



Nevada Site Specific Advisory Board (NSSAB)

Full Board Meeting

**National Atomic Testing Museum
755 East Flamingo, Las Vegas, NV
5:00 p.m. – January 21, 2015**

Members Present: Amina Anderson, Michael Anderson, Michael D'Alessio, Pennie Edmond, Donna Hruska (Chair), Janice Keiserman (Vice-Chair), James Manner, Michael Moore, Donald Neill, Steve Rosenbaum, Edward Rosemark, William Sears, Thomas Seley, Cecilia Flores Snyder, Jack Sypolt, James Tallant, Francisca Vega

Members Absent: None

Liaisons Present: Phil Klevatorick (Clark County), Richard Arnold (Consolidated Group of Tribes and Organizations [CGTO]), Darrell Lacy (Nye County Nuclear Waste Repository Project Office [NWRPO]), Christine Andres (State of Nevada Division of Environmental Protection [NDEP]), Jonathan Penman-Brotzman (U.S. National Park Service [NPS])

Liaisons Absent: Ralph Keyes (Esmeralda County Commission), Mike Lemich (White Pine County Commission), Charlie Myers (Elko County Commission), Kevin Phillips (Lincoln County Commission), Dan Schinhofen (Nye County Commission)

Department of Energy (DOE): Kevin Cabble, Kelly Snyder (Deputy Designated Federal Officer [DDFO]), Scott Wade

Facilitator: Barb Ulmer (Navarro-Intera [N-I])

Public Signed In: Sydney Gordon (National Security Technologies), Susan Krenzien (N-I), Dona Merritt (N-I), Patty Neese (N-I), Bruce Samuels (Henderson, NV), Ray Sitkiewicz (Las Vegas, NV), Billy Smith (Las Vegas, NV), Vinny Spotleson (Senator Reid's Office – Las Vegas, NV)

Open Meeting/Chair's Opening Remarks

Following Chair Donna Hruska's opening remarks, Member Michael D'Alessio moved to approve the agenda as presented. The motion was seconded and passed unanimously.

Public Comment

There was no public comment.

U.S. DOE Update (*Scott Wade, DOE*)

Scott Wade stated that the Secretary of Energy and the Governor of Nevada established a working group in August 2013 to address waste issues at the Nevada National Security Site (NNSS). In December 2014, a Memorandum of Understanding (MOU) was issued that formalized the NNSS Working Group's activities, setting the framework for continued interactions between DOE and the State of Nevada. Included in the MOU was a list of discussion topics: expanded missions at the NNSS, waste issues, low-level waste (LLW) classification, public health and safety particularly as it relates to transportation, and an ongoing commitment to communication education for stakeholders. The MOU did not provide a final decision on the Consolidated Edison Uranium Solidification Project (CEUSP) material from Oak Ridge. The NNSS Working Group will continue its dialogue regarding the CEUSP material, and there is no shipping schedule or completion of actions.

Mr. Wade highlighted that the Record of Decision (ROD) for the Site-Wide Environmental Impact Statement (SWEIS) for the NNSS was issued in December 2014. The last SWEIS for the NNSS was issued in 1996. Update of the current SWEIS began in 2009, and the final SWEIS was issued in February 2013. The SWEIS supports decision-making for activities at the NNSS for the next ten years. The NSSAB Office will provide additional information and links to the SWEIS Summary, final SWEIS, and ROD. Members are asked to let the NSSAB Office know if they have an interest in learning more about the SWEIS process.

Mr. Wade touched on the NNSS Waste Acceptance Criteria (WAC) that contains the requirements all generators must meet before shipping low-level waste (LLW) or mixed LLW to the NNSS. The current NNSS WAC, Revision 10, was issued in June 2013. Following discussions with stakeholders and the State of Nevada regarding concerns with the current revision, DOE is in the process of changing certain areas back to the Revision 9 version in regard to plutonium equivalent grams per packaging and transportation requirements language.

Congress issued an omnibus bill that covers the remainder of fiscal year (FY) 2015, including Environmental Management (EM) activities at the NNSS, resulting in a \$64.5 million budget for the Nevada Field Office (NFO), which is a slight increase over recent FY budgets. The NFO will request the Board's input on budget prioritization for FY 2017 at the March 25, 2015 NSSAB Meeting. Mr. Wade continued his update that the President will provide the proposed FY 2016 budget request to Congress for its consideration in early February 2015. The Board will be kept apprised as new information regarding the FY 2016 budget proposal is available.

Mr. Wade noted that Carol Sohn has been selected as the Deputy Manager for the NFO.

The following responses to questions and additional items were provided by Mr. Wade per NSSAB request:

- NNSW WAC, Section 6.4 addresses transportation requirements. Verbiage concerns identified by stakeholders through the review processes prompted DOE to return to a stricter wording (e.g., should vs. shall, etc.) within that section. Also included is a revision of a transportation map of southern Nevada that more clearly displays the prohibited transportation routes.
- DOE Order 435.1, Radioactive Waste Management, includes requirements for all levels of radioactive waste, including LLW, transuranic, and high-level waste. DOE has been reviewing DOE Order 435.1 for several years, and there is no new information on a time frame to share with the NSSAB. Once there is a draft Order, the NSSAB will be provided with a briefing on the proposed changes.
- DOE disposes its transuranic waste at Waste Isolation Pilot Plant (WIPP) in New Mexico. In February 2014, there was an underground fire and a radiological incident within the underground facilities at WIPP. The WIPP Recovery Plan is available at <http://www.wipp.energy.gov/wipprecovery/recovery.html>, and outlines the necessary steps to resume limited operations in calendar year 2016.

Liaison Updates

Clark County (*Phil Klevorick*)

Liaison Phil Klevorick reported that he is reviewing the NNSW SWEIS and ROD to verify that Clark County's comments were addressed. He is also reviewing safety evaluation reports for the Yucca Mountain EIS. Liaison Klevorick will be attending a public meeting in January 2015 in San Juan Capistrano, California, regarding the San Onofre Nuclear Generating Station shutdown and disposition plans. Mr. Klevorick is also involved in the National Transportation Plan that addresses transportation of radioactive materials nationwide.

CGTO (*Richard Arnold*)

Liaison Richard Arnold reported that he participated last month in a tribal summit held by DOE; Secretary Moniz met with various tribes throughout the United States. During the tribal summit, Liaison Arnold was involved in meetings with the EM/DOE State Tribal Government Working Group (STGWG) and the Office of Nuclear Energy (NE). While the NE deals with higher levels of waste than EM addresses, the group received Secretarial support to charter the group, making it an official entity that can function within the DOE regarding issues relating to the NE. The STGWG focused on cleanup activities at DOE sites and national resource damage assessments. Liaison Arnold has been locally working with NFO in examining approaches to facilitate a meeting this year with the local CGTO tribes and Acting Assistant Secretary Mark Whitney. Liaison Arnold is also involved in the National Transportation Plan, along with a tribal caucus within the National Transportation Stakeholders Forum (NTSF) that engages in discussions involving transportation of radioactive waste. Liaison Arnold will be meeting with the NE and NTSF at a tribal conference in San Diego, California in January 2015 to evaluate multiple topics, including the Stakeholder Tool for Assessing Radioactive Transportation (START), a new tool to evaluate waste transportation routing across the country. CGTO will also be participating in Energy Communities Alliance's peer exchange to share ideas that will take place in Washington, D.C.

NWRPO (*Darrell Lacy*)

Liaison Representative, Darrell Lacy, reported that he, John Klenke, and Levi Kryder are the members of the NWRPO whose main focus was Yucca Mountain with the NNSW being a

secondary focus. He expressed the NWRPO's desire to remain involved with the NSSAB along with other groups with similar interests.

NDEP (*Christine Andres*)

Liaison Christine Andres reported that the Yucca Flat External Peer Review Panel issued their final report with their recommendations. NDEP has been in discussion with NFO and its contractors to determine a path forward based on these recommendations. Liaison Andres highlighted NDEP's acceptance of Frenchman Flat moving forward to the closure stage. This is a significant milestone as it is the first Underground Test Area (UGTA) corrective action unit (CAU) to reach the closure phase. NDEP and NFO are currently working on use restrictions and regulatory boundaries for the Frenchman Flat CAU. Liaison Andres made a distinction that when "the State" is utilized in discussion, the agencies involved differ in relation to the activity being discussed. "The State" can be segregated into "the policy" versus "the technical." When discussing the high-level NNSS Working Group, the Governor's Office, or the Nuclear Waste Projects Office, these discussions fall into the policy side of "the State." Her office, the Bureau of Federal Facilities, NDEP, is involved with the technical side of "the State" that addresses waste profiles and the day-to-day activities at the NNSS.

NPS (*Jonathan Penman-Brotzman*)

Liaison Jonathan Penman-Brotzman reported that he is reviewing the NNSS SWEIS. Liaison Penman-Brotzman affirmed that Death Valley National Park is concerned with groundwater issues and transportation of LLW in corridors near the park and Armargosa Valley.

Assessment of the UGTA Quality Assurance Plan (QAP) Implementation (Work Plan Item #8) (*Francisca Vega and Cecilia Flores Snyder*)

Member Francisca Vega and Member Cecilia Flores Snyder attended the UGTA QAP Oversight Assessment of the Desert Research Institute on December 8-9, 2014. Member Vega and Member Snyder provided an update and discussed their observations with the Board.

Following extensive Board discussion and dialogue, the NSSAB Office will prepare a draft recommendation letter including these observations that will be discussed and voted upon at the February 18, 2015 meeting.

NSSAB Recommendation for Annual Nevada National Security Site Environmental Report (NSSER) (Work Plan Item #5)

A draft recommendation letter regarding the Annual NSSER (Work Plan Item #5) was reviewed and discussed by the Board. Member Michael Moore moved to accept the draft recommendation letter with revised language. The motion was seconded and passed unanimously.

NSSAB Recommendation for Potential New Resource Conservation and Recovery Act (RCRA) Part B Permitted Mixed Waste Disposal Unit (Work Plan Item #9)

A draft recommendation letter regarding the Potential New RCRA Part B Permitted Mixed Waste Disposal Unit (Work Plan Item #9) was reviewed and discussed by the Board. Member Moore moved to accept the draft recommendation as written. The motion was seconded and passed unanimously.

Update on Groundwater Animation (Dona Merritt, N-I)

- In May 2014, the NSSAB was asked to provide a recommendation, from a community perspective, on ways the NNSS Communication Plan for Groundwater Sampling Results may be enhanced
- NSSAB recommended that DOE develop a graphic representation that depicts:
 - Location of the underground tests
 - Direction groundwater is traveling
 - Current basic sampling results (where DOE has found contamination and where it has not)
- Graphic representation could be available to the community on NFO's website
- NSSAB recommended DOE research the best format to depict this information that is easily accessible and understandable by the general public

NSSAB Members and Liaisons were shown a draft groundwater animation and they provided verbal comments as individuals for improving the groundwater animation and followed up with written comments. Written and verbal comments will be reviewed by N-I Public Involvement staff for inclusion in the groundwater animation. No formal recommendation was provided for this agenda item.

Waste Management (WM) Symposia Presentation Review (Work Plan Item #1) (Scott Wade, DOE)

Mr. Wade provided an overview of the presentation, "NNSS Area 5 Radioactive Waste Management Site (RWMS) – Safe, Secure and Responsible Disposal," that he will be giving at the WM Symposia 2015 in Phoenix, Arizona in March 2015. Presentation topics included:

- NNSS
- NNSS Attributes
- DOE Site Comparisons
- LLW Disposal Facility
- Area 5 RWMS
- Area 5 RWMS Environmental Characteristics
- Ongoing Monitoring to Ensure the Safe Performance of the Disposal Facility
- NNSS Waste Acceptance Process
- NNSS WAC
- Waste Profile Review and Approval Process
- LLW/MLLW Disposed at NNSS
- Preparing for Shipments to NNSS
- Waste Transporters (Motor Carriers)
- Generator Locations and General Transportation Routes
- Transportation
- NNSS Disposal: Receipt Process
- NNSS Disposal Facility Activities
- NNSS Disposal: Permanent Burial Process
- Emergency Management Grant Funding
- Emergency Preparedness Partnerships
- Stakeholder Involvement
- In Summary

Chair Hruska's WM Symposia presentation entitled, "NSSAB—Communicating Progress to Stakeholders on Groundwater at the NNSS," and talking points will be emailed to Members and Liaisons for independent review and input. The NSSAB Office will consolidate comments and provide to Chair Hruska to incorporate into the presentation at her discretion. Following Board discussion, Vice-Chair Janice Keiserman made a motion that the NSSAB does not have any recommendations for enhancements to the above two stated presentations at this time for Work Plan Item #1. The motion was seconded and passed unanimously. A letter will be sent to DOE to formalize this decision.

Other NSSAB Business *(Donna Hruska, Chair)*

Chair Hruska reported that she and Vice-Chair Keiserman participated in an EM Site-Specific Advisory Board (SSAB) Chairs' Conference Call on December 15, 2014. Chair Hruska provided the Board with a short synopsis on the topics discussed, including EM budget, frequency of Chairs' interactions, WIPP recovery update, and a wrap-up of the fall National Chairs' Meeting that was held in Idaho Falls in September 2014. During the fall meeting, the EM SSAB generated a draft recommendation regarding WIPP that the NSSAB deferred at its November 19, 2014 meeting as the Board felt that it did not have enough information regarding WIPP. This draft recommendation was discussed during the conference call and two other local SSABs also did not approve the draft recommendation to move forward. The draft recommendation will be revisited at the next EM SSAB National Chairs' Meeting in April 2015.

Chair Hruska and Vice-Chair Keiserman will attend the spring EM SSAB National Chairs' Meeting on April 21 – 23, 2015 in Augusta, Georgia, which will be hosted by the Savannah River SSAB. During these meetings, each of the eight local boards focuses on highlighting a top concern and/or notable accomplishment to bring to EM Acting Assistant Secretary's attention during a round robin session.

Following Board discussion, the Board developed the following round robin topics:

- WM Symposia
- Groundwater Animation
- Recruiting New Members and Diversity of the Board
- Education Process and Opportunities Provided
- Accepted NSSAB Recommendations by DOE in FY 2014

The NSSAB Office will create a PowerPoint slide and talking points incorporating these topics for the spring EM SSAB National Chairs' Meeting.

Communication Improvement Opportunities (Work Plan #10)

In response to providing recommendations on ways that DOE can improve/enhance communication to the public, Member Steve Rosenbaum suggested advertising NSSAB meetings/events at vegasinc.com and in The Sunday. This recommendation will be combined with other communication improvements throughout the FY and will be presented to the DOE for consideration at the end of FY 2015.

Meeting Wrap-Up/Assessment/Adjournment (*Barb Ulmer*)

The next Board meeting will be held on Wednesday, February 18, 2015 at 6 p.m. at the Beatty Community Center, Beatty, Nevada. The annual Groundwater Open House will be held prior to the meeting from 4 – 6 p.m.

Members shared thoughts on improvements/suggestions for future meetings. DDFO Kelly Snyder asked the NSSAB if it would be helpful to get to know each other better by wearing nametags at meetings and events. NSSAB Office will get a quote on providing professional name badges.

Member Jack Sypolt moved that the meeting be adjourned. The motion was seconded and passed unanimously.

Meeting adjourned at 9:07 p.m.