



Many Voices Working for the Community

Oak Ridge Site Specific Advisory Board

Approved March 9, 2016 Meeting Minutes

The Oak Ridge Site Specific Advisory Board (ORSSAB) held its monthly meeting on Wednesday, March 9, 2016, at the DOE Information Center, 1 Science.gov Way, Oak Ridge, Tennessee, beginning at 6 p.m. A video of the meeting was made and may be viewed by contacting ORSSAB support offices at (865) 241-4583 or 241-4584. The presentation portion of the video is available on the board's YouTube site at www.youtube.com/user/ORSSAB/videos.

Members Present

Leon Baker

Richard Burroughs

Alfreda Cook, Vice Chair

Kennetha Eikelberg

Mike Ford

Bob Hatcher

Howard Holmes

Jennifer Kasten

Donald Mei

Greg Paulus

Elizabeth Ross

Mary Smalling (by phone)

Scott Stout

Ed Trujillo

Dennis Wilson

Wanfang Zhou

Members Absent

Martha Deaderick

David Hemelright, Secretary

Belinda Price, Chair

Liaisons, Deputy Designated Federal Officer, and Alternates Present

Kristof Czartoryski, Tennessee Department of Environment and Conservation (TDEC)

Jeff Crane (for Connie Jones), Environmental Protection Agency (EPA) Region 4 (via telephone)

Melyssa Noe, ORSSAB Alternate Deputy Designated Federal Officer (DDFO), Department of Energy, Oak Ridge Office of Environmental Management (DOE-OREM)

Others Present

Spencer Gross, ORSSAB Support Office

Ashley Huff, ORSSAB Support Office

Alana Joldersma, Student Representative

Pete Osborne, ORSSAB Support Office

Karen Thompson, DOE

Six members of the public were present.

Liaison Comments

Ms. Noe –

- Several members of the board, as well as representatives from DOE, are representing Oak Ridge at the 2016 Waste Management Conference in Phoenix, Arizona, and thus are not in attendance at the March 9 meeting. This year the conference highlighted Oak Ridge as a DOE featured site, and members of both ORSSAB and OREM will participate in special topic panels focused on cleanup efforts in Oak Ridge.

- Demolition work continues on schedule at Building K-27, the last remaining gaseous diffusion building at East Tennessee Technology Park (ETTP).
- Preparations continue for the 2016 Spring Chairs Meeting, which will take place in Oak Ridge on April 19-21. (Details provided below in the Alternate DDFO Report).
- An FY 2018 budget workshop is scheduled for spring and will be similar to those organized by DOE for the past two years. Exact dates for the workshop will be provided to the board when established.

Mr. Crane – Due to technical difficulties, Mr. Crane’s comments via conference call were not audible. EPA’s comments, if any are supplied, will be provided to the board separately when available.

Mr. Czartoryski – No comment.

Public Comment

None.

Presentation

Karen Thompson, Branch Chief for Planning and Baseline Management Branch, DOE-OREM, discussed “FY 2018 DOE-OREM Program Budget and Prioritization” (Attachment 1). Her presentation provided a general overview of fiscal year planning and stages of budget development and additionally addressed specific near- and long-term spending priorities for cleanup operations across Oak Ridge Reservation (ORR) sites.

Fiscal Year Budget Overview & Timeline

At any given time, DOE has three active budgets. Current active budgets include:

- FY 2016 Enacted Budget—The FY16 “enacted” budget covers current year funding for executing work currently underway in the field.
- FY 2017 President’s Budget Request—The FY 2017 “requested” budget was submitted to Congress in February 2016 and will undergo further discussion and stages of development (detailed below) before eventually becoming the FY 2017 appropriation.
- FY 2018 Budget—The FY 2018 budget is actively in development and has not yet been “requested” (see above) by the president.

The site-specific FY 2018 budget for OREM, which is the main focus of the March 9 presentation, is currently in early development locally, and has not yet been submitted by the Oak Ridge Office to EM headquarters for consideration in the EM program’s overall budget.

Budget development typically runs the course of an entire calendar year, and appropriations are likewise determined a year in advance. Thus, OREM's appropriations for FY 2018 are undergoing development in FY 2016, will be included in the president's request in FY 2017, and will finally be enacted and spent in FY 2018.

Annual Timeline for Budget Development (See Slide 3)

January/February—Early in the year, sites consider funding priorities for several active “budget windows,” or planning blocks. OREM, for example, concentrates on FY 2018 priorities, but simultaneously plans a five-year budget window for FY 2018-2022 spending. During this initial planning stage, OREM collaborates with regulators and stakeholders to develop milestones and incorporate priorities into a budget proposal.

March/April—Meetings with regulators and stakeholders carryover into early spring. OREM collaborates with EPA and TDEC and also receives recommendations from ORSSAB.

April/May—In spring, OREM incorporates input from external sources (EPA, TDEC, ORSSAB, etc.) and submits its budget to DOE-EM headquarters. At this point, the budget becomes embargoed and details of the request cannot be shared outside the department.

June/February—The site's requested budget undergoes an 8-month period of deliberation with discussions taking place among the Office of Management and Budget (OMB), EM headquarters, and the individual field sites.

August-September—In the fall, amidst these 8-month negotiations, DOE-EM prepares the program's budget for submission to OMB.

September-February—Deliberations continue for several more months.

February—Sometime in early February, the budget is released, and the president's request is formally submitted to Congress.

OREM Site-Specific Budget

OREM comprises only a part of the overall DOE-EM budget (see Slide 4), which includes a number of individual sites in addition to Oak Ridge, such as Portsmouth, Ohio, and Paducah, Kentucky. The Oak Ridge site has traditionally fared well both in the president's request and in the actual appropriations determined by Congress. OREM experienced a \$36 million increase in its enacted budget for FY 2014, meaning the site received \$36 million above what the president even requested for the Oak Ridge cleanup program. In FY 2015, the site received \$46 million above the president's request. Most recently, OREM's appropriations for FY 2016 were \$102 million above the requested budget.

OREM receives three different types of funding for its cleanup program. Appropriations are distributed as decontamination and decommissioning (D&D), defense, or non-defense funds. The crucial point here is that these funding categories are exclusive, such that the money can only be used on its designated category of cleanup. D&D appropriations cannot be used cross-purpose to fund a non-defense project, such as historic preservation, and so on. Other stipulations further restrict the use of appropriations. D&D funds, for example, can only be used for gaseous diffusion cleanup. As a result of this requirement, only three sites are eligible for that funding, Oak Ridge, Portsmouth, and Paducah. Non-defense funding for the Oak Ridge site covers historic preservation work only, since OREM has no other projects to fit this category. Most of the cleanup effort in Oak Ridge, aside from the D&D work at ETPP, corresponds to the defense category and comes from the defense appropriations only.

The EM program budget for Oak Ridge can be further itemized by individual cleanup projects. Within each of the three major categories for OREM appropriations, funds are tagged for specific priorities and spent accordingly (Slide 5). Any additional funding awarded above the president's request always corresponds directly to individual program initiatives.

Since OREM's budget planning essentially covers the entire lifespan of the Oak Ridge cleanup project, the additional funding of \$102 million above the president's request for FY 2016 has allowed OREM to accelerate progress on spending priorities already well established.

FY 2016 Work Scope and Appropriations

Spending highlights for FY 2016 defense funds include: an additional \$9 million above the president's request for U-233 disposition, which has been used to accelerate processing of U-233; a sizable increase in funding for Transuranic (TRU) Waste Operations, applied toward processing "remote-handled" and "contact-handled" debris; and a \$7-8 million increase for EM Facilities and Waste Operations, which is being used to upgrade the Liquid Gaseous Waste Operations. Most notably, the category for excess facilities at Oak Ridge National Laboratory (ORNL) and Y-12 National Security Complex (Y-12) received a bonus \$27 million in appropriations. The boost here will be applied to safety and characterization work at seven deteriorating facilities at ORNL and Y-12 marked for later D&D. The increased funds will provide a roof for Alpha-4 and allow for hazard characterization work at Y-12's biology complex.

Historic preservation (non-defense) funds for FY 2016 increased by \$6 million over the president's request. The money will be applied toward completing design work on the equipment building, viewing tower, and history center that will eventually become part of the Manhattan Project National Historical Park at ETTP.

Additional D&D funds appropriated for cleanup at ETTP, an increase of \$40 million above the request for FY 2016, will support "Vision 2020," OREM's initiative to complete cleanup of facilities and close the site at ETTP by the end of FY 2020. (For a detailed breakdown of how increased funds for FY 2016-2017 work scope are being allocated, see Slide 5).

OREM's "Vision" for Oak Ridge Cleanup

OREM's cleanup program prioritizes projects and sequences its work scope based on several guiding principles: to protect human health and the environment, to comply with regulatory requirements, and to support DOE's ongoing missions for ORR cleanup (Slide 6). These missions vary from site to site but are broadly outlined as supporting the reindustrialization of ETTP as well as historic preservation and supporting the national security mission of Y-12 and the science mission of ORNL.

OREM's goals, popularly expressed as "visions" (slide 7), group the program's foreseeable milestones into manageable windows, such as the four-year blocks designated for "Vision 2016," "Vision 2020," and "Vision 2024."

- Vision 2016 correlates to the complete demolition and removal of all five gaseous diffusion buildings at ETTP. Demolition began at Building K-27, the last remaining of those five buildings, on February 8, 2016. Cleanup at the site continues on schedule, and OREM expects to finish the operation and complete its goals for Vision 2016 by the end of the calendar year.
- Vision 2020 extends the efforts of Vision 2016 and aims to complete cleanup of all facilities at ETTP and release the land for reindustrialization by the end of 2020.

- Vision 2024 expands on cleanup activities at ETTP and outlines objectives for the cleanup operations planned at Y-12 to address its mercury-contaminated facilities.

Review of Near-Term and Long-Term Priorities

FY 2016-2018 near-term priorities, which have been focus of the March 9 presentation, include completing design of the Y-12 Outfall 200 Mercury Treatment System, completing the U-233 direct disposition campaign, continuing to processing contact-handled and remote-handled TRU waste debris at the TRU Waste Processing Center, designing and constructing a sludge test facility, completing planning for the proposed EM Disposal Facility, and completing the demolition operation at Building K-27 at ETTP.

Although OREM focuses its effort on near-term goals and the projects and planning currently being executed, the program also keeps sight of its long-term priorities. For FY 2019-2022 these are: transitioning from U-233 direct disposition to a processing campaign; continuing TRU waste debris processing and, hopefully, resuming shipment of TRU waste debris for off-site disposal; completing cleanup at ETTP; moving from a design phase to the construction phase of Outfall 200 at Y-12; addressing critical infrastructure problems at ORNL and Y-12; designing and constructing the EM Disposal Facility; and designing a sludge processing facility.

A great deal of work remains even after tackling out-year priorities, and plans for post-FY 2022 work scope are also kept in mind. In the years following FY 2022, DOE will address groundwater contamination, complete processing of U-233, construct a sludge processing facility for TRU waste, and complete cleanup of Y-12 and ORNL.

Public Involvement Opportunities

Developing a budget for the massive cleanup operations across ORR requires advanced planning and careful prioritization of projects. Avenues exist for public involvement in FY 2018 budget planning. DOE is organizing a budget workshop in the spring to bring together stakeholders and interest groups who will collaborate on budget priorities and present their views to DOE. ORSSAB members are invited to attend, and DOE strongly encourages the advisory board to draft a recommendation on the FY 2018 budget following the workshop.

After the presentation, board members raised the following questions:

Mr. Paulus addressed the issue of spending given the increase in appropriations for Oak Ridge cleanup. It can be as difficult to spend more as to spend less, he acknowledged. Has the additional funding presented any new challenges in allocating those resources effectively? Ms. Thompson explained that the nature of budget planning in windows for near- and long-term goals ensures the appropriate allocation of any unexpected funds toward OREM priorities within a well-established timeline. The entire lifecycle of the Oak Ridge cleanup project has already been planned and a sequence for spending established. Any additional resources allow OREM to re-sequence the existing plan, generally meaning that DOE is able to accelerate work that has already been contracted. Mr. Paulus asked a follow-up question on appropriations. Is there any possibility of a more restricted budget after a generous period? Ms. Thompson acknowledged that expectations for funding cannot be fully guaranteed since the program budget is determined by Congress from year to year. However, Oak Ridge cleanup efforts have traditionally been supported very well by Congress, and there is currently no reason to expect that situation to change.

Mr. Trujillo inquired about early indications from Congress regarding funding amounts. Does OREM get any advanced notice that more money will be coming? Ms. Thompson explained that signals as to funding expectations are not provided during the budget planning cycle. If there were any indicators, those would come later in the cycle when budgets are released by individual offices and negotiations are underway.

In addition, Mr. Trujillo asked for more information on future budget priorities and how Y-12 figures into near-term planning. He specifically wanted to know if work scope for Y-12 will be expanded prior to 2020. Will Vision 2020 begin to address critical infrastructure needs at Y-12? Ms. Thompson explained that DOE collaborates with both Y-12 and ORNL on a joint plan for cleanup that prioritizes projects across the ORR based on risks. Additional funding for excess facilities will be applied to these existing plans. Mr. Trujillo reframed the question, asking if cleanup for Y-12 will be accelerated. Ms. Thompson explained that DOE will implement cleanup projects based on prior prioritization. Vision 2020 concentrates efforts on cleanup at ETTP, while Vision 2024 transitions to Y-12. Additional funding has not altered prioritization of projects, but it has allowed for characterization work of facilities at Y-12 and operations to stabilize structures so that they remain safe and compliant until funding exists to begin demolition and large-scale cleanup.

Mr. Hatcher asked if the current election is having any impact on budget planning or the president's request. Ms. Thompson stated that despite the attention on the presidential election, business proceeds as usual.

Mr. Wilson asked a follow-up question on the appropriations for historic preservation. In light of the Memorandum of Agreement (MOA) with 12 parties for historic preservation work, does all of the funding come from OREM's budget? Ms. Thompson explained that the MOA went into effect in 2012, prior to any inclusion of the National Park Service, as part of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process. Since ETTP is a signature facility of the Manhattan Project, DOE agreed to stipulations such as constructing a viewing tower and history center in the fire station at ETTP as well as an equipment building to replicate the exterior of Building K-25. The historic preservation funds are for executing the terms of that agreement only. Mr. Wilson also asked how historic preservation figures into future planning as the project does not appear listed in future work scope. Ms. Thompson observed that historic preservation was not included in the president's request for FY 2017, but OREM continues on the design phase for this work and construction will eventually take place.

Following the questions posed by the board, regulators raised the following concerns:

Mr. Czartoryski stressed to DOE that the State of Tennessee and EPA are regulators, and as such are categorically distinct from stakeholders like ORSSAB and should be regarded separately (see Slide 3). By a Federal Facility Agreement, three parties, DOE, EPA, and TDEC, are to collaborate on Oak Ridge cleanup and negotiate milestones. Mr. Czartoryski specifically addressed prior agreements with DOE as to these milestones, stating that in the past TDEC agreed to a reduced number of milestones, or focus on strategic priorities only, with the expectation of a \$420 million annual budget. However, the agreement to reduced milestones resulted in smaller presidential requests, an outcome counter to TDEC's intentions. TDEC, as well as EPA, are of the position that milestones should come first and budget requests should correspond directly to the needs that have been determined in establishing milestones, rather than the reverse, as has been the case from TDEC's perspective in that DOE prioritizes funding over milestones.

Mr. Czartoryski expressed concerns for a pattern whereby fewer milestones results in decreased funding. TDEC supports a partnership with DOE for Oak Ridge cleanup and would like to promote the success of OREM's program by bringing more milestones forward and ensuring more work is scheduled. The funding boost from Congress is positive, but other sites with more milestones consistently receive more funding. With the anticipated completion of ETTP cleanup, TDEC fears that depletion of D&D funds will have a negative impact on Vision 2024. In order to keep pace with planned operations at Y-12 and ORNL, additional funding will be necessary since those sites cannot draw from D&D funds for cleanup. In order to generate additional money for the defense category, which funds Y-12 and ORNL cleanup, TDEC requests extra milestones be added to the FY 2018 budget.

In this vein, TDEC has submitted a letter to DOE and is awaiting a response. The board requests an update from Mr. Adler once DOE has reviewed the letter and issued a response.

Committee Reports

EM & Stewardship

Dr. Hatcher reported –

- Following the February 10 presentation on groundwater, and in lieu of its regular meeting, the EM & Stewardship Committee attended a presentation led by Leidos technical staff on 3D computer modeling of regional groundwater flow across the ORR.
- The committee requests an update on the results from the final ground water sampling event of February 2016, which were still undergoing analysis at the time of the February 10 ORSSAB presentation.
- The next EM & Stewardship Committee meeting is scheduled for March 23. Discussion will follow on the March 9 FY 2018 budget presentation.

Executive

Ms. Cook reported –

- ORSSAB is seeking volunteers for participation in Oak Ridge Earth Day. The event will take place on April 23, 2016, 11 a.m. to 4 p.m. at Bissell Park. Volunteers will be expected to serve in 2-hour shifts. Interested board members should notify ORSSAB staff at Pete.Osborne@orem.doe.gov or 865-241-4583.
- Planning continues for the EM SSAB Spring Chairs Meeting in April (see below).
- The next meeting of the Executive Committee is scheduled for April 6 at 6 p.m.

Announcements and Other Board Business

- ORSSAB staff member Spencer Gross, who has announced his retirement, was honored for his 11 years of service to the board. Ms. Noe presented Mr. Gross with a plaque in recognition on behalf of DOE. Ms. Cook thanked Mr. Gross on behalf of ORSSAB for his commitment to the board.
- No monthly meeting is scheduled for April, due to the activities of the 2016 EM SSAB Spring Chairs Meeting. ORSSAB's next scheduled meeting will be Wednesday, May 11, 2016, at 6 p.m. at the DOE Information Center. The topic will be the EM Disposal Facility.

Alternate DDFO Report

Ms. Noe provided an update on planning for the 2016 EM SSAB Spring Chairs Meeting, which will take place April 19-21 in Oak Ridge. The event brings together all eight site-specific advisory boards under DOE's EM program.

A tour of the ORR is planned for April 19 and is being finalized. Arrangements are in place for an evening dinner on Wednesday, April 20, at the Event Center on the Lake, formerly Riverside Grille, in Oak Ridge. A Tennessee-style buffet will be catered by Copper Cellar. There will also be a cash bar and live music.

Board members are encouraged to register online by March 29 at <https://www.eventbrite.com/e/em-ssab-2016-spring-chairs-meeting-registration-21032256044>.

Motions

Lacking a quorum, no motions were made during the meeting. As ORSSAB will not meeting in April, a motion to approve the minutes of the February 10, 2016 meeting will carry over to the May 11 meeting.

Action Items*Open Action Items*

1. Mr. Adler will update Mr. Czartoryski and the board on the status of a response to TDEC's letter concerning a request for additional EM milestones.
2. DOE will provide an update on the final analysis of groundwater samples collected during the third sampling event in February 2016.

Closed Action Items

1. Mr. Hemelright will solicit responses from absentee members. *(Carryover from 1/13/16).*
Closed. Mr. Hemelright contacted members to discuss attendance and confirm membership status.
2. Mr. Mayton and Mr. Adler will supply a response to Ms. Koltowich concerning her question on the location of wells referenced in the first sampling event for the off-site groundwater assessment project. **Closed.** DOE provided the requested information to Ms. Koltowich and ORSSAB on February 17, 2016. Ms. Koltowich acknowledged the response as satisfactory.

The meeting adjourned at 6:57 p.m.

Attachments (1) to these minutes are available on request from the ORSSAB support office.

I certify that these minutes are an accurate account of the March 9, 2016, meeting of the Oak Ridge Site Specific Advisory Board.



Dave Hemelright, Secretary

Belinda Price, Chair
Oak Ridge Site Specific Advisory Board
BP/ach

DATE May 17, 2016