



# **INL Site Environmental Management**

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C I T I Z E N S   A D V I S O R Y   B O A R D

## **Meeting Minutes**

November 19, 2014

The Idaho National Laboratory (INL) Site Environmental Management (EM) Citizens Advisory Board (CAB) held its quarterly meeting on Wednesday, November 19, 2014, at the Hampton Inn in Idaho Falls, Idaho. An audio recording of the meeting was created and may be reviewed by calling CAB Support Staff at 208-557-7886.

**Members Present**

Robert Bodell  
Herb Bohrer  
Brad Christensen  
Marvin Fielding  
Kristen Jensen  
Trilby McAfee  
Betsy McBride  
Cathy Roemer

**Members Not Present**

Keith Branter  
Harry Griffith  
Willie Preacher  
Bill Roberts

**Deputy Designated Federal Officer (DDFO), Federal Coordinator, and Liaisons Present**

Ric Craun, DOE-ID  
Bob Pence, Federal Coordinator, DOE-ID  
Hoss Brown, CWI  
Dennis Faulk, U.S. Environmental Protection Agency (EPA)  
Danny Nichols, Idaho Treatment Group (ITG)  
Pete Johansen, State of Idaho  
Kerry Martin, State of Idaho

**Others Present**

Brandt Meagher  
Julie Huntsman  
Jean Holdren  
Bruce LaRue  
Dave Richardson  
Frank Webber  
Preston Abbott  
Shannon Brennan  
Mark Hutchison  
Eric Schweinsberg  
Nicole Badrov  
Danielle Miller  
Curtis Roth  
Natalie Packer  
Romelia Martinez

Nolan Jensen  
Ben Roberts  
William Spader  
Thomas Mason  
Luke Ramseth  
Roger Turner  
Tami Thatcher  
Susie Barna  
Ethan Huffman  
Amy Taylor  
Scott McMullin  
Jeanie Hernandez  
Bryant Kuechle, Support Services  
Lori McNamara, Support Services  
Ann Riedesel, Support Services

### **Action Items**

**Assigned to:** Brad Bugger (DOE-ID) will get an answer to Herb Bohrer's questions regarding if the drum that exploded at WIPP had been certified.

**Assigned to:** Brad Bugger will get an answer Bob Bodell's question regarding how full WIPP is and if there is additional room available.

**Assigned to:** Ric Craun (DOE-ID) will add a public involvement forecast to the public involvement summary at CAB meetings.

## Opening Remarks

The meeting started at 8:00 a.m. Facilitator Bryant Kuechle welcomed everyone and reviewed the public comment process.

CAB Chair Herb Bohrer welcomed the group. He noted that the meeting was rescheduled from October and hoped that the change didn't inconvenience anyone. Bohrer reported that the CAB members met the day before for new member orientation and for a planning session for the year ahead. He said that during that meeting the group reviewed the importance of public involvement to the CAB.

Ric Craun (DOE-ID) congratulated Danny Nichols (Idaho Treatment Group [ITG]) and his Advanced Mixed Waste Treatment Project (AMWTP) team who has been awarded VPP STAR status. Craun also congratulated CWI who received the Freedom Award from the Department of Defense. Craun reported that Nichols is leaving AMWTP. He commended his service at AMWTP.

Danny Nichols, ITG-AMWTP, has accepted a position in Oak Ridge, Tennessee, and this is his last week at AMWTP. Nichols commended the AMWTP workforce for achieving VPP STAR status. He introduced Dave Richardson who will be the Acting Manager for AMWTP.

Dennis Faulk, U.S. Environmental Protection Agency (EPA), commented that he was not aware of the meeting change in October, and that he and several others were here in October for the meeting.

Kerry Martin, DEQ, commented that they appreciated the efforts expended to get the Los Alamos waste out of Idaho.

Pete Johansen, State of Idaho, introduced himself and noted that he was filling in for Daryl Koch.

Hoss Brown, CWI, commented on CWI's excellent safety record. Recently they celebrated a million man-hours without a recordable incident. Brown stressed that "you don't get production without safety." CWI also received the Freedom Award from the Department of Defense. The award recognizes support for soldiers when they are called to duty and ensuring they have their job when they return, as well as support for the troops that are deployed and their families.

## Recent Public Involvement Activities

Craun reviewed recent public involvement activities. The presentation is available on the INL Site EM CAB website: <http://inlcab.energy.gov/>. He noted that future reports would include a look ahead at upcoming public involvement activities.

## ICP Progress

Craun delivered a presentation on the status of cleanup at the INL site. The presentation is available on the INL Site EM CAB website: <http://inlcab.energy.gov/>.

Brown provided additional information about an excavator fire that occurred at the Accelerated Retrieval Project (ARP). The fire resulted when a hydraulic hose broke (a relatively common occurrence with heavy equipment) and the fluid came into contact with a turbocharger on the excavator. Operators responded appropriately, quickly extinguishing the fire even before it had triggered the on-board fire suppression system. The whole incident took about 40 seconds. Brown noted that the drills they run routinely really helped ensure appropriate and fast response action.

Bohrer asked if any changes were made or any corrective actions were implemented following the fire. Brown responded that they looked at several areas. One change they are evaluating is to add a shutoff valve on the hose. They also added a cover to the turbocharger, which will prevent fluid reaching the turbocharger.

Johansen and Faulk noted that the agencies and DOE working together to enable the AMWTP soil going to Idaho Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Disposal Facility (ICDF) was a great success story. Changing the pedigree of the soil from RCRA to CERCLA enabled it to be disposed of safely and cost effectively in ICDF. CAB Member Betsy McBride asked for further explanation about ICDF and the soil sent there. Craun clarified that ICDF is a CERCLA disposal facility located near Idaho Nuclear Technology and Engineering Center (INTEC). ICDF cannot accept any waste that is not CERCLA. The soil is low-level waste. Cathy Roemer, CAB Member, asked for further clarification about the change from Resource Conservation and Recovery Act (RCRA) to CERCLA. Nichols explained that there was no change to or processing of the waste but that it was simply a change of the regulatory requirements or pedigree tied to the soil. He also stressed that the change of the waste from RCRA to CERCLA is not an easy change; and that they worked closely with the state. That change saved about 15,000 drum equivalents of storage space at AMWTP.

Bohrer asked about the Los Alamos waste and if there are more shipments planned. Craun responded that there were a total of three shipments of Los Alamos waste; the last one left Idaho yesterday. No additional Los Alamos waste is currently planned to come to Idaho.

Bohrer asked if the cargo container of soil was always planned to go to ICDF or if that was a change. Nichols responded that sending it to ICDF was a change from the original plans based on the current limitations on shipping.

Bohrer asked what the purpose is for the EM Five-Year Review. Faulk responded that this review is statutorily required under CERCLA when waste is left in place. Bohrer asked who makes up the team that conducts the review. Faulk responded that it is DOE and their contractors who submit their findings to EPA for review. EPA can agree with those or submit their own findings. Ultimately EPA makes a determination on whether the remedies are still protective. Bohrer asked about the opportunity for public input into this plan. Craun does not believe that that there is an opportunity for public input. Nicole Hernandez (DOE-ID) noted there is no requirement for public input; the requirement is to provide public notice of the review. However, they make a point of briefing the CABs and CABs can provide recommendations. That briefing is planned for January for the Idaho CAB.

McBride shared an experience she had with a national advisory board session and their consideration of what the public would consider effective and how they would expect to participate. McBride recommended thinking about focus groups or other conversations up front to determine if DOE and agency criteria for effectiveness are the same as what the public thinks. Faulk responded that he likes that idea but thinks it is important to define the purpose and requirements. He shared an experience at Hanford when they tried to get more public input but got caught up in that effort and missed the requirements.

McBride asked why the Integrated Waste Treatment Unit (IWTU) was shut down. Brown responded that the most recent shutdown was caused by issues with bridging in the offgas filter and with a high CO alarm downstream of the mercury absorbers.

Bohrer asked if the West Valley casks are empty. Brown responded that they have fuel in them.

McBride asked about the Settlement Agreement and if there are impacts to bringing in research materials or impacts to other sites because of this delay. Craun confirmed that there are impacts: material cannot be brought in due to the missed milestones. Craun noted that it doesn't really impact other sites. The delay has also resulted in the decision to place an interim cap and then a final cap rather than being able to just install the final cap.

## 20 Years of Public Involvement through the CAB

Rick Provencher, DOE-ID Manager, delivered a presentation on the 20<sup>th</sup> anniversary of the INL Site EM CAB and provided a recap of those 20 years and the accomplishments of the CAB. The presentation is available on the INL Site EM CAB website: <http://inlcab.energy.gov/>. Provencher thanked the CAB members, past and present, for their work on the CAB and providing input to DOE.

Faulk noted that when the Idaho Cleanup Project (ICP), DOE, and the agencies first began negotiations it was intense, but the group really worked together to come up with solutions. It is a testament to the team. That is not the case at other sites.

McBride asked for more information about CAB input regarding spent fuel and calcine. According to Provencher, the major issue facing the country right now is that there is no national repository. The Blue Ribbon Commission (BRC) stressed the need for more public input in siting a facility. McBride asked if Provencher thought the CAB should think about input to the BRC or think about input if Idaho should be one of the storage sites. Provencher noted that there is an overall process that needs to happen nationally. The INL site and the CAB have a vested interest and should continue to follow this topic. There is still a lot of political maneuvering, but at some point there will be an opportunity for the CAB to weigh in. CABs will be well postured to provide input into the decisions long-term.

## EM SSAB Chairs Meeting Recommendation

Bohrer reviewed the draft chairs recommendation regarding initiating the process of permit modifications for additional surface storage at the Waste Isolation Pilot Plant (WIPP). The draft recommendation was developed at the September 2014 EM Site-Specific Advisory Board (SSAB) Chairs meeting.

McBride asked how the New Mexico regulators feel about DOE's ability to safely store the waste. Bohrer responded that the Chairs' discussion didn't discuss that nor did they discuss what sort of permit modifications would be needed.

Faulk noted that the Hanford Advisory Board (HAB) discussed the recommendation it last week. Most HAB members supported it, although a couple did not. WIPP would have to construct some sort of capacity. Trilby McAfee, CAB Member, asked what the opposition from HAB was. Faulk responded that one was from an environmental group, but Faulk wasn't present for the discussion and couldn't provide additional details.

Bob Bodell, CAB Member, asked about storage space at AMWTP. Nichols noted that they are using already permitted space to store waste. They have enough space through 2016. They are considering opening some additional space to help with CWI storage needs. There is enough storage space here for the immediate future, but not indefinitely. Bodell asked how long the storage space will last. Nichols responded that they have space through the end of 2015.

Bohrer noted that the recommendation doesn't recommend that they should go build additional space; it just recommends that if additional space is to be built, it should be built at WIPP.

Kerry Martin (DEQ) recently attended the Western Governors Association Technical Advisory Board meeting and they were supportive of the idea proposed in the recommendation.

CAB Member Marvin Fielding asked if interim storage is needed, wouldn't we prefer to build it here and keep jobs here. Bohrer responded that it is something to think about, but that no analysis has been done to determine how

many jobs or other impacts would result from it. He noted that the efforts to move the waste out of Idaho likely create as many jobs as construction of a new facility would.

McBride noted that WIPP would be accepting waste from sites across the country. If we built additional space in Idaho, would we accept waste from other sites? Craun responded that we have designs laid out for facilities if needed after 2015, but that those facilities would be just for Idaho waste.

Bodell asked about the need for increased shipments once shipments resume to WIPP. Bohrer noted that this is one of the advantages of building storage space at WIPP – the shipments could resume sooner and that would prevent a backlog of waste shipments once WIPP is fully operational.

CAB members agreed to send the recommendation as written.

### **Integrated Waste Treatment Unit Status**

Curtis Roth, DOE-ID, provided a presentation on the Integrated Waste Treatment Unit (IWTU). The presentation is available on the INL Site EM CAB website: <http://inlcab.energy.gov/>.

Bohrer commented that the contractor seriously underestimated the challenges associated with starting up this first-of-a-kind facility. He asked what the original estimate for completion was and what is the current estimate today. Bohrer also asked what liability the contractor has assumed and where the money came from. What hasn't gotten done because of the additional IWTU costs? Craun responded that the original date was to be operational in mid-2012. The cost overruns were borne by the contractor for approximately \$90M. With the extension of the contract, the contractor was not allowed to earn any fee on this portion of the project; there are penalties associated with missing milestones. The contractor has been funding it with cost savings and cost efficiencies from elsewhere in the ICP. Bohrer noted that the contractor has had very good performance in dealing with these challenges.

Brown noted that CWI put \$90M of their own money toward the project and are putting cost savings into the project. He stressed that this is a complicated process. The team is working very hard, doing a good job recognizing problems during this test phase as opposed to rushing the startup and then trying to recover or fix after material is introduced. The team is handling the pressure and stress well. Each time they have learned from it and it's getting better – the building and the process are getting better and the crews are getting more experienced.

Craun noted that the employees on both the contractor side and DOE side are willing to take the data that the plant is providing and make the hard decisions. The decisions are the right decisions. We have learned again the lesson that starting up a first-of-a-kind facility is challenging.

McBride noted that the dashboard says “consent order revised to 31 Dec 2014.” She asked for clarification about the consent order and if it could happen by December 31. Roth responded that we will not meet that milestone, so we are in the process of negotiating with the state right now. He clarified that the original date was December 31, 2012, which was revised to December 31, 2014, and which will now be revised again.

McBride asked what the permit modification is that was mentioned and how significant it is. Roth responded that we have an agreement with the state that says we will have treated the material or we will have limitations on what we can bring in. Roth stated that the permit mod is required for any design changes (e.g., nozzle design). The state determines if it is a change, an improvement, or something totally new and that's what determines the level of the modification. A temporary authorization then allows the contractor to proceed.

McBride also asked for clarification regarding “defining acceptance criteria for initiating radioactive operations.” McBride thought that information would be needed during design and wanted to know why it was coming so late in the process and in startup. According to Roth, the acceptance criteria process is ongoing. There are two different

sets – one that the contractor works to through design and the other that DOE works with HQ counterparts to verify that they agree with the contractor and that they are ready to proceed. Due to the IWTU issues, they wanted to take another look at the waste acceptance criteria. Craun also noted that this is a chance to review the process to date and determine if there is anything extra they need to do prior to going radiologically hot. It is over and above what is already required.

Roger Turner (public) asked about the missed IWTU milestone and the negotiations between the state and DOE regarding the new milestone. Turner thinks the CAB should have a chance to make a recommendation in this. There may be some avenues that the CAB could make recommendations about contingencies based on the revised consent order (e.g., protective measures). Turner believes the CAB should have a role to play in the consent order revisions.

Tami Thatcher (public) noted that she appreciates the level of difficulty with the project and the efforts of the team. She noted that there have been a lot of first-of-a-kind facilities at the INL; however, the wide ranging systemic design problems with this project during minimal operations concern her. She noted that it was difficult for DOE and the contractor to admit that they weren't going to meet the first milestone. And now it is two years later and they are not going to meet this milestone. Thatcher finds it difficult to have confidence that the same discussion won't be happening two years from now.

## **FY-2015 Budget/Plans**

Mark Searle, DOE-ID, presented information about FY-2015 budgets and plans. He noted that there is not a lot to talk about because Congress did not pass a budget. Congress has approved a Continuing Resolution that goes through December 11, 2014. Prior to December 11, Congress could pass individual budget bills, an Omnibus bill, a short-term Continuing Resolution or a Continuing Resolution for the rest of the year. We anticipate that a full-year Continuing Resolution or an Omnibus bill will be passed in December in the \$375M range. In FY-2014 our budget was \$392 million; in FY-2013 it was \$372 million.

## **New Contract Update**

Ric Craun, DOE-ID, presented an update to the INL EM contract procurement. The presentation is available on the INL Site EM CAB website: <http://inlcab.energy.gov/>. Craun stressed that he could only talk about information that is in the public domain

Bohrer noted that the CAB sent a letter to HQ identifying concerns about safety with the contract being split into four. The response received indicated that there will be one safety program, however Craun's presentation seemed to indicate multiple programs. Will there be one safety program or multiple safety programs? Bohrer commented that at some point the CAB would like a response that doesn't disregard the CAB's position. Craun replied that when the D&D contract becomes public, he'll be able to talk about it then. He also indicated that there may be two safety programs but there won't be four.

Bohrer asked how the pre-solicitation meetings and tours went. He asked if the feedback from those meetings resulted in any changes. Craun responded that they are taking the feedback but he cannot talk about the details of the changes. Comments on the draft Request for Proposal (RFP) will be posted and responded to on the publicly available website. Craun confirmed that changes are being made. Bohrer asked about the concerns raised in recent media articles. Craun reiterated that they are getting some very good feedback.

Bodell asked about the process and if contractors have to just keep checking back on the website or if they are notified of updates. Craun responded that they are very near to issuing the draft solicitation for the ICP Core and



the Nuclear Regulatory Commission (NRC) contracts. There will be a period of time for written comment and then they will be finalized.

CAB Member Kristin Jensen asked about the costs for the new contracts and the significant spread in the value of the costs. Craun responded that in the acquisition forecast they base it on the costs associated with the contract.

## **WIPP Update**

Brad Bugger (DOE-ID) provided an update on WIPP. The presentation is available on the INL Site EM CAB website: <http://inlcab.energy.gov/>.

Bohrer asked about the resumption of operations and asked when shipments from other sites would resume. Bugger responded that CY 2016 is targeted for resumption of limited operations, likely just waste already at WIPP.

McBride asked if one of the steps is to figure out if any of the other drums had this same composition, and if there were other drums, how do they know where they are. Bugger responded that yes they did look at the composition of other drums. He also noted that all the drums are carefully documented, so they can determine exactly where they are. That is part of the driver for closing both Panel 7 and 6 because they believe that drums of similar composition are in those areas.

Bohrer asked if they expect to be able to access to the mine without PPE once the decontamination activities are completed. Bugger responded that there will be some areas that will still require PPE but most of the mine areas will not after the decontamination activities are completed.

Bohrer asked if the waste that caused this met waste acceptance criteria (WAC) and was it certified. And if so, how did it get to WIPP and placed? Bugger committed to getting an answer for Bohrer on that topic.

Bodell asked how full WIPP is and if there is room for more panels. Bugger committed to getting an answer for Bodell on that topic.

Ben Roberts (DOE-ID) provided an update on WIPP impacts to Idaho. The presentation is available on the INL Site EM CAB website: <http://inlcab.energy.gov/>.

Bohrer asked if the results of the investigation could change the WIPP WAC. Roberts responded that they believe that the risk of having the WAC change is unlikely. They are certifying at risk, but they believe it is better to continue to move forward.

Johansen asked for clarification about the Los Alamos waste. Roberts commented that we accepted some waste from Los Alamos that was boxed waste that was then processed through the supercompactor to size reduce and then shipped back to Los Alamos.

McBride asked what happened with the space at AMWTP after the retrieval incident in 2010. Roberts responded that the box was barricaded with plywood and roped off. He noted that the corrective actions that were implemented were to ensure that if another similar box were encountered, they would have a process to move forward and ensure protectiveness.

## **Public Comment**

Tami Thatcher commented that at the last CAB meeting she asked how much plutonium was released during the WIPP event. She said the answer provided by DOE was based on the filter information but did not talk about upstream levels. She has asked WIPP but has not received an answer and the WIPP website does not have updated

information. Thatcher would like to know what the amount of release was. She has been told that the WIPP worker doses were less than 20 mrem, but because it was internal it is quite different. Did WIPP assume moderate solubility class when calculating the dose? It matters that the bioassays happened days after the intake.

Thatcher also commented regarding a recent Hanford Tank Waste Vapor report regarding chemical vapor issues at Hanford. Thatcher believes there are chemical vapor issues at INL and hopes that INL is taking a good look at these.

Ramelia Martinez, Sho-Ban Tribal DOE Program, asked about the worker doses for the AMWTP 2010 event. Roberts responded that 20 people had inhalation contamination. It was an extremely small dose, less than their assigned dose of 50 mrem. The workers are all okay.

Roger Turner expressed concern regarding releases when organics are mixed with rad. The RCRA program is permitting some of the processes at INL; they are supposed to keep track of the organic part of it. Normally under RCRA, waste streams and storage areas are sampled as part of waste characterization. The contractor and DOE have submitted a waiver request to use process knowledge rather than characterization for the waste to be processed at IWTU. Turner feels that additional RCRA testing should be undertaken. He recommends a review of RCRA sampling at INL. Turner also commented that he hopes that INL facilities have hydrogen sensors.

### **Accelerated Retrieval Project Update**

Nolan Jensen (DOE-ID) provided an update on the Accelerated Retrieval Project. The presentation is available on the INL Site EM CAB website: <http://inlcab.energy.gov/>.

McBride asked what happened with the tunnel. Jensen responded that the fabric was pulled into the ARP; the scaffolding was rented and has been returned to the company it was rented from.

McBride asked if there will be ongoing monitoring after the cap is placed since waste will be left behind. Jensen responded that yes, there will be long-term monitoring and the specific monitoring program will be developed as part of the cap design process.

### **Settlement Agreement Impacts**

Brad Bugger (DOE-ID) provided an presentation on Idaho Settlement Agreement impacts. The presentation is available on the INL Site EM CAB website: <http://inlcab.energy.gov/>.

Bohrer commented that when WIPP starts up everyone is going to want their waste to go first. He asked if there are ongoing discussions about the priorities on shipments. Do other sites have compelling agreements? Bugger responded that no decisions have been made yet. Idaho will make its case for being a high priority for first and most shipments. Bohrer noted that the CAB would like to weigh in on making Idaho shipments a priority.



Herb Bohrer, Chair  
Idaho National Laboratory Site Environmental Management Citizens Advisory Board  
HB/ar