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Department of Energy
Washington, DC 20585

March 16, 2023

MEMORANDUM FOR THE SENIOR ADVISOR FOR THE OFFICE OF
ENVIRONMENTAL MANAGEMENT

(b)(6), (b)(7)(C)

FROM:

Hotline Operations and Whistleblower Investigations

SUBJECT: Alleged Waste of Funds and Mismanagement; Simi Valley, CA
(OIG File No. 23-0160-C)

This memorandum serves to advise you of a complaint received by the U.S. Department of Energy's Office of Inspector General (OIG) Hotline. Our review determined the facts and circumstances of the complaint pertain to your office's programs and operations; therefore, we are referring this matter for appropriate action. In accordance with Departmental Order 221.2A, the OIG requests a written response within 30 calendar days of your office's receipt of this memorandum, regarding the actions you have taken, or plan to take, related to this complaint. We will review your response, including any additional facts you develop, to determine if further OIG action is warranted.

The details of the complaint are as follows:

It was alleged the Office of Environmental Management (EM) wasted taxpayer funds and did not maintain proper oversight during the demolition and disposal of building waste from the former Energy Technology Engineering Center (ETEC) at the Santa Susana Field Laboratory in California. In 2020, EM signed a consent order with the State of California Department of Toxic Substances Control for the removal of building debris at ETEC, some of which may have radioactive contamination.

The complainant claimed all waste—whether radioactive or not—was sent to a licensed Low Level Radioactive Waste (LLRW) facility at Clive, UT operated by EnergySolutions. The complainant alleged EM wasted taxpayer funds because it would have been more cost effective to send the waste to a licensed California disposal site or the DOE-authorized facility at the Nevada National Security Site (NNSS). The complainant also alleged sending both LLRW and non-LLRW waste from California to Utah violated California Executive Order D-62-02.

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May be exempt from public release under the Freedom of Information Act
(5 U.S.C. 552). OIG Review required before public release.

Controlled by: OIG Hotline Operations

Contact Information: (202) 586-4073; ig hotline@hq.doe.gov

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According to the complainant, EM did not use appropriate methodologies for shipping paperwork during the demolition and disposal of the building waste from ETEC to the facility in Clive, UT. The complainant claimed Radioactive Waste Profile Records and NRC 540/541 Uniform LLRW Manifests had several deficiencies, including, but not limited to:

- Use of the same limited survey data from one facility to characterize demolition debris from different facilities.
- A lack of clear building identification (names and/or numbers) obscuring whether buildings were or were not contaminated with radioactive materials.
- In some manifests, different containers have identical radionuclide activities and net waste weights, but in other manifests different containers have identical radionuclide activities but different net waste weights.

The complainant alleged neither EM nor EnergySolutions maintained proper oversight of the shipping paperwork and the Department cannot verify whether the shipments complied with the 2020 Consent Order, Nuclear Regulatory Commission (NRC) regulations, or Utah and California state regulations.

This memorandum, including any attachments and information contained therein, is the property of the Office of Inspector General and is designated as CONTROLLED UNCLASSIFIED INFORMATION. The original and any copies of the memorandum must be appropriately controlled and maintained. Disclosure to unauthorized persons without prior Office of Inspector General written approval is strictly prohibited and may subject the disclosing party to liability. Unauthorized persons may include, but are not limited to, individuals referenced in the memorandum, contractors, and individuals outside the Department of Energy.

Please contact Lead Investigator (b)(6), (b)(7)(C) at (865) 576- or (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) @hq.doe.gov should you have questions regarding this matter.