



# Meeting Minutes

January 16–17, 2007



The Idaho National Laboratory (INL) Site Environmental Management Citizens Advisory Board (CAB) held its bi-monthly meeting on Tuesday, January 16, 2007, and Wednesday, January 17, 2007, at the Red Lion Hotel in Idaho Falls. An audio recording of the meeting was made and may be reviewed by phoning Support Services at 208-227-1361.

### Members Present

John Bolliger, Vice Chair  
Richard Buxton, Co-Chair  
Doc DeTonancour  
Bill Flanery, Co-Chair  
Lila Gold  
R.D. Maynard  
Willie Preacher  
Robert Rodriguez  
Fred Sica  
Doug Weir  
Bruce Wendle

### Members Absent

Seth Beal  
Damond Watkins

### Deputy Designated Federal Officer and Liaisons Present

Richard Provencher, Deputy Designated Federal Officer, Department of Energy Idaho Operations Office (DOE-ID)  
Dennis Faulk, U.S. Environmental Protection Agency (EPA), Region 10  
Bruce LaRue (for Kathleen Trever and Daryl Koch unable to attend), State of Idaho  
William Johnson, Idaho Cleanup Project (ICP)

### Others Present

Lisa Aldrich, Support Services  
Andrew Beckwith, ICP  
Barb Beller, DOE-ID  
Beatrice Brailsford, Snake River Alliance  
Wendy Bauer, DOE-ID  
Brett Bowhan, DOE-ID  
Shannon Brennan, DOE-ID Federal Coordinator  
Doug Burns, ICP  
Lorie Cahn, ICP  
Allen Cain, Energy Solutions  
Joel Case, DOE-ID  
Mark Clough, DEQ  
Jim Cooper, DOE-ID  
Tom Dieter, ICP  
Wendy Dixon, NR-IBO  
Kathy Falconer, AREVA  
Jim Floerke, ICP  
Howard Forsythe, ICP  
Kathleen Hain, DOE-ID  
Warren Bergholz, Longenecker and Associates

Stephen Telford, DOE-ID  
Bill Harker, DOE-ID  
Laura Hartman, NR-IBO  
Mark Hutchison, NRF  
Lori Isenberg, Support Services Facilitator  
Alan Jines, DOE-ID  
Debbie Lacroix, Portage  
Bill Leake, DOE-ID  
Tracy Leatham, Support Services  
Amy Lientz, ICP  
Chuck Ljungbery, DOE-ID  
Keith Lockie, DOE-ID  
Bob Pence, DOE-ID  
Ann Riedesel, Portage  
Alan Rodgers, ICP  
Dean Shanklin, ICP  
Mark Shaw, DOE-ID  
Erik Simpson, ICP  
John Tanner, Coalition 21  
Scott Van Camp, DOE-ID

## ***Opening Remarks***

Co-chairman William Flanery welcomed everyone to the meeting and then invited Richard Provencher (DDFO) and the liaisons to give any opening remarks. Mr. Provencher provided brief updates from DOE and Mr. Johnson provided updates from the ICP. Bruce LaRue was present representing the State of Idaho for Kathleen Trever and Daryl Koch. An EPA representative was not present at the time.

## ***Recent Public Involvement***

Mr. Provencher summarized the EM public outreach handout.

## ***Progress to Cleanup***

Mr. Provencher provided a status of the cleanup progress with active discussion among the CAB. The status included the Idaho Cleanup Project (ICP) scope, safety performance, the transuranic waste disposition project, low-level and mixed low-level waste project, Advanced Mixed Waste Treatment Project, Waste Area Group 7 Project, other Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) remediation projects, Idaho CERCLA Disposal Facility (ICDF), Pit 9 decontamination and decommissioning (D&D), D&D Test Area North, D&D Reactor Technology Complex, D&D Power Burst Facility, D&D Idaho Nuclear Technology and Engineering Center (INTEC), Special Nuclear Materials Disposition Project, Integrated Waste Treatment Unit Project, INTEC Liquid Waste Facility closure project, Spent Nuclear Fuel Disposition Project, Idaho Spent Nuclear Fuel Dry Storage Project, and Calcine Disposition Project. The presentation concluded with key activities and completion dates for these projects.

## **Decisions/Disposition**

Presentation satisfied the information need for the CAB.

## ***Update on Tank Farm Grouting***

Keith Lockie provided a short status on grouting work accomplished to date at the Tank Farm Facility. He shared the plans for future grouting work and the draft planning schedule to complete the project.

## **Decisions/Disposition**

Presentation satisfied the information need for the CAB. The CAB would like to see the mechanics of grouting in a video and pictures when grouting work resumes.

## ***Calcine Update***

Jan Hagers provided an update on the calcine disposition project. He explained the mission need and reviewed what calcine is. Mr. Hagers defined the project drivers (i.e., Idaho Settlement Agreement, Idaho Site Treatment Plan, Nuclear Waste Policy Act, and 2005 Record of Decision and Environmental Impact Statement). He then explained approaches under evaluation (direct disposal, steam reforming, hot isostatic pressing, vitrification). Mr. Hagers presented the dual path approach, which defines options for treated or untreated waste. He showed and explained a diagram of the canister. He concluded with a discussion of the repository and the issues and challenges the project is faced with.

CAB members question the viability of spending money now packaging waste for final disposition in an unknown repository with an unknown waste acceptance criteria. A CAB member commented that we shouldn't expect

Nevada to concede and take Idaho's waste and that perhaps instead we should put it in robust storage and not spend the excess money shipping it out.

### **Decisions/Disposition**

Presentation satisfied the information need for the CAB. The CAB would like to have updates as they become available.

## ***Engineering Test Reactor (ETR) Engineering Evaluation/Cost Analysis (EE/CA) Public Comment Results***

Bill Harker gave an overview of the public comments received. The majority of the comments were regarding concerns of carcinogenic risks remaining at the ETR and ICDF, "hot spots" of radionuclides that may exceed the ICDF waste acceptance criteria, unnecessary worker exposure to radiation, and questions regarding deactivation vs. decommissioning removal actions. These comments were grouped and addressed in Appendix A of the Action Memorandum. Alternative 3 (vessel removal and disposal in the ICDF) has the agencies support and overall public support. Lessons learned from public review (CAB comments) will be considered when preparing future EE/CAs.

### **Decisions/Disposition**

Presentation satisfied the information need for the CAB. CAB members commented that it would have been better to have DOE's response to their recommendation earlier for adequate review time prior to the meeting (DOE response was distributed to the CAB the Friday prior to the Tuesday meeting).

## ***TAN-607 Hot Shop EE/CA***

Mark Shaw provided a brief introduction to the next EE/CA that will be released sometime next week. He discussed the decommissioning approach and explained the layout and components of the facility. Mr. Shaw explained the extent of the contamination and the removal action objectives. He concluded with an overview of the proposed alternatives and cost. DOE is recommending Alternative 3—Demolition, Removal, and Disposal of Building and Building Contents.

### **Decisions/Disposition**

The CAB will receive a copy of the document when it is released sometime in the next few weeks. The Strategic Issues Committee will discuss this topic in a committee call and decide if any recommendation is warranted by the full board.

## ***Spent Nuclear Fuel***

Barb Beller provided an overview of the Spent Nuclear Fuel Program. She discussed the regulation of spent nuclear fuel and the program mission. Ms. Beller explained the fuel receipts expected thru Fiscal Year 2030 and the fuel storage currently at Ft. Saint Vrain, Colorado. She discussed the progress towards the dry storage goal and the alternatives and capabilities for packaging. She then explained the current status of packaging capabilities decisions and the strategy for removing spent nuclear fuel from Idaho and Colorado. She concluded with the repository schedule and capacity and the treatment challenges ahead.

## Decisions/Disposition

Presentation satisfied the information need for the CAB. The CAB would like updates as they become available including a summary of the cost analysis study at the next CAB meeting.

## ***Membership and Meetings Committee Discussion***

*The following is the notes compiled from the facilitated discussion.*

### Intent

It is the intent of the CAB to develop a membership selection process that will accomplish the following:

- Maintain the credibility and independence of the CAB.
- Protect the privacy of the applicants.
- To have as much diversity as possible on the CAB (gender, age, skill sets, local, ethnicity, interests, experience, etc.).

### Considerations

- The CAB does not believe the applicants for the CAB fall under the Privacy Act regulations.
- Because the procedures that were approved by the CAB in Sept. 2006 have not been approved, the CAB is still working under the 2005 procedures.

### Selection Criteria

- The CAB was unanimous in its desire to revise the wording of the procedures to emphasize the importance of diversity on the CAB.
- This should be outlined both in the procedures under Selection Criteria and the Membership Selection Process.

### Membership Applications

There will be a spot on the application for the applicant to indicate they are aware of and agree with the membership selection process and the responsibilities of being a CAB member. The application signature portion of the CAB membership application could be revised to say something like this:

*In applying for membership on the CAB, I understand and agree with the following:*

1. *My application will be reviewed by the members of the Citizens Advisory Board and specific DOE staff. Other than those individuals, the information on the application will be kept confidential.*
2. *I will attend training and Board meetings (approximately 14-16 days per year, review materials, participate in committee work, and work collaboratively to help the CAB achieve consensus on its work.*
3. *Current conflict of interest wording.*

The CAB will prepare simple document that outlines the responsibilities of a CAB member to send with the application. (This is already done in other forms but, it needs to be made more concise and reader friendly). This would also be posted to the website.

### Membership Selection Process

After much open discussion, the CAB agreed to the following process, which is included in the revised document from the membership committee.

- The CAB will advertise for applicants.
- Applications will be mailed directly to Lisa at Portage.
- Portage will provide secure handling and storage of the applications.
- The membership committee will meet at the Portage office to review and discuss the applications.

- All members of the board will be invited to participate in this meeting. This meeting could be held the day prior to the regular CAB meeting to encourage out of the area CAB members to participate.
  - No applications – or copies – will be removed from the secure storage area at Portage. The membership committee will discuss the applications and make their selection based on the general CAB selection criteria and specific needs of the CAB at that time.
  - A maximum of three applicants for each open seat will be selected by the committee to be forwarded to the full board. (There were three board members who opposed this process; they would prefer the membership committee forward all of the applications to the full board with a ranking of preference – so all the board members would have a chance to review all of the applications.) The rest of the applications will be stored in a secure location at Portage until another vacancy is open.
  - It was suggested the CAB consider a numerical weighting of the criteria to encourage consistency in the selection process, or some other sort of agreed upon process; a subjective merit process is now being used. Due to time constraints, this suggestion was not discussed at length. The membership committee may want to discuss this in a later meeting.
  - The membership committee will prepare a report and presentation of the selected applicants for the next CAB meeting during executive session at the end of the second day.
- At the end of the second day of the CAB meeting, the board will go into executive session to hear and act upon the recommendations of the membership committee.
    - There was much discussion regarding the use of executive session. Discussion highlighted the desire of the CAB to be as transparent as possible, while also being aware of the sensitivities of debating the merits of one candidate over the other during an open meeting. (FYI: After the CAB meeting, we researched the issue of executive committee for the CAB and found out the following: The CAB does not operate under Roberts Rules of Order, it operates under the Government In The Sunshine Act, which states the body may go into executive session to discuss confidential matters related to personnel, finances and/or national security.)
    - Portage will bring copies of the applications – or some sort of compilation of the information, which will be kept secure and returned to the Portage office after the meeting.
  - After discussion, the board will reconvene into open session and will vote by secret ballot on the applicants.
    - There was much discussion on this topic also. It was suggested the vote should be conducted on a by-seat process, which means that specific candidates would be identified for specific open seats. The board would then conduct an individual vote for each seat. After discussion it was agreed (by nods, no formal vote) to stay with the current “highest-vote-getter” process. This means the board is given one ballot with names of all of the applicants that were forwarded by the membership committee (this is dependent on the number of vacancies). Each board member makes their selection for the number of seats open and turns it in. Staff support will tally the votes and return the results to the board. As long as there are not any ties, the process is finished and all of the sensitive information is destroyed or returned to Portage for secure storage.
  - By direction of the board, Portage will forward the applications of the selected applicants to DOE with a recommendation from the Board that these names are forwarded to Headquarters for approval (or whatever their internal legal process requires- this was not discussed in detail).
    - There was also much discussion on this topic. Similar to the discussion regarding the report from the membership committee to the full board – there was disagreement regarding how much information should be forwarded to DOE. The two options were:
      - a) All applications should be forwarded to DOE with a recommendation from the board on the ones the board identified as their choice (and perhaps why).
      - b) Only the applications of the selected applicants should be forwarded to DOE.

c) More applications than vacancies (but not necessarily all applications) should be forwarded to DOE to give them some choice in the matter beyond acceptance or rejection. Mr. Provencher commented that the B process is what has been used in the past and it has worked well.

- The board voted to go with the current process (two members opposed). The members who opposed this process felt that B was more inclusive of DOE and might be seen favorably for DOE headquarters.

Follow-up comments indicated the board is aware this process may not be accepted by DOE headquarters, but they felt it was a necessary process to make sure headquarters understands the desire of the CAB to (as stated in the intent):

- Maintain the credibility and independence of the CAB.
- Protect the privacy of the applicants.
- Have as much diversity as possible on the CAB (gender, age, skill sets, local, ethnicity, interests, experience, etc.).

### **Decisions/Disposition**

Support staff will incorporate CAB comments into the proposal and distribute the updated file to the board. All CAB members are invited to participate in the committee calls following.

### **Public Comment**

John Tanner provided comments regarding the ETR EE/CA.

### **Announcements and Other Board Business**

The next meeting will be held March 20–21, 2007 at the Red Lion Hotel in Pocatello. The following dates and locations are planned for the remainder of 2007.

May 15-16	Idaho Falls, Red Lion Hotel
July 17-18 (site tour 16th)	Idaho Falls, Red Lion Hotel
September 18-19 (retreat on the 17 <sup>th</sup> )	Jackson, WY, Snow King Resort
November 6-7	Idaho Falls, Red Lion Hotel

### **CAB Work Session**

The CAB suggested topics for discussion on the next committee call agenda. The topics were divided among committees as follows.

Membership Committee—membership recruitment and selection process, procedures, new members

Strategic—TAN-607 Hot Shop EE/CA recommendation, Yucca Mountain Briefing (licensing process, shipping, technical consultant), Materials Test Reactor (MTR) briefing

CC RWMC Committee—Waste Area Group (WAG) 7 Feasibility Study

CC INTEC Committee—Spent Nuclear Fuel Dry Storage



The CAB additionally requested that the Progress to Cleanup presentation include updates on grouting (if any) and calcine.

### ***Action Items***

1. TAN-607 Hot Shop EE/CA distribution to CAB when released.
2. Support services to update membership proposal and distribute to the CAB.
3. Distribute updated Annual Work Plan to the CAB after dates are confirmed by DOE.
4. Possibility of an additional committee.

Members provided written feedback forms to support services at the conclusion of the meeting.

Attachments (6) to these minutes are available on request from the INL Site EM CAB support office.

I certify that these minutes are an accurate account of the January 16-17, 2007, meeting of the Idaho National Laboratory Site Environmental Management Citizens Advisory Board.

William S. Flanery, Co-Chair  
Idaho National Laboratory Site Environmental Management Citizens Advisory Board  
WSF/lja

February 15, 2007