

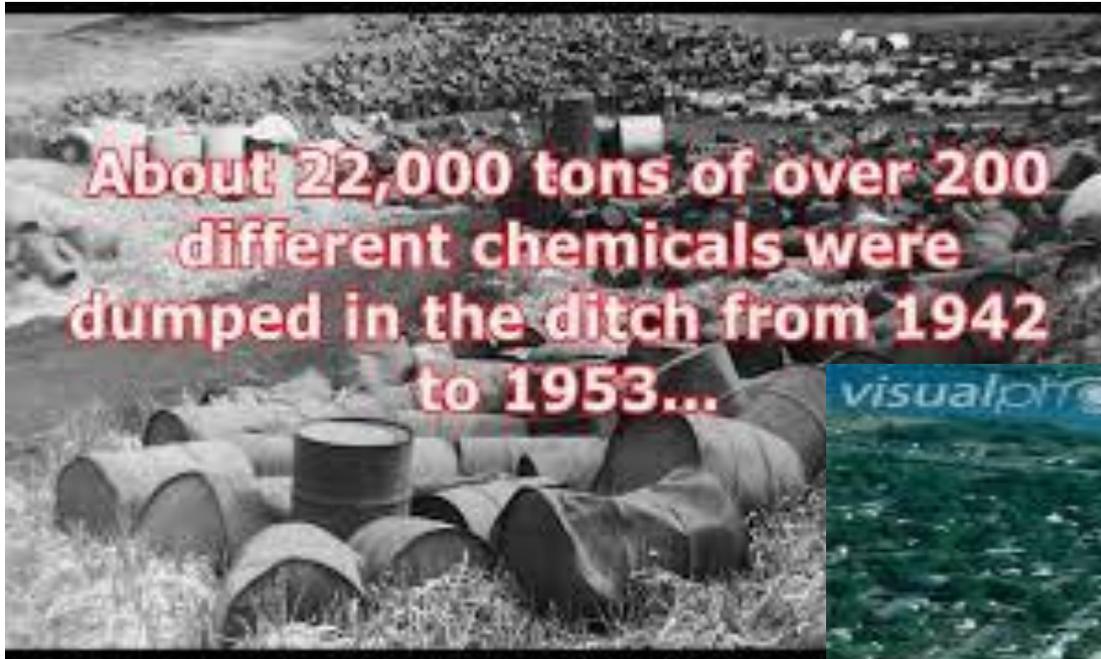


NEPA, EIS, CERCLA, RCRA, NRDA?

What's this all about?

Dale Engstrom, Nuclear Safety Division

National Environmental Policy Act of 1969



Love Canal, NY



“The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.”

“Federal Agencies to the fullest extent possible shall use the NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment.”

Environmental Assessment (EA) ?

or Environmental Impact Statement (EIS) ?

- **Proposals for major Federal projects have to include:**
 - **The environmental impact of the proposed action**
 - **The adverse environmental effects which cannot be avoided**
 - **Alternatives to the proposed action**
 - **The relationship between local short-term uses of the environment versus the maintenance and enhancement of long-term productivity**
 - **Any irreversible and irretrievable use of resources if implemented**

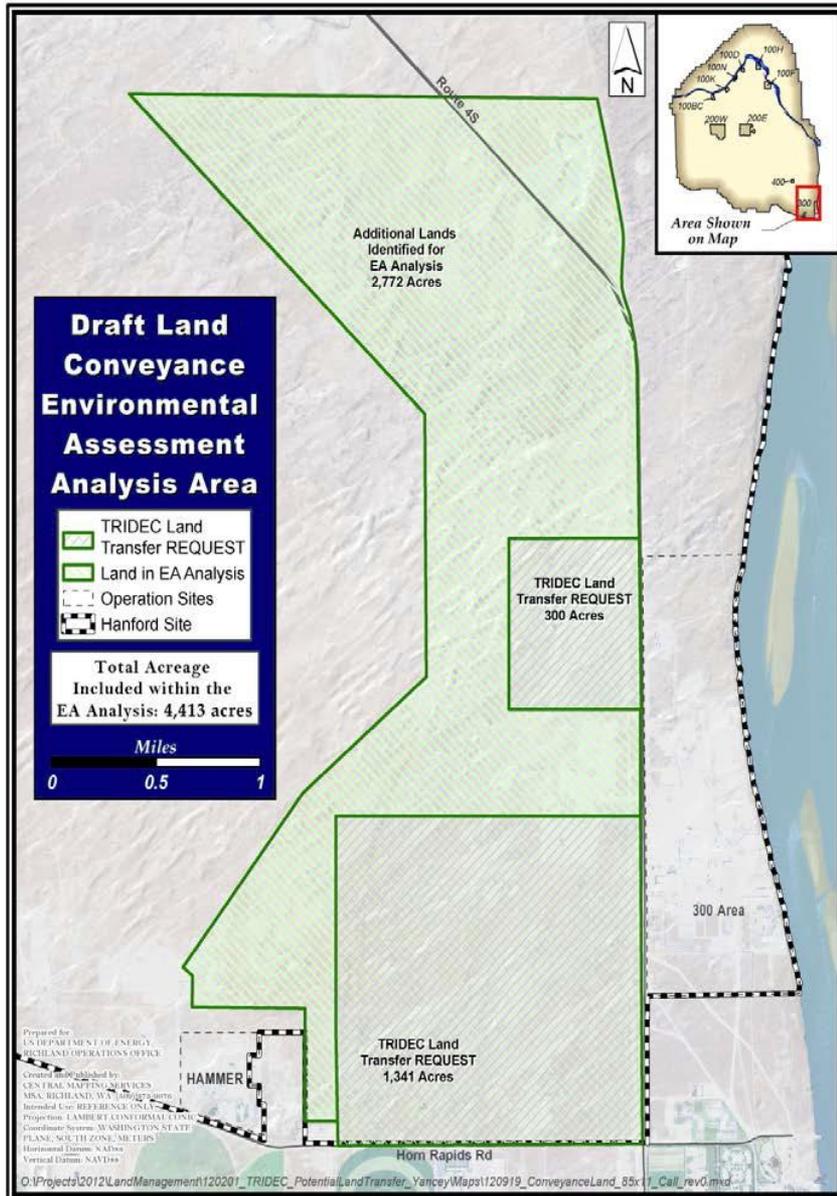
The Tank Closure & Waste Management Environmental Impact Statement



2.1.1 HCP EIS ROD, CLUP Land-Use Map



Environmental Assessments



Borrow Pit Expansion TriDEC Land Conveyance

RESOURCE CONSERVATION AND RECOVERY ACT, 1976

(ADMINISTERED BY WASHINGTON DEPT. OF ECOLOGY)

- **RCRA is our nation's primary law governing the disposal of solid and hazardous waste.**
- **addresses increasing problems the nation faced from our growing volume of municipal and industrial waste. (Lined Landfills vs Dumps)**
- **RCRA focuses only on active and future facilities; does not address abandoned or historical sites (which are managed under CERCLA – or the Superfund law).**

RCRA banned all open dumping of waste, encouraged source reduction and recycling, and promoted the safe disposal of municipal waste.

RCRA also mandated strict controls over the treatment, storage, and disposal of hazardous waste.

RCRA regulations established the basic “cradle to grave” approach to hazardous waste management that exists today.

RCRA has three distinct, interrelated, programs:

1. The solid waste program, (RCRA Subtitle D) States manage nonhazardous industrial solid waste and municipal solid waste, sets the criteria for municipal landfills, and prohibits open dumping of solid waste.
 2. The hazardous waste program, (RCRA Subtitle C) creates a system for tracking and controlling hazardous waste from the time generated until its ultimate disposal — “cradle to grave.”
 3. The underground storage tank (UST) program, (RCRA Subtitle I) regulates underground storage tanks containing hazardous substances and petroleum products.
- RCRA has been amended by the HSWA Amendments of 1989; Federal Facility Compliance Act of 1992, and Land Disposal Program Flexibility Act of 1996 .

Single-Shell Tank Waste Retrieval Program



Central Waste Complex

Other RCRA examples:

- **The Hanford Site-Wide Permit.**

The Washington State permit that covers all hazardous waste management at Hanford.

- **Waste Encapsulation Storage Facility (WESF) modifications (including grouting unused hotcells)**

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)

The SUPERFUND law (administered by EPA)

- **established a process for dealing with closed and/or abandoned hazardous waste sites;**
- **Identified liability of persons responsible for releases of hazardous waste;**
- **established a trust fund to provide for cleanup when no responsible party could be identified.**

CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986.

The CERCLA Clean-up Decision Process

- 1. Identify the Problem (Remedial Investigation – RI)
Contaminated? By what? Where? What Risk? (Risk Assessment)**
- 2. Find the solution (Feasibility Study – FS)
Alternatives? Pros and cons of each option?**
- 3. Public Involvement (Proposed Plan)
Scoping meetings, Mailing lists, Comment Periods.**

The CERCLA Clean-up Decision Process

(Part Two)

4. The Decision (Record of Decision – ROD)

- Protect human health and Environment
- Comply with Laws and Regulations
- Long-term effectiveness
- Short-term effectiveness
- Reduction of Toxicity, Mobility or Volume
- Implementable
- Cost
- State and Community Acceptance

5. Implementation (RD/RA)

6. Five-Year Review Process

River Corridor Cleanup



100-KE Reactor during cleanup

CERCLA

The Environmental Remediation Disposal Facility (ERDF)



Natural Resources Damage Assessment, 1980

- ▶ **Trustee Council formed from local governments (HNRTC) that are affected by Super Fund site.**
- ▶ **Restoration by NRDA/CERCLA (only for post-1980 injury).**
- ▶ **Damage Assessment steps**
 - ▶ **Preliminary Assessment.**
 - ▶ **Injury Assessment Plan.**
 - ▶ **Assess Injury / Quantify Damage.**
 - ▶ **Final Report and Record of Decision**
 - ▶ **Restoration Activities**
 - ▶ **Evaluation of Restoration**

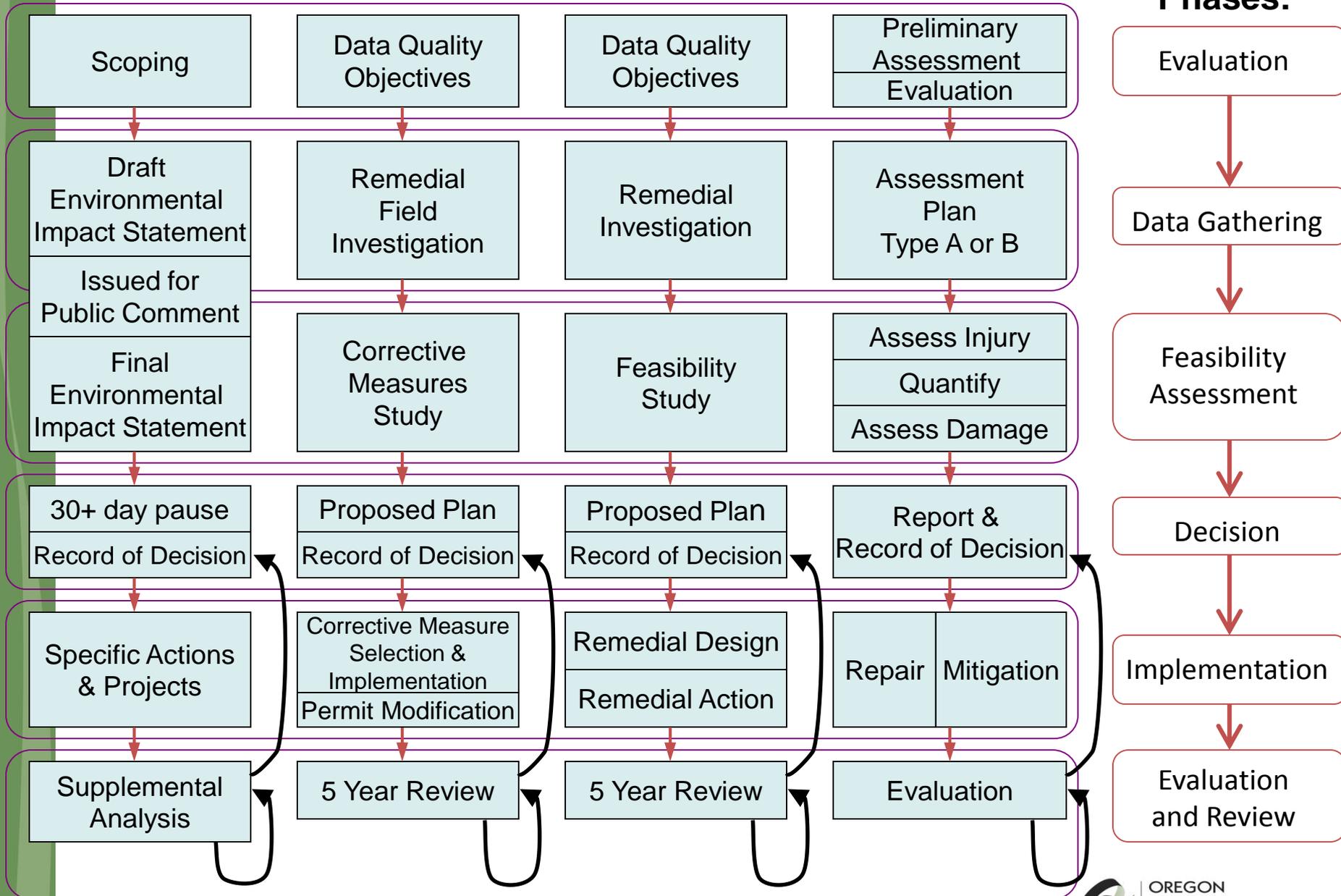
NEPA

RCRA

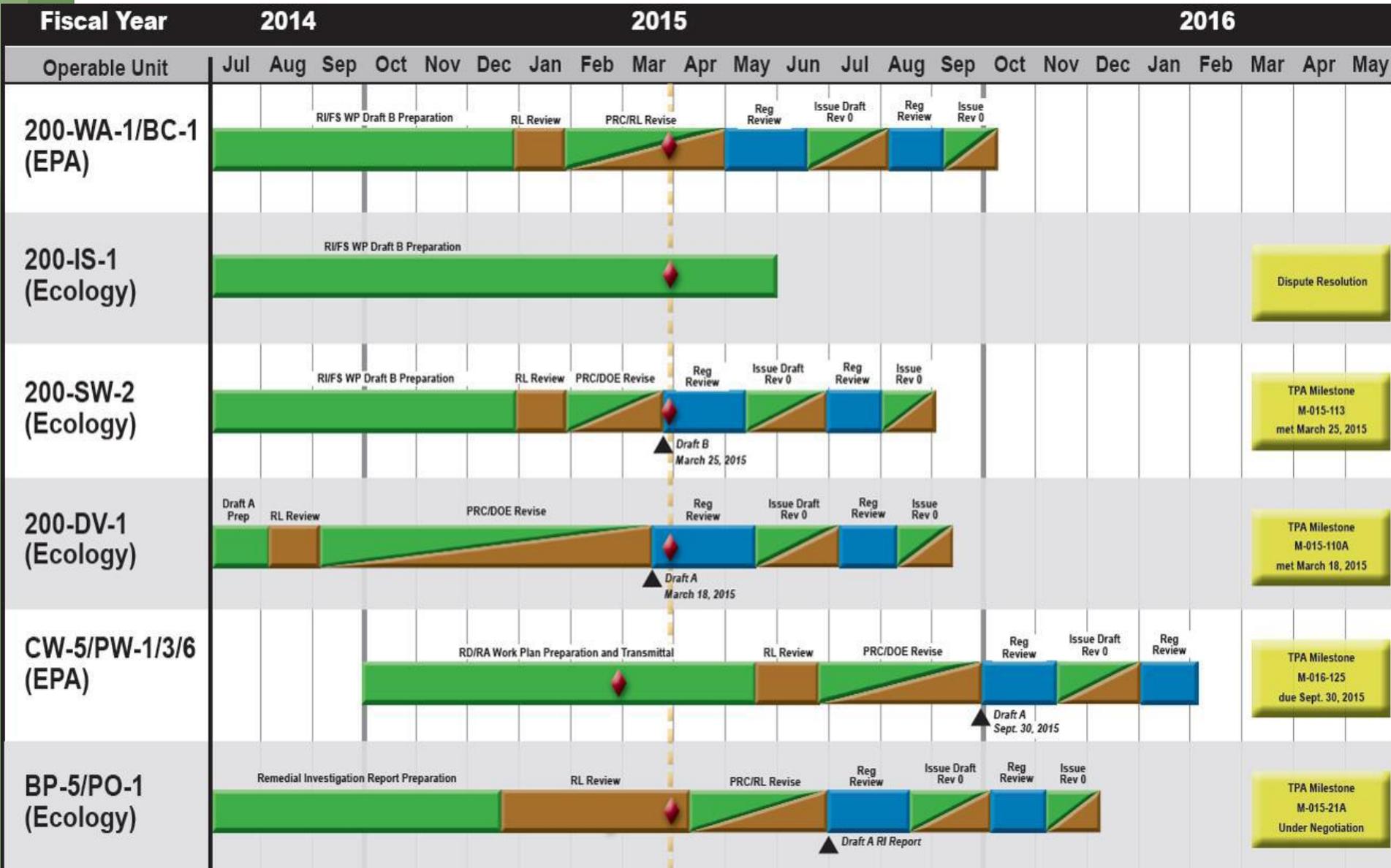
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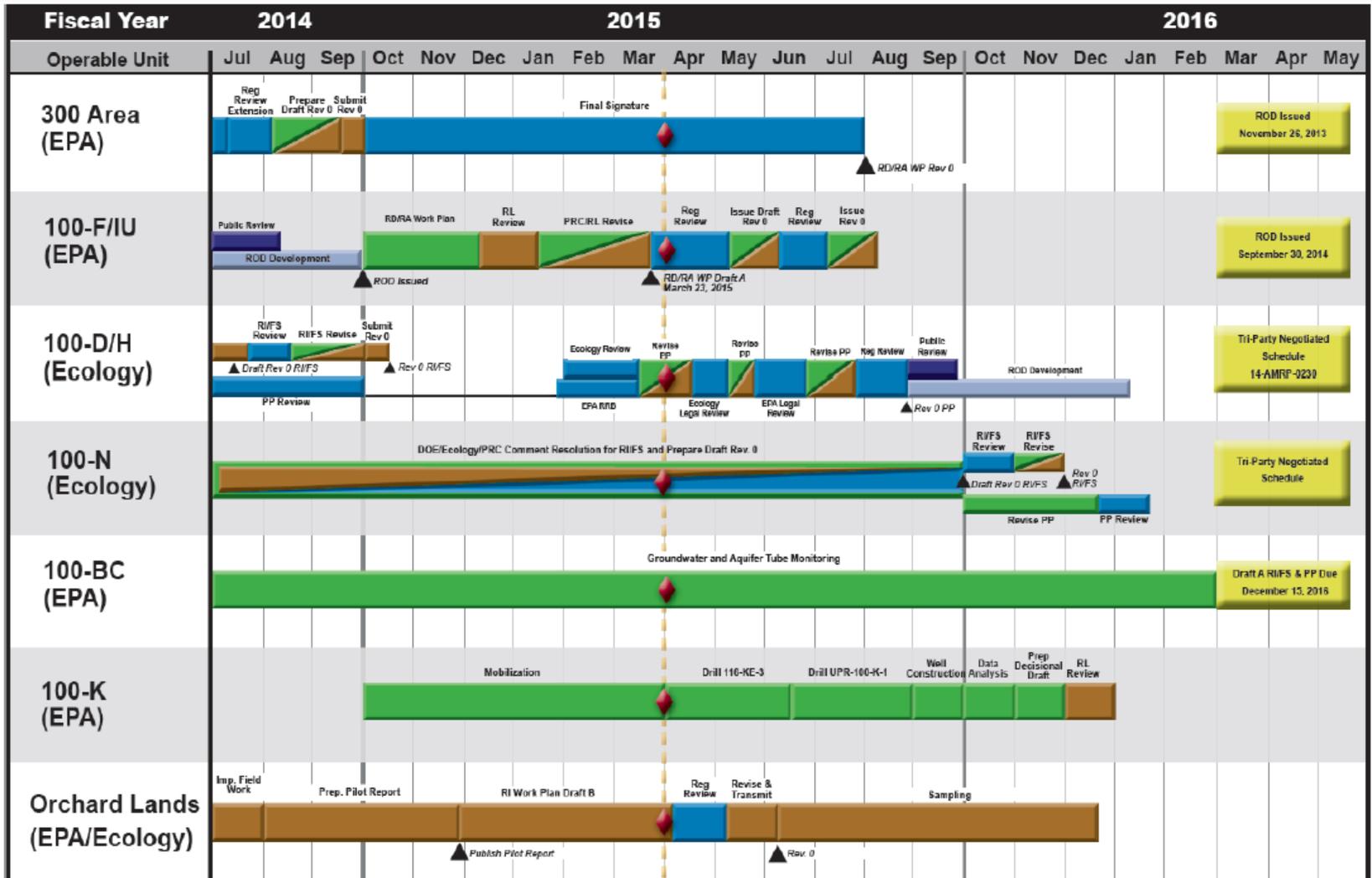
Phases:



CERCLA Decision Documents



CERCLA Decision Documents Path Forward



March 31, 2015



Regulatory Agency - DOE - CHPRC - Progress to Date