



OFFICE OF RIVER PROTECTION

P.O. Box 450, MSIN H6-60
Richland, Washington 99352

AUG 15 2014

14-OCS-0090

Mr. S.E. Hudson, Chair
Hanford Advisory Board
Enviroissues Hanford Project Office
713 Jadwin, Suite 3
Richland, Washington 99352

Mr. Hudson:

HANFORD ADVISORY BOARD, CONSENSUS ADVICE #279, "PROPOSED AMENDMENTS TO THE CONSENT DECREE FROM DOE AND ECOLOGY"

Thank you for your June 5, 2014, letter transmitting the Hanford Advisory Board's (HAB) Consensus Advice #279, "Proposed Amendments to the Consent Decree from DOE and Ecology," to David Huizenga, Acting Assistant Secretary for Environmental Management.

The U.S. Department of Energy (DOE) believes that Consent Decree discussions with the State of Washington (State) to date have been productive and we remain interested in continuing those discussions to develop a mutually acceptable path forward. Below are point-by-point responses by DOE to the HAB's consensus advice.

Advice: Apply the attached Board Values during Consent Decree Amendment negotiation discussion and resolution development.

Response: The HAB's values continue to be consistent with DOE's values; however, we do not believe that all values can be equally weighted or applied simultaneously in every decision making process. But these principles have guided DOE in developing the Hanford Tank Waste Framework and subsequent proposed Amendment to the Consent Decree and we continue to utilize them in our ongoing discussion with the State. DOE partially accepts this advice point.

Advice: Be open, transparent, and accountable to the public, stakeholders and tribes in both the upcoming Consent Decree negotiations and discussions, and the resulting cleanup agreement.

Response: The ongoing meetings with the State are considered legal proceedings, and thus elements of those activities will be necessarily subject to strict rules of confidentiality. It is important to remember that since the beginning of this year, DOE has released the Hanford Tank Waste Framework document; released its proposal to amend the Consent Decree; held a town

Mr. S.E. Hudson, Chair
14-OCS-0090

-2-

AUG 15 2014

hall meeting in Richland, Washington on DOE's Proposal to the State of Washington to Amend the 2010 Consent Decree; participated in four Hanford State of the Site meetings in the region where Consent Decree was discussed; held the fiscal year 2016 public meeting where the Consent Decree was discussed; and have appeared before the HAB a number of times to share available information. While openness, transparency, and accountability are strong values for us at Hanford, DOE does not find a recommendation that we operate outside of these legal confines to be useful advice at this phase of our discussions with the State. When the Consent Decree negotiations are at the appropriate point in the process; we will be fully transparent to our stakeholders. We cannot accept this advice point at this time.

Advice: Share information detailed enough with each other to enable the negotiating parties to resolve differences between the proposals in a timely manner.

Response: DOE accepts this advice point, and appreciates the HAB's encouragement to both the State and DOE to work together to develop a mutually acceptable path forward.

Thank you for your continued involvement and interest. If you have any questions, please contact Carrie C. Meyer, of my staff, at (509) 372-0810.



Kevin W. Smith
Manager

ORP:MMS

cc: J.A. Hedges, Ecology
M. Whitney, EM-1
D.A. Faulk, EPA
S.M. Braswell, MSA
K.S. Ballinger, RL
D.S. Shoop, RL