

## WM2015 Conference Panel Report

### **PANEL SESSION 075: US Regulatory Challenges and Innovations**

**Session Co-Chairs:** **Angie Jones**, *AMEC*  
**Kimberly Brinkley**, *South Carolina*

**Panel Reporter:** **Joy Shoemake**, *Jacobs Engineering*

#### **Panelists:**

- **John Price**, *Tri-Party Agreement Session Manager, Washington State Department of Ecology*
- **Daphne Neel**, *Chief - Bureau of Land and Waste Management, South Carolina Department of Health and Environmental Control*
- **Rusty Lundberg**, *Director, Utah Division of Radiation Control*

The panel discussed specific regulatory challenges and innovative approaches associated with nuclear waste cleanup. They shared lessons learned and experience in streamlining regulatory processes.

Washington State Department of Ecology is part of the Tri-Party Agreement along with the DOE and EPA. The Hanford site in Richland, Washington contains over 65 square miles of contaminated groundwater, failing infrastructure and leaking single and double shell tanks that are well beyond their design life. These challenges require stable funding for the Richland Operations and the Office of River Protection. A compliance budget is more than “min safe”. Reduced funds generate a compliance bow wave of activities that progressively add to the backlog of work that needs to be completed.

Ecology discussed their innovations such as the graded approach to non-compliance. DOE and contractors are self-identifying issues and developing schedules to correct these issues. This allows the permittee to have the most control in the resolution of the issue. If the agency finds the issue via an inspection, then a notice of non-compliance is issued. Permitting can also have innovative aspects. At Hanford, while a draft permit is in place, the final permit is close to 11 years in the making. A temporary permit is in place and work is being done to finalize it. Also, permitting of the Waste Treatment Plant is completed in real-time; as the work is being completed.

A difficult challenge for the agency is the agencies’ current Consent Decree legal action regarding leaking tanks. While the legal system is a slow arduous process, Ecology believes this will be the only way to ensure protection of the environment.

At South Carolina, a team approach to resolution of issues has furthered the program at an unprecedented pace. A Remedy Evaluation Design team, or “RED Team” has been established to work through issues. This team is trained in issue resolution and tackles concerns big and small. The team is composed of leaders and staff members who recognize that not everyone will get what they want, but all will be able to come to a negotiated solution. Regulatory authority is not compromised. Documents are streamlined and are not required to go through timely/costly reviews, trust is improved among agencies, and consensus is supported.

## **WM2015 Conference Panel Report**

In 2003, a Memorandum of Agreement was signed for the Area Completion Strategy. This plan significantly reduce sampling, cleanup timeframe and work plan development by over 35%. Stable funding is a challenge and is necessary to ensure the strategy is completed.

The State of Utah Radiation Protection has dramatically increased their transparency and has re-branded their work. Partnering with stakeholders and interested parties enables the agency to quickly address issues and concerns and make forward progress. All documents are on-line and a “permit wizard” was added to allow for electronic submittal and management of requests. Also, the Utah Radiation Control Board shares topics for rule making and gathers input.