



Many Voices Working for the Community

Oak Ridge Site Specific Advisory Board

Monthly Meeting of the Oak Ridge Site Specific Advisory Board

APPROVED June 12, 2019, Meeting Minutes

The Oak Ridge Site Specific Advisory Board (ORSSAB) held its monthly meeting on Wednesday, June 12, 2019 at the DOE Information Center, 1 Science.gov Way, Oak Ridge, TN, beginning at 6 p.m. Copies of referenced meeting materials are attached to these minutes. A video of the presentation portion of the meeting was made and is available on the board's YouTube site at www.youtube.com/user/ORSSAB/videos.

Members Present

Leon Baker
Richard Burroughs,
Secretary
Bill Clark
Sarah Eastburn (call-in)
Leon Shields

Eddie Holden
Nannan Jiang
Shell Lohmann, Vice Chair
Harriett McCurdy
Belinda Price, Vice Chair

John Tapp
Ed Trujillo
Rudy Weigel
Dennis Wilson, Chair

Members Absent

Marite Perez
Brooke Pitchers¹
Bonnie Shoemaker
Fred Swindler

¹Third consecutive absence

Liaisons, Deputy Designated Federal Officer, and Alternates Present

Jay Mullis, Department of Energy, Oak Ridge Office of Environmental Management (DOE-OREM) Manager
Laura Wilkerson, OREM Deputy Manager
Alan Stokes, Director, OREM Planning & Execution
Dave Adler, ORSSAB Deputy Federal Designated Officer, DOE-OREM
Melyssa Noe, ORSSAB Alternate Deputy Designated Federal Officer (DDFO), OREM
Kristof Czartoryski, Tennessee Department of Environment and Conservation (TDEC)
Connie Jones, U.S. Environmental Protection Agency (EPA) (call-in)

Others Present

Brian Henry
Ben Williams
Shelley Kimel, ORSSAB Support Office
Sara McManamy-Johnson, ORSSAB Support Office

11 members of the public were present.

Mr. Mullis recognized exiting board members Belinda Price and Eddie Holden and presented each with a plaque in thanks for their service to the board. He also recognized exiting board members David Branch and Martha Deaderick, both absent.

Liaison Comments

Mr. Mullis – Mr. Mullis said OREM is making very good progress at East Tennessee Technology Park. He also recommended members of DOE’s recent video series about the research being done at ORNL for OREM’s mercury cleanup work. He told members the videos are available on OREM’s website, its Facebook page, and its YouTube channel.

Mr. Czartoryski – Mr. Czartoryski said that from the State of Tennessee’s perspective, he wanted to stress the importance of steady budgets.

Ms. Jones – Ms. Jones said she agreed with Mr. Czartoryski’s comment regarding the importance of steady budgets.

Presentation

Ms. Lohmann introduced board members to Mr. Stokes, who joined Mr. Mullis as presenter for the evening’s topic, OREM’s FY21 Budget and Priorities.

Mr. Stokes gave members an overview of the federal budget process to provide context for the discussion (see Attachment 1).

He said the Executive Branch is responsible for requesting how much money they want to spend and what they’re going to spend it on to Congress. Congress, though, has the final say. They’re the ones who actually decide how much money will be spent and what it will be spent on. Then it goes back to the Executive Branch to execute what Congress has enacted.

He said the actual budget process is really a series of steps of consolidation and prioritization at progressively higher levels.

Mr. Stokes told members it takes two years to go through the full process to final approval, so OREM is now developing the fiscal year (FY) 2021 budget. He said the FY 2020 President’s Request budget is currently in Congressional subcommittees.

He said Oak Ridge’s budget development is just an extension of OREM’s planning process. The first step of that process is identifying what work needs to be done to complete the cleanup of the reservation. He said OREM is constantly looking all the way to what work needs to be done to complete the EM mission at Oak Ridge.

After defining the scope, planners develop a cost estimate for labor and material resources. Next, they develop a timeline, including how long it will take and in what order it should be done. They then do an analysis of what can change or go wrong, and make sure that is factored in.

Mr. Stokes said OREM has 147 subprojects – those can include demolition of a complex of buildings, remediation of soil in a specific area at a site, operating a waste treatment facility, or doing surveillance and

maintenance on our excess facilities, for example. These subprojects are broken down into more than 20,000 scheduled activities that are funded from 13 Congressional accounts.

Next, Mr. Stokes provided specific OREM budget details. He said the FY 2019 budget, at about \$650 million was a good budget for Oak Ridge.

OREM's budget consists of three appropriations: UED&D Fund, which is a special trust fund that was created by Congress to clean up the three gaseous diffusion plants – ETTP, Paducah and Portsmouth; Defense; and Non-Defense.

He explained that the UED&D Fund was created with money paid by the utility companies that benefited from operations of the gaseous diffusion plants. ETTP cleanup is funded through this account.

The Non-Defense appropriation is used to honor OREM's commitments in the Memorandum of Agreement (MOA) for the historical significance of K-25, said Stokes.

The Defense appropriation, OREM's largest appropriation, funds waste operations, surveillance and maintenance (S&M) on excess facilities, and disposition of the remaining U-233 material stored at ORNL.

In FY 2019, OREM received a significant amount of funding to begin constructing the new Mercury Treatment Facility (MTF) at ORNL. Also in FY 2019, Congress appropriated money to begin cleanup in the central campus at ORNL.

Mr. Stokes said OREM has seen a steady increase in funding, and it has been consistently in the \$650 million range the last two years. He said UED&D appropriations have been consistently at a level to maintain the trained and skilled workforce to complete the cleanup at ETTP, and the funding for historic preservation commitments at K-25 have also been consistent.

For the last two years, the Defense Fund has seen increases. Mr. Stokes said this is noteworthy because if this fund is increased and sustained, OREM can transition the workers at ETTP who are currently funded from UED&D to the Defense Fund for cleanup at ORNL and Y-12. Once ETTP is done, the money from the UED&D Fund will go to Paducah and Portsmouth instead of Oak Ridge.

Mr. Stokes said the President's Request Budget for FY 2020 shows a decrease, however, the House markup and the expected Senate markup indicate OREM can expect funding in the \$600 million range.

Mr. Mullis then presented OREM's near-term goals.

He referred members to the OREM Program Plan – updated in 2017 and available to view on OREM's website – which shows OREM's four cleanup goals. He said there are four programmatic goals as well, but they're not specific for cleanup. He said this ensures everyone in the organization or the stakeholders are familiar with OREM's goals to advance the cleanup mission in Oak Ridge.

Mr. Mullis said OREM is on track to achieve its Vision 2020 goal to have the majority of the cleanup completed there. He said all the buildings will be on the ground and most of the soil work will be done though there may still be some soil work needed. All the groundwater remediation will take slightly longer, but the hope is for groundwater decisions to be made by 2020. He listed examples of some of the work already completed at ETTP, including K-1037 and K-29. He said one Poplar Creek facility remains, and when it is gone, all the gaseous diffusion facilities at the site will have been dealt with and disposed of. Currently, OREM is working on the centrifuge facilities now and is preparing centrifuges to ship out west – some of them have already gone.

Next Mr. Mullis showed a map of progress at the site, and said that ideally the little bit left out there,

including the K-25 History Center, will be transferred to the Office of Legacy Management (LM) by 2024 and EM will be completely focused on ORNL and Y-12.

Mr. Mullis next discussed OREM's U-233 Disposition activities. He said OREM direct-shipped about half the U-233 inventory a couple years ago, which was completed ahead of schedule and under budget. He said OREM has been working on the design and the buildout in the 2026 facility, which is the hot cell facility. To help accelerate the project, OREM worked with a contractor that will work some of the lower activity material in a glovebox so OREM can more quickly disposition the remaining material. He said OREM is scheduled for the readiness assessment (RA) for that in August, so hopefully by the end of the year, OREM will be doing some processing there while they're also doing the buildout of the hot cell.

Moving on to shipping at the Transuranic Waste Processing Center (TWPC), Mr. Mullis said both remote-handled (RH) and contact-handled (CH) wastes are more than 95 percent processed, with about three-fourths of total CH already shipped. No RH waste has shipped; OREM is storing that material currently. He said headquarters is considering how to coordinate all the shipping campaigns throughout the nation for the RH when the Waste Isolation Pilot Plant (WIPP) begins accepting it, which they're not ready for yet. OREM developed storage containers to allow the material to be temporarily stored in overpacks at a UCOR-operated facility. Mr. Mullis said OREM has also offered those overpacks to WIPP.

Mr. Mullis said OREM has infrastructure work planned in preparation for its upcoming focus on D&D at ORNL and Y-12. For example, there are plans to extend the haul road to ORNL, similar to what was done at ETTP. At Y-12, part of it is building the Mercury Treatment Facility (MTF) near Outfall 200 to collect the waters from there. He said early site preparation was completed several months ahead of schedule and several million dollars under cost, and construction was about to begin. He said the construction project may be fully funded, given the funding received in FY 2019 and House and Senate marks.

Mr. Mullis added that there are more excess, high-risk facilities in Oak Ridge than at any other site, but the funding received between FY 2016 and FY 2019 has allowed OREM to move ahead of that much quicker than our original anticipated.

Mr. Mullis next showed images of some of EM's excess facilities at Y-12, including the Alpha 4 Column Exchange (COLEX) at Y-12. He said OREM has collected and is storing about 5 tons of liquid mercury between this facility and the equipment on the other side. Regulatory issues have prevented OREM from shipping the material, and officials are currently seeking ways to remove it from Oak Ridge.

Mr. Mullis said that while the goal for cleanup at ETTP is to ultimately transition the site to the community for redevelopment, the goal for cleanup at Y-12 and ORNL is to enable future missions. For example, he said that as soon as the Biology Complex at Y-12 is gone, construction should begin on a new lithium processing facility at the site. Similarly at ORNL, an area OREM cleaned up a few years ago is now slated to be the location of ORNL's new Translational Research Facility. Additionally, he said OREM will be doing D&D at Building 3026 while new construction is underway. Future plans, he said include D&D of reactors at ORNL so those sites can be reused by the Office of Science.

Mr. Mullis said that OREM will need additional landfill capacity and is working with regulators on that. He said OREM is on track to submit the ROD for the proposed facility to regulators in the August timeframe.

After the presentation, board members asked the following questions:

- Mr. Weigel asked how appropriations subcommittees in the House and the Senate know the specifics of what is involved with the cleanup at the individual sites.
 - Mr. Stokes said subcommittee staff are very familiar with all the sites. Mr. Mullis added that if a subcommittee member felt additional information was still needed, staff sometimes follows up with site managers with specific questions.
- Ms. McCurdy asked why mercury OREM recovers cannot go into the commercial market.
 - Mr. Mullis said the reason is regulatory. According to Resource Conservation and Recovery Act (RCRA) regulations, elemental mercury must be recycled – put back into commerce. Recent amendments to Toxic Substances Control Act (TOSCA) regulations, however, prohibit federal agencies from putting elemental mercury back into commerce. He said OREM submitted a recommendation to headquarters for DOE General Counsel to work with the EPA to find a solution.
- Mr. Trujillo asked how much mercury has been collected and stored.
 - Mr. Mullis said about 5 tons has been collected out of this project.
- Mr. Trujillo next asked whether FFA milestones are included in the budget requests.
 - Mr. Stokes said OREM budget requests sent to headquarters identify what budgets OREM needs to be in compliance and to meet all the FFA milestones.
- Mr. Trujillo asked whether the disposition and handling of transuranic (TRU) waste differs from contaminated waste since TRU waste is classified based on how it originated versus radioactivity.
 - Mr. Mullis said the material is characterized, and the material found to be low-level waste will be so that material will be shipped and disposed of separately. What remains as TRU waste is packaged for shipment to WIPP.
- Mr. Trujillo asked how long the cleanup for Y-12 and ORNL are expected to take.
 - Mr. Mullis said OREM's baseline goes out to 2047.
- Mr. Trujillo asked how DOE accesses privately owned technologies.
 - Mr. Mullis said that's typically done through contracting where the prime contractor subcontracts with the company to bring in the technology. During a procurement, however, companies are often concerned about sharing proprietary technologies with a competitor, so OREM is considering options to demonstrate new technologies while protecting trade secrets. He said OREM is considering converting an existing facility to a testing facility where companies can demonstrate their technology on the soils and building debris unique to Oak Ridge.
- Mr. Wilson asked whether recent DOE efforts shift contracting toward end-state contracting will continue moving forward.
 - Mr. Mullis said comments from DOE leadership indicate there will still be a focus on end-state contracting. He added that although there have been varying interpretations of "end-state contracting," it's really about making sure everything is truly done at the end. He said OREM has been doing that since UCOR came in because all OREM's performance-based incentives (PBI) are focused on getting to an end-state. He said UCOR must have a certificate of destruction or disposal to receive the maximum PBI payment.
- Mr. Wilson asked whether ORSSAB will see a version of the new 10-year plan.
 - Mr. Mullis said he's not certain what the ultimate disposition of that – now called an

Alternatives Analysis – will be under the new DOE leadership. He added that OREM’s accelerated plan looks very similar to its current plan; it’s mostly funding driven because 80-85 percent of OREM’s cost is labor instead of materials.

- Mr. Clark asked if the ORNL and Y-12 buildings highlighted during the presentation will be demolished.
 - Mr. Mullis said the map, created two years ago, shows 10 years out, so it includes buildings that are either currently excess or will be. He said the majority will be slated to come down, and some may end up being reused because missions are changing.
- Mr. Clark next asked if buildings will be constructed to replace the buildings being torn down.
 - Mr. Mullis said ORNL will make that final determination, but in OREM’s discussion with them so far, they would like to remove the majority of the facilities in Isotope Row, called the spine of the lab, and they will come back in behind and build. He said that at Y-12, their plan is to build a new lithium processing facility on the site of the Biology Complex after it is removed.

Public Comment

- Amy Fitzgerald asked whether the UED&D Fund would pay for the costs associated with the long-term institutional controls and the monitoring that will be required at ETTP, or if those costs would transfer to the Office of Legacy Management (LM).
 - Mr. Mullis said LM does a 75-year budget, so OREM is talking with them now about when they take those types of institutional controls. For example, he said, if OREM has to install a pump-and-treat or some type of system like that, OREM would install it and run it for a year, then LM would take it over, but it wouldn’t come out of UED&D.
- Next, Ms. Fitzgerald asked what can be done to ensure Oak Ridge is toward the front of the line since Oak Ridge will have to complete with the other DOE sites in scheduling WIPP shipments.
 - Mr. Mullis said Oak Ridge’s use of remote-handled overpacks (ROPs) could help.
- Luther Gibson asked where post-retirement benefits stand in the current budget priority. Additionally, Mr. Gibson suggested OREM consider returning to the Community Budget Workshop format with a process for collecting comments over a period of time.
 - Mr. Stokes said post-retirement benefits is one of the first items factored into the budget.

Board Business/Motions

1. Mr. Wilson asked for a motion to approve the meeting agenda.
 - a. **6/12/19.1 Motion to approve the agenda**
Mr. Shields approved, Mr. Burroughs seconded. Motion passed unanimously.
2. Mr. Burroughs presented the previous month’s meeting minutes and asked for a motion to approve.
 - a. **6/12/19.2 Motion to approve previous meeting minutes**
Mr. Shields motioned, Mr. Wilson seconded. Motion passed unanimously.
3. Mr. Wilson asked for members to serve on a nominating committee for election of officers. Ms. Eastburn volunteered to serve.
4. Mr. Wilson briefly summarized two recommendations proposed during the EM SSAB Chairs’ Meeting. He said the recommendation on the review of cleanup milestones includes recommendations for consistent terminology and updates on slippages in timeline. Mr. Weigel expressed concerns that additional reporting on milestones and timeline slippages could create problems. Mr. Burroughs

recommended tabling the recommendations until the Annual Planning Meeting in August to allow for further discussion during the Environmental Management and Stewardship Committee Meeting.

a. 6/12/19.3 Motion to table approval of recommendations from the EM SSAB Chairs' Meeting until a later day

Mr. Weigel motioned, Mr. Trujillo seconded. Motion passed with Ms. Price and Mr. Tapp abstaining

Responses to Recommendations & Alternate DDFO Report

Ms. Noe said there are no outstanding recommendations. She said ORSSAB's New Member Packets were approved, so there will be five new members. She said all members are welcome to attend the New Member Orientation tour in July, and she reminded members of the Annual Planning Meeting scheduled for August 24 at Tremont Lodge & Resort in Townsend.

Committee Reports

Executive – Mr. Wilson said members discussed plans for the June monthly meeting and the Annual Planning Meeting, as well as the new members.

EM & Stewardship – Mr. Shields said Mr. McMillan reviewed the tour of ORNL excess facilities in April, and members extensively discussed excess facilities, extending the life of facilities and reducing costs for surveillance and maintenance.

Additions to the Agenda & Open Discussion

None

Action Items

Open

None

Closed

None

The meeting adjourned at 7:50 p.m.

I certify that these minutes are an accurate account of the June 12, 2019, meeting of the Oak Ridge Site Specific Advisory Board.

Richard Burroughs, Secretary



Dennis Wilson, Chair
Oak Ridge Site Specific Advisory Board
DW/sbm

August 24, 2019