March 2000 meeting; Ms. Germond seconded the motion and the Board unanimously approved them.

There was discussion of the proposed changes to the bylaws. Ms. Safford explained the change to Section II (3), which replaces the quorum with a majority requirement per ORS 174.130. She explained an additional change: the deletion of Section IX, which specifies Board terms. According to the Governor's Office, Board members are appointed to four-year terms, because the Oregon Constitution limits the terms to four-years. The Oregon Constitution does not limit the number of consecutive terms a member may serve. Consequently, Section IX is unnecessary.

Ms. Germond felt the proposed change to Section II (3) was too restrictive. Ms. Jarvis questioned whether leaving the existing language in Section II (3) violated ORS 174.130. Ms. Safford explained the selection of eight as the number of voting members necessary to make a decision. Eight is a majority of the fourteen voting members. Mr. Clucas commented that school boards do not follow ORS 174.130.

Ms. Germond and Ms. Jarvis discussed additional changes to the proposed language for Section II (3). There was discussion whether ORS 174.130 applies to the Oregon Hanford Waste Board. Senator Ferrioli commented that the proposed new language, conforming to ORS 174.130, reflects the significance of the Board's advice and Legislature's determination that decisions should not be dictated by only a few Board members. Ms. Knight agreed with Senator Ferrioli.

Mr. McFarlane inquired whether votes might be taken remotely. Mr. Grainey replied that they may as long as they are noticed like a meeting.

Ms. Germond and Mr. Beard commented that the Board advises the Governor and the Legislature and therefore must arrive at its decisions in a legal manner.

Senator Ferrioli commented that copies of the Board's correspondence should be sent to the majority and minority offices of the Oregon Legislature.

Ms. Safford explained the difference between a quorum, which is the number of members that need to be present to make a decision, and the proposed Section II (3) language, which specifies the number of affirmative votes to take action.

Ms. Germond moved to adopt the proposed changes; Mr. Dyer seconded the motion. The Board voted unanimously to adopt the proposed changes.

Agenda Item 1: Legislative Update: Proposal for Formal Role at Hanford for Oregon and Budget Report

Michael Grainey first discussed a new bill, which has yet to be given a number, that provides the State of Oregon with a more formal role in Hanford decisionmaking. H.B. 2052, which would have given Oregon full party status under the Tri-Party Agreement, was introduced two years ago and has not been enacted due to a variety of concerns, including infringement on the State of Washington's sovereignty. Oregon developed a new proposal that avoids the concerns associated with H.B. 2052. The new proposal gives Oregon early review under Superfund, allows Oregon to participate in Tri-Party Agreement negotiations and guarantees the right to and provides funding for Oregon to participate in enforcement actions.

Mr. Grainey described the new legislation as a big step forward. He said Congressman Hastings supports it and is willing to work with us on it. Senate support is unclear. Mr. Grainey is more optimistic about the new bill's prospects for passage.

With regard to the U.S. Department of Energy's (DOE) budget, Congressional committee action reduced DOE's budget slightly from the total amount DOE requested. However, Mr. Grainey said, there may be more money directed towards Hanford cleanup. The privatization budget is more uncertain. Congress appears to be very skeptical that DOE will be able to keep to its schedule during the contract change over.

Mr. Grainey said he heard a rumor that BNFL Inc. (BNFL) had been terminated, even though it seeks a continued significant role in the tank waste treatment project. Mr. Grainey said, in response to a question from Ms. Knight, that the longer it takes to terminate BNFL, the more money it will cost to do so. Mr. Grainey said he has received strong signals that DOE will discontinue the privatization approach to tank waste treatment and instead enter into some type of traditional contract for the construction phase. Such an approach would require the government to layout annual funding.

Mr. Miera explained that DOE Headquarters seeks a compromise. Also, DOE expects to receive additional funding of as much as \$300 million. There would be an additional \$10 million for reactor work and interim stabilization.

Mr. Minthorn asked how the Board can encourage passage of the new legislation. Mr. Grainey said the Congressional delegations need to be informed. Senator Ferrioli asked if there is an entity like the Board in Washington with which efforts could be coordinated. Mr. Dunning discussed the history of a similar, though now disbanded, Washington organization. Senator Ferrioli said the line between education and involvement is a wavering one.

Ms. Jarvis moved that the Board direct staff to draft a letter from the Board in support of the legislation; Ms. Germond seconded the motion and the Board passed the motion unanimously.

Ms. Jarvis recommended that the letter be sent to local legislators and the governor.

Item 2: Hanford Environmental Monitoring

Dana Ward discussed Hanford Environmental Monitoring. The environmental monitoring program has five parts and is managed by the Public Safety and Resources Protection Program.

The Surface Environmental Surveillance Project monitors contaminant levels in the environment and nearby communities and assesses the impact of Site operations on human health and the environment.

Meteorological & Climatological Services operates the Hanford meteorological station. The meteorological station provides weather forecasts to support routine and special Site operations. The meteorological station detects adverse weather that may affect safety of Site workers and the public (heat stress, electrical storms). Meteorological & Climatological Services also has an interactive atmospheric model used for emergency response activities.

The Ecosystems Monitoring Project monitors the abundance, health and distribution of biotic populations onsite. It also evaluates cumulative impacts of Site operations as required by the National Environmental Policy Act (NEPA) and the Endangered Species Act.

Senator Ferrioli asked about integration of Site information with offsite projects. Mr. Ward said he was not aware of any offsite integration.

The Ecological Compliance Assessment Project performs ecological reviews to determine potential impacts of planned Site activities prior to initiating operations. It is charged with protecting the long-

term enhancement of species listed under the Endangered Species Act. For example, this project produced the Hanford Bald Eagle Management Plan (available on Pacific Northwest National Laboratory's (PNNL) web site), and the Hanford Salmonid Management Plan. The Ecological Compliance Project identifies, for example, bald eagle nest locations and creates buffer zones around those areas so that the nests are not disturbed.

Mr. Minthorn asked about mitigation of cumulative impacts. Mr. Ward said mitigation is up to the discretion of the particular project and coordinated through NEPA activities and monthly meetings. Mr. Ward said a copy of the Salmon Management Plan would be sent to Mr. Minthorn. Mr. Ward was uncertain whether there had been tribal review of the plan. He said the plan did not go through a formal NEPA process.

The Cultural Resources Project operates the Hanford Cultural Resources Laboratory to comply with the National Historic Preservation Act, the American Indian Religious Freedom Act and the Archaeological Resources Protection Act. It performs cultural resource reviews to determine potential impacts of planned Site activities prior to initiating operations. The Hanford Cultural and Historic Resources Protection Plan will include all these activities.

Ted Poston discussed the Hanford Sitewide Surface Environmental Surveillance Project. This project monitors air, water and sediments, fish and wildlife, foodstuffs and farm products, soil and vegetation (although reduced in recent years), external radiation, dose assessment and oversees a community-operated surveillance program. Information from the program is used to calculate dose assessment. It does include consideration of the different lifestyle of tribal members.

Ms. Knight asked Mr. Poston whether the project has detected significant exposure levels. Mr. Poston said that doses from fish consumption during the 1960's ranged from 40 to 50 millirem per year. In comparison, doses from all pathways in 1998 were 0.022 millirem per year.

Mr. Minthorn asked what kinds of recommendations will come from the reviews, studies and assessments. Mr. Poston said the studies provide information to DOE and contractors for cleanup activities. The studies also provide information to regulators, tribes and others for decisionmaking. Information is released to the public in an annual report.

Ms. Cimon asked how the project determines what to monitor. Mr. Poston said DOE orders and federal laws guide what must be monitored. Formerly, DOE analyzed the livers of deer and elk on the Site. Such analyses ceased in 1994 due to budget reductions. However, DOE still monitors deer and rabbits. It does not sample coyotes or snakes.

Ms. Knight asked whether there is any examination of cumulative dose impacts of multiple radioactive materials and chemicals. Mr. Poston replied that there are some attempts to do this, but they are mostly conceptual and in laboratory.

Mr. Grainey asked about animals getting into waste sites and carrying waste off-site. Mr. Poston said the biggest problem is in the 100 Area, because of seepage into the river and contamination of

vegetation that is consumed by wildlife. Otherwise, Mr. Poston said, there is little radioactivity in wildlife on the Site.

Mr. Ward provided information on the Hanford Reach National Monument (Monument). When DOE and the Department of the Interior began discussions about a monument, DOE intended to give as much land as possible. The Monument currently includes 306 square miles of the 560 square mile site. Neither the Hanford Town Site nor Gable Mountain is currently included in the Monument. The Monument size may grow.

Mr. Ward said the U.S. Fish & Wildlife Service is preparing management plans for the Monument. Greg Hughes is the lead. DOE will assist in management.

Mr. Minthorn commented that the Confederated Tribes of the Umatilla Indian Reservation received a letter from Keith Klein recognizing Gable Mountain and Gable Butte as sacred sites about two months ago. Mr. Minthorn expressed a hope that the Hanford Reach National Monument will grow to include those areas. He asked for an explanation from DOE how the sacred site designation will be enforced/treated.

Senator Ferrioli asked Mr. Ward if DOE has coordinated Hanford environmental projects with the Interior Columbia Basin Ecosystem Management Project (ICBEMP). Mr. Ward said he was not aware of any DOE coordination with ICBEMP.

Ms. Knight moved that the Board send letters to DOE and ICBEMP urging them to coordinate their environmental impact statement information. The letter would also go to the Forest Service, Bureau of Land Management and Environmental Protection Agency. The letter would also request that a representative of ICBEMP address the Board at a future meeting. Ms. Germond seconded the motion and the Board passed the motion unanimously.

Mr. Minthorn recommended that the Board make recommendations to DOE about additional lands to be included in the Monument in the near future. Ms. Cimon suggested that one or more Board members assess the issue, including finding out when decisions are made, and have a meeting of the Board's Executive Committee via telephone to act on the assessment before the Board's October meeting.

Several Board members expressed support for including Gable Mountain and shrub-steppe habitat in the Monument. Ms. Jarvis suggested combining Native American sacred sites, historical sites, such as the Hanford Town Site, and the shrub steppe habitat. Ms. Knight suggested including B Reactor on the list of historical sites.

Senator Ferrioli suggested that the Board urge protection of those areas regardless of whether they are included within the Monument. That approach avoids inserting the Board into the political aspects of monument designation.

Mr. Grainey questioned whether it is wise to include buffer zone land in the Monument before cleanup is complete.

Mr. Ward indicated that land use will probably remain as protective as it is now under DOE management. He further indicated that there will be public meetings as the Monument's management plan is developed.

The Waste Management and Site Restoration Committee will determine an approach to protecting additional areas and report back to the full Board.

Mr. Beard cautioned the Board against acting too aggressively on this issue and weakening Oregon's already tenuous political position with Washington.

Item 3: Fast Flux Test Facility Update

This agenda item was covered as a part of the Public Involvement Committee's report.

Committee Reports

Ms. Cimon reviewed the composition of the Board's committees.

Public Involvement: Norma Jean Germond (Chair), Norm Dyer, Jill Eiland, Barbara Jarvis, Paige Knight, Fred Lissner, Senator Ted Ferrioli.

Transport: Corky Gillies (Chair), Casey Beard, Shelley Cimon, Larry Clucas, Armand Minthorn, Eric Nisley.

Waste Cleanup and Site Restoration: Norm Dyer (Chair). All Board members serve on this committee.

Transport

Mr. Beard chaired the Transport Committee meeting and reported on the Committee's June 26, 2000 meeting. The first Hanford shipment to the Waste Isolation Pilot Plant (WIPP) is on hold pending resolution of documentation issues. Oregon Office of Energy staff will keep the Board informed on the status of the WIPP shipments. The Transport Committee also discussed WIPP preparations by the Umatilla Tribal Fire Department. Armand Minthorn said that DOE had not been providing the level of funding which it had previously committed to provide. Mr. Beard moved that the Board send a letter to DOE urging it to provide increased WIPP funding to the Tribe. Ms. Germond seconded the motion and the motion passed unanimously. Mr. Niles will develop a draft letter after consulting with the Tribal Fire Chief on their specific training and funding needs.

Public Involvement

Ms. Germond reported that the Public Involvement Committee discussed the annual, joint Oregon Hanford Waste Board-Oregon Office of Energy evaluation of public involvement activities in Oregon. DOE accepts positive feedback and ideas for improvement.

Ms. Germond reported that the Public Involvement Committee also served as a pilot group for the Oregon Office of Energy's Fast Flux Test Facility focus group project. The draft programmatic environmental impact statement (PEIS) on the potential restart of the Fast Flux Test Facility will be mailed by DOE on July 24, 2000. The Oregon Office of Energy wants to ensure that Oregon's voice is heard when this decision is made. The Nuclear Safety Division is conducting seven to twelve focus groups in four to five communities in Oregon to obtain input. Each focus group will meet twice – once before the release of the draft PEIS and once before the end of the comment period in late August.

Focus groups are being formed to obtain opinions from a variety of interests – agriculture, Morrow and Umatilla County community leaders, professional engineers, health physicists, physicians and medical professionals, nuclear activists, university science faculty and students, and a “population cross section” group.

Each focus group will be led by a Nuclear Safety Division staff facilitator and a technical resource person. Feedback from the focus groups will be incorporated into Oregon's response to the draft PEIS.

The Public Involvement Committee discussed the Oregon Office of Energy's presentation and suggested changes and additions to it. The focus group project is funded by DOE through an addition to the grant to the Oregon Office of Energy for Hanford work.

Ms. Coburn Hughs announced the schedule for public meetings and the comment period on the draft PEIS.

Mr. Minthorn asked Senator Ferrioli what his office can/will do to take a position on this issue. Mr. Ferrioli said legislators expect to be visited by corporate as well as environmental interests. The legislative caucuses direct their staff to research the issue. There is no guarantee that the Oregon Legislature will take any position. However, the Legislature would carefully consider a letter on the issue from the Oregon Hanford Waste Board.

Mr. Minthorn commented that this is why Oregon needs standing in law. Senator Ferrioli noted the importance of outreach from Oregon's federal legislators to their Washington counterparts. However, Senator Ferrioli said, Oregon must be realistic about how Washington views Oregon's participation. Oregon does not want Washington involved with the Umatilla Weapons Depot. He urged that Oregon use every avenue to find an appropriate role in the decisionmaking hierarchy.

Senator Ferrioli urged the Board to contact state legislators even though the Legislature is not in session. He suggested sending a letter to the Oregon Legislature asking them to support and sign a letter to Congress urging passage of Oregon's new proposal. Mr. Grainey said he would develop the text for the letter. Senator Ferrioli said he would distribute it to the Oregon Legislature for signature. Sovereign nations and county officials along the Columbia River corridor will also be asked to sign the letter.

Waste Cleanup & Site Restoration

Mr. Dyer reported that the Committee recommended that the Board send a letter to DOE regarding the removal of record of decision (ROD) signature authority, as detailed in the briefing materials for Waste Cleanup & Site Restoration Committee Agenda Item 5. Mr. Dyer moved that the Board send the letter; Ms. Germond seconded the motion and it passed unanimously.

Mr. Dyer also reported that the Committee discussed extensively the Groundwater Vadose Zone Integration Project and the salmon/chromium study.

The Waste Cleanup and Site Restoration Committee also discussed: 1) How can or what the Board can/should do to ensure that its concerns are addressed and answered by the appropriate group or agency? and 2) What manner or mechanism can the Board use to obtain follow up on information and policy questions or concerns?

Mr. Dyer moved that the Board assess asking the DOE to protect additional identified lands in a special area on the Hanford Site. He moved that he, Mr. Minthorn, Senator Ferrioli and Mr. Dunning develop a recommendation by conference call and refer it to the Executive Committee. The Executive Committee can then decide to take action or defer action until the October Board meeting. Ms. Jarvis seconded the motion and the Board passed it unanimously.

Item 4: Hanford Uranium Fuel Disposition

Mr. Dunning discussed some of the history of efforts to dispose of uranium fuel and the lack of public involvement in decisions about it. He discussed briefly DOE's plans to sell the surplus uranium fuel and inability to do so.

Mr. Miera noted that DOE was unable to sell the fuel, because of a market glut.

DOE is currently determining how to proceed with the disposition. Mr. Huston is attending DOE meetings about it.

Senator Ferrioli observed that there is a clash of corporate cultures. He said it is clear now that what DOE has on hand is not worth what they thought – and this was brought on in part by the purchase of the Russian supplies. He concurred with a comment by Mr. Dyer that \$40 million (the estimated cost of disposing of the fuel) is an inexpensive price tag in this context. He emphasized that the surplus uranium fuel must not be buried. He said DOE needs to stop worrying about cost recovery.

Mr. Miera noted that there is a Tri-Party Agreement milestone on this. The uranium must be converted to a chemical state to be managed. There are uranium deposits that have been stable for millions of years.

Ms. Cimon asked Mr. Miera to keep the Board informed of timelines.

Mr. Grainey moved, and Ms. Germond seconded the motion, that the Board direct staff to draft a letter to DOE expressing the Board's concerns about the disposition of uranium at the Hanford Site and inadequate public involvement in decisions concerning uranium disposition. The letter will request that DOE complete an environmental impact statement on uranium disposition and conduct a broad public involvement process. The motion passed unanimously.

Item 5: Tank Waste Treatment/Vitrification Project Path Forward

Mr. Wiegman began his presentation by showing a seven-minute video.

Ms. Knight noted that the current status of the tank waste treatment project is different than what is portrayed in the video, i.e. lack of budgetary authority, BNFL/contract status in limbo. Mr. Wiegman replied that Dick French was meeting with Assistant Secretary Glauthier that morning to address those questions.

Mr. Wiegman reviewed the recent tank waste treatment project/privatization contract history. He said that DOE originally planned to terminate BNFL rapidly. That has not happened due to the large amount of BNFL intellectual property involved.

Mr. Wiegman reported that over 125 companies were represented at the pre-solicitation meeting. DOE conducted over 14 interviews in DC the next week. DOE is trying to complete the transition in time to ensure startup in 2007 and treatment of 10 percent of the tank waste by 2018. The predicted problem is funding, now that the government will own the facility and need to pay for operations. Mr. Wiegman doubted that the project will return to its time schedule by January 2001, but said DOE is trying hard to do so.

Mr. Wiegman said once the BNFL contract is terminated, work will be transferred to CH2M Hill Hanford Group, Inc. (CH2M Hill) and proceed under a "bridge contract" until a new contractor is selected. The timeline for a new contract is very tight. Mr. Wiegman said there are three possibilities for the maintenance of design continuity: 1) continue with BNFL, 2) award the bridge contract to CH2M Hill or 3) award the bridge contract to Bechtel Hanford, Inc. The main issue is maintaining the ability of bidders to truly compete.

Senator Ferrioli commented that the cancellation of the BNFL contract was due to two elements: cost increase and concern about BNFL's management ability. Mr. Wiegman replied that the increase in hard money cost from \$3.4 billion to \$6.2 billion drove the total cost over \$15.2 billion. This erased the advantage of privatization. Mr. Wiegman described the design work as "pretty good," although "over designed."

Senator Ferrioli commented, "Won't the new proposals come in at about \$6.4 billion?" Mr. Wiegman replied that DOE has a government fair cost estimate, which could increase, but is much less than the current figures. Mr. Ferrioli asked why DOE was surprised at the cost increase. Mr. Wiegman said BNFL management capabilities were spread too thin. Senator Ferrioli asked whether DOE is obligated to accept the lowest bid on the new contract. Mr. Wiegman was unsure, but said probably not. He

continued that DOE is considering contractors who are interested in completing the work, not just mining money from the federal government.

Roger Stanley (Washington Department of Ecology) provided the regulatory perspective on tank waste treatment. He addressed the Board via telephone.

He described DOE's appeal of the final determination (enforcement action) issued by the Department of Ecology (Ecology) in late March after unsuccessful negotiations with DOE. Ecology seeks a consent decree that imposes new requirements on DOE concerning tank waste treatment. Mr. Stanley said the three priority items for the State of Washington are a treatment complex, double shell tank capacity and single shell tank waste retrieval. Additional items include: a definition of compliance, compliance progress reports and a requirement that DOE direct contractors to act consistently with the Tri-Party Agreement. There are requirements that treatment complex construction be completed on time and that infrastructure be ready to support treatment

DOE appealed the final determination to the Washington Pollution Control Hearings Board. Mr. Stanley said DOE's appeal centers on the accountability provisions in the final determination. There is a tentative trial date of November 2000. He said Ecology is increasingly frustrated by the incessant delays on tank waste treatment. Ecology and DOE are working to document verbal agreements between Governor Locke and Secretary Richardson on tank waste treatment. The current schedule calls for issuance of a Request for Proposals from new prospective contractor to design and build the vitrification facility by August 2000, signing a new contract by January 2001 and a new consent decree governing treatment facility construction by summer 2001.

Ms. Knight asked Mr. Wiegman if any consideration was being given to a smaller scale treatment facility, what other than intellectual property issues was holding up termination of BNFL, Inc. (BNFL) and what it would take to terminate BNFL. Mr. Wiegman replied that his personal opinion was that DOE would have to look at various options. He said that maintaining true competition for the new contract is delaying the termination, which would occur by a letter (that, he said, the accountable person does not want to sign).

Mr. Wiegman said the current CH2M Hill work would not be held up until the bridge contract is signed, but the movement of BNFL employees has been delayed. He said the new contract would require specific delivery of various components – would probably be a cost plus incentive contract - to prevent mining the government for money.

In response to a question from Ms. Knight about the Regulatory Unit (RU), Mr. Wiegman said the RU was formed to provide Nuclear Regulatory Commission style regulation of privatization. To change it now would just add another permutation to this confused state of affairs. However, he said, long term it needs to be changed. According to Mr. Wiegman, Dick French wants the RU to report to him.

Mr. Beard asked whether the U.S. State Department will get involved, because of the British government's involvement in British Nuclear Fuels Ltd., the parent company of BNFL. Mr. Wiegman could not say.

Mr. Wiegman said there is \$490 million in the set aside account now. Some of that will be used to pay for termination of BNFL. The Office of River Protection (ORP) expects to receive \$400 million for “real work.” In response to a question from Ms. Cimon, Mr. Wiegman said, yes, ORP hopes the money will roll over after termination. He said ORP needs the money for the bridge contract. Otherwise, he said, “We are dead in the water.”

Senator Ferrioli said that Hanford was not built as a cost plus contract. It was built during a time of war. There is no national priority to do the work today. Ms. Cimon said there should be a moral imperative. Senator Ferrioli said the question is whether we have the civil structure to do the job. He questioned how using a court order to remedy violating a court order accomplishes anything. Ms. Cimon questioned the State of Washington’s continued focus being stuck on the court decree. Senator Ferrioli said it is clear from the sepia tone films recently declassified that it was a military act to build Hanford. He said the civil tools we have are inadequate to perform the current task.

Mr. Beard asked whether BNFL is being punished for being truthful. Mr. Wiegman replied that he might believe that if there was not a government fair cost estimate that is significantly lower. Ms. Knight said BNFL made big mistakes in England that challenged their viability. She urged the Board to think out of the box. She asked Senator Ferrioli if he had any ideas.

Senator Ferrioli said this is a civil defense issue. The predictable has happened. We are now building a barrier between the tanks and the river. He said he did not believe we can protect the river unless we remove the source. He said to pretend it was a natural disaster. If it were, we would declare a disaster, mobilize Federal Emergency Management Agency funds and management and mobilize troops. He said he was not suggesting that suspending civil authority or mobilizing troops is a good idea. But that we are thinking and acting like this is an oil spill, when we need to think of it differently. What is needed is the contractual and legal authority to clean up the mess. We have the ability to contract and build incentives. We have been doing it for twenty years. But it has not worked. Material is in the river. It is an emergency already. The question is whether it rises to the level of a national emergency.

Ms. Germond said the question is how we raise the priority of the issue to a national level. We have not figured it out yet. There will not be attention unless a tank explodes, and even then people may say that it is just a regional problem.

Mr. Dyer agreed with Senator Ferrioli that to get action a declaration of a national disaster can help. But one problem with that approach is that there is absolutely no public input.

Various questions about comparisons to other nuclear accidents were raised. Ms. Jarvis noted the problem that the public does not want to know and that, consequently, it is difficult to get Congressional support. Mr. Beard said that underscores the importance of getting more of a role for Oregon as discussed by Mr. Grainey.

Mr. Wiegman closed by thanking the group for its enthusiasm and information. He said DOE needs the Board’s enthusiasm and engagement and that this is not a time to withdraw.

Item 6: K Basins Report

Phil Loscoe, Director of the Office of Spent Nuclear Fuels, addressed the Board via cell phone. He described the history of the K Basins and current status. Overpack construction and installation of the integrated water treatment system are complete and being tested. The fuel retrieval system is installed and acceptance tests complete. Five casks were procured and have arrived on site. However, construction of the cold vacuum drying system and facility is behind schedule. He described the facility and how casks are transferred into the facility. He said the Canister Storage Building is essentially complete. He described how canisters are loaded in the building. Overall, Mr. Loscoe said, all facilities are essentially complete, all documentation is essentially complete and what remains are the various readiness reviews. He said the schedule is a very steep hill to climb. The contractor indicates it can get all the work done on time, but DOE is not so optimistic.

Mr. Loscoe said in response to a question from Ms. Knight that there are many engineering things still to be done before operational readiness reviews can be performed. DOE does not see how those items can be completed in time to begin fuel removal in November 2000.

Ms. Cimon asked whether this means there is a potential to miss a milestone. Mr. Loscoe replied that DOE hopes not, but there is always that possibility.

Larry Gadbois, U.S. Environmental Protection Agency (participating via phone), noted that if the contractors or DOE think they are going to miss a milestone they need to notify the Environmental Protection Agency. Mr. Gadbois warned about focusing too hard on K West and underscored the need to consider the whole project.

Mr. Loscoe discussed the testing of the project's cranes. DOE adopted a procedure similar to the U.S. Navy's for heavy lifts. Mr. Loscoe noted that the Navy has never had a drop during its lifts. This procedure involves proper training and the proper "ceremony." The Navy crane center completed the review of the K Basin crane and said the crane was safe. Mr. Loscoe said the Navy did have eight recommendations that the contractor has incorporated. Mr. Loscoe summarized some of the recommendations. He said the next step is to send the operators to a Navy facility in the Puget Sound area for training. DOE is comfortable with the crane.

Mr. Loscoe then discussed the leak mitigation system. DOE sought a straightforward, readily deployable system. The best system turned out to be a high-pressure injection system that will inject bentonite clay or gravel and bentonite clay to plug a leak. Mr. Loscoe said the emphasis is on prevention of a drop.

Mr. Dyer asked about the double-drum criteria. Mr. Loscoe said the K Basin crane does not meet that. He said DOE considered it, but believes that a drum failure is a very low probability event.

Mr. Loscoe said the old sludge acceleration strategy was to remove fuel from K West, then K East, and then remove sludge. The original idea was to put the sludge into the double shell tanks. Eventually, as more was known about the sludge, DOE concluded that it would have to build new tanks for the K Basins' sludge. But building additional double shell tanks was unacceptable. A team was put together

to address this problem. The team recommended that the sludge be put in temporary storage and then eventually combined with other material under Milestone 91. This decision removed an obstacle to fuel removal and the need to build a facility to treat the sludge. Ultimately, after looking at equipment requirements, DOE decided to delay the removal of K East fuel and remove sludge earlier. Overall this resulted in the total project being scheduled for completion a year earlier. It did require additional work on T-Plant and a new milestone was added for this.

Ms. Germond asked whether the sludge has to go through a drying process. Mr. Loscoe replied that it does not. It has been thoroughly characterized and contains no metal. DOE will store it wet. DOE is in the process of designing a storage container compatible with the current systems.

Ms. Cimon asked whether storing the sludge wet results from a concern for potential criticality. Mr. Loscoe said the sludge has to be kept wet and they probably will be in a filtered container.

The meeting was adjourned at 3:50 p.m.