THE NGA–DOE GRANT TO EXAMINE CRITICAL ISSUES RELATED TO
RADIOACTIVE WASTE AND MATERIALS DISPOSITION INVOLVING DOE
FACILITIES

QUARTERLY REPORT

May 1, 1999–July 30, 1999

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Abstract

Through the National Governors' Association (NGA) project "Critical Issues Related to Radioactive Waste and Materials Disposition Involving DOE Facilities" NGA brings together Governors' policy advisors, state regulators, and DOE officials to examine critical issues related to the cleanup and operation of DOE nuclear weapons and research facilities. Topics explored through this project include:

- ◆ Decisions involving disposal of mixed, low-level, and transuranic (TRU) waste and disposition of nuclear materials.
- ◆ Decisions involving DOE budget requests and their effect on environmental cleanup and compliance at DOE facilities.
- ◆ Strategies to treat mixed, low-level, and transuranic (TRU) waste and their effect on individual sites in the complex.
- ◆ Changes to the FFCA site treatment plans as a result of proposals in the Department's Accelerating Cleanup: Paths to Closure plan and contractor integration analysis.
- ◆ Interstate waste and materials shipments.
- ◆ Reforms to existing RCRA and CERCLA regulations/guidance to address regulatory overlap and risks posed by DOE wastes.

The overarching theme of this project is to help the Department improve coordination of its major program decisions with Governors' offices and state regulators and to ensure such decisions reflect input from these key state officials and stakeholders.

This report summarizes activities conducted during the quarter from May 1, 1999, through July 30, 1999, under the NGA grant. The work accomplished by the NGA project team during the past four months can be categorized as follows:

- ◆ maintained open communication with DOE on a variety of activities and issues within the DOE environmental management complex;
- ◆ maintained communication with NGA Federal Facilities Compliance Task Force members regarding DOE efforts to formulate a configuration for mixed low-level waste and low-level treatment and disposal, external regulation of DOE; and
- ◆ continued to facilitate interactions between the states and DOE to develop a foundation for an ongoing substantive relationship between the Governors of key states and Secretary Richardson.

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Executive Summary

This report summarizes activities conducted during the quarter from May 1, 1999 through July 30, 1999, under the National Governors' Association (NGA) project, "Critical Issues Related to Radioactive Waste and Materials Disposition Involving DOE Facilities." The overarching theme of this project is to help the Department improve coordination of its major program decisions with Governors' offices and state regulators and to ensure such decisions reflect input from these key state officials and stakeholders.

NGA project team activities during this reporting period were focused on facilitating interactions between the states and DOE on developing the foundation for an ongoing substantive relationship between the Governors of key states and Secretary Richardson. These activities included developing an agenda for the May 7 meeting between the states and DOE, facilitating conference calls, organizing the May 7 meeting, and drafting and revising the report, *Cleaning Up the Nuclear Weapons Complex: A Governor's Primer*.

NGA continues to work with DOE and keep the states informed on a variety of activities and issues within the DOE environmental management complex.

Introduction

Through the National Governors' Association/DOE grant, NGA brings together Governors' policy advisors, state regulators, and DOE officials to examine critical issues related to the cleanup and operation of DOE nuclear weapons and research facilities. Topics explored through this project include:

- ◆ Decisions involving disposal of mixed, low-level, and transuranic (TRU) waste and disposition of nuclear materials.
- ◆ Decisions involving DOE budget requests and their effect on environmental cleanup and compliance at DOE facilities.
- ◆ Strategies to treat mixed, low-level, and transuranic (TRU) waste and their effect on individual sites in the complex.
- ◆ Changes to the FFCA site treatment plans as a result of proposals in the Department's *Accelerating Cleanup: Paths to Closure* plan.
- ◆ Interstate waste and materials shipments.
- ◆ Reforms to existing RCRA and CERCLA regulations/guidance to address regulatory overlap and risks posed by DOE wastes.

The overarching theme of this project is to help the Department improve coordination of its major program decisions with Governors' offices and state regulators and to ensure such decisions reflect input from these key state officials and stakeholders.

This report summarizes activities conducted during the quarter from May 1, 1999 through July 30, 1999, under the NGA project. The work accomplished by the NGA project team during the past three months can be categorized as follows:

NGA project team activities during this reporting period were focused on:

- ◆ providing strategic input to DOE on how to organize interaction with the Governors' offices and the Secretary Richardson;
- ◆ convening conference calls with the Governors' staffs of the states involved in the potential Governors' Roundtable;
- ◆ planning and organizing the May 7, 1999 meeting between the states and DOE; and
- ◆ drafting and revising *Clean Up of the Nuclear Weapons Complex: A Governor's Primer*.

NGA continues to work with DOE and keep the states informed on a variety of activities and issues within the DOE environmental management complex. The NGA project team has been staying abreast of next steps in the WM PEIS LLW and MLLW Records of Decisions process through electronic mail and phone calls with DOE staff.

Results and Discussion

State Dialogue

Among the activities we focused on during this reporting period were facilitating interactions between the states and DOE on developing the foundation for an ongoing substantive relationship between the Governors of Colorado, Idaho, New Mexico, Nevada, Ohio, South Carolina, Tennessee, and Washington and Secretary Richardson.

The NGA project team facilitated a states-only conference call on May 3, in preparation for the meeting in Chicago. States discussed their expectations for the upcoming meeting and for the overall process for working with DOE.

We organized and attended the May 7 meeting between the Governors' representatives and DOE staff in Chicago, Illinois. NGA secured a hotel for the meeting, provided all logistical support at the meeting, and facilitated the discussion at the meeting. Topics at the meeting included the Waste Management Programmatic Environmental Impact Statement (WM PEIS), the "summit" or "roundtable" to be held between Secretary Richardson and the eight Governors, and key issues between the states and DOE.

As follow-up to the state/DOE meeting we prepared a brief summary for use by DOE and states in their conversations during May and June. We also organized and participated a state/DOE conference call to discuss feedback from the May 7 meeting, and to discuss plans for DOE visits to the states regarding the WM PEIS Records of Decisions.

We organized and participated a state/DOE conference call on June 30 to discuss DOE's impressions following its individual meetings with the states, and to discuss and plan the framework leading up to a potential meeting between the Governors and Secretary Richardson in September.

We made progress on revising sections of the *Governors' Primer* that will help explain in laymen's terms, each site's current and potential role in the complex, and show the interrelationships and cumulative impacts of DOE's potential decisions affecting the nation.

Chris Hanson of Ross & Associates prepared and participated in a panel at DOE's Central Internet Database Workshop held in Columbia, Maryland on June 3-4, 1999.

Conclusion

NGA will continue to work with DOE and keep the states informed on a variety of activities and issues within the DOE environmental management complex. The NGA project team has been staying abreast of follow-up activities from the DOE "Proposed Configuration Workshop for MLLW and LLW" by being in the review loop for materials through electronic mail and phone calls with DOE staff and contractors.