



January 5, 1994

Hazel O'Leary, Secretary and  
Thomas P. Grumbly, Assistant Secretary for Environmental Management  
U.S. Department of Energy  
1000 Independence Avenue SW  
Washington D.C. 20585

RE: Consensus Advice to Honor the TPA in the Face of Budget Cuts

Dear Ms. O'Leary and Mr. Grumbly,

Over the past two years, the U.S. Department of Energy (USDOE) has begun to greatly improve its credibility in the eyes of the public with respect to its cleanup activities. This new credibility is jeopardized by a recently announced target budget for cleanup activities and a revisitation of already negotiated cleanup schedules driven by budgetary concerns. These announcements demonstrate a disturbing disregard for legal commitments made after negotiations with the Tri-Party agencies and after extensive public input.

The Hanford Advisory Board (HAB) represents a diverse range of public interests throughout the Pacific Northwest. All of the groups represented are strongly affected by the cleanup plans at the Hanford Nuclear Reservation, the nation's most contaminated nuclear weapons complex site. The HAB unanimously urges that the USDOE and the Congress not delay actions to stop the spread of contamination and to accelerate the final cleanup at Hanford. DOE and Congressional actions should be consistent with the following principles:

1. Legally binding commitments made by the Federal Government after extensive public participation must be honored. These include the Hanford Tri-Party Agreement (TPA), its most recent renegotiations, and in particular the following commitment signed by the USDOE in January 1994:

"DOE shall take all necessary steps to obtain timely funding in order to fully meet its obligation under this (TPA) agreement."

This requires that the workscope committed to in the TPA be completed in accordance with the agreed upon schedule.

2. Cleanup activities must be governed by a negotiated agreement, such as the TPA, which is based on stakeholder and public input. The TPA is not only a commitment that is essential to the credibility of the USDOE and the Federal Government, but also represents the only existing set of health, safety, and cleanup prioritizations for the Hanford cleanup budget. The TPA is the only cleanup budget prioritization which is responsive to risks presented by the Hanford site, has been subject to outside scrutiny, and incorporates public values and priorities.

3. The only acceptable measure of the cleanup activities at Hanford is demonstrated progress to meet the TPA milestones. Therefore, cleanup workscope should not be cut based on budgetary considerations before all advice given to the USDOE by the HAB, the Washington Department of Ecology and the U.S. Environmental Protection Agency (EPA) to improve the efficiency of the cleanup activity and reduce costs at Hanford is implemented. The HAB's adopted advice has included implementation of the following:
  - o the one billion dollar cost reduction commitment made by the DOE;
  - o reexamination of staffing levels for all contractor activities;
  - o reduction of overhead and indirect costs;
  - o cutting back other USDOE programs that are not mandated by compliance agreements;
  - o not funding maintenance of former defense facilities with cleanup funds; and
  - o examination of the feasibility of privatization activities.

The HAB recently has given specific advice regarding the FY 95 reallocation and Congressional reprogramming request in the areas of Tank Wastes, Facilities Transition, Landlord and Overhead. The HAB also recommends a thorough evaluation of Hanford management systems to achieve greater efficiency before any reduction in TPA workscope is considered.

4. The USDOE and its contractors must continue to work with the EPA and the Washington State Department of Ecology to assure that reasonable and correct interpretations of regulatory requirements are used as the basis for the Hanford cleanup. This effort is appropriate and should prevent specific regulations from being a cause of unnecessary expenditures during the cleanup program. The current levels established in the so called "cleanup standards" (CERCLA) have not played a significant role in increasing the overall cost of cleanup at Hanford. The Environmental Restoration portion of the cleanup budget (where CERCLA standards are applicable) is little more than 10% of the cleanup budget. The HAB advises USDOE not to compromise established cleanup standards under a false expectation that this will provide a cost savings. The HAB endorses regulatory streamlining, provided it does not reduce the ultimate levels of cleanup.

The Board looks forward to your written response as called for in our charter.

Very truly yours,

Merilyn B. Reeves, Acting Chair  
Hanford Advisory Board

cc: Governor Mike Lowry, Washington  
Governor John Kitzhaber, Oregon  
Chuck Clarke, Regional Administrator, U.S. Environmental Protection Agency, Region 10  
Mary Riveland, Director, Washington Department of Ecology  
John Wagoner, Manager, U.S. Department of Energy, Richland Operations

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*For questions or comments, please send [email](mailto:Hanford_Advisory_Board@rl.gov) to Hanford\_Advisory\_Board@rl.gov*  
*HAB Consensus Advice #11*  
*Subject: Honor TPA in Cost-Cutting (Dollars & Sense Committee)*  
*Adopted: January 5, 1995, Letter to T. Grumbly*