

Feb. 7, 2002

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Tom Fitzsimmons, Director
Washington State Department of Ecology
P.O. Box 47600
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John Iani, Regional Administrator
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue
Seattle, WA 98101

Re: Principles for M-91 Negotiations

Dear Mssrs. Klein, Fitzsimmons and Iani,

The following are principles adopted by the Hanford Advisory Board (Board) for application during and beyond the current M-91 Tri Party Agreement (TPA) negotiations.

Principle #1:

Waste must be characterized for both radionuclide and hazardous waste content before shipment to Hanford.

Principle #2:

The impacts of, and alternatives to, adding more wastes to Hanford must be fully considered in an adequate Environmental Impact Statement (EIS) and aired in a public process before additional wastes are added to Hanford.

Principle #3:

Mixed wastes must be stored in facilities that comply with regulations. It does not make sense to store more waste in the unlined burial grounds, from which transuranic (TRU) wastes should be retrieved in the near term. Washington State Department of Ecology (Ecology) needs to inform the public of the steps it will be taking to ensure that all imported TRU wastes will be stored in a safe and legally compliant manner with the wastes fully characterized.

Principle #4:

The TPA should contain an enforceable schedule for the removal of TRU wastes from Hanford burial grounds and storage sites for permanent isolation from the environment via disposal in a deep geologic repository (E.g., the Waste Isolation Pilot Project). Also, commitments to remove wastes imported to Hanford for treatment only (not extended storage or disposal) must be enforceable.

Principle #5

Negotiation of accelerated milestones should include requiring a full Model Toxics Control Act or Resource Conservation Recovery Act (RCRA) investigation of releases from the Low Level Waste Burial Grounds (LLBG).

Principle #6:

Waste importation impact considerations must include the long-term, fully burdened costs of storage and treatment, including considerations of the financial impacts on future clean up activities at Hanford.

Principle #7:

Addressing all buried waste (excluding previously remediated wastes) should be a priority. All buried waste should be characterized, then retrieved and treated as required. M-91 or other TPA milestones should contain schedules for closing unlined LLBGs within the appropriate Comprehensive Environmental Response Compensation and Liability Act (CERCLA) or RCRA processes.

Principle #8:

Negotiations for Hanford cleanup schedules should not be dependent upon Washington State agreeing to let the U.S. Department of Energy add more waste to Hanford.

Sincerely,

Todd Martin, Chair
Hanford Advisory Board

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

cc: Wade Ballard, Deputy Designated Federal Official, U.S. Department of Energy
Michael Gearheard, Environmental Protection Agency
Michael Wilson, Washington State Department of Ecology

Martha Crosland, U.S. Department of Energy Headquarters
The Oregon and Washington Congressional Delegations

U.S. Senators (OR)

Gordon H Smith
Ron Wyden

U.S. Senators (WA)

Maria Cantwell
Patty Murray

U.S. Representatives (OR)

Earl Blumenauer
Peter DeFazio
Darlene Hooley
Greg Walden
David Wu

U.S. Representatives (WA)

Brian Baird
Norm Dicks
Jennifer Dunn
Jay Inslee
Richard Hastings
Rick Larsen
Jim McDermott
George Nethercutt
Adam Smith

State Senators (WA)

Pat Hale
Mike Hewitt

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Jerome Delvin
Shirley Hankins