

DRAFT MEETING SUMMARY (v.0)

DRAFT - NOT APPROVED BY COMMITTEE

**HANFORD ADVISORY BOARD
PUBLIC INVOLVEMENT AND COMMUNICATION COMMITTEE
*April 3, 2002
Richland, WA***

Topics in this Meeting Summary

Solid Waste Environmental Impact Statement (EIS).....	1
Budget/Site Information Meetings.....	2
Access to Information and Impacts of Restrictions	3
Site Tours	5
Committee Process Evaluation	5
Committee Leadership Selection Process.....	7
Work Planning and Wrap-Up	7
Handouts	7
Attendees.....	7

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.

Solid Waste Environmental Impact Statement (EIS)

Mike Collins, U.S. Department of Energy-Richland Operations Office (DOE-RL), discussed the public involvement portion of the Solid Waste EIS. Currently, the schedule is to have Keith Klein, DOE-RL, approve the EIS on April 30 and begin the 60-day public comment period around May 23. Public meetings are planned for late June/early July in the Tri-Cities and possibly Pendleton, Oregon, Portland or Seattle. Public review would be finished at the end of July, and public comments would be incorporated through October. Keith Klein would then approve the final version in November. There would be an announcement about the upcoming decision in the Federal Register on November 30, and the Record of Decision (ROD) would come out on December 31.

Committee Discussion

- Amber Waldref, Public Involvement and Communications Committee Chair, suggested that public meetings be held at the end of summer or in September because it is hard to get people to attend meetings during the summer. In addition, there are already other public meetings occurring in late May and early June, and it is not good to have back-to-back meetings. Mike Collins replied that the Department of Energy (DOE) wanted the ROD out by December 31, so cleanup will not be delayed at other sites. The public meetings would have to be held in late June/early July in order to make the December 31 date.

- Ken Bracken, Benton County, did not know of any schedule that could not accommodate a month or two delay if public input would otherwise be in jeopardy. He hoped DOE would consider that its reluctance to pursue the EIS had caused the delay and put it in this position.
- Amber wanted to discuss this further with Yvonne Sherman, DOE-RL, and Keith Klein. She emphasized that they had been waiting for this EIS for six years, and the public involvement process should not be compromised.
- Betty Tabbutt, Washington League of Women Voters, pointed out that the state of the site meetings that might occur in late September or early October could also address the EIS.

Penny Mabie suggested they check with the River and Plateau Committee (RAP) on the potential delay, since RAP had been pushing DOE to complete the EIS. Amber Waldref and Ken Bracken agreed to speak to Pam Brown and Susan Leckband, RAP Chairs.

Budget/Site Information Meetings

Amber Waldref noted that the Tri Party Agreement (TPA) agencies are planning to hold budget/site information meetings in late May. She asked the committee to consider how the meetings should be structured, looking at the budget, the Top-to-Bottom Review and the Accelerated Cleanup Work Plan coming out on May 1.

Peter Bengtson, Pacific Northwest National Laboratory (PNNL), asked the committee to validate the proposed meeting dates: Tri-Cities on May 21, Portland on May 22, Seattle on May 23, and Hood River on June 5. Peter asked for suggestions on the meeting processes and logistics. Susan Coburn-Hughs, Oregon Office of Energy, mentioned that either of the Oregon dates would work.

Amber said the May 23 date would be fine. She commented that the meetings needed to make it clear to the public that although the agencies are discussing the 2004 budget, all the 2003 budget information is still pertinent and affects the 2004 budget. The meetings will be unusual in that the public will not be able to compare the current budget to the proposed budget.

Peter remarked that the information presented would have to be high-level and simplistic. DOE wants to know what the public thinks about the budget process, if it thinks the agencies have the right priorities, and what it thinks the agencies' basic values and principles should be between now and August 1. Peter noted that there would be a stakeholder/agency call the following week to discuss the meetings. He invited the committee to attend.

Susan Coburn-Hughs thought the sequence of the meetings should be a review of the work plan, with an explanation of how it came about through the Letter of Intent, and an opportunity for the public to say whether the priorities are right or wrong. The agencies could then explain how the work plan would drive the 2004 budget. Peter said that the

agencies would give a brief presentation and then encourage people to get into a dialogue with agency representatives.

Committee Discussion

- Betty Tabbutt felt the public might think “negotiation” means a tradeoff or a slippage in TPA milestones. Marla Marvin, DOE-RL, replied that partnership might be a better word.
- Leon Swenson, Public at large, thought the public would want to know what the expectations were in the Letter of Intent.
- Amber requested that any future fact sheets go along with the structure of the meeting. If the agencies do not have enough details ahead of time, she suggested they send out a basic flyer about the budget that invites people to the meetings, and then have a more detailed fact sheet at the meetings. It would be ideal to send out a detailed fact sheet ahead of time.
- Ken Bracken wondered when the Hanford Advisory Board (HAB) should give advice on the budget. Peter explained that under the TPA, DOE is supposed to get public input before DOE formulates the budget and submits it to headquarters, but that has not happened this year. Therefore, headquarters will accept public input even after the field office submits its budget. The proposed deadline for input is mid to late June. HAB could offer advice during the June meeting.
- Amber recommended the agencies have one conference call with all of the different communities.

Access to Information and Impacts of Restrictions

Amber Waldref discussed impacts of a memo sent out by the U.S. Department of Justice (DOJ) on October 26, 2001 regarding the availability of operational information. Amber’s organization, Heart of America, had not had any problems with Freedom of Information Act (FOIA) requests from the DOE-RL office. Other FOIA offices around the country had presented more of a challenge with the requests. Heart of America had some trouble trying to prove it is a non-profit organization and would be using the information for education. Amber explained that the category “sensitive but unclassified information” is being referred to more often, and more information can therefore be withheld.

Dorothy Riehle, DOE-RL, specified that the policy had not changed much since September 11. DOJ had issued guidance warning everyone to be careful with any information that could be used in the development of weapons of mass destruction.

Andy Korson, DOE-RL, explained the process they had gone through in determining what information to remove from the Internet. When the initial request came in, draft criteria was developed and provided to data owners, web developers, and webmasters. They asked everyone to do their own review and decide which information needed to be examined. That information was used to create the list of websites to be removed. There is concern over what to do in the future when new information comes out. There are temporary procedures in place involving cooperation between the securities office and the Office of Intergovernmental Public and Institutional Affairs (IPI).

Guy Schein, DOE-RL, clarified that when they had first built the Hanford website, it was all external, even though there were a number of items that did not need to be available to everyone. Much of the sensitive information will now be available on the internal website. Guy noted that the report to Congress in April 2001 was initially removed because of the report's age, but was now back up in its entirety. The Columbia River Comprehensive Impact Assessment had also been taken down because it was old and did not have a sponsor. That information is now being put up under the vadose zone website with Bechtel. There are approximately 100,000 webpages and 250 different websites, so only a very small percentage have been affected.

Committee Discussion

- Jim Trombold, Physicians for Social Responsibility, commented that DOE had always been concerned with the release of such information. Rick Stutheit, classification expert for DOE-RL, explained that there has always been sensitive but unclassified information; it has just broadened since September 11, and some information is initially considered FOIA exempt. Rules regarding specific site infrastructure information (safety analysis reports, building diagrams, certain aerial photographs) are still evolving. All of the sensitive items are still available in the reading room, which is open to the public.
- Jim expressed concern that certain websites created to show environmental damage were removed. He emphasized that they should be careful not to develop a "Cold War mentality" of arbitrarily shutting the public out of information. The first paragraph of the Deputy Secretary of Energy's memo, "Reviewing the Availability of Operational Information," mentioned environmental impact statements (EISs) as an example of potentially sensitive information. Jim noted that EISs are available to the public by law. Gary Loiacono, DOE-RL, responded that security representatives at DOE-RL were trying to strike a balance between different groups and had asked non-security people if certain information would be of any use to terrorists. There are just sections of EISs that pose a concern.
- Ken Bracken wondered if certain sections of an EIS would not be open for public comment, or if they would just be unavailable electronically. Gary Loiacono acknowledged that it is a problem and said that the security officials were wrestling with the Solid Waste EIS coming out in April. They do not yet have any answers.
- Amber Waldref said that Gerry Pollet was particularly concerned about Resource Conservation and Recovery Act (RCRA)/Superfund documents that contractors have on their sites for the public. Heart of America had noticed that waste acceptance criteria had been pulled from some sites, but not all. She asked if the sites were coordinating and suggested the committee revisit this issue when DOE has clearer guidance.
- Leon Swenson pointed out that people should not assume information that is not available on the Internet is being hidden.
- Ken saw a potential issue with the removal of "risk analyses or vulnerability analyses which contain detailed security and/or safety vulnerability information," since the Hanford site is moving toward a risk-based approach to cleanup. He cautioned the security officials to be careful when interpreting the guidance from headquarters.

- Amber asked that the committee receive updates as to sites that have been removed or criteria that has changed.

Marla Marvin commented that it was helpful to know which specific sites people were not able to access. Yvonne Sherman, Kim Ballinger, Critique, and Guy Schein also requested that people call them with concerns over specific websites.

Site Tours

Betty Tabbutt explained that she had researched site tours and how they changed after September 11. The typical walk-on tours are highly restricted now, but other tours are approved on a case-by-case basis. Betty was amazed that security had not been more tightly clamped down at Hanford. She asked if DOE-RL had determined any of its own security changes, or if they all came down from DOJ or headquarters. She thought the people at Hanford would be much more aware of where restrictions ought to be occurring. Gary Loiacono explained that DOE-RL had set up its own locally run and operated security system based on the unique threats to Hanford, although it still responds to orders from headquarters. There were not a lot of changes at critical facilities because those are always expected to be at high security.

Betty had asked Mary Golde five questions related to site tours:

- 1) What changes have been made to Hanford tours in general, and also for specific types of tours as a result of the PIC meeting discussions last year?
- 2) What changes have been made to the script, choice of tour leaders and instruction to the contractors who hire tour leaders?

Betty noted that the script is still being revised, and DOE is still taking people's comments. She had not heard of any other changes; the tours will still be handled by contractors. The message is going out to contractors that they need to be more deliberate in their choice of tour guides. Marla Marvin noted that she had instructed Mary to run a training course with her staff, assuming the tours start up again, and not just present them with a new script.

- 3) Are there any security restrictions that are a specific result of September 11?
- 4) What access restrictions are in place right now?
- 5) Are there other tour issues the committee needs to be aware of? Betty had not heard of any additional issues from the agencies. She felt the message was clear that tours are an important part of public involvement.

Marla added that she was checking to see if they could still run limited summer tours.

The committee agreed to keep this issue on the work plan.

Committee Process Evaluation

Amber Waldref asked committee members to consider the success of the conference calls and whether the PIC meeting placeholder before HAB meetings was working well.

Penny Mabie remarked that the assumption during the HAB reorganization was that meeting the Wednesday before HAB meetings would be about quarterly, although the

HAB meets more frequently. Amber commented that the HAB might need to evaluate the reorganization one year later.

Committee Discussion

- Committee members agreed that the PIC meeting placeholder should remain the Wednesday before the HAB meetings, and the committee can decide whether or not it wants to meet each time.
- Penny pointed out that when the committee works on advice for a HAB meeting, it needs to discuss the advice during its conference call, since the committee meeting is too soon before the HAB meeting for an advice discussion. Conference calls will therefore need to be much more efficient. Enough people will have to attend the calls to have committee consensus, unless the committee is working one full HAB cycle ahead.
- Leon Swenson wondered if it would be possible to modify the process so that committee members could flag possible advice for Amber, and the conference call could be set up with a tight agenda around that item.
- Amber felt the conference calls had become like a substitute for meetings, and it would be almost impossible for the committee to put something in the HAB packet. The very low attendance on calls means that it is hard to give things to the issue managers and move forward on the work plan. In turn, the committee often does not meet because it has not moved forward enough on the issues. Amber committed to calling the five committee members who are often absent on the calls to find out why they are not attending.
- Jim Trombold suggested Amber call committee members the night before a call as a reminder.
- Marla Marvin encouraged the committee to make a concerted effort to look at the work plan and decide how it fits in with the big issues, as well as to focus on what the PIC can or should not be.
- Jim said that one way to energize involvement in the committee would be to have an hour on the agenda to think about other ideas for getting information about Hanford out to the public. He feels the committee gets stuck on public meetings, the EIS, and the quarterly TPA meetings. It needs time to think about the goal of the HAB and the PIC. Amber flagged that as a future item for discussion.

TPA Agency Perspectives

Peter Bengtson expressed concern that members of other committees often claim they do not need to talk about the public process associated with their projects because they feel it belongs in PIC. Peter saw that as a disconnect, since all committees should discuss public involvement. He recommended the PIC discuss its role with the HAB, as well as how it can be a resource for the other committees.

Peter noted that he would like to hear more dialogue about what makes public involvement work or not. He wants to find out what is being done by the committee's organizations that the agencies can support. The agencies should come to the PIC to review their work on occasion and try to set better goals. Amber Waldref replied that the PIC could use its white paper to evaluate public involvement with each meeting or activity.

Mary Anne Wuennecke, Washington Department of Ecology, said that it is nice for the agencies to hear what committee members have done to get people out to public meetings. She felt there might be other ways the agencies can use committee members and their contacts to get the word out better.

Committee Leadership Selection Process

Amber Waldref told the committee that it had to select its leadership in June and needed to decide upon the process to make that decision.

Betty Tabbutt commented that Amber Waldref as chair and Bill Kinsella as vice-chair had done a fantastic job.

Betty and Jim Trombold offered to discuss the process with other committee members during the HAB meeting, and Amber said the committee could discuss this issue on their next call.

Work Planning and Wrap-Up

The committee went through its work plan item by item and determined the disposition of each item. Penny Mabie committed to update the work plan and distribute it to the committee with the meeting summary.

The committee decided not to have a call on April 18.

Handouts

- Public Involvement and Communication Committee Meeting Agenda, April 3, 2002.
- Public Involvement and Communication Committee Work Planning Table, November 21, 2001.
- Memorandum for Department of Energy FOIA Officers – Action to Safeguard Information Regarding Weapons of Mass Destruction and Other Sensitive Documents Related to Homeland Security, Abel Lopez, March 21, 2002.
- Memorandum for All Departmental Elements – Reviewing the Availability of Operational Information, Francis S. Blake, October 26, 2001.
- PHMC Site Visitor and Tour Policy, April 3, 2002.

Attendees

HAB Members and Alternates

Ken Bracken	Susan Coburn-Hughs, Oregon Office of Energy (phone)	Harold Heacock
Leon Swenson	Betty Tabbutt	Jim Trombold
Amber Waldref		

Others

Andy Korson, DOE-RL	Joy Turner, Ecology	Nancy Myers, BHI
Gary Loiacono, DOE-RL	Mary Anne Wuennecke, Ecology	Kim Ballinger, Critique
Marla Marvin, DOE-RL		Penny Mabie, EnviroIssues
Dorothy Riehle, DOE-RL		Natalie Renner, EnviroIssues
Guy Schein, DOE-RL		Chris Chamberlain, Nuvotec
Yvonne Sherman, DOE-RL		Peter Bengtson, PNNL
Rick Stutheit, DOE-RL		