

# 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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Department of Health

September 10, 2015

Stacy Charboneau

U.S. Department of Energy – Richland Operations Office

P.O. Box 550 (A7-75)

Richland, WA 99352

Jane Hedges, Manager

Washington State Department of Ecology

3100 Port of Benton Blvd.

Richland, WA 99354

Re: Tri-Party Agreement Milestone M-091 Changes

Dear Ms. Charboneau and Ms. Hedges

## **Background**

Core tenets of the Hanford Advisory Board (Board) are to “protect the Columbia River” and “do no harm during cleanup.”<sup>1</sup> Over the years, the Board has been unequivocal in its quest for the Tri-Party Agreement (TPA) agencies (U.S. Department of Energy, DOE, Washington State Department of Ecology, Ecology, and U.S. Environmental Protection Agency, EPA) to establish a systematic, logical and TPA milestone-driven pathway for cleanup. The Board has always supported cleanup actions that are transparent to the public and achievable by the TPA agencies.

The Board has resisted prioritizing cleanup projects, because any cleanup that is done supports protection of the Columbia River, its ecosystems and resources, and the people and animals who depend on the river and the ecosystems it feeds. The Board is committed to protecting the environment for future generations.

As funding for further scope of cleanup at Hanford has fallen short over recent years, the TPA agencies have pressed the Board to consider prioritization of cleanup efforts. When looking at the proposed changes to the TPA milestone M-091 change package, we find we do not have all of the information necessary to tell the public with assurance that these milestones are achievable. The TPA agencies have informed the Board that they are negotiating other Central Plateau change packages (specifically the TPA M-15, M-16 and M-85 series). These undefined, but interconnected milestone changes, leave us without a comprehensive understanding from which to consider prioritizing the TPA milestone M-091 and related cleanup efforts.

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<sup>1</sup> Hanford Values White Paper and Future Sites Working Group

**Envirolssues**

**Hanford Project Office**

713 Jadwin, Suite 3  
Richland, WA 99352  
Phone: (509) 942-1906  
Fax: (509) 942-1926

**HAB Consensus Advice # 285**

Subject: M-091 Change Package

Adopted: September 10, 2015

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DOE announced on July 31, 2015 that the Waste Isolation Pilot Plant (WIPP) would not be able to meet the goal of resumption of activities in 2016, and the WIPP facility is not currently operating. Therefore, these proposed changes to TPA M-091, released on July 6, 2015, cannot be a complete picture of currently-known schedule delays that affect the resumption of shipments to WIPP.

The TPA agencies have signaled that they are not ready to enter into new negotiations for Remove, Treat, and Dispose (RTD) of Hanford transuranic (TRU) wastes that have not yet been characterized. These negotiations may be contingent on resumption of shipping currently stored waste to WIPP in order to make room for staging future Hanford TRU waste bound for WIPP.

There are uncertainties with the volume and treatment required to quantify future shipment of TRU and transuranic mixed (TRUM) waste to WIPP (both remote and contact handled). The operational permits that identify the WIPP site acceptance of waste materials expire in 2030. Given this information, the Board perceives a disconnect between the time necessary to negotiate for additional RTD and shipments, and the ability to achieve that goal by 2030.

EPA and Ecology, Hanford site regulators, have issued formal findings and notices that areas at the Central Waste Complex (CWC), where 8,000 containers of mixed radioactive hazardous wastes are stored, do not comply with safety and environmental standards.<sup>2</sup> The regulators have also found that many of the wastes are stored without characterization and treatment which are legally required. Orders have been issued to “close” these CWC storage areas.

The commencement of new negotiations for TRU cleanup should not be delayed by a position that the TPA must first send the already packaged wastes to WIPP before looking at other TRU retrieval. The full extent of funding and planning necessary to achieve successful cleanup of TRU material should not be postponed. The Board urges that the proposed milestone changes should reflect a faster pace of TRU retrieval and shipments in order to successfully reach the 2030 goal. Furthermore, the Board does not see the TPA negotiation of new TRU milestones as being aggressive enough.

It is important to the Board that the cost, potential technical issues and other problems that might derail meeting the 2030 milestone be understood. The Board supports the development of a credible schedule that defines achievable TPA milestones for the disposal of any remaining TRU waste. The Board believes a ten-year window (2020-2030) is not enough time to meet future designated cleanup obligations.

### **Advice**

- The Board advises that the TPA agencies agree to TPA milestone M-091 (TRU) cleanup milestones that are achievable and reflect a “global continuity” with other unresolved TPA milestones, (specifically M-15, M-16, and M-85). With a transparent, comprehensive understanding of the interconnected relationships between the various change packages,

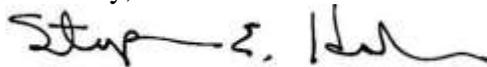
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<sup>2</sup> Ecology docket number DE 10156 and EPA docket number RCRA-10-2013-0113

the Board and the public can understand the cleanup milestones. The Board cannot prioritize any specific milestone without a DOE commitment to full funding and a logical rationale that prescribes the importance of one milestone over another.

- The Board advises the TPA agencies to actively negotiate and support milestone schedules that actually reflect the limitations of time and the extent of the work necessary to accomplish shipment of Hanford TRU waste off-site by 2030, after which access to the WIPP facility may be severely curtailed or terminated.
- The Board advises the TPA agencies to agree that, in tandem with off-site removal of already repackaged TRU, DOE should be actively engaged in characterizing, determining remediation methods, and quantifying volumes and packaging needs of contact handled- and remote handled-TRU wastes which have not yet been exhumed at Hanford.
- The Board advises the TPA agencies remove the TRU and TRUM waste that is currently stored at the CWC in violation of the safety standards of Resource Conservation and Recovery Act and Washington State Hazardous Waste Management Act, in a quick and safe manner and to close those storage units. To accomplish this, waste should be treated or processed as fast as treatment capacity allows.
- The Board advises the TPA agencies to hold regional public meetings from which a common understanding of the interrelationships among TPA milestones M-091, M-15, M-16 and M-85 (Central Plateau change packages) can be built and shared.
- The Board requests an extension of the TPA milestone M-091 change package public comment period to allow time to promote better public understanding and facilitate more informed public comments on the change packages. Additionally, those milestones in the M-091 package that do not require funding before fiscal year 2019 should be included for discussion in the upcoming Central Plateau change package public comment period.

Sincerely,



Steve Hudson, Chair  
Hanford Advisory Board

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*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: Monica Regalbuto, Assistant Secretary of Environmental Management, U.S.  
Department of Energy, Headquarters  
Kevin Smith, Manager, U.S. Department of Energy, Office of River Protection

Jon Peschong, Co-Deputy Designated Federal Official, U.S. Department of Energy  
Richland Operations Office  
Joanne Grindstaff, Co-Deputy Designated Federal Official, U.S. Department of  
Energy Office of River Protection  
Dennis Faulk, U. S. Environmental Protection Agency  
David Borak, U.S. Department of Energy, Headquarters  
The Oregon and Washington Delegations