



*Many Voices Working for the Community*

# Oak Ridge Site Specific Advisory Board

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July 16, 2003

Ms. Jessie H. Roberson  
Assistant Secretary for Environmental Management (EM-1)  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

Dear Ms. Roberson:

## **Recommendation to Accelerate Removal of Remote-Handled Transuranic Waste from the Oak Ridge Reservation**

Thank you very much for your letter dated June 2, 2003, acknowledging the March 29, 2003, letter regarding the recommendations on transuranic (TRU) waste management resulting from the January 30-February 1 Site Specific Advisory Board (SSAB) workshop in Carlsbad, New Mexico. The Oak Ridge SSAB was pleased to have many of its members participate in the workshop and to endorse the resulting recommendations.

The recommendations approved at the workshop represented statements about issues of concern that were common to stakeholders across the sites. It was not possible to capture every site-specific concern that existed, nor was it necessary for the workshop to be successful.

Since the workshop, we have continued to monitor activities related to disposition of TRU waste at the Waste Isolation Pilot Plant (WIPP) and would like to take this opportunity to reiterate and comment on the site-specific concerns presented as our top three issues at the workshop:

**Timely acceptance of remote-handled (RH) TRU waste at WIPP.** Oak Ridge has approximately 90% of the RH-TRU curie activity in the DOE Complex. A state-of-the-art processing facility has been constructed under a privatization contract to perform characterization, treatment, and repackaging of legacy RH and contact-handled (CH) TRU waste. Oak Ridge's strategy is based on separation of low-level waste to minimize the amount of TRU waste disposed of at WIPP. Some of the RH-TRU is stored in shallow burial in the very wet Oak Ridge environment and cannot be staged through engineered storage facilities and on to processing until the backlog is worked off. Processing cannot proceed until waste characterization program requirements under the pending RH-TRU waste permit modification

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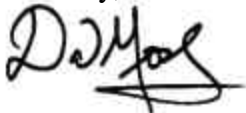
request are better understood. The response from DOE Carlsbad Field Office and Washington TRU Solutions to the State of New Mexico Environment Department on the notice of deficiency for that permit modification request indicates fundamental disagreement on the current legal standard for a RH-TRU mixed waste characterization program. It causes reasonable concern to stakeholders about timely resolution. For this reason and complications due to revised budget allocations, the operational activities at the TRU waste processing facility have been adjusted, but further accommodation likely cannot be made without jeopardizing the investment in and cost-effective utilization of resources and capability. ORSSAB feels strongly that the TRU must be removed from the Oak Ridge Reservation. Long-term storage of RH-TRU could be costly should WIPP not receive permitting from the state of New Mexico.

**Acceptance of unique TRU waste streams at WIPP.** Unique or orphaned TRU waste streams of interest to Oak Ridge include “non-defense” and polychlorinated biphenyl (PCB) contaminated TRU waste. Other sites also have these types of waste. While the volumes are small at Oak Ridge, the mortgage cost of long-term storage remains if these waste streams remain orphaned. We support the necessary legislation and regulatory changes to enable the disposal of unique waste streams provided that direct disposal of waste streams without treatment will not cause WIPP capacity to be exceeded. We noted that the volume of TRU waste in storage and anticipated to be generated, as reported by the nine sites participating in the workshop, summed to 226,521 m<sup>3</sup>. The Land Withdrawal Act, as currently amended, limits the volume of TRU waste that may be disposed of at WIPP to 6,200,000 ft<sup>3</sup> (175,563 m<sup>3</sup>). Although the site reports may have been inflated by some waste streams that are not completely characterized, as well as some for which DOE and stakeholders disagree on retrieval and shipment to WIPP, there appears to be a potentially reasonable concern.

**TRU waste shipment logistics to WIPP.** This issue was raised prior to the workshop to capture potential concerns beyond the first two stated. Although we could not share the same joy as workshop participants that saw actual waste containers from their sites being placed in the underground, the presented planning and strategy that assures availability of assets favorably impressed us and, at this time, we offer no additional comments in this area.

Please accelerate the removal of RH-TRU and orphaned waste from Oak Ridge. We appreciate your consideration of our recommendation and look forward to your response.

Sincerely,



David N. Mosby, Chair  
Oak Ridge Site Specific Advisory Board

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cc:

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