

State rejects Hanford vit plant delay, levies penalties

The Washington State Department of Ecology has announced that a July 31 deadline to begin building the Waste Treatment Plant to vitrify Hanford tank wastes will not be eliminated. The agency intends to assess penalties against the U.S. Department of Energy beginning Aug. 1.

Tom Fitzsimmons, director of the Department of Ecology, said last Thursday that he is formally rejecting a request by DOE to eliminate a deadline to begin constructing the treatment complex that would turn Hanford waste into glass. The deadline is included in the 1989 Tri-Party Agreement, which established milestones for cleaning up the Hanford Site.

DOE submitted its request on May 2. Under dispute-resolution provisions in the TPA, July 26 was the deadline for Ecology to accept or reject the proposal.

“Your proposal [would] simply delete key commitments and replace them with vague promises that the federal government may not even agree to re-establish in the future,” Fitzsimmons said in a letter to Harry Boston, manager of the DOE Office of River Protection.

Chuck Findley, acting regional administrator for the U.S. Environmental Protection Agency, co-signed the decision in support of the state. “We share Ecology’s continued frustration over repeated delays in constructing the tank-waste treatment plant,” Findley said. “It further compounds the significant environmental threat posed by wastes in Hanford’s aging tanks. The Department of Energy needs to abide by its commitments.”

Weekly penalties

ORP has acknowledged that it will not begin constructing the facility by the TPA deadline, which will put it out of compliance with the TPA on Aug. 1. At that time, Ecology will begin fining DOE \$5,000 for the first week and \$10,000 per week after that, in accordance with TPA provisions.

Fitzsimmons said he will continue assessing the weekly penalties until construction begins. As an alternative, he said, the penalties will cease before construction begins if DOE submits an acceptable plan for starting waste treatment in 2007 and obtains an adequate budget for fiscal year 2002.

“For us, security means a sufficient budget, spending authority from the President, and a work plan that we know is achievable,” Fitzsimmons said. “Our focus is on action and results, and that’s the message we are sending with the fines. The penalties will end when we become convinced that treatment will get under way in 2007.”

“Without the vitrification plant, the tanks will continue to fall apart, and we will have more leaks and a bigger mess. That is completely unacceptable.”

DOE may appeal Ecology’s decision to the Pollution Control Hearings Board or to federal district court within 30 days. ♦