

HANFORD ADVISORY BOARD

A Site Specific Advisory Board, Chartered under the Federal Advisory Committee Act

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US Environmental
Protection Agency
Washington State
Dept of Ecology

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June 5, 2014

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Jane Hedges, Manager
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Re: 2015 Presidential Budget and 2016 Budget Request

Dear Messrs. Huizenga, Shoop, Smith, Faulk and Ms. Hedges,

Background

The Hanford Advisory Board (Board) would like to thank the U.S. Department of Energy (DOE) - Richland Operations (RL), DOE-Office of River Protection (ORP) along with the Environmental Protection Agency (EPA) and Washington State Department of Ecology (Ecology) for presenting budget information at the recent public forum. The Board suggests that when DOE requests funding, DOE should identify the significant funding requirements needed to move forward with the higher

risk, technically challenging cleanup to protect human health and the environment of the Pacific Northwest.

The Board believes the budget requests for Fiscal Year (FY) 2015 and FY 2016 are significantly underfunded based on the FY 2014 Lifecycle Scope, Schedule and Cost Report. DOE-RL and DOE-ORP field offices' total estimated costs for funding the work necessary to meet Tri-Party Agreement (TPA) compliance and DOE-ORP's plan to complete work under its Consent Decree proposal is \$1.562 billion more than the funding requested in the President's budget (\$2.149B) to Congress by DOE in FY 2015. This conclusion is based on the financial information provided by DOE-ORP and DOE-RL speakers in their handout materials and during their presentations at the 2016 Hanford Budget and Cleanup Priorities Public meeting held on May 14, 2014. Information provided for Project Baseline Summary (PBS) RL100 indicated reduced budget for public involvement activities which includes the Board's operating budget.

DOE-ORP's proposed funding request does not include funding to proceed with emptying the leaking high-level nuclear waste tanks in FY 2015 or FY 2016, despite acknowledging that the single shell tank (SST) T-111 is leaking and also double shell tank (DST) AY-102 is leaking through the floor of the tank into the annulus. Washington State has issued a legally valid order – reflecting state and federal hazardous waste laws – for DOE to start emptying AY-102. The standard in federal and state hazardous waste laws is that the operator (DOE) is required to remove all wastes from a leaking hazardous waste tank as soon as practicable.

The FY 2016 funding requirements estimate (presented at a high summary level) is based on the assumptions there will be full acceptance of DOE-ORP's Consent Decree proposal by the State of Washington. If the DOE proposal is rejected or modified significantly, no alternative plan was identified.

DOE-ORP's modification to the Consent Decree proposal:

- does not include any effort to build new DSTs (while Washington State's proposal that four new tanks need to be built by 2022),
- proceeds far slower than Washington State believes is possible and necessary for direct feed Low Activity Waste Vitrification (LAW) from high-level waste tanks to the LAW portion of the vitrification plant,
- does not empty Tank AY-102, and
- has far fewer measurable milestones than Washington State's proposal.

For three years, DOE has had the opportunity to perform a treatability test to determine whether it is feasible to remove waste from 10 to 12 of the lowest radiation level SSTs. The waste could then be dried and safely stored pending a final decision regarding possible vitrification and disposal. The test would allow these tanks, including at least one leaking tank, to be emptied without using any additional DST space for storage.

The Board is also concerned with the lack of funding in FY 2015 and FY 2016 for treatment of waste stored at the Central Waste Complex (CWC). EPA and Ecology have issued notices of violation. Ecology and EPA have formally determined that thousands of containers are not stored in compliance with hazardous waste law standards, and that storage areas are also not in compliance. It is vital to move ahead in FY 2015 and FY 2016 at least with commercially available treatment for stored wastes at the pace commercial facilities can accommodate the wastes.

The U.S. Inspector General (Report #OAS-L-14-04) has urged DOE-RL to deal with long-term storage of cesium and strontium capsules [in Waste Encapsulation Storage Facility (WESF)] as soon as possible.

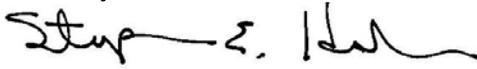
The strontium barrier in place at N Area has proven to be effective in reduction of strontium migration to the Columbia River. Further apatite injections are required to extend the barrier to complete its installation. The Tri-Party agencies should work with affected Tribes to resolve concerns over restoring access to treaty and culturally significant areas due to the barrier.

For many years, the Board and the public have urged DOE-ORP and DOE-RL to provide the Board, regulators and the public with a detailed budget work plan based on reasonable activity building blocks for public review and comment what the DOE Field Offices are proposing to fund and accomplish in the next two years. While funding was broken out in analytical building blocks for DOE-ORP's FY 2016 proposals, it is difficult for the public to ascertain what activities would be funded within any specific funding level proposed by DOE or appropriated by Congress. DOE has provided highly summarized cost and schedule information but offers little information on the scope of work expected to be accomplished during the budget period and how that work actually fits into their overall plan. This prevents the public from effectively commenting on priorities and needed funding levels since the total estimated cost of compliance is \$855 million more for DOE-RL than the FY 2015 request to Congress, and \$697 million less than the FY 2015 request for DOE-ORP as presented by DOE-ORP and DOE-RL speakers during the 2016 Hanford Budget and Cleanup Priorities Public meeting held May, 14, 2014.

Advice

- The Board strongly urges DOE-Headquarters (HQ) to request full funding from Congress to meet all legal requirements of the ongoing cleanup work in FY 2015 and 2016 in addition to the following specific requests.
- The Board advises DOE-ORP to quantify the need and request funding to proceed to empty leaking tanks.
- The Board advises DOE-ORP to quantify the need and request funding to obtain additional tank capacity by FY 2022, as Washington State has formally requested.
- The Board advises DOE-ORP to request funding to test new technology that would dry liquid radioactive waste.
- The Board advises DOE-RL to restore funding for removal and treatment of thousands of stored containers of hazardous and radioactive wastes at Hanford's CWC, on a schedule as fast as available treatment capacity will allow.
- The Board advises DOE-RL to begin designing and seeking procurement funding to remove extremely radioactive cesium and strontium capsules stored in WESF and put them into dry cask storage.
- The Board advises DOE-RL to restore funds for continued installation and activation of the strontium barrier along the Columbia River and other groundwater protection activities.
- The Board advises DOE to provide a more detailed level of budget information to enable the Board and public to make more well-informed comments and priorities.
- The Board advises DOE to request an increase in funding for FY 2015 in the PBS RL100 to ensure the Board has adequate funding to support necessary subcommittee meetings and a minimum of six full Board meetings per year to meet expectations from DOE-HQ.

Sincerely,



Steve Hudson, Chair
Hanford Advisory Board

This advice represents Board consensus for this specific topic. It should not be taken out of context to extrapolate Board agreement on other subject matters.

cc: Donovan Robinson, White House, Office of Management and Budget (OMB),
Environmental Management
Jeff Frey, Deputy Designated Official, U.S. Department of Energy Richland Operations
Office
David Borak, U.S. Department of Energy, Headquarters
The Oregon and Washington Delegations