



Case Study – Dispute Resolution at SRS

South Carolina Department of Health and Environmental Control
Healthy People. Healthy Communities.

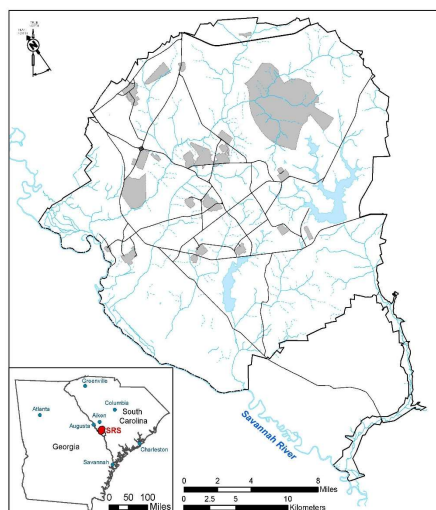
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Savannah River Site

- ~310 mi² adjacent to the Savannah River
- Constructed 1950s in support of national defense
- NPL site with 3-party FFA



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High-Level Liquid Waste

- Generated as by-products from the processing of nuclear materials
- ~35 millions gallons of waste stored in 43 underground carbon-steel waste tanks among two "tank farms"
- **Greatest risk to human health and the environment in South Carolina**



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HLW Tank Cleanup & Closure

- March 2006, DOE requested an extension for Tanks 18 and 19.
- A non-concurrence was issued by South Carolina.
- October 22, 2007 – Dispute elevated to the DRC
- November 19, 2007 – Formal dispute resolved

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Results of Formal Dispute

- Bulk waste removal and operational closure dates for each remaining tank created and documented in Appendix L of the FFA
- Annual Report
- Quarterly calls

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More Disputes

- Delays in SWPF and programmatic issues
- More extension requests in 2014 & 2016 led to additional disputes



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2014 Dispute

- Informal Dispute – 3 months
- Elevated to DRC
- Partially resolved in 28 days
- SEC resolved remaining issue in 46 days



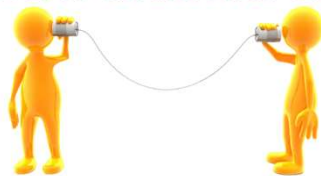
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2016 Dispute

- DOE extension request not approved
- Invoked informal dispute
- Multiple technical exchange meetings
- Resolved within 6 months
- Commitment for additional discussions



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A New Approach

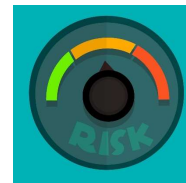
- Aggressive tank closure schedule no longer achievable
- September 2017 extension request
- Did not want to enter dispute again
- Parties agreed to suspending the milestones while furthering our **shared interest** in continuing risk reduction.

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Finding Common Ground

- EPA and SCDHEC requested that DOE look at activities outside of the tank farms.
- Identified projects to accelerate for further risk reduction.
- Milestones suspended pending rerack.
- Signed by DRC although not a dispute.



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Where are we today?

- Work occurring on accelerated projects
- Constant communication
- SWPF started
- Milestone negotiations underway



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Takeaways

- Make a good faith effort to resolve informally
- Elevate when necessary
- Stick to timeframes
- Look for common ground
- Be creative
- Make sure agreements are detailed



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