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To: Kane, NMSS

AUTHOR: CAROLYN HUNTOON

AFFILIATION: DOE

ADDRESSEE: DAVID PATTERSON

SUBJECT: RELEASE OF SURPLUS SCRAP MATERIALS.....

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DATE SIGNED:



Department of Energy

Washington, DC 20585

JULY 31, 2000

**Mr. David Patterson
Chairperson
Community Reuse and Organization of East Tennessee
107 Lea Way
P.O. Box 2110
Oak Ridge, Tennessee 37831-2110**

Dear Mr. Patterson:

As my office has the responsibility for cleanup of the Department of Energy (DOE) sites, including the Oak Ridge Reservation, the Secretary asked me to respond to your May 23, 2000, letter. We understand your concern about a change in policy on recycling of metals from the DOE facilities. We support Nuclear Regulatory Commission development of a national standard for the release of volumetrically contaminated materials.

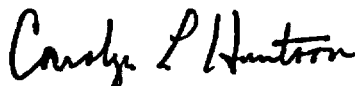
On July 13, 2000, Secretary Richardson suspended the release of all metals from radiological areas for recycling pending new departmental procedures to ensure no detectable contamination is present on the metal. We intend to have these new procedures in place by December 31, 2000, and we are currently discussing with the decommissioning project contractor how to implement the suspension. Our intent is to make this transition to new procedures with little, if any, impact on overall clean up progress at Oak Ridge. I have enclosed a copy of the memorandum to all Heads of Departmental Elements that describes the suspension and our path forward.

In the meantime, we are working with the Oak Ridge Operations Office to minimize the impacts on decontamination and decommissioning of the former gaseous diffusion plant facilities. To date, the moratorium has had no impact on the overall work schedule. However, there will be a financial impact in the near future. The DOE is discussing this and any other possible impacts with the project's contractor.



If you have further questions, please contact me at (202) 586-7710, visit our home page at www.em.doe.gov, or contact Mr. Richard Dickerson, Deputy Assistant Secretary for intergovernmental and External Affairs, at (202) 586-6784.

Sincerely,



Carolyn L. Huntoon
Assistant Secretary for
Environmental Management


Enclosure

cc: The Honorable Richard Meserve, Chairman
Nuclear Regulatory Commission
Mr. Earl Leming, Tennessee Department of
Environment and Conservation
Mr. Lawrence Young, Community Reuse Organization
of East Tennessee
Ms. G. Leah Dever, DOE-Oak Ridge Operations



The Secretary of Energy
Washington, DC 20585
July 13, 2000

MEMORANDUM FOR HEADS OF DEPARTMENTAL ELEMENTS

FROM: BILL RICHARDSON 
SUBJECT: Release of Surplus and Scrap Materials

The Department of Energy's (DOE) management of surplus and scrap materials has evolved over many years. Effective management of these materials has become more complicated over the past decade because the Department has begun generating them in larger quantities as it closes many facilities and expands its environmental management activities. Moreover, since much of this material was once used in nuclear operations, our management of it must continue to take into account safety and security issues, but we also want to address recently voiced public concerns that are not faced by most other Federal Agencies or by private industry.

For several months, we have been actively reviewing ways to improve our management of materials which might be released from departmental control. My goal has been to identify ways to better ensure protection of public health and the environment, openness and public trust, and fiscal responsibility.

I thank the Reuse and Recycling Task Force I established last winter for their contribution to the Department's review. While the work of the task force is now complete, many of its members will be involved over the coming months further developing and implementing changes to our policies and procedures.

On January 12, 2000, I placed a moratorium on the Department's release of volumetrically contaminated metals pending a decision by the Nuclear Regulatory Commission (NRC) whether to establish national standards. The NRC continues to review the issue, and the moratorium remains in effect.

Today, I am hereby directing further action in four areas: improvement of the Department's release criteria and monitoring practices; expansion of efforts to promote reuse and recycling within the complex of DOE facilities; improvement of the Department's management of information about material inventories and releases; and the accelerated recovery of sealed sources. Also, I am suspending the unrestricted release for recycling of scrap metals from radiation areas within DOE facilities. This suspension will remain in effect until improvements in our release criteria and information management have been developed and implemented as described below.



Our existing release criteria, described in DOE Order 5400.5, limit the potential for radiation exposure to the public to levels well below applicable requirements. Our experience using these criteria, however, demonstrates that even this very low potential exposure is not fully acceptable to the public. Our experience with existing criteria also shows that most scrap metal released is either not contaminated at all or has residual levels of surface contamination well below the current DOE standard.

Henceforth, the Department will not allow the release of scrap metals for recycling if contamination from DOE operations is detected using appropriate, commercially available monitoring equipment and approved procedures. To implement this decision, I am directing the Assistant Secretary for Environment, Safety and Health, with appropriate resource support, to revise DOE directives and associated guidance documents applicable to scrap metal releases through a public process, as described below, by December 31, 2000.

The Department will publish proposed changes to DOE directives and guidance for at least sixty days of public review and comment. The changes will describe conditions whereby the Department uses appropriate, commercially available technology and the most appropriate monitoring and decontamination procedures to ensure that no detectable contamination from DOE operations remains on any scrap metal released into commerce for recycling from any portion of our facilities. The revised DOE directive will establish a review cycle to develop future updates to guidance consistent with lessons learned, advances in monitoring or decontamination technology and procedures, and new information such as any future rulemaking activity by the NRC.

Changes will also be made to DOE's requirements and guidance to improve the collection, maintenance, and reporting of information associated with releases of surplus equipment, scrap metals, and other excess personal property. We need better records on inventories of these materials; contamination, security, and other concerns associated with them; and the basis for decisions authorizing their release. This information needs to be maintained in a way that makes it easily accessible to the public (consistent with classification and other security requirements) and readily available to meet the needs of project and program managers.

Once the revised directives and guidance are in place, the Department will require each DOE site to have local public participation before the site may resume the unrestricted release for recycling of scrap metals from radiation areas. These public participation requirements must address each of the above mentioned elements associated with release criteria and information management. In addition, the Department will require individual sites to certify, through the responsible Program Secretarial Officer (PSO), that they have met all requirements of the revised order before the release of scrap metal from radiation areas for recycling can resume. In addition, each affected PSO will implement an

independent verification program to ensure that site activities continue to comply with the new requirements.

While updated release criteria and record keeping procedures are being developed and implemented, the Department will undertake several activities to promote internal reuse and recycling. All DOE programs and sites should expand their efforts to reuse and recycle materials within the Department. I direct the Assistant Secretary for Energy Efficiency and Renewable Energy to lead completion of a feasibility study on the potential use of a dedicated mill to recycle steel for reuse within the DOE complex. The study is to be completed within ninety days, after which I will receive the study's recommendations and determine if the Department will pursue the project further. Also, I direct the Chief Financial Officer to develop a set of proposed actions that will institutionalize incentives for internal reuse and recycling when such activities are cost-effective and protective of workers, the public, and the environment. The Chief Financial Officer will forward these recommended actions to me within 120 days for approval.

Finally, I direct the Assistant Secretary for Environmental Management to accelerate the Department's program to recover radioactive sources. The goal should be to recover over the next four years the backlog of commercial sources for which the Department has authority.