

**FINAL MEETING SUMMARY**

**HANFORD ADVISORY BOARD  
COMMITTEE OF THE WHOLE MEETING  
March 9, 2006  
Richland, WA**

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*This is only a summary of issues and actions in this meeting. It may not represent the fullness of ideas discussed or opinions given, and should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.*

**Welcome and Introductions**

Susan Leckband, Hanford Advisory Board (Board) Vice-Chair, welcomed the committee and introductions were made.

She said the Board provided comments on all previous Hanford EISs and appreciates the opportunity to provide comment on the scope of the Tank Closure and Waste Management Environmental Impact Statement (TC&WM EIS). She indicated the goal of the meeting was to develop scoping comments for the Board’s consideration at the April Board meeting.

**EIS Clarifications**

Mary Beth Burandt, Department of Energy-Office of River Protection (DOE-ORP), presented answers to some clarifying questions asked by Board members prior to the meeting. Each piece of the EIS will have a “No Action” alternative. For the tank closure portion, DOE-ORP is using the No Action alternative from the Tank Closure EIS (TC EIS). For the waste management portion, DOE-ORP plans to use a No Action alternative that calls for DOE discontinuing waste disposal at some point. For the Fast Flux Test Facility (FFTF) portion of the EIS, DOE-ORP will use a No Action alternative that maintains the FFTF reactor in place.

In response to another question, Mary Beth said any of the 850 Waste Identification Database (WID) sites that are part of a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Operable Unit will not be included in the

EIS alternatives. These sites will be included, however, in the cumulative impact portion of the EIS.

### *Regulator Perspectives*

- Suzanne Dahl, Washington State Department of Ecology (Ecology), said Ecology is involved in the scoping process, but they have not defined the alternatives in detail. She said Ecology is very interested in receiving the Board's scoping comments.

### *Committee Discussion*

- *Is there somewhere in the TC&WM EIS that indicates how all the waste sites are addressed?* Mary Beth said DOE-ORP has not decided if this information will be in the body of the EIS in the cumulative impact section or included as an appendix. Mary Beth indicated the cumulative impact section will discuss the extent of contamination and existing activities at Hanford and adjacent areas. The cumulative impact section will help readers understand the impact of specific decisions in terms of other activities on site and nearby; it is used as the background on which to overlay the alternatives to determine their cumulative impacts.
- Dick Smith commented that, conceptually, a worst-case scenario for the waste sites is all that is really needed to evaluate the alternatives. Mary Beth indicated the challenge in determining a worst-case scenario is that what is considered "worst" will differ for each resource area. She said the cumulative impact section is meant to capture actions covered by regulatory processes, such as CERCLA and the Resource Conservation and Recovery Act (RCRA), as well as things DOE is not ready to take action or make a decision on.

Suzanne said Ecology needs to make permit decisions based on an analysis that is equivalent to the State Environmental Policy Act (SEPA). Ecology entered into a cooperating agency agreement with DOE on the EIS in order to end up with a document that Ecology supports and can use as an equivalent to SEPA. Mary Beth said the reason CERCLA actions are not included in the alternatives is that the CERCLA decision process incorporates National Environmental Policy Act (NEPA) values. Therefore, when a site goes through the CERCLA process, it does not have to go through the NEPA process again.

- *How are the Purex tunnels being addressed by the EIS?* Mary Beth said the Purex tunnels are addressed separately. There are many small WID sites, which will be listed in the cumulative impacts section; however, other larger waste sites, or those with lots of interest, will be addressed separately.
- *Considering the past failure of the Solid Waste EIS (SW EIS) and the TC EIS, what basis does DOE-ORP have to say they have the ability to succeed on a more in-depth, complicated EIS process?* Suzanne said Ecology does not believe the TC EIS was a failure. Ecology felt the systems in place during the TC EIS development process and the cooperating agency relationship under the Memorandum of Understanding (MOU) were working. These systems did not exist in the SW EIS development

process, which contributed to its failure. DOE-ORP and Ecology wanted to use the systems in place for the TC EIS as a model for the TC&WM EIS. She indicated that it made sense to combine the scopes of the SW EIS and the TC EIS, since DOE would ultimately have had to conduct two EISs. She said Ecology is even more involved in the TC&WM EIS, and will be performing its own internal audits during the process.

- Greg deBruler commented that the successes in the TC EIS development process were tied to a more transparent process. He expressed concern about an inherent problem with having a control document from DOE-Headquarters dictate what the contractor will assess. Mary Beth disagreed with the idea that DOE has “cherry picked” data for assessments. DOE-ORP has a technical requirements document which Ecology has signed as a cooperating agency. Previous drafts of the document were developed based on different assumptions. DOE-HQ provided comments and requirements. Suzanne said Ecology reviewed and made comments on earlier versions of the technical requirements document. Ecology’s comments were incorporated, and Ecology agreed to the assumptions. Mary Beth said DOE-ORP is not telling SAIC (the lead contractor) what assumptions to use, just that their methodology must be consistent throughout the assessment. She emphasized that all the cooperating agencies have agreed to the technical requirements document.
- *Will SAIC and DOE-ORP use data and information from previous assessments for the TC&WM EIS?* Mary Beth said inventory and characterization information may be used in the EIS, but results from previous contractor assessments are not being used in the EIS development process.
- *Is there information available for public review that lists the assumptions SAIC was provided?* Mary Beth said the assumptions can be found on the EIS website; she will send a link to interested committee members. She indicated the assumptions will be different between the technical guidance document (TGD) and the technical requirements document. The technical requirements document went to tribal stakeholders for review and approval, which generated some issues that instigated meetings with Ecology and DOE-HQ, resulting in the TGD. Suzanne said there has been an evolution of the document that guides actions at Hanford. Ecology is treating the documents equally, but the most recent document is the one that has authority.
- *How will DOE-ORP address groundwater modeling uncertainty in the TC&WM EIS?* Mary Beth said the TGD does not stipulate what specific modeling values will be, but outlines how modeling will be applied. Uncertainty about vadose zone conditions still needs to be addressed. DOE-ORP is bringing in a panel of experts from outside of Hanford to look at uncertainty issues and how to address them in the modeling. DOE-ORP has a process to work through uncertainty issues, and will describe uncertainties in the context of the decisions being made in the EIS.
- Dirk Dunning commented that past Hanford EISs disagreed which way groundwater would flow. He suggested the assessment portray the wide range of possibilities and evaluate the modeling assumptions. He expressed concern that almost all the issues regarding modeling assumptions have not been addressed, and that the TGD ignores the uncertainties.

- Rob Davis commented that the No Action alternative is an unacceptable alternative, since it is not Tri-Party Agreement (TPA) compliant. Suzanne explained that one of the best things that came out of Tank Waste Remediation System EIS (TWRS EIS) was the No Action alternative, which assumes DOE will leave waste in place. She said the No Action alternative is useful when discussing the consequences resulting from no action.
- *As a cooperating agency, will Ecology ensure SAIC meets State of Washington professional licensing standards?* Suzanne said Ecology plans to conduct its own audits, but have not thought about assuring SAIC will meet legal SEPA and NEPA standards/requirements and State of Washington licensing board standards.
- *Will Ecology have enough staff to take on the task of working on the TC&WM EIS?* Suzanne said Ecology currently has a core group of project managers and a senior hydrogeologist. In addition, Ecology also has staff devoted to looking at the data packages that come in, and they are considering contracting out the groundwater assessment. In addition to contracting support, Ron Skinnarland, Ecology, said the Environmental Protection Agency (EPA) has committed to providing their expertise. Ecology has been meeting with DOE to determine how to effectively apply expertise. Ron said Ecology is sure they will have enough expertise to ensure confidence in the work, and there are no plans to change the full-time employee commitment; contracting will cover any additional work.

## **Board Scoping Comments**

### **Committee Discussion**

- Greg deBruler provided a history and status update of the Columbia River Comprehensive Impact Assessment (CRCIA). CRCIA grew out of concern about the inadequacy of the analysis in a 1994 report on Columbia River contamination. The CRCIA group worked to determine how to perform a comprehensive risk assessment. The goal of the document that was produced was to increase integration in the risk assessment process. The document was designed as a “plug-in” tool to be used as a baseline for various assessments. Peer reviewers believed the document was a good tool for DOE to use as a template for assessments. DOE indicated it would use CRCIA as the minimum guidance for assessments and integrate its System Assessment Capability (SAC) with CRCIA, which never happened. Therefore, in terms of performing a comprehensive and cumulative EIS, Greg said he believes it is difficult to trust a process that has not incorporated things it should have. He commented that if the EIS process moves forward, it is essential to involve CRCIA and ensure an independent review. In addition, he suggested the independent expert evaluation and assessment team should establish the timeline for the TC&WM EIS.
- Susan suggested Greg should distill the CRCIA principles as scoping comments for the TC&WM EIS.
- *Should a comprehensive assessment be separated from the TC&WM EIS?* Greg said he does not think a comprehensive assessment can be separated out from the EIS,

because several important waste disposition decisions have not been made. He commented that none of the DOE project managers knows how the integration of assessment information from each project will happen. Mary Beth said NEPA drives the integration. The cumulative impacts section of the EIS will integrate what is being done using consistent assumptions and methodology. Additional assessments will look at specific areas in more detail, as necessary. She said the reason the cumulative impacts section was put into the EIS was the site-wide impact the tank closure decision has on Hanford waste management activities.

- Greg proposed sending CRCIA requirements to SAIC for consideration in the EIS, which would enable them to evaluate scope and engineering, and hopefully produce a more appropriate timeline for the EIS.
- Greg expressed interest in discussing transparency issues with the SAIC project manager. Susan reminded everyone it is Board protocol to access contractors through the DOE field offices. Greg will work with Mary Beth to set up a meeting with the SAIC project manager.

### **Committee Discussion about Scoping Advice**

Vince Panesko discussed the development of the draft scoping comments. Section 40 of the Code of Federal Regulations (40 CFR) outlines what is covered in an EIS, including actions, alternatives, and impacts. He said the TC&WM EIS covers near-term RCRA decisions on closure of single-shell tanks (SSTs) and double-shell tanks (DSTs), waste sites, burial grounds, and FFTF. CERCLA operable units are covered by existing and future Record of Decision (RODs), so alternatives for these decisions will not be captured in the TC&WM EIS alternatives.

### **Committee Discussion**

Committee issue managers categorized the compiled comments into six overarching topic headings. The committee reviewed and discussed the compiled comments, to determine consensus on the comments for the April Board meeting.

- Gerry Pollet commented that the Board has advised DOE-ORP to do cumulative impact analysis, but DOE-ORP has indicated there is a lack of information to perform an adequate analysis. The Board's advice should indicate the need to characterize waste sites, and then consider the impacts of an action. Maynard Plahuta added that it does not make sense to put time and money into the TC&WM EIS if the analysis will have to be repeated once all the waste sites are adequately characterized. The Board should advise DOE-ORP not address things in this EIS that do not have adequate data to support analysis. Suzanne said addressing the waste sites is an iterative process. She explained that if DOE tries to make some decisions now, those decisions should be made in terms of worst-case scenarios for cumulative impacts; however, as waste remediation moves forward, a cumulative impact assessment should be done to ensure the remedies have been effective. Mary Beth said the TC&WM EIS will identify likely outcomes and issues based on the currently available information. If

mitigation efforts within the alternatives do not address these issues, then the information from the EIS can be used to develop next steps for conducting additional characterization and treatment.

- *Is pre-1970 transuranic (TRU) waste included in the EIS?* Mary Beth said pre-1970 TRU is included in cumulative impacts section, but not in an EIS alternative. The assumption that pre-1970 TRU will remain in place is used as a baseline. The majority of cribs and burial grounds are subject to CERCLA. Several committee members said the EIS should include removal of pre-1970 TRU in one of the alternatives.
- Due to concerns about modeling and other aspects of previous EISs, Dirk provided sample language to advise DOE-ORP that the scope of the TC&WM EIS should include all non-CERCLA waste sites. The committee agreed Dirk's proposed language should be included in the advice cover letter.
- Gerry commented that DOE-ORP should consider worst-case scenarios to drive the cleanup of waste sites. He does not believe the Board should support exempting CERCLA waste sites from the EIS. He expressed concern about DOE-ORP using a baseline that presumes capping waste sites. He said establishing a baseline is a budget and programmatic decision, and DOE is obligated to evaluate the proposed actions and alternatives. He added that proposed actions need to meet Model Toxic Control Act (MTCA) risk ranges.
- *How will DOE-ORP calculate cumulative impacts in the TC&WM EIS if hundreds of waste sites do not have adequate characterization?* Mary Beth explained that uncertainty has to be considered and addressed in the alternatives and cumulative impacts sections of the TC&WM EIS. She said DOE-ORP has to describe uncertainties and discuss how they impact decisions. For tank closure, DOE-ORP will indicate in the EIS that they are evaluating different actions and identifying additional information for final closure decisions. Gerry said tank closure decisions would require a new EIS and risk assessment for the tank farms. Mary Beth said additional risk assessments might be necessary, but not necessarily a new EIS. Suzanne added that the Best Basis Inventory provides a foundation for determining uncertainty, and the TPA requires cleanup activities to meet certain standards. Gerry presented proposed advice language that expresses the Board's concern about DOE using arbitrary deadlines without adequate characterization to drive cleanup decisions.
- *Are all the Hanford reactors, including FFTF, covered in the scope of the TC&WM EIS?* Mary Beth said the reactors are included in the cumulative impacts section. There was general committee agreement that the cumulative impact of the reactors is appropriate to include in the TC&WM EIS; however, any reactor decommissioning decisions should be addressed in separate EIS processes.
- Several committee members commented that DOE-ORP might have to consider infrastructure replacement due to delays in cleanup activities and construction of treatment facilities.

- *Is infrastructure maintenance part of the scope of the EIS or is it more appropriate for separate advice?* Mary Beth said DOE-ORP considers facility and infrastructure life in the TC&WM EIS alternatives. Steve Wiegman, DOE-ORP, explained that some infrastructure is replaced as part of regular facility maintenance and upkeep. There was general committee agreement to keep the infrastructure comments in the Board's scoping comments.
- The committee discussed the Board's position on advising DOE to use CRCIA requirements in its assessments. Some concern was expressed about advising the use of CRCIA requirements, since the Board never adopted them. Greg explained that the Board supported the CRCIA process and the use of CRCIA as a reference document and basis for cumulative analysis and assessment. He believes the Board should advise DOE to use CRCIA as a minimum standard for assessments. Gerry commented that CRCIA establishes a set of broadly acceptable requirements for performing assessments. He proposed the Board could advise using CRCIA requirements for assessing cumulative impacts in the TC&WM EIS. The committee agreed to advise DOE to use CRCIA requirements in its assessments.
- *Is it possible to have the TC&WM EIS function as a living document that could capture developing decisions?* Some committee members expressed concern that making the EIS a living document might lessen the urgency for DOE to address waste sites in a timely manner. Steve said DOE-ORP reviews EISs when something changes or there is a need to supplement them. Mary Beth added that EISs that are more than five years old are evaluated to determine if they require a supplement.
- *Are there any additional comments to be made regarding groundwater?* Vince said the previous Board comments regarding groundwater (for the SW EIS and TC EIS) are very robust and address current conditions. Greg indicated the only thing that is not covered by the existing groundwater comments is the need for realistic flood scenarios, including a catastrophic flood in the Columbia River. DOE-ORP should also use the best available climate change modeling for predicted precipitation changes for the area, and evaluate vegetative changes.
- Some committee members emphasized that the scope of the TC&WM EIS should include identification of damage to natural resources, to meet the Natural Resource Damage Assessment (NRDA) process.

Mary Beth asked some clarifying questions of the committee about the Board's compiled scoping comments:

- Several comments advise considering costs of cleanup activities and decisions. She said costs are not part of the EIS scope; however, the Board could ask DOE-ORP to include a cost analysis of the TC&WM EIS alternatives. The committee agreed that each alternative should include a cost analysis. Dirk noted that the only opportunity the Board would have to evaluate the cost analyses is once the TC&WM EIS is done.
- Mary Beth requested that the committee review comments in Topic One regarding TRU waste to ensure they are consistent.

- Mary Beth also asked that the committee review comments in Topic Four to ensure things are referred to correctly in terms of whether they should be included in the scope or are part of the EIS process.

### **Preparing for the April Board Meeting**

The committee discussed preparing comments and advice for the April Board meeting.

- There was general committee agreement to remove any inflammatory language from comments and to make comments positive rather than negative (i.e., DOE *should...*, rather than DOE *cannot...*).
- Al Boldt suggested the Board should issue the proposed scoping comments, but also consider issuing a separate piece of advice on how to conduct the TC&WM EIS.
- Gerry agreed to type up his proposed language for an advice introduction and send it to Vince. Committee members will review the compiled comments and send edits to Vince or Susan.
- There was some concern that the compiled comments are too long. Susan and Vince will work to collapse and consolidate new comments.
- EnviroIssues agreed to provide references to past Board advice pertaining to each comment. The cover letter will note that most comments came from previous advice, so references will include numbers and that title/subject of advice.

The committee discussed an approach for presenting scoping comments at the April Board meeting.

- The committee decided Vince should present the chart he developed to illustrate the structure of the EIS. The chart should be provided as a handout at the meeting. DOE-ORP will provide a response to the chart.
- Susan will present the cover letter and compiled comments. The list of compiled comments will be distributed ahead of time in the Board meeting packet. The committee agreed that previous comments will not be changed. New and previous comments will be categorized by topic.

### **Action Items / Commitments**

- Mary Beth will send a link to the website that provides the current assumptions for what SAIC has been told their parameters are for the EIS.
- Committee members will review the compiled comments and send any edits to Vince or Susan.
- Gerry will type up his proposed language for an advice introduction and send it to Vince.
- Susan and Vince will work to collapse and consolidate new comments.
- EnviroIssues will note references to past Board advice pertaining to each comment.

## **Handouts**

*NOTE: Copies of meeting handouts can be obtained through the Hanford Advisory Board Administrator at (509) 942-1906, or tholm@enviroissues.com*

- Columbia River Comprehensive Impact Assessment CRCIA Overview.
  - DRAFT: Hanford Advisory Board Detailed Comments on the Tank Closure and Waste Management Environmental Impact Statement, Hanford Advisory Board, March 9, 2006.
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## **Attendees**

### **HAB Members and Alternates**

Al Boldt	Susan Leckband	Gerry Pollet
Shelley Cimon	Sandra Lilligren	Dick Smith
Rob Davis	Jerri Main	Keith Smith
Greg deBruler	Vince Panesko	John Stanfill
Dirk Dunning	Jerry Peltier	Charles Weems
Harold Heacock	Gary Peterson	Steve White
George Jansen Jr.	Maynard Plahuta	

### **Others**

Steve Chalk, DOE-RL	Suzanne Dahl, Ecology	Fred Mann, CHG
Michael Collins, DOE-RL	Dib Goswami, Ecology	Dan Parker, CHG
Karen Lutz, DOE-RL	Ron Skinnarland, Ecology	Rico Cruz, CTUIR-DOSE
Mary Beth Burandt, DOE-ORP		Lynn Lefkoff, EnviroIssues
Steve Wiegman, DOE-ORP		Jason Mulvihill-Kuntz, EnviroIssues
		Jim Hoover, FH
		Stan Sobczyk, Nez Perce Tribe
		Kim Ballinger, Nuvotec/ORP
		Sharon Braswell, Nuvotec/ORP
		Annette Cary, TCH
		Mike Priddy, WDOH