



Department of Energy
Washington, DC 20585

June 19, 2013

Mr. Grant F. Smith, Director
Institute for Research: Middle Eastern Policy, Inc.
Calvert Station
P.O. Box 32041
Washington, DC 20007

Re: HQ-2012-01717-F

Dear Mr. Smith:

This is in response to a request for information you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. You requested a copy of all DOE "files, agendas, working papers, talking points produced for and about" the June 21, 2012 meeting in the Eisenhower Executive Office Building about Parks Township, PA nuclear waste dump – NUMEC.

Your FOIA request was assigned to the Office of Environmental Management (EM). EM conducted a search of its files. Your request also was assigned to the Office of the General Counsel (GC), which conducted a search of its files. The searches began on August 5, 2012, which is the cutoff date for responsive documents. EM and GC located fifty-six (56) documents that are responsive to your request, and are described in the accompanying index.

Included within the responsive documents are emails and corresponding attachments that originated at the National Nuclear Security Administration (NNSA). DOE has transferred those emails to NNSA for review and release determination. NNSA will respond directly to you regarding the emails that originated in that office. The portions of the responsive documents that were transferred to NNSA are identified by the overlay "NNSA." If you have questions regarding NNSA's portion of the responsive documents, you may contact Ms. Delilah Perez, NNSA FOIA Team, at the NNSA Albuquerque Complex, P.O. Box 5400, Albuquerque, NM 87185-5400, or (866)747-5994.

Additionally, twenty-four responsive documents contain emails that originated with the U.S. Army Corps of Engineers (COE). DOE has transferred those emails to COE for review and release determination. Like NNSA, COE will respond directly to you regarding emails that originated in COE. The portions of the responsive documents that were transferred to COE are identified by the overlay "COE." Any questions you have regarding COE's portion of the responsive documents should be addressed to Ms. Michelle Bartlett, FOIA Officer, U.S. Army



Corps of Engineers, CEHEC-OC, 7701 Telegraph Road, Alexandria, VA 22315, or (703)428-7210.

DOE has determined that certain information in the responsive documents should be withheld pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 552 (b)(5) and (b)(6).

Exemption 5 protects "inter-agency or intra-agency memorandums or letters which would not be available by law to a party ... in litigation with the agency." 5 U.S.C. § 552(b)(5). This exemption has been construed to exempt those documents normally privileged in the civil discovery context, such as attorney-client communications, attorney-work product documents, and deliberative process material.

Information withheld under Exemption 5 has been deemed pre-decisional and/or deliberative in nature, and includes draft versions of documents and pre-decisional discussions between DOE staff and between DOE and NNSA staff, as well as DOE and COE staff. The DOE may consider these preliminary views as part of the process that will lead to the agency's final decision about agency matters. The information does not represent a final agency position, and its release would compromise the deliberative process by which the government makes its decisions. Withholding this information protects against the premature disclosure of proposed policies regarding personnel matters, protects the candor of intra-agency communications, and prevents confusion to the public that could result from disclosing alternative rationales for agency decisions.

Exemption 5 also incorporates the attorney-client privilege, which protects confidential communications between attorney and client that relate to a legal matter for which the client has sought professional advice. The privilege usually protects a client's disclosure to an attorney, but extends to an attorney's opinion based on those disclosures, and to communications between attorneys that reflect client-supplied information. Some of the information withheld under Exemption 5 falls under the attorney-client privilege. It consists of confidential communications involving DOE's legal staff and its program office staff who have sought legal guidance and advice.

With regard to the discretionary disclosure of deliberative information, we have determined that disclosure of the withheld information would not be in the public interest. The quality of agency decisions would be adversely affected if frank, written discussion of policy matters were inhibited by the knowledge that the content of such discussion might be made public. For this reason, DOE has determined that discretionary disclosure of the deliberative material is not in the public interest because foreseeable harm could result from such disclosure.

Release of information exchanged between attorneys and clients would result in less open discussions between them, and attorneys would not be able to adequately advise and represent their clients. Sound legal advice and advocacy serves the public interest and such advice and advocacy depends upon attorneys being fully informed by their clients and being able to communicate with them. Such disclosure could have a chilling effect on the willingness of attorneys to make honest and open evaluations and recommendations in the future.

For these reasons, discretionary disclosure of the information is not being made. Disclosure would be harmful to the integrity of governmental decision-making processes, and could stifle future communications between clients and attorneys.

Exemption 6 generally is referred to as the "personal privacy" exemption; it provides that the disclosure requirements of FOIA do not apply to "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." 5 U.S.C. § 555(b)(6). In applying Exemption 6, DOE considered: 1) whether a significant privacy interest would be invaded; 2) whether the release of the information would further the public interest by shedding light on the operations or activities of the Government; and 3) whether in balancing the privacy interests against the public interest, disclosure would constitute a clearly unwarranted invasion of privacy. The information withheld under Exemption 6 consists of personal email addresses and cellular telephone numbers. This information qualifies as "similar files" because it is associated with particular individuals entitled to privacy. Release of this personal information could subject individuals to unsolicited and unwarranted communications. Further, this information does not shed any light on the operations or activities of the Government. Therefore, we have determined that the public interest in releasing this information does not outweigh the overriding privacy interests in keeping this information confidential.

This satisfies the standard set forth by the Attorney General in its memorandum dated March 19, 2009. That standard states that when a FOIA request is denied, agencies will be defended and justified in not releasing the material on a discretionary basis "only if (1) the agency reasonably foresees that disclosure will harm an interest protected by one of the statutory exemptions, or (2) disclosure is prohibited by law." The Attorney General's memorandum also provides that whenever full disclosure of a record is not possible, agencies "must consider whether they can make a partial disclosure." Thus, we have determined that a partial disclosure is proper for some of the documents in this instance.

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the determination to withhold the information described above. The FOIA requires that "any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt," 5 U.S.C. § 552(b). As a result, a redacted version of the document is being released to you in accordance with 10 C.F.R. § 1004.7(b)(3).

This decision, as well as the adequacy of the search, may be appealed within 30 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to Director, Office of Hearings and Appeals, HG-1, L'Enfant Plaza, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington DC 20585-1615. The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. The appeal must contain all the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where the Department's records are situated, or (4) in the District of Columbia.

If you have any questions about the processing of the request or this letter, you may contact Ms. Christine Jordan at:

MA-90/Forrestal Building
1000 Independence Avenue, SW
Washington, DC 20585
(202) 586-5955

I appreciate the opportunity to assist you with this matter.

Sincerely,



Alexander C. Morris
FOIA Officer
Office of Information Resources

Enclosures

INDEX

Final response to a request from Grant Smith, Institute for Research: Middle Eastern Policy, Inc., for:

a copy of all DOE “files, agendas, working papers, talking points produced for and about” the June 21, 2012 meeting in the Eisenhower Executive Office Building about Parks Township, PA nuclear waste dump – NUMEC.

Request #: HQ-2012-01717-F

The Office of Environmental Management conducted a search of its staff records and email accounts. It located fifty-six (56) documents that are responsive to your request.

- Twenty documents *are being released in part pursuant to Exemption (b)(5)* – Exemption 5 information consists of pre-decisional and/or deliberative discussions between DOE staff, and between DOE staff and COE, and DOE staff and NNSA, as well as draft versions of documents, and attorney-client communications.
- Twelve documents *are being released in part pursuant to Exemption (b)(6)* – Exemption 6 information consists of personal email addresses and cellular telephone numbers.
- Fourteen documents *are being released in part pursuant to Exemption (b)(5) and Exemption (b)(6)* – Exemption 5 information consists of pre-decisional and/or deliberative discussions between DOE staff, and between DOE staff and COE, and DOE staff and NNSA, as well as draft versions of documents. Exemption 6 information consists of personal email addresses and cellular telephone numbers.
- Four documents are being released in their entirety.
- Portions of twenty-four documents have been transferred to COE.
 - Four of those documents are otherwise released in their entirety.
- Portions of six documents have been transferred to NNSA.
 - Two of those documents are otherwise released in their entirety.

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Wednesday, June 20, 2012 12:26 PM
To: Gelles, Christine (b) (5)
Subject: Re: Scrambled together some thoughts for the meeting tomorrow

Pentagon is bringing their proposed path forward to NSC staff to discuss admin position. Frank called to tell me Alice, TT, and he were going. May be a prebrief with Alice. The below message was something he asked for on monday before we knew.

From: Gelles, Christine
Sent: Wednesday, June 20, 2012 12:08 PM
To: Tonkay, Douglas (b) (5)
Subject: Re: Scrambled together some thoughts for the meeting tomorrow

(b) (5)

What the heck? What did I miss?

Sent from my BlackBerry Wireless Handheld

From: Tonkay, Douglas
Sent: Wednesday, June 20, 2012 11:38 AM
To: Marcinowski, Frank; Gelles, Christine (b) (5)
Subject: Scrambled together some thoughts for the meeting tomorrow

Just some points for meeting on Parks Twp., Armstrong Co. PA, FUSRAP Project (Shallow Land Disposal Area). Please feel free to add. Thanks.

(b) (5)

(b) (5)

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Tuesday, June 26, 2012 4:13 PM
To: Gelles, Christine
Subject: FW: Potential COA at SLDA (2).docx
Attachments: Potential COA at SLDA (2).docx

Steve and I talked about the yellow items today and he was going to make minor changes. We are holding for your comments. He and I want to talk late tomorrow to keep this moving. He's working to get something to Alice on Thursday. Have a good trip home...

-----Original Message-----

From: Miller, Steven
Sent: Monday, June 25, 2012 5:12 PM
To: Tonkay, Douglas; Gelles, Christine
Cc: Miller, Steven
Subject: Potential COA at SLDA (2).docx

See the attached file for review per my discussion with Doug today.

Attachment

Tonkay, Douglas

From: Miller, Steven
Sent: Thursday, June 28, 2012 4:58 PM
To: Tonkay, Douglas; Gelles, Christine
Subject: Potential COA at SLDA v2
Attachments: Potential COA at SLDA v2 (3).docx

See the attached revised file.

Attachment

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Monday, July 02, 2012 8:44 AM
To: Williams, Alice
Cc: Gelles, Christine; Marcinowski, Frank; Miller, Steven
Subject: RE: Pro's and Con's on SLDA
Attachments: Potential COA at SLDA v2 (3).docx

This is the latest version from Steve that reflects our discussion last week.

-----Original Message-----

From: Williams, Alice
Sent: Monday, July 02, 2012 8:30 AM
To: Tonkay, Douglas
Subject: Pro's and Con's on SLDA

Doug, do you have the final copy of the pro's and con's?

Jordan, Christine (CONTR)

From: Williams, Alice
Sent: Thursday, July 05, 2012 10:22 AM
To: Miller, Steven
Subject: RE: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Yes, I do have it. I think it is a very good paper.

From: Miller, Steven
Sent: Thursday, July 05, 2012 9:50 AM
To: Williams, Alice
Subject: RE: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Alice, I assume you got (from Christine) the draft Doug Tonkay and I revised as requested.

Steve

From: Williams, Alice
Sent: Thursday, July 05, 2012 8:45 AM
To: Miller, Steven; Gelles, Christine; Tonkay, Douglas
Subject: FW: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Well, certainly interesting.

COE

Jordan, Christine (CONTR)

From: Tonkay, Douglas
Sent: Friday, July 06, 2012 9:17 AM
To: Miller, Steven
Subject: FW: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)
Attachments: SLDA-InteragencyWorkingDraft-03JUL12-1700hrs.docx

Do you have time to discuss this today? I'm on vacation next week and would like to know our plan. NNSA needs to be looped into what is proposed as well.

-----Original Message-----

From: Williams, Alice
Sent: Thursday, July 05, 2012 8:45 AM
To: Miller, Steven; Gelles, Christine; Tonkay, Douglas
Subject: FW: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Well, certainly interesting.

COE

Tonkay, Douglas

From: Miller, Steven
Sent: Friday, July 06, 2012 9:18 AM
To: Tonkay, Douglas
Subject: RE: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Now.

Steven R. Miller

-----Original Message-----

From: Tonkay, Douglas
Sent: Friday, July 06, 2012 9:17 AM
To: Miller, Steven
Subject: FW: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Do you have time to discuss this today? I'm on vacation next week and would like to know our plan. NNSA needs to be looped into what is proposed as well.

-----Original Message-----

From: Williams, Alice
Sent: Thursday, July 05, 2012 8:45 AM
To: Miller, Steven; Gelles, Christine; Tonkay, Douglas
Subject: FW: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Well, certainly interesting.

COE

Tonkay, Douglas

From: Miller, Steven
Sent: Friday, July 06, 2012 9:31 AM
To: Tonkay, Douglas
Subject: SLDA Option Summary.docx
Attachments: SLDA Option Summary.docx

Tonkay, Douglas

From: Tyborowski, Teresa
Sent: Friday, July 06, 2012 11:02 AM
To: Tonkay, Douglas
Subject: RE: Parks Twp. paper status

Sounds like a plan. t

From: Tonkay, Douglas
Sent: Friday, July 06, 2012 10:55 AM
To: Williams, Alice; Tyborowski, Teresa; Marcinowski, Frank; Gelles, Christine
Cc: Harris, Alton
Subject: Parks Twp. paper status

Per the email of yesterday morning, the Corps of Engineers is asking for an update of their draft paper (which is essentially a skeleton). Each option has a description, followed by primary agency evaluation and then supporting agency evaluation (none of which is complete). The Corps is asking for input back on Tuesday.

(b) (5)

I'm on leave as is Christine next week. I will be local on Monday and will look over what Steve develops via BB.

Tonkay, Douglas

From: Roecker, Scott
Sent: Friday, July 06, 2012 11:09 AM
To: Miller, Steven; Ravenhill, Scott
Cc: Tonkay, Douglas; Gelles, Christine; Williams, Alice
Subject: RE: SLDA Paper

Thanks, Steve. We are working on our comments as well, hope to have that over to you later today or Monday.

From: Miller, Steven
Sent: Friday, July 06, 2012 11:06 AM
To: Ravenhill, Scott; Roecker, Scott
Cc: Tonkay, Douglas; Gelles, Christine; Williams, Alice
Subject: SLDA Paper

I am working with Doug Tonkay and Christine Gelles and Alice Williams on the Corps' request for input on this paper. We will coordinate with you on Monday.

Steven R. Miller

Steven R. Miller

Deputy Assistant General Counsel

For Environment

202-586-2925

(b) (6)

Tonkay, Douglas

From: Williams, Alice
Sent: Friday, July 06, 2012 12:19 PM
To: Tonkay, Douglas
Cc: Tyborowski, Teresa
Subject: Re: Parks Twp. paper status

Thanks, Doug.

From: Tonkay, Douglas
Sent: Friday, July 06, 2012 10:54 AM
To: Williams, Alice; Tyborowski, Teresa; Marcinowski, Frank; Gelles, Christine
Cc: Harris, Alton
Subject: Parks Twp. paper status

Per the email of yesterday morning, the Corps of Engineers is asking for an update of their draft paper (which is essentially a skeleton). Each option has a description, followed by primary agency evaluation and then supporting agency evaluation (none of which is complete). The Corps is asking for input back on Tuesday.

(b) (5)

I'm on leave as is Christine next week. I will be local on Monday and will look over what Steve develops via BB.

Jordan, Christine (CONTR)

From: Williams, Alice
Sent: Friday, July 06, 2012 12:25 PM
To: Miller, Steven
Cc: Tyborowski, Teresa
Subject: Re: SLDA Paper

Thanks, Steve. I appreciate you doing the writing and reformatting.

From: Miller, Steven
Sent: Friday, July 06, 2012 11:06 AM
To: Ravenhill, Scott; Roecker, Scott
Cc: Tonkay, Douglas; Gelles, Christine; Williams, Alice
Subject: SLDA Paper

I am working with Doug Tonkay and Christine Gelles and Alice Williams on the Corps' request for input on this paper. We will coordinate with you on Monday.

Steven R. Miller
Steven R. Miller
Deputy Assistant General Counsel
For Environment
202-586-2925
(b) (6)

Tonkay, Douglas

From: Miller, Steven
Sent: Monday, July 09, 2012 10:00 AM
To: Tonkay, Douglas
Subject: FW: SLDA Paper
Attachments: SLDA_Option_Summary_(2)_LHEdits7_6.docx

Steven R. Miller

From: Steven Miller [[mailto:](#) (b) (6)]
Sent: Monday, July 09, 2012 6:52 AM
To: doug.tonkay@hq.doe.gov; Miller, Steven
Subject: Fwd: SLDA Paper

Steven R. Miller

-----Original Message-----
From: Steven Miller (b) (6)
To: steven.miller <steven.miller@hq.doe.gov>
Sent: Sun, Jul 8, 2012 6:18 pm
Subject: SLDA Paper

Steven R. Miller

From: Miller, Steven
Sent: Monday, July 09, 2012 12:35 PM
To: Miller, Steven; Ravenhill, Scott; Roecker, Scott
Cc: Tonkay, Douglas; Gelles, Christine; Williams, Alice
Subject: RE: SLDA Paper

A (slightly) further revised version.

Steven R. Miller

Attachment

From: Miller, Steven
Sent: Monday, July 09, 2012 10:44 AM
To: Miller, Steven; Ravenhill, Scott; Roecker, Scott
Cc: Tonkay, Douglas; Gelles, Christine; Williams, Alice
Subject: RE: SLDA Paper

See the attached file for all to review at the same time.

Thanks

Steven R. Miller

202-586-2925

(b) (6)

Attachment

From: Miller, Steven
Sent: Friday, July 06, 2012 11:06 AM
To: Ravenhill, Scott; Roecker, Scott
Cc: Tonkay, Douglas; Gelles, Christine; Williams, Alice
Subject: SLDA Paper

I am working with Doug Tonkay and Christine Gelles and Alice Williams on the Corps' request for input on this paper. We will coordinate with you on Monday.

Steven R. Miller

Steven R. Miller

Deputy Assistant General Counsel

For Environment

202-586-2925

(b) (6)

Jordan, Christine (CONTR)

NNSA

From: Miller, Steven
Sent: Monday, July 09, 2012 3:38 PM
To: Roecker, Scott
Subject: RE: SLDA Paper

Thanks, Scott. Just to double check, I'm assuming you reviewed the most up to date version which we commented on, even though your marked up the incoming version from the Corps without our comments.

You're welcome,

Steve

NNSA

From: Miller, Steven
Sent: Monday, July 09, 2012 12:35 PM
To: Miller, Steven; Ravenhill, Scott; Roecker, Scott
Cc: Tonkay, Douglas; Gelles, Christine; Williams, Alice
Subject: RE: SLDA Paper

A (slightly) further revised version.

Steven R. Miller

Attachment

From: Miller, Steven
Sent: Monday, July 09, 2012 10:44 AM
To: Miller, Steven; Ravenhill, Scott; Roecker, Scott
Cc: Tonkay, Douglas; Gelles, Christine; Williams, Alice
Subject: RE: SLDA Paper

See the attached file for all to review at the same time.

Thanks

Steven R. Miller
202-586-2925
(b) (6)

Attachment

From: Miller, Steven
Sent: Friday, July 06, 2012 11:06 AM
To: Ravenhill, Scott; Roecker, Scott
Cc: Tonkay, Douglas; Gelles, Christine; Williams, Alice
Subject: SLDA Paper

I am working with Doug Tonkay and Christine Gelles and Alice Williams on the Corps' request for input on this paper. We will coordinate with you on Monday.

Steven R. Miller
Steven R. Miller
Deputy Assistant General Counsel
For Environment
202-586-2925
(b) (6)

Tonkay, Douglas

From: Miller, Steven
Sent: Monday, July 09, 2012 6:00 PM
To: Williams, Alice
Cc: Tonkay, Douglas; Gelles, Christine; Roecker, Scott; Ravenhill, Scott
Subject: SLDA_Option_Summary_7 9.docx
Attachments: SLDA_Option_Summary_7 9.docx

Combined comments. See the attached file.

Attachment

Tonkay, Douglas

NNSA

From: Miller, Steven
Sent: Monday, July 09, 2012 6:00 PM
To: Williams, Alice
Cc: Tonkay, Douglas; Gelles, Christine; Roecker, Scott; Ravenhill, Scott
Subject: SLDA_Option_Summary_7 9.docx

Combined comments. See the attached file.

Attachment

Jordan, Christine (CONTR)

From: Williams, Alice
Sent: Tuesday, July 10, 2012 1:59 PM
To: Miller, Steven
Subject: SLDA

Steve, have you sent off the "DOE SLDA work product" that you have been working on, over to our POC at the Corps? Is there anything else I need to do? It looks pretty good, to me. If we need an EM program person to be listed then I will volunteer.

-Alice

Tonkay, Douglas

From: Harris, Alton
Sent: Tuesday, July 10, 2012 4:48 PM
To: 'Williams, Alice'
Cc: OConnor, Stephen; Gelles, Christine; Tonkay, Douglas; Stewart, Cathy (EM); Marcinowski, Frank
Subject: FW: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)
Attachments: SLDA-InteragencyWorkingDraft-03JUL12-1700hrs.docx

Alice:

Ms. Fatherly (US Corps of Engineers) has called this afternoon for the Department of Energy comments on a National Security Council deliverable - Option Paper for Shallow Land Disposal Area. The issue relates to the cleanup in Parks Township, Pennsylvania. Doug Tonkay has been working the issue, but is on leave this week. Ms. Fatherly informed me that there has been increasing pressure to come to closure on the initial draft document (attached). Ms. Fatherly stated DOE comments on the draft option paper are due today (7/10). EM-31 is not prepared to provide comments to EM management today. Even if EM-31 was prepared to provide comments, it might take some time to coordinate the comments within DOE before a response would be ready to go back to the Corps of Engineers.

Given the sensitivity of the issue and recognizing you and Terry Tyborowski are familiar with the issue, I am sending the message directly to you. Ms. Fatherly was hoping that you might send a note back to Christine Altendorf (Christine.altendorf@us.army.mil) to state DOE needs additional time to coordinate comments internally.

If you have additional guidance for me to assist in the matter immediately, please call.

Alton Harris, EM-31 (Acting)
Disposal Operations
301-903-8466
(b) (6)

COE

Jordan, Christine (CONTR)

NNSA

From: Miller, Steven
Sent: Tuesday, July 10, 2012 4:42 PM
To: Roecker, Scott
Subject: RE: SLDA_Option_Summary_7 9 (2).docx

Alice will be the poc and I will include both names. Without objection, Alice asked me to send the paper to the Corps. I'm waiting to talk to NRC counsel.

Steven R. Miller

NNSA

From: Miller, Steven
Sent: Tuesday, July 10, 2012 4:39 PM
To: Miller, Steven
Cc: Roecker, Scott
Subject: SLDA_Option_Summary_7 9 (2).docx

Do you want your name listed? Wasn't entirely clear from your comment.

Tonkay, Douglas

From: Harris, Alton
Sent: Tuesday, July 10, 2012 5:28 PM
To: Fatherly, Nicki HQ
Cc: Tonkay, Douglas
Subject: RE: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Ms. Fatherly,

I have sent a message to Alice Williams to inform her that your agency is awaiting comments from DOE.

Alton Harris, EM-31
Disposal Operations
301-903-8466
(b) (6)

Tonkay, Douglas

From: Miller, Steven
Sent: Tuesday, July 10, 2012 9:02 PM
To: 'christine.t.altendorf@usace.army.mil'
Cc: 'alice.williams@hq.doe.gov'; 'chris.d.carey@usace.army.mil'; Tonkay, Douglas; Gelles, Christine; Roecker, Scott; Ravenhill, Scott
Subject: FW: Markup of SLDA Paper
Attachments: SLDA_Option_Summary_710622p.docx

Alice Williams asked me to forward the attached file to you, per your request for proposed language to assist in helping develop the interagency options paper on the Shallow Land Disposal Area.

Steven R. Miller

Deputy Assistant General Counsel

For Environment

U.S. Department of Energy

GC-51, 1000 Independence Ave., SW

Washington, D.C. 20585

202-586-2925

(b) (6)

Attachment

COE

Jordan, Christine (CONTR)

From: Williams, Alice
Sent: Tuesday, July 10, 2012 9:46 PM
To: Miller, Steven
Subject: Re: SLDA: Just finished a good conversation with NRC counsel. Will send out this eve. after my apointment

Thanks Steve. It does not matter probably, but I am glad that we (thanks to your efforts) made the deadline.

From: Miller, Steven
Sent: Tuesday, July 10, 2012 06:34 PM
To: Williams, Alice
Subject: SLDA: Just finished a good conversation with NRC counsel. Will send out this eve. after my apointment

Got clearance from NNSA.

Steven R. Miller

PS – NRC won't have comments for at least a few days.

Tonkay, Douglas

From: Harris, Alton
Sent: Tuesday, July 10, 2012 11:19 PM
To: Williams, Alice
Cc: Marcinowski, Frank; Gelles, Christine; Tonkay, Douglas; OConnor, Stephen; Stewart, Cathy (EM); Harris, Alton
Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Thank you for the feedback.

Alton Harris, EM-31 (Acting)
(b) (6)

----- Original Message -----

From: Williams, Alice
Sent: Tuesday, July 10, 2012 10:01 PM
To: Harris, Alton
Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Alton, all is well.

(b) (5)

(b) (5)

----- Original Message -----

From: Harris, Alton
Sent: Tuesday, July 10, 2012 04:55 PM
To: Williams, Alice
Subject: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Alice:

Ms. Fatherly (US Corps of Engineers) has called this afternoon for the Department of Energy comments on a National Security Council deliverable - Option Paper for Shallow Land Disposal Area. The issue relates to the cleanup in Parks Township, Pennsylvania. Doug Tonkay has been working the issue, but is on leave this week. Ms. Fatherly informed me that there has been increasing pressure to come to closure on the initial draft document (attached). Ms. Fatherly stated DOE comments on the draft option paper are due today (7/10). EM-31 is not prepared to provide comments to EM management today. Even if EM-31 was prepared to provide comments, it might take some time to coordinate the comments within DOE before a response would be ready to go back to the Corps of Engineers.

Given the sensitivity of the issue and recognizing you and Terry Tyborowski are familiar with the issue, I am sending the message directly to you. Ms. Fatherly was hoping that you might send a note back to Christine Altendorf (Christine.altendorf@us.army.mil) to state DOE needs additional time to coordinate comments internally.

If you have additional guidance for me to assist in the matter immediately, please call.

Alton Harris, EM-31 (Acting)
Disposal Operations
301-903-8466
(b) (6)

COE

Tonkay, Douglas

From: Harris, Alton
Sent: Wednesday, July 11, 2012 8:29 AM
To: 'Nicki.Fatherly@usace.army.mil'
Cc: Tonkay, Douglas
Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

Did DOE's input reach you? I do not have a copy of DOE's consolidated comments. Apparently, at DOE the issue was handled at a higher level.

Alton Harris

COE

-----Original Message-----

From: Harris, Alton [<mailto:Alton.Harris@em.doe.gov>]
Sent: Tuesday, July 10, 2012 11:22 PM
To: Fatherly, Nicki HQ
Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

DOE's Office of General Counsel sent consolidated comments this morning.

Alton Harris, EM-31
(b) (6)

COE

Tonkay, Douglas

From: Harris, Alton
Sent: Wednesday, July 11, 2012 9:21 AM
To: Tonkay, Douglas; Mathes, David; Joyce, James
Cc: Gelles, Christine
Subject: Fw: Markup of SLDA Paper (UNCLASSIFIED)
Attachments: SLDA_Option_Summary_710622p.docx

DOE's consolidated comments.

COE

-----Original Message-----

From: Miller, Steven [<mailto:STEVEN.MILLER@hq.doe.gov>]
Sent: Tuesday, July 10, 2012 9:02 PM
To: Altendorf, Christine HQ
Cc: 'alice.williams@hq.doe.gov'; Carey, Chris D HQ02; Tonkay, Douglas; Gelles, Christine; Roecker, Scott; Ravenhill, Scott
Subject: FW: Markup of SLDA Paper

Alice Williams asked me to forward the attached file to you, per your request for proposed language to assist in helping develop the interagency options paper on the Shallow Land Disposal Area.

Steven R. Miller

Deputy Assistant General Counsel

For Environment

U.S. Department of Energy

GC-51, 1000 Independence Ave., SW

Washington, D.C. 20585

202-586-2925

(b) (6)

Attachment

COE

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Wednesday, July 11, 2012 9:56 AM
To: Miller, Steven
Subject: Re: Markup of SLDA Paper

Steve I had no comments. Glad to see you pushed it out

From: Miller, Steven
Sent: Tuesday, July 10, 2012 09:02 PM
To: 'christine.t.altendorf@usace.army.mil' <christine.t.altendorf@usace.army.mil>
Cc: 'alice.williams@hq.doe.gov' <alice.williams@hq.doe.gov>; 'chris.d.carey@usace.army.mil' <chris.d.carey@usace.army.mil>; Tonkay, Douglas; Gelles, Christine; Roecker, Scott; Ravenhill, Scott
Subject: FW: Markup of SLDA Paper

Alice Williams asked me to forward the attached file to you, per your request for proposed language to assist in helping develop the interagency options paper on the Shallow Land Disposal Area.

Steven R. Miller

Deputy Assistant General Counsel

For Environment

U.S. Department of Energy

GC-51, 1000 Independence Ave., SW

Washington, D.C. 20585

202-586-2925

(b) (6)

Attachment

COE

Tonkay, Douglas

From: Harris, Alton
Sent: Tuesday, July 17, 2012 4:15 PM
To: Tonkay, Douglas; Joyce, James
Subject: FW: Request cost estimation - SLDA Options (UNCLASSIFIED)

Importance: High

FYI - Corps of Engineers have asked DOE for a cost estimate; the request was sent to Steve Miller, GC-51.

Alton Harris, EM-31
Disposal Operations
301-903-8466
(b) (6)

COE

COE

-----Original Message-----

From: Harris, Alton [mailto:Alton.Harris@em.doe.gov]

Sent: Tuesday, July 10, 2012 11:22 PM

To: Fatherly, Nicki HQ

Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

DOE's Office of General Counsel sent consolidated comments this morning.

Alton Harris, EM-31

(b) (6)

COE

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Wednesday, July 18, 2012 2:58 PM
To: Gelles, Christine
Subject: Revise and I'll send to Steve - SLDA Options (UNCLASSIFIED)

(b) (5)

-----Original Message-----

From: Miller, Steven
Sent: Wednesday, July 18, 2012 12:06 PM
To: Williams, Alice; Tonkay, Douglas; Williams, Alice; Roecker, Scott
Subject: FW: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

See the below.

Steven R. Miller

-----Original Message-----

From: Harris, Alton
Sent: Wednesday, July 18, 2012 7:20 AM
To: Miller, Steven
Cc: Carey, Chris D HQ02; 'Fatherly, Nicki HQ'; Tonkay, Douglas; Joyce, James
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

Steve:

The U.S. Army Corps of Engineers had sent the message below to the wrong Steve Miller; I am forwarding the message meant for you.

Alton Harris, EM-31
(b) (6)

COE

-----Original Message-----

From: Harris, Alton [mailto:Alton.Harris@em.doe.gov]

Sent: Tuesday, July 10, 2012 11:22 PM

To: Fatherly, Nicki HQ

Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

DOE's Office of General Counsel sent consolidated comments this morning.

Alton Harris, EM-31

(b) (6)

COE

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Wednesday, July 18, 2012 3:14 PM
To: Gelles, Christine
Subject: Fw: Request cost estimation - SLDA Options (UNCLASSIFIED)

----- Original Message -----

From: Miller, Steven
Sent: Wednesday, July 18, 2012 03:04 PM
To: Williams, Alice; Tyborowski, Teresa; Huizenga, David; Mustin, Tracy; Tonkay, Douglas
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

I will try to find out.

-----Original Message-----

From: Williams, Alice
Sent: Wednesday, July 18, 2012 3:02 PM
To: Tyborowski, Teresa; Huizenga, David; Mustin, Tracy; Miller, Steven; Tonkay, Douglas
Subject: Fw: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

This is certainly an open-ended request. I am interested in the consequences laid out if we do not provide the cost estimates. I think we could use ARP's at Idaho as a cost basis.

----- Original Message -----

From: Miller, Steven
Sent: Wednesday, July 18, 2012 12:05 PM
To: Williams, Alice; Tonkay, Douglas; Williams, Alice; Roecker, Scott
Subject: FW: Request cost estimation - SLDA Options (UNCLASSIFIED)

See the below.

Steven R. Miller

-----Original Message-----

From: Harris, Alton
Sent: Wednesday, July 18, 2012 7:20 AM
To: Miller, Steven
Cc: Carey, Chris D HQ02; 'Fatherly, Nicki HQ'; Tonkay, Douglas; Joyce, James
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

Steve:

The U.S. Army Corps of Engineers had sent the message below to the wrong Steve Miller; I am forwarding the message meant for you.

Alton Harris, EM-31

(b) (6)

COE

-----Original Message-----

From: Harris, Alton [mailto:Alton.Harris@em.doe.gov]

Sent: Tuesday, July 10, 2012 11:22 PM

To: Fatherly, Nicki HQ

Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

DOE's Office of General Counsel sent consolidated comments this morning.

Alton Harris, EM-31

(b) (6)

COE

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Wednesday, July 18, 2012 3:57 PM
To: Gelles, Christine
Subject: See Dave's and TT's input - SLDA Options (UNCLASSIFIED)

-----Original Message-----

From: Huizenga, David
Sent: Wednesday, July 18, 2012 3:55 PM
To: Miller, Steven; Tyborowski, Teresa; Williams, Alice; Mustin, Tracy; Tonkay, Douglas
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

Thanks. Just checking. We have our hands full at the moment.

-----Original Message-----

From: Miller, Steven
Sent: Wednesday, July 18, 2012 3:52 PM
To: Tyborowski, Teresa; Huizenga, David; Williams, Alice; Mustin, Tracy; Tonkay, Douglas
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

That is correct. The Corps is coordinating an interagency options paper (see e-mails below), which DOE is providing input to.

Per Alice's suggestion, I'm getting ARP information, which might be relevant.

-----Original Message-----

From: Tyborowski, Teresa
Sent: Wednesday, July 18, 2012 3:41 PM
To: Huizenga, David; Williams, Alice; Mustin, Tracy; Miller, Steven; Tonkay, Douglas
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

(b) (5)

-----Original Message-----

From: Huizenga, David
Sent: Wednesday, July 18, 2012 3:38 PM
To: Williams, Alice; Tyborowski, Teresa; Mustin, Tracy; Miller, Steven; Tonkay, Douglas
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

I thought we were off this idea and the Corp was going to keep this mission.

-----Original Message-----

From: Williams, Alice
Sent: Wednesday, July 18, 2012 3:02 PM
To: Tyborowski, Teresa; Huizenga, David; Mustin, Tracy; Miller, Steven; Tonkay, Douglas
Subject: Fw: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

This is certainly an open-ended request. I am interested in the consequences laid out if we do not provide the cost estimates. I think we could use ARP's at Idaho as a cost basis.

----- Original Message -----

From: Miller, Steven

Sent: Wednesday, July 18, 2012 12:05 PM

To: Williams, Alice; Tonkay, Douglas; Williams, Alice; Roecker, Scott

Subject: FW: Request cost estimation - SLDA Options (UNCLASSIFIED)

See the below.

Steven R. Miller

-----Original Message-----

From: Harris, Alton

Sent: Wednesday, July 18, 2012 7:20 AM

To: Miller, Steven

Cc: Carey, Chris D HQ02; 'Fatherly, Nicki HQ'; Tonkay, Douglas; Joyce, James

Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

Importance: High

Steve:

The U.S. Army Corps of Engineers had sent the message below to the wrong Steve Miller; I am forwarding the message meant for you.

Alton Harris, EM-31

(b) (6)

COE

-----Original Message-----

From: Harris, Alton [mailto:Alton.Harris@em.doe.gov]

Sent: Tuesday, July 10, 2012 11:22 PM

To: Fatherly, Nicki HQ

Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

DOE's Office of General Counsel sent consolidated comments this morning.

Alton Harris, EM-31

(b) (6)

COE

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Wednesday, July 18, 2012 4:13 PM
To: Miller, Steven
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

When Christine finishes her edit, I will send.

-----Original Message-----

From: Miller, Steven
Sent: Wednesday, July 18, 2012 4:12 PM
To: Tonkay, Douglas
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

Not attached.

Steven R. Miller

-----Original Message-----

From: Tonkay, Douglas
Sent: Wednesday, July 18, 2012 4:05 PM
To: Roecker, Scott; Miller, Steven; Williams, Alice
Cc: Gelles, Christine
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

I drafted up a qualitative response (costs are driven by scope and schedule and DOE costs are not going to be less than the Corps unless you change the schedule to expedite cleanup and lower the fixed costs) to their questions and Christine has it for review and revision. We can add Scott's piece to Q5. Cost discrimination between options is going to be difficult.

NNSA

-----Original Message-----

From: Miller, Steven
Sent: Wednesday, July 18, 2012 12:06 PM
To: Williams, Alice; Tonkay, Douglas; Williams, Alice; Roecker, Scott
Subject: FW: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

See the below.

Steven R. Miller

-----Original Message-----

From: Harris, Alton
Sent: Wednesday, July 18, 2012 7:20 AM
To: Miller, Steven
Cc: Carey, Chris D HQ02; 'Fatherly, Nicki HQ'; Tonkay, Douglas; Joyce, James
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

Steve:

The U.S. Army Corps of Engineers had sent the message below to the wrong Steve Miller; I am forwarding the message meant for you.

Alton Harris, EM-31
(b) (6)

COE

-----Original Message-----

From: Harris, Alton [mailto:Alton.Harris@em.doe.gov]
Sent: Tuesday, July 10, 2012 11:22 PM
To: Fatherly, Nicki HQ
Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

DOE's Office of General Counsel sent consolidated comments this morning.

Alton Harris, EM-31

(b) (6)

COE

Jordan, Christine (CONTR)

From: Williams, Alice
Sent: Wednesday, July 18, 2012 6:42 PM
To: Miller, Steven
Subject: Re: Request cost estimation - SLDA Options (UNCLASSIFIED)

Accelerated Retrieval Project. Large temporary enclosures used in Idaho to dig up scary waste in controlled environment. Effective but expensive. EM will start pulling cost data together.

----- Original Message -----

From: Miller, Steven
Sent: Wednesday, July 18, 2012 03:04 PM
To: Williams, Alice
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

Just to be clear, what is an "ARP"?

Steven R. Miller

-----Original Message-----

From: Williams, Alice
Sent: Wednesday, July 18, 2012 3:02 PM
To: Tyborowski, Teresa; Huizenga, David; Mustin, Tracy; Miller, Steven; Tonkay, Douglas
Subject: Fw: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

This is certainly an open-ended request. I am interested in the consequences laid out if we do not provide the cost estimates. I think we could use ARP's at Idaho as a cost basis.

----- Original Message -----

From: Miller, Steven
Sent: Wednesday, July 18, 2012 12:05 PM
To: Williams, Alice; Tonkay, Douglas; Williams, Alice; Roecker, Scott
Subject: FW: Request cost estimation - SLDA Options (UNCLASSIFIED)

See the below.

Steven R. Miller

-----Original Message-----

From: Harris, Alton
Sent: Wednesday, July 18, 2012 7:20 AM
To: Miller, Steven
Cc: Carey, Chris D HQ02; 'Fatherly, Nicki HQ'; Tonkay, Douglas; Joyce, James
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

Steve:

The U.S. Army Corps of Engineers had sent the message below to the wrong Steve Miller; I am forwarding the message meant for you.

Alton Harris, EM-31
(b) (6)

COE

-----Original Message-----

From: Harris, Alton [mailto:Alton.Harris@em.doe.gov]

Sent: Tuesday, July 10, 2012 11:22 PM

To: Fatherly, Nicki HQ

Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

DOE's Office of General Counsel sent consolidated comments this morning.

Alton Harris, EM-31
(b) (6)

COE

Tonkay, Douglas

From: Gelles, Christine
Sent: Monday, July 23, 2012 2:51 PM
To: Tonkay, Douglas
Subject: Re: Did you have a chance to look at the SLDA response email?

Yes. I have a few comments. Stand by.

Sent from my BlackBerry Wireless Handheld

From: Tonkay, Douglas
Sent: Monday, July 23, 2012 02:49 PM
To: Gelles, Christine
Subject: Did you have a chance to look at the SLDA response email?

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Monday, July 23, 2012 3:28 PM
To: Gelles, Christine
Subject: RE: SLDA

Thanks. This is good. I'm calling Steve Miller in 3 minutes

-----Original Message-----

From: Gelles, Christine
Sent: Monday, July 23, 2012 3:19 PM
To: Tonkay, Douglas
Subject: RE: SDLA

I'm definitely comfortable with you sending.

Please consider my changes/suggestions below...
Let me know if you want to discuss. I'm still in FORS.

-----Original Message-----

From: Tonkay, Douglas
Sent: Monday, July 23, 2012 12:25 PM
To: Gelles, Christine
Subject: SDLA

Are you comfortable with sending my response to the Corps. Steve and I spoke this morning and I'm going to catch up with him again this afternoon. Also, Alice responded that we should look at the Idaho retrieval project for costs. I don't care to go down that path. We could insert that technical approach in any option.

-----Original Message-----

From: Tonkay, Douglas
Sent: Thursday, July 19, 2012 4:45 PM
To: Miller, Steven
Cc: Roecker, Scott; Gelles, Christine
Subject: FW: Revise and I'll send to Steve - SLDA Options (UNCLASSIFIED)

Steve. See if you can work with this.

(b) (5)

(b) (5)

-----Original Message-----

From: Miller, Steven
Sent: Wednesday, July 18, 2012 12:06 PM
To: Williams, Alice; Tonkay, Douglas; Williams, Alice; Roecker, Scott
Subject: FW: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

See the below.

Steven R. Miller

-----Original Message-----

From: Harris, Alton
Sent: Wednesday, July 18, 2012 7:20 AM
To: Miller, Steven
Cc: Carey, Chris D HQ02; 'Fatherly, Nicki HQ'; Tonkay, Douglas; Joyce, James
Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)
Importance: High

Steve:

The U.S. Army Corps of Engineers had sent the message below to the wrong Steve Miller; I am forwarding the message meant for you.

Alton Harris, EM-31
(b) (6)

COE

COE

-----Original Message-----

From: Harris, Alton [mailto:Alton.Harris@em.doe.gov]

Sent: Tuesday, July 10, 2012 11:22 PM

To: Fatherly, Nicki HQ

Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

DOE's Office of General Counsel sent consolidated comments this morning.

Alton Harris, EM-31

(b) (6)

COE

Tonkay, Douglas

From: Miller, Steven
Sent: Monday, July 23, 2012 5:02 PM
To: Williams, Alice
Cc: Tonkay, Douglas; Gelles, Christine
Subject: FW: SLDA

I'm planning to incorporate this (Doug and I with Christine's input) into the paper and send to the Corps (discussing now).

Can still get ARP info but would need assumptions from the Corps and couldn't get for at least a week.

Steven R. Miller

-----Original Message-----

From: Tonkay, Douglas
Sent: Monday, July 23, 2012 3:59 PM
To: Miller, Steven
Subject: RE: SLDA

(b) (5)

-----Original Message-----

From: Miller, Steven

Sent: Wednesday, July 18, 2012 12:06 PM

To: Williams, Alice; Tonkay, Douglas; Williams, Alice; Roecker, Scott

Subject: FW: Request cost estimation - SLDA Options (UNCLASSIFIED)

Importance: High

See the below.

Steven R. Miller

-----Original Message-----

From: Harris, Alton

Sent: Wednesday, July 18, 2012 7:20 AM

To: Miller, Steven

Cc: Carey, Chris D HQ02; 'Fatherly, Nicki HQ'; Tonkay, Douglas; Joyce, James

Subject: RE: Request cost estimation - SLDA Options (UNCLASSIFIED)

Importance: High

Steve:

The U.S. Army Corps of Engineers had sent the message below to the wrong Steve Miller; I am forwarding the message meant for you.

Alton Harris, EM-31

(b) (6)

COE

COE

-----Original Message-----

From: Harris, Alton [mailto:Alton.Harris@em.doe.gov]

Sent: Tuesday, July 10, 2012 11:22 PM

To: Fatherly, Nicki HQ

Subject: Re: SLDA Options Paper - Preliminary Working Draft (UNCLASSIFIED)

DOE's Office of General Counsel sent consolidated comments this morning.

Alton Harris, EM-31

(b) (6)

COE

Tonkay, Douglas

From: Miller, Steven
Sent: Monday, July 23, 2012 6:09 PM
To: Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine
Subject: SLDA_Option_Summary_7 23
Attachments: SLDA_Option_Summary_7 23 v2 (2).docx

Planning to send this out to Corps this evening per their request. We will then get back from them a draft to review by Wed. which we can comment further on.

OK?

Jordan, Christine (CONTR)

From: Williams, Alice
Sent: Tuesday, July 24, 2012 8:13 AM
To: Miller, Steven
Subject: RE: SLDA_Option_Summary_7 23

Sounds like a plan.

From: Miller, Steven
Sent: Monday, July 23, 2012 6:09 PM
To: Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine
Subject: SLDA_Option_Summary_7 23

Planning to send this out to Corps this evening per their request. We will then get back from them a draft to review by Wed. which we can comment further on.

OK?

Tonkay, Douglas

From: Miller, Steven
Sent: Thursday, July 26, 2012 10:41 AM
To: Williams, Alice; Tonkay, Douglas; Gelles, Christine; Roecker, Scott; Ravenhill, Scott; Tyborowski, Teresa
Subject: FW: SLDA Options Paper - Revised Working Draft - (UNCLASSIFIED) (UNCLASSIFIED)
Attachments: SLDA-Option Paper-InteragencyDraft-25JUL2012 to DOE_NRC.docx

The attached version of the SLDA Options Paper which I just received may not, according to the Corps, include all of our most recent additions (earlier this week) as requested by the Corps due to the shortage of time. So I will plan to include them in the appropriate places. Also, the Corps believes that NSC still wants (as specific as possible) cost estimates from the Corps and DOE. It is my understanding that the Corps will provide us with their working assumptions for their project planning (or re planning). ID-ARP staff is willing to provide a cost estimate based their project experience and the Corps' assumptions. If you have any additional comments or questions, please let me know.

Thanks

COE

COE

COE

COE

Tonkay, Douglas

From: Miller, Steven
Sent: Friday, July 27, 2012 12:24 PM
To: Tonkay, Douglas
Subject: Re: SLDA ROD & RI

130?

----- Original Message -----

From: Tonkay, Douglas
Sent: Friday, July 27, 2012 12:21 PM
To: Miller, Steven; Pruitt, Douglas M (NE-ID)
Subject: RE: SLDA ROD & RI

We really need to talk to understand what you are up to. We answered the Corps questions. Has the Corps asked us to help replan? We have not changed our position on the costing of a DOE option.

-----Original Message-----

From: Miller, Steven
Sent: Friday, July 27, 2012 11:16 AM
To: Pruitt, Douglas M (NE-ID)
Cc: Tonkay, Douglas
Subject: FW: SLDA ROD & RI

FYI, this is the information I got from the Corps, before the re planning of the project. Before you proceed to do any work per our conversation, please call me at 202-586-2925 or (b) (6)

Steven R. Miller

COE

Tonkay, Douglas

From: Miller, Steven
Sent: Friday, July 27, 2012 1:30 PM
To: Tonkay, Douglas
Subject: RE: SLDA ROD & RI

Available to talk now.

Steven R. Miller

-----Original Message-----

From: Tonkay, Douglas
Sent: Friday, July 27, 2012 12:21 PM
To: Miller, Steven; Pruitt, Douglas M (NE-ID)
Subject: RE: SLDA ROD & RI

We really need to talk to understand what you are up to. We answered the Corps questions. Has the Corps asked us to help replan? We have not changed our position on the costing of a DOE option.

-----Original Message-----

From: Miller, Steven
Sent: Friday, July 27, 2012 11:16 AM
To: Pruitt, Douglas M (NE-ID)
Cc: Tonkay, Douglas
Subject: FW: SLDA ROD & RI

FYI, this is the information I got from the Corps, before the re planning of the project. Before you proceed to do any work per our conversation, please call me at 202-586-2925 or (b) (6)

Steven R. Miller

COE

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Friday, July 27, 2012 2:13 PM
To: Gelles, Christine
Subject: I think Steve and I are back on the same page per SLDA

(b) (5)

Tonkay, Douglas

From: Brennan, Terry (CBC)
Sent: Wednesday, August 01, 2012 9:26 AM
To: Tonkay, Douglas
Subject: RE: Cost input for options paper
Attachments: DOE PM Costs for FUSRAP Parks Township SLDA_07-31-2012.xlsx

Corrected estimate attached.

Broke my cardinal cost estimating rule and threw this estimate over the fence without a Peer Review. My staff get's chastised for that all the time - guess I better start practicing what I preach.

Here is the summary roll-up. Detail is attached.

Terry

Terry J. Brennan

Phone: 513-246-0546

-----Original Message-----

From: Tonkay, Douglas [<mailto:Douglas.Tonkay@em.doe.gov>]
Sent: Tuesday, July 31, 2012 10:11 PM
To: Brennan, Terry
Subject: Re: Cost input for options paper

This is exactly what I had in mind. Only comment was the total at the bottom appears to be including the subtotal so its double counting I think

Looking forward to our discussion tomorrow. Great job

----- Original Message -----

From: Brennan, Terry (CBC)
Sent: Tuesday, July 31, 2012 05:11 PM
To: Tonkay, Douglas
Subject: RE: Cost Input for options paper

Working on the ROM now. Thought it would be easier if I had something laying in front of you before we talked. Just got my SF cost to lease office space in that county from the Real Estate team, so should be able to send you something first thing tomorrow.

80% of my staff (cost) are at different sites this week or vacation, so I'm the guy in the hot seat for this request.

I'm wide open until 1 PM tomorrow.

Terry

Terry J. Brennan

Phone: 513-246-0546

-----Original Message-----

From: Tonkay, Douglas [<mailto:Douglas.Tonkay@em.doe.gov> <<mailto:Douglas.Tonkay@em.doe.gov>>]
Sent: Tuesday, July 31, 2012 5:08 PM
To: Brennan, Terry
Subject: Cost input for options paper

We need to talk about the swag costs for the FUSRAP options paper. When is a good time tomorrow to talk and I will jump out of training. Thx

Tonkay, Douglas

From: Tonkay, Douglas
Sent: Wednesday, August 01, 2012 3:31 PM
To: Marcinowski, Frank
Subject: Re: SLDA-Option Paper-InteragencyDraft

(b) (5)

From: Marcinowski, Frank
Sent: Wednesday, August 01, 2012 02:54 PM
To: Tonkay, Douglas
Subject: RE: SLDA-Option Paper-InteragencyDraft

(b) (5)

From: Tonkay, Douglas
Sent: Tuesday, July 31, 2012 5:06 PM
To: Marcinowski, Frank
Subject: Fw: SLDA-Option Paper-InteragencyDraft

Not sure why you weren't copied. I've been having daily conversations with Steve. I'm talking with him tomorrow and this update includes my discussions with him to date

From: Miller, Steven
Sent: Tuesday, July 31, 2012 05:02 PM
To: Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine
Subject: SLDA-Option Paper-InteragencyDraft

See the attached comments and let me know if you have any others. The Corps is requesting our comments by cob tomorrow 8/1.

Thanks

Attachment

NNSA

From: Miller, Steven
Sent: Tuesday, July 31, 2012 05:02 PM
To: Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine
Subject: SLDA-Option Paper-InteragencyDraft

See the attached comments and let me know if you have any others. The Corps is requesting our comments by cob tomorrow 8/1.

Thanks

Attachment

Tonkay, Douglas

From: Brennan, Terry (CBC)
Sent: Wednesday, August 01, 2012 5:30 PM
To: Tonkay, Douglas
Subject: RE: Cost input for options paper
Attachments: DOE PM Costs for FUSRAP Parks Township SLDA_07-31-2012.xlsx

Updated cost estimate attached.

(b) (5)

Give me a call tomorrow if you have any questions.

Thanks.

Terry

Terry J. Brennan

Phone: 513-246-0546

-----Original Message-----

From: Tonkay, Douglas [<mailto:Douglas.Tonkay@em.doe.gov>]
Sent: Tuesday, July 31, 2012 5:22 PM
To: Brennan, Terry
Subject: Re: Cost input for options paper

Good. We probably will have a break around 930 to 10 and will check in with you then. Thx

----- Original Message -----

From: Brennan, Terry (CBC)
Sent: Tuesday, July 31, 2012 05:11 PM
To: Tonkay, Douglas
Subject: RE: Cost input for options paper

Working on the ROM now. Thought it would be easier if I had something laying in front of you before we talked. Just got my SF cost to lease office space in that county from the Real Estate team, so should be able to send you something first thing tomorrow.

80% of my staff (cost) are at different sites this week or vacation, so I'm the guy in the hot seat for this request.

I'm wide open until 1 PM tomorrow.

Terry

Terry J. Brennan

Phone: 513-246-0546

-----Original Message-----

From: Tonkay, Douglas [<mailto:Douglas.Tonkay@em.doe.gov>]

Sent: Tuesday, July 31, 2012 5:08 PM

To: Brennan, Terry

Subject: Cost input for options paper

We need to talk about the swag costs for the FUSRAP options paper. When is a good time tomorrow to talk and I will jump out of training. Thx

Tonkay, Douglas

From: Miller, Steven
Sent: Wednesday, August 01, 2012 6:56 PM
To: 'christine.t.alterndorf@usace.army.mil'; 'nicki.fatherly@usace.army.mil'
Cc: 'Carey, Chris D HQ02'; Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine; Ravenhill, Scott
Subject: SLDA-Option Paper-InteragencyDraft
Attachments: SLDA-Option Paper-InteragencyDraft-25JUL2012 to DOE_NRC 8 1 2012630PM.docx

See the attached file, as requested.

Steven R. Miller

Steven R. Miller

Deputy Assistant General Counsel

For Environment

U.S. Department of Energy

GC-51, 1000 Independence Ave., S.W.

Washington, D.C. 20585

202-586-2925

(b) (6)

Attachment

From: Miller, Steven
Sent: Wednesday, August 01, 2012 6:38 PM
To: Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine; Ravenhill, Scott; Miller, Steven
Subject: SLDA-Option Paper-InteragencyDraft

Without objection, and per the Corps' request, I'm planning to send this draft to the Corps this evening. Ongoing discussions of the comments will continue, and there may still be time to include additional comments.

Attachments

Jordan, Christine (CONTR)

From: Williams, Alice
Sent: Thursday, August 02, 2012 8:20 AM
To: Miller, Steven
Subject: RE: SLDA-Option Paper-InteragencyDraft

Thanks, Steve: I certainly agree with the comment that this is way too long for an options paper. Will try and get all the way through it.

From: Miller, Steven
Sent: Wednesday, August 01, 2012 6:38 PM
To: Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine; Ravenhill, Scott; Miller, Steven
Subject: SLDA-Option Paper-InteragencyDraft

Without objection, and per the Corps' request, I'm planning to send this draft to the Corps this evening. Ongoing discussions of the comments will continue, and there is still time to include additional comments.

Attachments

Tonkay, Douglas

COE

-----Original Message-----

From: Tonkay, Douglas [mailto:Douglas.Tonkay@em.doe.gov]
Sent: Thursday, August 02, 2012 11:29 AM
To: Fatherly, Nicki HQ
Subject: RE: SLDA-Option Paper-Interagency Draft (UNCLASSIFIED)

Nicki, my management is still questioning the need for such a large document. I know that's way above you and nothing can be done. Just thought you should know. Our options papers are typically an order of magnitude smaller. We will continue to support in spite of our thoughts. Hope all is well.

COE

-----Original Message-----

From: Miller, Steven [mailto:STEVEN.MILLER@hq.doe.gov]
Sent: Wednesday, August 01, 2012 6:56 PM
To: 'christine.t.alterndorf@usace.army.mil'; Fatherly, Nicki HQ
Cc: Carey, Chris D HQ02; Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine; Ravenhill, Scott
Subject: SLDA-Option Paper-InteragencyDraft

See the attached file, as requested.

Steven R. Miller

Steven R. Miller

Deputy Assistant General Counsel

For Environment

U.S. Department of Energy

GC-51, 1000 Independence Ave., S.W.

Washington, D.C. 20585

202-586-2925

(b) (6)

Attachment

From: Miller, Steven

Sent: Wednesday, August 01, 2012 6:38 PM

To: Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine; Ravenhill, Scott; Miller, Steven

Subject: SLDA-Option Paper-InteragencyDraft

Without objection, and per the Corps' request, I'm planning to send this draft to the Corps this evening. Ongoing discussions of the comments will continue, and there may still be time to include additional comments.

Attachments

COE

Tonkay, Douglas

From: Miller, Steven
Sent: Friday, August 03, 2012 7:34 PM
To: 'christine.t.alterndorf@usace.army.mil'; 'nicki.fatherly@usace.army.mil'; 'Carey, Chris D HQ02'
Cc: Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine; Ravenhill, Scott
Subject: SLDA-Option Paper-InteragencyDraft (revised)
Attachments: DOE PM Costs for FUSRAP Parks Township SLDA_07-31-2012.xlsx; SLDA-Option Paper-InteragencyDraft-25JUL2012 to DOE_NRC 8 3 2012730pm.docx

See the attached file for a slightly modified version of DOE's 8/1 comments with the requested cost information (see comments on Option 5 of the Chart, new text in the detailed evaluation of Option 5, and an attached file with additional cost details). There are also a few additional comments on Options 2 and 3 of the chart, including a suggestion for an additional (hybrid) approach (Option 7) that might accelerate the work.

Steven R. Miller

Deputy Assistant General Counsel

For Environment

U.S. Department of Energy

GC-51, 1000 Independence Ave., SW

Washington, DC 20585

202-586-2925

(b) (6)

Attachments

From: Tonkay, Douglas

Sent: Friday, August 03, 2012 4:37 PM

To: Miller, Steven

Cc: Gelles, Christine; Brennan, Terry (CBC)

Subject: FW: Cost input for options paper

From: Miller, Steven
Sent: Thursday, August 02, 2012 4:03 PM
Cc: Williams, Alice; Roecker, Scott; Tonkay, Douglas; Gelles, Christine; Ravenhill, Scott
Subject: SLDA-Option Paper-InteragencyDraft-25JUL2012 to DOE_NRC

See the attached file for a slightly modified version of yesterday's comments with a few additional comments on Options 2 and 3 of the chart, including a suggestion for an additional (hybrid) approach (Option 7) that might accelerate the work. There are still blanks that need to be filled. I will be sending it to the Corps shortly at their request.

Attachment

TO: Gregory H. Woods
General Counsel

THROUGH: Matthew C. Urie
Assistant General Counsel
for Environment

FROM: Steven R. Miller
Deputy Assistant General Counsel for Environment

Subject: GC-51 Weekly Report for June 21, 2012

(b) (5)

TO: Gregory H. Woods
General Counsel

THROUGH: Matthew C. Urie
Assistant General Counsel
for Environment

FROM: Steven R. Miller
Deputy Assistant General Counsel for Environment

Subject: GC-51 Weekly Report for June 28, 2012

(b) (5)

(b) (5)

(b) (5)

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TO: Gregory H. Woods
General Counsel

THROUGH: Matthew C. Urie
Assistant General Counsel
for Environment

FROM: Steven R. Miller
Deputy Assistant General Counsel for Environment

Subject: GC-51 Weekly Report for July 05, 2012

(b) (5)

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TO: Gregory H. Woods
General Counsel

THROUGH: Priya Aiyar
Deputy General Counsel
for Environment and Nuclear Programs

Matthew C. Urie
Assistant General Counsel
for Environment

FROM: Steven R. Miller
Deputy Assistant General Counsel for Environment

Subject: GC-51 Cabinet and Weekly Report for July 12, 2012
(b) (5)

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The following information is being furnished to you under the provisions of the Freedom of Information Act, 5 U.S.C. 552, and is to be controlled as a CONFIDENTIAL document.
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Jordan, Christine (CONTR)

From: Tonkay, Douglas
Sent: Thursday, May 23, 2013 11:52 AM
To: Jordan, Christine (CONTR)
Subject: Forward of the email you asked for.

-----Original Message-----

From: Tonkay, Douglas
Sent: Wednesday, July 11, 2012 9:54 AM
To: Harris, Alton
Subject: Fw: Markup of SLDA Paper (UNCLASSIFIED)

Its now at Army.

COE

-----Original Message-----

From: Miller, Steven [<mailto:STEVEN.MILLER@hq.doe.gov>]
Sent: Tuesday, July 10, 2012 9:02 PM
To: Altendorf, Christine HQ
Cc: 'alice.williams@hq.doe.gov'; Carey, Chris D HQ02; Tonkay, Douglas; Gelles, Christine; Roecker, Scott; Ravenhill, Scott
Subject: FW: Markup of SLDA Paper

Alice Williams asked me to forward the attached file to you, per your request for proposed language to assist in helping develop the interagency options paper on the Shallow Land Disposal Area.

Steven R. Miller

Deputy Assistant General Counsel
For Environment
U.S. Department of Energy
GC-51, 1000 Independence Ave., SW
Washington, D.C. 20585
202-586-2925

(b) (6)

Attachment

COE

