



Hanford Advisory Board

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

Advising:

US Department of Energy
US Environmental Protection Agency
WA Department of Ecology

Hanford Advisory Board Membership:

Benton County
Benton-Franklin Council of Governments
City of Kennewick
City of Pasco
City of Richland
City of West Richland
Grant & Franklin Counties

Tri-Cities Development Council

Central Washington Building Trades
Council
Hanford Atomic Metal Trade Council
“Non-Union, Non-Management”
Employees
Hanford Challenge

Richland Rod & Gun Club

Columbia RiverKeeper
Hanford Watch
Heart of America Northwest
Washington League of Women Voters
Citizens for a Clean Eastern Washington

Benton-Franklin Public Health
Physicians for Social Responsibility

Nez Perce Tribe
Yakama Nation
Confederated Tribes of the Umatilla
Indian Reservation

Oregon Hanford Cleanup Board
Oregon Department of Energy

University of Washington
Washington State University

Public At Large (8)

Library and Facilitation

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March 24, 2022

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RE: Hanford Advisory Board Membership Changes (HAB Consensus
Advice #311)

Dear Mr. Vance, Mr. Bowen, and Mr. Einan:

Background:

During the January 19th, 2022, Hanford Advisory Board (HAB, Board) meeting, the US Department of Energy (DOE) announced that they would be taking unilateral actions to restructure the membership of the Board. DOE intends to accomplish this restructuring by strictly applying membership term limits.

The Board is made up of independent interests. Representation on the Board was carefully established in 1993, by the “Convening Report on the Establishment of an Advisory Board to Address Hanford Cleanup Issues”¹ to provide a balanced and diverse view of the Hanford Cleanup. The Board membership structure resulted from a six-month long negotiation process with the agencies, stakeholders, and tribal nations with a vital interest in the Hanford Cleanup. Each interest was tasked with selecting members to the Board who would best represent them.

The structure of the Board should be determined collaboratively. The recently proposed restructuring was not a collaborative process where

DOE approached the Board for a discussion of the perceived issues and a constructive conversation of possible solutions. The Board was informed verbally of the actions that DOE would be implementing starting with the current membership appointment cycle which is to be submitted by the local Hanford DOE office to Headquarters in spring 2022. No written plan has been provided to the Board to describe or support the specific process and criteria for DOE's proposed restructuring, despite numerous requests.

The unilateral nature of DOE's recent actions to restructure the Board is not consistent with the collaborative spirit in which the convening report was developed, nor does it support the interactive community relationship requirement as defined in Article XLII, Public Participation, of the governing Tri-Party Agreement² (TPA). In 2021, the Board established an issue management team to address perceived Board membership issues collaboratively with the agencies, including diversity and participation. This team was not included or consulted before DOE's announced changes.

This is not the first time that DOE has announced term limit enforcement with the justification of increasing diversity on the Board. In HAB Advice #259³, the Board requested that DOE work collaboratively with them prior to making unilateral changes to the membership application practice. In response⁴, DOE agreed to delay their action until after the Board leadership was able to participate in the conversation. The 2012 advice still rings true:

The Board does not believe the plan to impose term limits as a means of increasing diversity amongst members of the Board has a guarantee of success. We believe diversity of viewpoints was attained with the inception of the Board and that continued age, gender, ethnic, and racial diversity can be attained by normal attrition. We believe that applying term limits will undermine the ability of the Board to provide relevant and meaningful advice to the Tri-Party Agencies, and will result in eliminating current Board members who fall within demographics that DOE headquarters has stated they are trying to strengthen...

One benefit of being a Board that includes long-standing members is that we remember our history. In remarks that were originally made at the first meeting of the Board on January 24-26, 1994, John Wagoner, Manager, Richland Operations Office⁵, promised to the newly formed Board:

"...DOE cannot and will not control this Board. You are independent of DOE and its Hanford regulators. That is the only arrangement the people of this region will find credible."

This important historical reference should remind the TPA Agencies that the Hanford Advisory Board is unique in TPA origin, charter, scope, and responsibilities. The Environmental Management Site-Specific Advisory Board (EMSSAB) Charter⁶ includes the flexibility to grant exceptions to term limits to respond to unique situations and challenges. The HAB is itself unique among the Site-Specific Advisory Boards (SSAB) as a Board of interests, and the multi-generational Hanford cleanup presents unique challenges necessitating continuity of knowledge and ongoing engagement with the public.

Imposing strict membership term limits will decrease the Board's collective understanding and ability to provide informed, risk-aware, and relevant Board products to the Tri-Party Agencies. These products require a high level of knowledge and familiarity with the Board, and with the Hanford area and cleanup activities. These are primarily acquired from the members' specific experience and capabilities and their years of involvement with the consensus-driven Board environment. The Board believes that losing the support of such experienced and contributing individuals from the Board due to term limits imposed under the auspices of diversity goals will be detrimental to future Board functions and will not serve the best interests of DOE and the Pacific Northwest.

The Board values diversity of life experience and identity, not just a diversity of interests. Diversity of interests is not a proxy for diversity of expertise, race, age, ethnicity, and gender. The Board continues to believe that diversity should be attained through a detailed plan that applies to all the seats. A six-year term limit is a short time to be on the Board and if someone new is recruited, it is difficult for them to form relationships and fully represent and relay information to their community before their term limit is up.

Building relationships and trust among Board members enriches our process and our advice. It takes time to build relationships and trust amongst diverse viewpoints, backgrounds, and perspectives before the strength garnered by this hard work pays off with relevant, meaningful advice and policy recommendations.

The Board invites a collaborative thoughtful process with the TPA agencies to broaden the expertise, racial, ethnic, age, and gender diversity of the Board. To achieve these goals, the Board offers the following advice:

Advice:

- The Board advises DOE to suspend and reconsider implementation of the changes to Board membership approval criteria announced in January 2022. As an independent board, the HAB should be included in decisions which impact its membership and structure.
- The Board advises the DOE Hanford field office to continue requesting term limit exceptions for Board members put forward by the nominating authorities, consistent with the process in the EMSSAB charter.
- The Board advises that the DOE engage the TPA Agencies, including the appropriate DOE Headquarters representatives, Tribal representatives, stakeholders, and the Board in a facilitated dialog that invites collaboration and consensus in the following specific areas:
 - Develop a written plan to address DOE's plan to restructure the Board's membership. This discussion should include the potential impacts of selective application of term-limits applied only to regional and public-at-large seats. For example, the application of term limits would eliminate at least 50% of the women currently serving on the Board, including one or more Tribal representatives, and the only currently serving primary Board member that is African American.

This written plan should delineate the bases for these actions, the proposed diversity goals, the approach to achieve these goals, and how these actions will directly support and enhance the Site's Cleanup Mission without negatively affecting the functionality and effectiveness of the Board.

- Request that the TPA agencies, with the Board, define and reaffirm the mission and focus of the HAB due to recent DOE activities to actively enforce term limits and diversity goals that will adversely affect the Board's ability to accomplish its mission.
- Establish TPA Agency commitment and actions to ensure that the Board's activities enable active participation by impacted communities.

Sincerely,



Steve Wiegman, Chair
Hanford Advisory Board

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- References
1. Convening Report on The Establishment of an Advisory Board To Address Hanford Cleanup Issues, The Keystone Center, P.O. Box 8606, Keystone, Colorado 80435, October 1993:
https://www.hanford.gov/files.cfm/Convening_Report.pdf
 2. Hanford Federal Facility Agreement and Consent Order: <https://pdw.hanford.gov/download/9da6157a-82e8-4c5a-9cb6-d43cb8dcf35a>
 3. Term Limits, Hanford Advisory Board Consensus Advice 259, September 7, 2012:
https://www.hanford.gov/files.cfm/HABAdv_259.pdf
 4. DOE Response to Term Limits, Hanford Advisory Board Consensus Advice 259, October 26, 2012:
https://www.hanford.gov/files.cfm/HAB_DOEResponse259.pdf
 5. Welcoming Remarks and Charge to the Board, John Wagoner, Manager, Richland Operations Office, Prepared for the occasion of the first meeting of the Hanford Advisory Board, January 24-26, 1994, Richland, Washington
 6. Environmental Management Site-Specific Advisory Board Charter, U.S. Department of Energy, filed April 10, 2020:
<https://www.hanford.gov/files.cfm/EM-SSAB-Charter-2020-Renewal-signed.pdf>

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Nevada Site Specific Advisory Board
Northern New Mexico Citizens Advisory Board
Paducah Citizens Advisory Board
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