

April 4, 2003

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Subject: Hanford Budget Process

Dear Messrs. Klein, Schepens, Iani, Fitzsimmons, Butler, and Ms. Roberson,

The Hanford Advisory Board (Board) is disappointed and concerned that budget information impacting program planning and actions is being withheld from the public. The withholding of budget detail information by both Department of Energy Headquarters (DOE-HQ) and the site, coupled with limited or no public discussion and involvement, is very troubling. As a result, DOE's credibility and trust with the Board has deteriorated. The Board, and we assume the regulators as

well, cannot function properly without good communication (information flow and discussion) with DOE. We also believe that DOE cannot function effectively without substantive public input.

The Board and the public want to continue to help DOE make the best decisions with the money allocated for Hanford cleanup. The recent lack of budget detail provided to the regulators, the Board, and the public has seriously inhibited this process. The Board believes much of its concern could be reduced if DOE would comply with Sections 148 and 149 of the Tri-Party Agreement (TPA). The TPA clearly requires disclosure of project and activity level funding, along with a comparison of whether that level will be adequate to meet all TPA and related legally required activities for: the current fiscal year, the President's Budget Request year, and the planning year.

The Board strongly urges the Washington Department of Ecology and the U.S Environmental Protection Agency (EPA) to require DOE to provide the information necessary. Until it does, DOE's credibility and public trust surrounding its decisions will suffer, as has been clearly demonstrated in recent years.

The Board is also troubled that DOE management decisions and project scope changes have been made with little or no public input. These decisions may be appropriate but there is no way for the Board or the general public to determine budget impacts. Examples of budget information relating to major decisions for 2003, 2004, and 2005, which DOE has not disclosed include:

1. DOE Office of River Protection (DOE-ORP) Examples:
  - a. The level of funding in each fiscal year on the alternatives to vitrification (so-called "supplemental" technologies, such as concrete grout or steam reforming); including the cost, scope and schedule for contracts in place for review and development of these alternatives.
  - b. The level of funding in each fiscal year for specific activities related to High-Level Nuclear Waste Tank "closures." Since Ecology has not defined what is required to close a tank or tank farm, and DOE-ORP authorized the contractor to expend funds to close up to 40 tanks by 2006, it is vital for the public and regulators to know what DOE is expending funds on, and whether this expense will adversely impact reaching TPA milestones or other legal requirements.
  - c. The cost (or reduction in spending) of the 3<sup>rd</sup> melter in the Low Activity Waste Vitrification Plant, which DOE and Bechtel National have deleted

from the construction scope. Deletion of this melter jeopardizes the ability of DOE to achieve vitrification of all tank wastes by 2028, which remains the TPA requirement.

- d. The expenditure in each fiscal year for elimination of technetium pretreatment from the Waste Treatment Plant.

2. DOE Richland Operations Office (DOE-RL) Examples:

- a. The funding for groundwater remediation and for groundwater monitoring well installation in each area, to meet legal requirements (e.g., Low-Level Waste Burial Grounds, Tank Farms, and each area along the Columbia River). The pace of well installation and remediation to meet cleanup goals by 2018 is a primary concern.
- b. Soil cleanup activity by area on site in order to comment on appropriate priorities.
- c. Funding levels for the N-Area cleanup, since DOE is seeking a waiver (N Area Explanation of Significant Difference) from cleanup requirements to protect groundwater at the N-Reactor cribs, where Strontium-90 levels in seeps along the river shore are 1,600 times the federal Drinking Water Standard<sup>1</sup>. How do we know it's too expensive (without knowing what the priorities are and what is being spent on other priorities; and, without knowing what won't happen instead)?

3. Site-wide examples:

- a. Define and identify overhead and infrastructure costs by contractor for both DOE-RL and DOE-ORP.
- b. The funding levels for regulatory fees and grants, Oregon oversight and for the Hanford Advisory Board for 2003, 2004 and 2005. These have been put into one PBS, which is the only Richland PBS with reduced funding in the FY 2004 Request:

• 2012 Acceleration	+ 6.5%
• 2033 Acceleration	+20%
• Safeguards & Security	+33%
• <b>Community &amp; Regulatory Support</b>	<b>- 7.8%</b>
• Cleanup Projects	+21%

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1 2002 Hanford Site Annual Groundwater Monitoring Report (PNNL, 2002).

It is important that DOE regain the confidence of the Board and the public and reestablish trust and credibility by immediately initiating open discussion on budget rationale and activities at the appropriate level of detail necessary for meaningful public input. Lack of communication regarding the River Corridor Contract and ORP's decision not to participate in regional public budget meetings add to the concerns expressed above.

The Board looks forward to DOE and the regulators resolving this budget problem, and to DOE providing the requested level of detail and communicating it to the Board and the public as soon as possible.

Sincerely,

Todd Martin, Chair  
Hanford Advisory Board

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*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: Marla Marvin, Deputy Designated Federal Official, U.S. Department of Energy  
Michael Gearheard, Environmental Protection Agency  
Michael Wilson, Washington State Department of Ecology  
Sandra Waisley, U.S. Department of Energy Headquarters  
The Oregon and Washington Congressional Delegations

U.S. Senators (OR)

Gordon H Smith  
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