

Rocky Flats Citizens Advisory Board Recommendation 97-12

to the U.S. Department of Energy

Comments and Recommendations on
Accelerating Cleanup: Focus on 2006

Approved September 4, 1997

INTRODUCTION

The Rocky Flats Citizens Advisory Board (RFCAB) has completed its review of the discussion drafts of both the National and Rocky Flats versions of *Accelerating Cleanup: Focus on 2006* (hereafter referred to as the 2006 Plan) and offers the comments and recommendations below. The Board appreciates the opportunity DOE has provided in making these discussion drafts available and looks forward to a continuing dialogue with DOE on ways the following comments and recommendations may be incorporated into future DOE planning efforts and the preparation of subsequent drafts.

ROCKY FLATS 2006 PLAN END-STATE

In its review of both the National and Rocky Flats discussion drafts of the 2006 Plan, RFCAB notices significant lack of detail as to the exact nature of the proposed 2006 Plan end-state for Rocky Flats. As it had mentioned in its comments on a previous draft of the Ten Year Plan, RFCAB is concerned that the public and Congress clearly understand what level of cleanup is proposed and what will be left to do after ten years, or the year 2006 as is now proposed.

Therefore, RFCAB recommends that the 2006 Plan be revised to provide greater detail on the 2006 Plan end-state proposed for Rocky Flats. The 2006 Plan end-state description should include details such as the estimated quantity of plutonium and other contaminants that will remain in the soils, ground and surface water following cleanup; a description of the nature of any materials left on site, particularly those waste or materials that might be placed in the four onsite capped areas; a description of the state of the ecosystem following remediation activities; and clear descriptions of the conditions of any facilities that might be left for reuse.

TECHNOLOGY DEVELOPMENT

RFCAB has had a long-standing concern that the technology program for the site should include means

to continually improve the overall quality of the cleanup at the site, not just to accelerate the speed and decrease the cost. By quality, RFCAB means seeking cost-effective ways to work toward cleanup to background levels. The current 2006 Plan identifies the technology development goals for faster and cheaper cleanup, but does not address a "better" cleanup.

As previously recommended, RFCAB recommends that DOE pursue a technology program that seeks not only a faster and cheaper cleanup, but one that is focused on working toward a cost-effective cleanup to background levels.

DOE DECISION-MAKING PROCESSES

- Future Public Participation and Decision-Making Involvement for the 2006 Plan: RFCAB understands that another draft version of the 2006 Plan will be released this fall with a final document to be released as early as February 1998.

RFCAB requests clarification from DOE on the decision-making process following the end of the public comment period for the next draft document and the issuance of the final 2006 Plan.

Further, RFCAB would like to see a national stakeholder process centered on the acceptability of the accelerated cleanup approach central to the 2006 Plan, including the assumptions. To this end, RFCAB requests participation in the development of a public involvement plan to address on a national level the accelerated cleanup approach and assumptions. At a minimum we envision several national stakeholder teleconferences or face-to-face meetings bringing together a broad range of national stakeholder interests. DOE should hold this discussion during the public comment period for the next draft of the 2006 Plan and definitely before issuing a final plan.

- The National Dialogue on Waste and Materials Disposition: RFCAB and other stakeholder groups have called for DOE to initiate a National Dialogue on radioactive waste and materials treatment, storage and disposition. The 2006 Plan mentions this dialogue, but gives no details.

RFCAB recommends that the next draft of the 2006 Plan provide more information on DOE's conception of and plans for the National Dialogue on Waste and Materials Disposition.

- Public Involvement in the DOE Budget and Planning Processes: RFCAB recognizes that DOE must submit budget proposals for upcoming fiscal years to both the Office of Management and Budget and Congress. Unfortunately, these budget proposals are based on assumptions embodied in the 2006 Plan that has not yet completed stakeholder review.

Because of the close correlation between the 2006 Plan and DOE's budget development processes, RFCAB recommends that DOE proceed cautiously in making outyear decisions until the 2006 Plans have been commented on and finalized.

Further, RFCAB recommends that DOE combine its stakeholder involvement processes for both budgeting and planning activities to allow more efficient and effective public involvement.

- 2006 Plan Annual Review: In accordance with our previous recommendations, RFCAB understands that DOE is planning an annual review process for the 2006 Plan.

RFCAB commends DOE for its decision to have annual reviews of the 2006 Plan and requests that it be involved in the planning process for these reviews. Part of this review should include DOE identification of areas where stakeholder comments and recommendations have been incorporated into the plans.

ASSUMPTIONS IN THE 2006 PLAN

As recognized in our previous recommendation, many of the assumptions in both the national and Rocky Flats versions of the 2006 Plan are speculative. In several instances, such as the opening of WIPP and the availability of offsite plutonium repositories, the assumptions face substantial political hurdles in order to be realized.

In order to maintain the safest possible level of storage for wastes and other materials at Rocky Flats, RFCAB urges the Department of Energy to develop well-conceived and readily-implementable contingencies for the key assumptions. Most important, DOE must identify, and make public, specific decision dates for determining when contingencies will need to be acted upon.

CLEANUP LEVELS

RFCAB notes in the Complex-Wide EM Integration Report on page G-14, the recommendation that DOE develop complex-wide uniform radiological cleanup standards with "clear unambiguous as low as reasonably achievable criteria."

RFCAB supports the notion that in approaching cleanup at the site, DOE should strive to follow through on Assistant Secretary Alm's previous commitment to improve cleanup beyond the standards using as low as reasonably achievable criteria. RFCAB would like clarification on how DOE will implement the ALARA concept.

PRIVATIZATION

RFCAB understands that the future of privatization projects within DOE, especially those proposed for Rocky Flats, may be severely hampered due to Congressional funding cuts. As part of these comments and recommendations on the 2006 Plans, RFCAB is attaching a copy of its recent privatization recommendation. (see RFCAB 97-5, Recommendations on Privatization of Functions at the Rocky Flats Environmental Technology Site).

PRODUCTIVITY GOALS

A significant feature in both the National and Rocky Flats 2006 Plans is a heavy reliance on undefined productivity improvements. On page 4-2 of the National Plan, there is a goal to reduce support costs to no more than 30 percent of total site costs by FY2000. These support costs are defined on the next page as including areas such as maintenance, procurement, information and outreach services, safeguards and security, and safety and health activities.

RFCAB requests DOE provide greater details regarding these productivity improvements. The plans should provide specific and clearly articulated goals, with proper metrics, and a public accountability program to share information on the program's progress. Contingencies should be developed and outlined in the plans, in case the site and DOE fall short of their productivity goals.

RFCAB further cautions that pressure to reduce support costs in areas such as safeguards and security, and health and safety could adversely affect safe and effective cleanup of the sites.

RFCAB urges DOE to seek annual reviews of the productivity goals and performance from an outside, independent agency.

RISK REDUCTION

Page 2-2 of the National Plan mentions that DOE is developing a set of metrics to measure incremental reduction of risks.

RFCAB asks that DOE make available its progress in developing this set of metrics, as well as the final results.

NUCLEAR REGULATORY COMMISSION OVERSIGHT

Within five to ten years, the DOE's military nuclear activities are scheduled to come under direct oversight of the Nuclear Regulatory Commission. The discussion drafts of the 2006 Plan do not contain any analysis of the potential impacts of a change in oversight.

RFCAB recommends that future versions of the 2006 Plan attempt to analyze, or at least recognize, the impacts that the change in oversight might have for the cleanup programs at Rocky Flats and across the complex.

PRIORITIZATION

It is apparent in reviewing the five cases developed for closure at Rocky Flats, DOE places a high priority on maximizing mortgage reduction and cost savings. Of the five cases, however, only Case 5 is

fully compliant with current Rocky Flats Cleanup Agreement milestones.

RFCAB believes that reduction of risk and full compliance with regulatory agreements should be the top priorities in developing a closure case for Rocky Flats. Reducing the mortgage and achieving cost savings, while important goals, should be done only if they can be demonstrated to protect the health and safety of the workers, the public, and the environment during cleanup. The reduction of the imminent health and safety risks, such as the stabilization of waste and materials left over from the production era, should be key activities as outlined in the Rocky Flats Cleanup Agreement and in Defense Nuclear Facilities Safety Board Recommendations.

COMPLEX-WIDE EM INTEGRATION REPORT

RFCAB supports the underlying goals of the Complex-Wide EM Integration Report to achieve greater efficiencies in the EM program by focusing on national solutions. However, the report did not recognize political or other non-technical considerations.

As discussed earlier, RFCAB urges DOE to establish a national stakeholder process and add as part of the process the recommendations in the Integration Report. This process must take place before any recommendations are actually incorporated into DOE planning. It is important that the report's recommendations undergo national stakeholder scrutiny so that they are viewed in the "real" world where political and other non-technical considerations exist and have profound impact.

REMINDER OF COMMITMENTS MADE BY ASSISTANT SECRETARY ALM

RFCAB would like to remind DOE of the commitments made by Assistant Secretary Al Alm in a stakeholder forum held on October 19, 1996 that relate directly to the 2006 Plan for Rocky Flats. These commitments were included in RFCAB's previous recommendations on the Ten Year Plan.

- DOE will not dispose wastes at Rocky Flats, but will keep materials in monitored retrievable storage.
- DOE will set firm commitment dates for when decisions need to be reached on whether to proceed with contingencies for onsite storage of plutonium, low level and low level mixed waste, and transuranic waste.
- DOE will emphasize the principal of ALARA in cleaning areas of contamination, allowing for cleanup beyond the Soil Action Levels.
- DOE will commit to review the Soil Action Levels on a regular basis, possibly involving the National Academy of Sciences in the review.
- DOE will assemble stakeholders to look at cleanup and monitoring issues for the period of time

beyond ten years.

- DOE will get workers involved in safety management decisions.
 - DOE will commit to the Defense Nuclear Facilities Safety Board (DNFSB) to make the decontamination and decommissioning of Buildings 779 and 771 serve as exemplary models for future Rocky Flats and other facilities' work.
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The Rocky Flats Citizens Advisory Board is a community advisory group that reviews and provides recommendations on cleanup plans for Rocky Flats, a former nuclear weapons plant outside of Denver, Colorado.

[Back to Index CAB Recommendations](#)

[Home](#) | [Citizens Advisory Board Info](#) | [Rocky Flats Info](#) | [Links](#) | [Feedback & Questions](#)