



Citizens Advisory Board
Idaho National Engineering and Environmental Laboratory

Operation of the Waste Experimental Reduction Facility Incinerator

At the July, 2000 meeting of the Idaho National Engineering and Environmental Laboratory (INEEL) Citizens Advisory Board (CAB), the Board reached consensus on Recommendation #75 addressing operations of the Waste Experimental Reduction Facility (WERF) Incinerator. That recommendation was transmitted to the U.S. Department of Energy's Idaho Operations Office (DOE-ID) on July 28, 2000.

On July 31, 2000, the Department of Environmental Quality (DEQ) issued a preliminary denial of DOE's application for a Hazardous Waste Management Act (HWMA)/Resource Conservation and Recovery Act (RCRA) permit for the WERF Incinerator. That preliminary denial initiated a public comment period, which ended on September 14, 2000. As we understand it, DEQ will consider the comments received during the comment period and issue its final determination in accordance with its status as the designated regulator for DOE-ID under RCRA.

The INEEL CAB's Deputy Designated Federal Official noted that DOE-ID management and contractor representatives met on numerous occasions subsequent to receipt of the Board's recommendation to discuss all issues and concerns (including the concerns raised by the INEEL CAB) regarding continuing operation of the WERF Incinerator. On September 11, 2000, DOE-ID sent a response to the INEEL CAB explaining how the Department responded to each point raised in the recommendation. On September 19, 2000, Lori Fritz (DOE-ID) reported to the CAB at their bimonthly meeting on the status of the WERF Incinerator, including a description of the current burn campaign involving 50 cubic meters of V-tank waste from Test Area North. The Board had not been told about this campaign during their July meeting.

The INEEL CAB believes that DOE has not done an adequate job of communicating about the deliberation process used to support decision-making regarding operations of the WERF Incinerator, and the extent to which the CAB's concerns and recommendations were considered. The Board recognizes its position as an advisor to DOE-ID. In this case, however, the methods and content of communication were inadequate to support achievement of our charter as a citizens advisory body to DOE-ID. Specifically,

1. The response to our recommendation contained only succinct statements describing DOE's response to the key points raised in the Board's recommendation. The DOE's response was presented in a yes/no format. The Board would be better served if the basis for the responses were provided as well. For example, the basic elements of a Workforce Restructuring Plan could have been outlined. Similarly, DOE-ID could have delineated the deliberations and conclusions that formed the basis of its decision to continue operation of the WERF Incinerator.
2. At the July 2000 INEEL CAB meeting, CAB members were under the perception that the WERF incinerator would not operate again until October 2000. This impression was not corrected by DOE at the meeting or at any later date.
3. In her remarks to the CAB in July 2000, DOE-ID site manager Bev Cook asked us to examine DOE's decisions from the standpoint of "does this decision or action make sense to the public?"

DOE's decision to operate the WERF Incinerator—in the face of DEQ's decision to deny the permit and the CAB's recommendation #75—does not make sense to us, particularly in light of public concerns about air emissions. This decision makes more sense based on DOE-ID's oral explanation (at the September 2000 meeting) regarding additional relevant considerations such as safety, the quantity and type of waste requiring incineration, specific plans to address the waste that will not be incinerated, and projected emissions. But that information was not provided in DOE's formal response to our recommendation. We were told only after Board members asked for details.

Based on the issues that formed the basis of DEQ's preliminary denial of the HWMA/RCRA permit for the WERF Incinerator, the INEEL CAB reaffirms its recommendation #75 not to restart the WERF Incinerator.