

Meeting Minutes
U.S. Department of Energy and Oregon Office of Energy
Bi-Monthly Forum

May 25, 2000

Portland (Oregon) International Airport, Conference Center

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P. J. Bengtson	PNNL	A6-61
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Meeting Minutes
U.S. Department of Energy and Oregon Office of Energy
Bi-Monthly Forum

May 25, 2000

Portland (Oregon) International Airport, Conference Center

Apprvl.: _____ Date: _____
Felix Miera,
Oregon Grant Administrator
U.S. Department of Energy

Apprvl.: _____ Date: _____
Mary Lou Blazek, Administrator
Nuclear Safety Division
Oregon Office of Energy

Attendees:

M. L. Blazek	OOE
O. A. Farabee	DOE-RL
M. W. Grainey	OOE
G. M. McClure	DOE-RL
F. R. Miera	DOE-RL
R. D. Morrison	FH
K. Niles	OOE

AGENDA

DOE/OREGON BI-MONTHLY FORUM

May 25, 2000
10:00 – 12:30
Portland Airport
Portland, OR

PHONE IN No. (503) 460-4315

1. Introductions – Marla Marvin, Felix Miera & Mary Lou Blazek
2. Sec. Richardson/Asst. Sec. Huntoon May 8-9 Visit to Washington State – **Marla Marvin (By Phone)**/Mike Grainey
3. Proposed Federal Legislation for a Stronger Oregon Role at Hanford – Mike Grainey
4. Nuclear Infrastructure PEIS Schedule/Status – Al Farabee
5. Discussions on PEIS Oregon Public Involvement Proposal – Mary Lou Blazek
6. Tri-Party Agreement Status Report – George Sanders
7. Real Time Access to TPA Milestone Status – George Sanders/Ron Morrison
8. Status of the Vitrification Plant Contract/Path Forward **11:00 – 11:20** – **Bill Taylor ORP (By Phone)**
9. RL Contractor Performance Measures for Public Involvement – Gail McClure
10. Action Items – Ron Morrison
11. Other items of interest – Ron Morrison
12. Wrap-up and Next Meeting Date – Ron Morrison

MEETING MINUTES, May 25, 2000 (Portland, Oregon)

1. Introductions.

Introductions among the attendees were not necessary.

2. Secretary Richardson/Assistant Secretary Huntoon May 8-9 Visit to Washington State.

M. Marvin discussed Secretary of Energy Richardson's attendance at an electrical rate restructuring meeting, in which low level mixed waste importation issues were also dealt with. There was little time available for working serious issues with representatives from Oregon or Washington.

On day one of the two day meeting the main subject was Tri-Party Agreement activities versus flat budget projections. Many milestones are suffering due to budget constraints and the State of Washington is concerned since enforcement is difficult until a milestone is actually missed. It was also stressed that relationships are low and that better relationships are needed.

On day two Mary Ann Sullivan and Caroline Huntoon of the Department of Energy (DOE) were present for discussions of the importation of low level mixed waste to Hanford. The final results of the session were captured in 5 bullet items included in the resulting press release.

M. Grainey stressed that State of Oregon representatives would like the opportunity to spend time with Washington D.C. officials when they come out. Unfortunately, time wasn't afforded to speak with T.J. Glauthier when he was here. The State of Oregon would like to standardize a process for obtaining opportunities to address officials.

F. Miera pointed out that the T.J. Glauthier visit was very pressed for time. The local office has very little control in setting the purposes of visits by officials.

M. Marvin stated that the local office can try to influence what is on visiting officials agendas but, it would be very difficult to commit to any specifics.

M. Grainey stressed that the State of Oregon is more than a stakeholder in these matters.

F. Miera responded that the local office will contact DOE Headquarters and see if anything can be done.

M. Blazek offered any assistance including correspondence to appropriate officials.

F. Miera asked it might be a good time to think about a meeting between K. Klein and Governor Kitzhaber and discussed whether meeting in Oregon or at the Hanford Site would be the most valuable.

M. Grainey proposed that a visit to the Hanford Site in conjunction with a significant event might be valuable.

3. Proposed Federal Legislation for a Stronger Oregon Role at Hanford.

M. Grainey lead the discussion by reminding everyone of a bill (205-2) which was introduced last year to make the State of Oregon a signatory to the Tri-Party Agreement. The bill was never enacted.

The Oregon delegation is discussing a new similar piece of legislation with Washington's delegation (attachment 1). This new legislation would:

Provide review and comment rights, under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA),

Would allow Oregon's participation in Tri-Party Agreement negotiations in a non voting capacity,

Provide funding to carry out new roles, up to \$ 1 million,

Afford the right to join in enforcement actions with the State of Washington,

And codify the current Memorandum of Understanding (MOU) between the DOE and the State of Oregon.

M. Grainey would also be willing to come to Hanford to explain and discuss this proposal with K. Klein and R. French.

M. Marvin asked how the proposed legislation would benefit the Hanford cleanup?

M. Grainey responded that the State of Oregon has expertise on cleanup focusing on the Columbia River and groundwater contamination which could come to bear sooner in the process. The State of Washington is also comfortable with this approach.

M. Marvin pointed out that this raises precedence issues with other DOE sites and states involvement.

M. Blazek also pointed out that the State of Oregon has an important reputation in working with stakeholders and has been a valuable moderating influence. If we are involved early and aware of the issues and details early we can be a lot of help in working with the stakeholders.

4. Nuclear Infrastructure Programmatic Environmental Impact Statement (PEIS) Schedule/Status

A. Farabee stated that he had been attending NERAC meetings. The draft Richard Reba report on medical isotopes is coming out negative on the Fast Flux Test Facility (FFTF) producing isotopes. However, the McGovern report addresses many of the issues in the Reba report and is positive regarding the use of FFTF.

Action: M. Blazek Requested a copy of the "Richard Reba" and the "McGovern" report.

M. Blazek asked if anyone was aware of a \$160,000 three month report on isotope production which was apparently produced.

A. Farabee responded that he was not aware of this particular report. With regard to the Environmental Impact Statement (EIS) the following dates are currently being planned to:

Draft EIS issue date - August 3rd (for a 45 day public comment period)

Public meetings – September 8th Seattle
September 11th Portland
September 12th Hood River

Final decision – January 16th.

5. Discussions on PEIS Oregon Public Involvement Proposal.

M. Blazek stated that the proposal is awaiting the issuance of a grant. The script is being written which you will get to see.

A. Farabee added that a video on the benefits of medical isotopes, not focusing on FFTF, would be good.

M. Marvin pointed out that a certain amount of money will be dedicated to Nuclear Energy, the only question being whether FFTF is the best way to obtain results.

K. Niles responded that these points could be included but the main reason for the interest in this matter is the FFTF and its operation.

M. Blazek informed those present that focus groups will be set up to work the EIS.

M. Blazek provided copies of the following document for inclusion in these minutes of record:

Memorandum from M. Blazek to F. Miera, dated 4/25/2000, "Request for 60 day comment period on FFTF PEIS" (attachment 2).

Letter from M. Blazek to C. Brown, dated 4/25/2000, "Programmatic Environmental Impact Statement for Accomplishing Expanded Civilian Nuclear Energy Research and Development and Isotope Production Missions in the United States, Including the Role of the Fast Flux Test Facility (DOE/EIS-0310)" (attachment 3).

Memorandum from M. Blazek to R. Greenberg, dated 4/24/2000, "Letter to Betty Nolan" (attachment 4).

Letter from M. Blazek to E. Nolan, dated 3/13/2000, (no subject) (attachment 5).

"The Hanford Reactor Restart Decision, a Report to the U.S. Department of Energy based on An Oregon Ethics Commons Salon", dated 1/26/2000 (attachment 6).

M. Blazek stated that DOE correspondence has been lacking regarding the copying of the State of Oregon as agreed in the DOE/State of Oregon MOU. The recent letter from K. Klein regarding the Columbia River Comprehensive Impact Assessment was cited as an example.

Action Item (non agenda).

G. McClure provided materials in response to an open action item (attachment 7). This action item was as follows:

Action: A public involvement plan (for the Groundwater Vadose Zone Integration Project) was discussed with a copy to be provided by G. McClure to M. Blazek ("Communication Plan" still needed).

M. Blazek responded that the materials may not meet the expectations for a communication plan. Additionally, it was pointed out that information related to this subject on the internet was very difficult to find requiring at least eight steps and was not intuitively arranged.

9. RL Contractor Performance Measures for Public Involvement

M. Blazek stated that there didn't appear to be anything in the contract documents related to public involvement and openness performance measures and asked how performance would be measured.

M. Marvin replied that she would do some checking but, that those details are not being included anymore.

8. Status of the Vitrification Plant Contract/Path Forward.

W. Taylor lead the discussion by explaining that on May 8, 2000 the British Nuclear Fuels Limited (BNFL) contract was terminated and that L. Erickson had turned over the source evaluation team to me.

L. Erickson is working to produce a request for proposals (RFP) for a replacement contract.

By June 8, 2000 we are trying to put in a "bridge" contract to continue efforts by Bechtel and GTS Duratek Inc. to keep the work going.

On June 7, 2000 a preselection conference will be held to judge contractor interest in picking up this work.

P. Bengtson added that public input will be accepted at this meeting for consideration in preparation of the RFP.

W. Taylor also stated that the draft RFP is targeted to be out by July 15, 2000 with a final out by August 15, 2000. This is a very aggressive schedule with very fast track dates. Expectation is to select a new contractor by January 15, 2001. We are also modifying the CH2M Hill Hanford Group Inc. (CHG) contract to take over the Canister Storage Building

M. Grainey asked if BNFL is now completely out of the picture?

W. Taylor responded that yes, however, apparently BNFL may still be eligible to bid on future contracts.

K. Niles asked how realistic is it to expect a new contractor to pick up the current design and run with it? Will the new contractor have to do a lot of reverification?

W. Taylor responded that there will be some impacts, but, the January 15, 2001 date is still considered attainable. The current design is at 16 percent complete and will be 25 to 30 percent complete under Bechtel Inc. at the turnover point to the new contractor. Any impacts to the schedule should be in terms of weeks or months and not years. One other variable which is out there is the extension/negotiation of the CHG contract.

K. Niles asked who would be handling permitting with the State of Washington?

W. Taylor responded that CHG would be. The ongoing public comment period ends on July 7, 2000 and public meetings are scheduled for June in the Tri-Cities.

M. Blazek asked if a white paper description of what is planned is available.

P. Bengtson responded that yes one is available and will be sent to you.

Action: P. Bengtson to provide "white paper" description of Tank Waste Disposal Plans.

7. Real Time Access to TPA Milestone Status.

In partial fulfillment of an open action, attachments #7 and # 8 were provided to M. Blazek. These items are #7 "Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Current Milestones and Target Dates, By milestone/target date number as of May 17, 2000" and # 8 Tri-Party Agreement Milestones: Due In 180 Days" dated 05/16/2000.

6. Tri-Party Agreement Status Report.

K. Niles asked the status of the March 29, 2000 Ecology Final Directors Determination.

G. Sanders responded that the DOE had filed an appeal of the Final Determination on April 28, 2000.

G. Sanders also reported that Tri-Party Agreement Change Request M-34-00-01 had been approved by the DOE, the State of Washington and the U.S. Environmental Protection Agency on May 23, 2000. This change request modified a number of milestones and target dates in order to implement a new strategy that will accelerate removal of sludge from the K Basins and improve operational efficiency in removing spent nuclear fuel from the basins.

9. Action Items.

See Attachment 10 for action items and status.

11. Other Items of Interest

It was announced that the next Oregon Hanford Waste Board Meeting would be on June 26, 27, 2000 in Eugene Oregon.

12. Next Oregon/DOE Forum Meeting.

It was tentatively agreed that the next Forum would take place on July 18, 2000 at 1:00pm in Richland, Washington.

The Forum Was Adjourned.

Attachment 10

U.S. DOE/STATE OF OREGON OPEN ACTION ITEMS

May 25, 2000

Action: A public involvement plan (for the Groundwater Vadose Zone Integration Project) was discussed with a copy to be provided by G. McClure to M. Blazek

Status: OPEN ("Communication Plan" still needed).

Action: M. Blazek requested the names of Oregon recipients of the HRA/EIS and copies of comment sheets.

Status: CLOSED

Action: G. Sanders to look into a Tri-Party Agreement milestone reporting mechanism which would meet the State of Oregon's needs, hopefully without developing an entirely new reporting system.

Status: OPEN (method for providing status of milestones still to be finalized)

Action: D. Huston requested a copy of the minimum safe level plan (regarding FFTF staffing levels).

Status: CLOSED

Action: M. Blazek requested the attendance of DOE National Environmental Protection Act (NEPA) personnel at a future Forum meeting for discussion of various interpretations of NEPA.

Status: OPEN

Action: M. Blazek asked about a large number of photographic negatives which are being declassified and placed on a compact disk and whether a copy could be obtained for the State of Oregon. F. Miera replied that Y. Sherman would be the appropriate contact for this request.

Status: CLOSED (negatives to be available on internet when available)

Action: M. Blazek requested access for the State of Oregon to the Hanford Environmental Information System.

Status: CLOSED