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September 11, 1998

Martha Crosland  
U.S. Department of Energy  
1000 Independence Avenue SW  
Washington, DC 20585

Jay Rhoderick  
U.S. Department of Energy 1000 Independence Avenue SW Washington, DC 20585

Subject: Intersite Waste Disposal

Dear Ms. Crosland and Mr. Rhoderick:

At the September 9-11, Hanford Advisory Board (HAB) meeting, members reviewed the request from the Nevada Low-Level Waste Workshop participants to rank the six options for disposal of low-level waste outlined in the Waste Management PEIS (WMPEIS). The major issue scheduled for discussion at our HAB meeting was the lack of tank waste treatment capability at Hanford and the \$6.9 billion contract with BNFL to build a treatment facility. This issue dominated the HAB meeting and took precedence over any review of the WMPEIS options. The HAB is opposed to this request and will not rank the options. We believe DOE should not make site-specific decisions based on the WMPEIS. And further, it is inappropriate for DOE to use an informal ranking by the Site-Specific Advisory Boards (SSABs) as a basis for its decision-making. Rather, DOE should initiate a credible and sustainable National Dialogue on the disposition of all nuclear materials and wastes.

The HAB has previously provided extensive advice to DOE on the WMPEIS and has adopted criteria for the acceptance of LLW. The HAB's prior advice criticized the WMPEIS public involvement process for not adequately obtaining public input on the waste disposal alternatives. Some of the impacts and alternatives that the HAB has previously identified as not having been adequately addressed in the WMPEIS include:

1. The cumulative impacts from transporting to, and disposing at, Hanford the large quantities of Low-Level Waste from the Environmental Restoration Program, which are much higher than the Waste Management Program volumes identified in the WMPEIS;
2. The impact on Hanford clean-up budgets and compliance from the subsidized disposal of off-site waste and the lack of "full costing" of disposal charges;
3. The comparative benefits from use of licensed, externally regulated disposal facilities versus expansion of DOE self-regulated disposal sites; and,
4. The piecemeal decision making process does not include consideration of the potential cumulative impact of other disposition/disposal decisions.

Any action selected by DOE in regard to treatment, transport, storage, and disposal of low-level waste must be legally defensible, in accordance with environmental regulations, and should provide the least negative impact to the environment of the United States as a whole and in the long term. Moreover, we

on the HAB, and the broad constituencies we represent, are reluctant to entertain any further discussion of offsite waste disposal at Hanford until we are assured of a comprehensive program with funding and enforceable TPA milestones to resolve urgent risks and provide treatment capability, including for tank wastes and spent nuclear fuel (K-Basins).

The HAB notes that SSABs are not all representative of the broader public and it is inappropriate for SSABs to be provided an opportunity to influence DOE Records of Decision (RODs) when there is no process for others to provide such advice. We are particularly concerned that the Tribes are not being asked to rank the options. The Hanford Advisory Board believes that RODs should be developed solely on the basis of public comment received in accordance with legal NEPA requirements and it is premature for endorsement of any option in the WMPEIS by the SSABs. Therefore, we believe it is not appropriate for us to express a preference on the six disposal alternatives.

We look forward to your response and to periodic progress updates on this matter.

Very truly yours,

Merilyn B. Reeves, Chair  
Hanford Advisory Board

cc: James Owendoff, Department of Energy Headquarters  
John Wagoner, Department of Energy  
Tom Fitzsimmons, Washington Department of Ecology  
Chuck Clarke, Environmental Protection Agency  
Alice Murphy, Designated Federal Official  
The Oregon and Washington Congressional Delegations  
Randy Smith, Environmental Protection Agency  
Dan Silver, Washington Department of Ecology

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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.

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*For questions or comments, please send [email](mailto:Hanford_Advisory_Board@rl.gov) to Hanford\_Advisory\_Board@rl.gov*  
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