

FINAL MEETING SUMMARY

HANFORD ADVISORY BOARD

April 3-4, 2003

Spokane, WA

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This is only a summary of issues and actions in this meeting. It may not represent the fullness of ideas discussed or opinions given, and should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.

Executive Summary

Board Actions

The Hanford Advisory Board (HAB or Board) adopted three pieces of advice and three letters at the April 2003 meeting.

Groundwater

The Board adopted advice on groundwater. The advice reiterates that groundwater should be cleaned to its highest beneficial use and the draft groundwater strategy should reflect that goal. No further harm should be done to groundwater. Technology should be developed, monitoring should be included, there should be specific standards that trigger action when contamination is detected, and there should be a strategy for accelerated remediation of the 618-10 & 11 burial grounds.

Technetium Removal in the Waste Treatment Plant (WTP)

This advice says that technetium removal capability should not be removed from the Waste Treatment Plant without public vetting and adequate analysis. The advice lists questions that have to be answered to determine whether this is an appropriate action. It asks data supporting the decision to be presented to the Tank Waste Committee in May and requests that the regulators both review the U.S. Department of Energy's (DOE) decision and provide the results of that review at the May committee meeting. The advice was adopted.

Hanford Budget Process

This advice addresses the erosion of trust between DOE and the Board and the regulators over the budget process breakdown. It calls for compliance with Paragraphs 148 and 149 of the Tri-Party Agreement (TPA) and lists information that the Board needs to assess the budget and why it is needed. The advice was adopted.

State-of-the-Site Meeting

The Public Involvement Committee wrote a thank you letter to the agencies for the successful State-of-the-Site meetings this year and offering some suggestions for next year's meetings. The letter was approved.

Letter of End States

The River and Plateau Committee wrote a letter to DOE requesting to participate in the public involvement process for the end states discussions and offering the Board's expertise in this area. The letter also requests specific documents. The letter was approved.

Request of Extension of HSW-EIS Comment Period

After an update and discussion with Mike Collins, Department of Energy – Richland Operations Office (DOE-RL), the Board wrote a letter requesting a 30-day extension of the public comment period for the revised draft Hanford Solid Waste Environmental Impact Statement (HSW-EIS) to allow time to assess the document and inform the public prior to the public meetings.

Tutorial – Cumulative Impacts Assessment Tools

Bob Bryce, Pacific Northwest National Laboratory; Charles Kincaid; and John Morse, DOE, explained the System Assessment Capability (SAC) tool used to do big-picture assessments of the impacts of wastes in the vadose zone and groundwater on the Hanford site. Agency response was offered by Dib Goswami, Washington Department of Ecology; Dennis Faulk, Environmental Protection Agency; and Doug Huston, Oregon Office of Energy.

Overview – Hanford Budget Process

Harold Heacock, TRIDEC (Local Business Interests), explained the past budget process both on the federal and local levels. He explained the difference in the last few years. Wade Ballard, DOE-RL, explained the changes from his perspective. The regulators remarked on the recent budget process changes from their perspectives.

DOE-RL

Mike Collins explained the changes in the revised draft HSW-EIS and outlined the timetable. The Board expressed concerns over the length of the comment period and drafted a letter requesting an extension.

Washington State Department of Ecology (Ecology)

Max Power gave an update on two lawsuits. One is the State of Washington against DOE to stop importation of transuranic (TRU) waste until cleanup milestones are set. A motion for a preliminary injunction will be heard in the Eastern District of Washington on April 18th.

The second lawsuit was filed by the Natural Resources Defense Council, the Yakama Indian Nation, and the Snake River Alliance in Federal District Court in Idaho concerning the application of the Nuclear Waste Policy Act in the DOE Order 435.1. The case will be heard in May. The states of Idaho, Oregon, Washington, and South Carolina filed friend-of-the-Court briefs in the suit.

Environmental Protection Agency (EPA)

Nick Ceto reported that EPA has assessed a penalty against DOE for delay of sludge removal from the K Basins.

EPA has received a letter of commitment from DOE to develop remote-handled TRU waste retrieval technology to address the 618-10 & 11 burial grounds. There is discussion among the agencies on how to scope out the work in 618-10 & 11.

There are discussions on doing a site-wide ecological risk assessment for the river corridor. There may be money available now to do it.

Discussions are beginning on accelerating stoppage of storing LLW in unlined trenches before facilities are built.

HANFORD ADVISORY BOARD

Draft Meeting Summary

February 6-7, 2003

Richland, Washington

Todd Martin, Citizens for a Clean Eastern Washington (Regional Citizen, Environmental & Public Interest Organizations), Chair, called the meeting of the Hanford Advisory Board (HAB or Board) to order. The meeting was open to the public and offered four public comment periods, two on Thursday and two on Friday.

Board members in attendance are listed at the end of this summary, as are members of the public. (X) Board seats were not represented: Washington State University, City of Pasco, City of West Richland, Central Washington Building Trades Council, Two Public-at-Large Seats, Confederated Tribes of the Umatilla Indian Reservation (CTUIR), and the League of Women Voters.

Welcome and Introductions

Todd welcomed the Board members to Spokane. He introduced Earl Fordham, a new Board member representing the Department of Health, Radiation Protection. He is the new Regional Director for the Department of Health in Richland, Washington. His experience includes the Fast Flux Test Facility (FFTF), the commercial disposal facility, Allied Technology Group (ATG), driving a nuclear submarine, working for Westinghouse/Hanford and the State of Washington.

Marla Marvin, Department of Energy-Richland Operations Office (DOE-RL) is replacing Wade Ballard as the federal official to the Hanford Advisory Board. Marla thanked Wade for his work with the Board and emphasized that she is open to suggestions from the Board. Marla was recently named DOE Woman of the Year.

Monty Wilson, the chair of the Idaho National Engineering and Environmental Laboratory's Citizen Advisory Board, attended this Board meeting.

Announcements

John Stanfill, Nez Perce Tribe (Tribal Nations), announced the release of a publication entitled *Treaties, the Nez Perce Perspective*, which discusses treaties signed by the Nez Perce and other tribes from the Nez Perce point of view. Each organization was invited to take a copy.

Yvonne Sherman, DOE-RL, pointed out the "travel box" from Peggy Terlson, DOE-RL, containing the travel documents for Board members. Members can serve themselves.

Amber Waldref, Heart of America Northwest, (Regional Citizen, Environmental & Public Interest Organizations), reminded Board members of the public forum to be held at Gonzaga University on Thursday evening at 7:00 pm. A panel including Ken Bracken, Benton County (Local Government Interests); Bill Kinsella, Hanford Watch, (Regional Citizen, Environmental & Public Interest Organizations); Todd Martin; Dennis Faulk, US Environmental Protection Agency, (EPA); and Mike Schlender (DOE-RL); will speak on Hanford history and cleanup challenges. The Gonzaga University College of Arts and Sciences is providing the auditorium and refreshments.

Todd said that he, Ken Bracken, and Yvonne Sherman attended the Site-Specific Advisory Board (SSAB) Chairs meeting last week at Rocky Flats. Materials from that meeting were available for members to read.

Earl Fordham invited Board members to an open house on May 22nd for the Department of Health at its new office near the Shilo House in Richland. There were flyers available.

Dave Watrous invited Board members to an open house at the Columbia River Exhibition of History, Science, and Technology on Thursday night, June 5th in the Tri-Cities. Formerly the Hanford Science Center, it is now privately owned and operated. There will be food and drink, videos, and tours of the museum.

A card was signed and given to Wade Ballard, DOE-RL, thanking him for his service as the Federal Official to the Board.

Mary Anne Wuenneke, Washington State Department of Ecology (Ecology), said the annual Tri-Party Agreement (TPA) evaluation forms were available both in the meeting room and on Ecology's web site. They should be returned by May 2nd.

Tammie Holm, EnviroIssues (Contractor), will be out of the office next week. Calls should be directed to the Seattle office.

Marla Marvin announced that the 9th Circuit Court of Appeals rejected a request to stay the Fast Flux Test Facility (FFTF) work. As soon as Fluor Hanford (Contractor) is ready, it will continue with deactivation. They expect to begin draining sodium as early as next week.

Bill Kinsella invited Board members to a conference on communication and the environment at the Silver Falls Conference Center outside of Salem, Oregon, July 21-23. He is talking to some agency and Board members about putting together a panel for the conference.

February Meeting Summary

The February meeting summary was adopted as submitted.

Tutorial – Cumulative Impacts Assessment Tools

Gariann Gelston, Non-Union, Non-Management (Hanford Work Force), introduced this agenda item over the telephone. The Board has consistently asked DOE to look at the Hanford site comprehensively, specifically for site-specific decisions where comparisons can be made. The Board invited DOE to show what assessment tools it uses, how those tools are used, how they were developed, and how the Board can use the tools to look at the Hanford Solid Waste Environmental Impact Statement (HSW-EIS).

Bob Bryce, Pacific Northwest National Laboratory (PNNL), the manager for the development of the system assessment capability (SAC) and the site-wide assessments using that tool; Charles Kincaid, the technical lead for the development of the SAC; and John Morse, lead DOE representative for this activity gave a presentation on how the SAC was developed and how it is applied.

The monitoring program at Hanford measures the extent of contamination in the groundwater and the river. The Columbia River is a Class A river, which means it is suitable for all uses. Monitoring indicates that the groundwater adjacent to the site is not being impacted. However, monitoring does not indicate future conditions, so an assessment tool is needed.

The objective in developing the SAC was to estimate the cumulative effect of Hanford on human health and ecological, economic, and cultural systems. Knowledge was needed on past releases to the soils, the groundwater, and the river; what will remain in the future; and the effects of cleanup decisions being made with respect to tank waste. The SAC does not look at individual sites, but instead evaluates the impact of Hanford wastes downstream by characterizing the contaminant distribution and transport over time.

The three major components of the tool are inventory, environmental pathways, and risk and impact. Taking into consideration the type and quantity of the contaminants on site, the SAC looks at how the contaminants will travel through the vadose zone and into the Columbia River when the site is finally closed and wastes have been transferred out. Atmospheric and terrestrial travel is being added to the

models. Covers on some areas will prevent animal spreading. Since this is difficult to model, in the future they will deal with how it might happen rather than the extent of it.

Bob showed a chart that compared the relationship of the components of the SAC to the criteria in the Columbia River Comprehensive Impact Assessment (CRCIA). This was included in a handout.

Assessment Approach

Of the 2900 waste sites in the database, Bob's team identified 890 that include the contaminants in the model and those that are significant in terms of site-wide assessments. The model includes past disposal actions and future remediation planned to estimate future impacts based on planned cleanups at Hanford, but not pump and treat actions. The boundaries are from Rattlesnake Mountain to the Columbia River and from the Vernita Bridge to the McNary Dam. Original projections were to 100 years but have been revised to 10,000 years. Bob handed out a chart of the contaminants considered with the reasons for their inclusion and a table of the species looked at and the scenarios used.

Characterization data provided the basis for the conceptual models for the different sites. Each site has a different profile. Field data results are compared with model predictions to determine the diameter of bore hole needed to predict actual field observations. Using this process, the field data for tritium lined up well with the predictions. They use grab samples, point-in-time measurements, taken at the Richland intake. All the samples are below the drinking water standard.

The SAC team is starting to incorporate two- and three-dimensional models to address the horizontal versus vertical flow concerns in the vadose zone. Results of the immobilized low activity waste (ILAW) and tank farm models will be imported to this model to better represent the spread of contaminants beneath the waste sites. There will be an assessment done this summer using the two-dimensional tool.

Bob met with Karl Fecht and Andy Ward, who study clastic or vertical dikes, to see if dikes could provide either preferred pathways or barriers to flow. Due to the high number of vertical and horizontal discontinuities at Hanford, it is hard to envision providing preferential pathways over long distances. From other analyses on the Hanford site, these dikes do not appear to be an important feature in vertical flow in the vadose zone.

Some factors that influence the magnitude of the impacts of contaminants are the mobility and quantity of the contaminant, the amount of recharge, and the exposure scenario being used.

A Unit Transport Analysis using the site-wide groundwater model was used to look at the 33 different analyses in the HSW-EIS of options for the waste sites. The groundwater model is consistent with SAC. The SAC looks at all waste sites chosen for one exposure scenario. This same scenario, used in the initial assessment that was issued in September of 2002, demonstrates what goes into the analysis.

The development of this SAC began in 1998 with workshops twice a week. Workshops took CRCIA into consideration. There were workshops to determine what conceptual models and what contaminants would be used in modeling. The design was reviewed by peers, an integration panel, and the United States Geological Service (USGS). There will be further reviews when assessments are run in the coming year.

Tim Takaro, University of Washington (University), asked how 2900 sites were narrowed to 890. Bob explained that the 2900 hundred waste sites included things like small fuel spills that were quickly cleaned up. Some waste sites did not include the contaminants being modeled and other sites were combined.

Agency Perspectives

Ecology

Dib Goswami, Washington Department of Ecology, (Ecology) said the SAC is the only existing tool that looks at the waste from its source to the river. It can look at uncertainties and allows for speculation. The

extensive peer review and review by an eight-member panel of national experts in various disciplines gives the SAC credibility. The National Laboratory and the National Science Foundation, the regulators, Tribal nations, and stakeholders have provided input.

Model results have been compared to current site conditions. There are close matches for tritium, technetium and other mobile contaminants. The regulators feel this aspect has come a long way, but there needs to be additional calibration and better history matching for contaminants like iodine-129.

The SAC will handle the preferential pathways on a large scale. However, small-scale site-specific simulations to see the impacts need to be incorporated into the large-scale simulations. When local sites are studied for mobility, the key mobility factor can be determined and focused in the larger picture.

The role of uncertainty and quantifications on the SAC need to be understood. The various model parameters have to be understood and expanded in the future.

The initial results of the SAC show that it is a useful tool for sites that have large inventories of contaminants, such as the BC crib. It can be used to determine the effect of covers on infiltration, for example. It can be used to provide insight into where improved understanding is needed about the impact of Hanford waste on the environment.

The ten contaminants the SAC models include the major contaminants on the Hanford site. The analyses done with the SAC depend on how many contaminants are looked at, which also impacts comparisons with other analyses.

Environmental Protection Agency (EPA)

Dennis Faulk gave a brief history of the SAC. The need for it was identified in the CRCIA process. EPA has been very critical of this process over the years because it is very expensive and the first iteration was very poor. A United States Geological Survey (USGS) team has followed the process from the beginning. The SAC development team incorporated suggestions, greatly improving this version. One major concern of EPA and USGS was the one-dimensional nature of the models. Because this SAC recognizes its own limitations, it is useful. Among its limitations, it does not look at carbon tetrachloride or include air pathways. USGS questions its usefulness along the edge of the river where the ebb and flow creates a “washing machine” effect that is difficult to model. The current SAC document is written for the public. The next version will include the needed technical detail.

EPA not yet found a way to use the SAC in Superfund decisions, but will continue to look for uses. The SAC does show that attention should be paid to the BC cribs.

Oregon Office of Energy

Doug Huston, Oregon Office of Energy (State of Oregon), said the State of Oregon’s primary interest is groundwater because it is the pathway for contaminants to the river. Oregon also shared the concerns about the original version of the SAC; particularly since the effects of clastic dikes and uncertainties were not handled well. Oregon is optimistic about the changes and improvements in this version and looks forward to further improvements.

Questions and Comments

Bill Kinsella asked on behalf of Paige Knight, Hanford Watch (Regional Citizen, Environmental & Public Interest Organizations), what assumption the models make about existing dams remaining in place. Bob said the models assume the dams will remain. Catastrophic events are difficult to model. In assessments, those kinds of things will be handled under descriptions of future impacts rather than in the model results. The SAC will concentrate on transport through the vadose zone and groundwater under existing or likely conditions. Paige wanted to know how the SAC influences or relates to controversial risk-based end state visions. Dennis Faulk said no one could answer that yet since end states are a concept that everyone is just

trying to figure out. The SAC will predict long-term impacts, which can be factored into the development of institutional controls. Paige said the two are related and should come together at some point.

Norm Dyer, Oregon Hanford Waste Board (State of Oregon), asked about using a “grab sample” versus continuous samples from the Richland pump house. Bob said the SAC uses a data set from samples along a number of transects across the river to see how the model predicts across the river.

Allyn Boldt, Government Accountability Project (Hanford Work Force), suggested that in addition to carbon tetrachloride, chromium, and uranium, models should include nitrites and nitrates, which are the most significant inorganic chemicals in the groundwater plume in the 200 Area. They are highly mobile and field data exist.

Gerry Pollet, Heart of America Northwest (Regional Citizen, Environmental & Public Interest Organizations), asked the total cost to date and the annual cost of developing the SAC. Bob said this year’s budget is \$2 million. He offered to get the total cost for Gerry.

Gerry is concerned that this SAC is moving beyond transport to try to do risk assessment for an ecological exposure. He doubted that the minimum legal default assumptions for exposure and uptake for humans specified in state law were being used. Bob said those assumptions are included in the scenarios. Gerry asked if they were modifying the assumptions based on the process specified in the Model Toxics Control Act (MTCA). Bob didn’t know but said they used the scenarios put together for CRCIA and they have responded to input from stakeholders and regulators to define what would be in the assessment. Gerry insisted that the legal minimums be used and noted that they cannot be modified without the proper public process. The SAC cannot be substituted for the Comprehensive Environmental Response, Compensation, and Liability Act (CRCLA) requirements. Dennis said that, so far, this tool has been used relative to transport, and it has helped with the decision making process for the BC cribs. They still have to figure out how to factor this tool into the Superfund process.

Keith Smith, Public-at-Large, said the waste treatment plant is being built right over one of the waste streams and the plant will produce effluents. There is supposed to be a drain field for sewage. He asked if the impact of those effluents has been taken into account. John Morse confirmed that the SAC team is looking at the impacts, but noted that the plant will only be used for a short period of time.

Tim Takaro asked about the mobility estimates for uranium-238 and iodine-129, noting that at other sites, plutonium-239 was considered to be slightly mobile under the tanks. Charles said the SAC team has not used the work at other sites on plutonium movement. Uranium and iodine are somewhat absorbed. Soil conditions are different at Hanford, as this is an arid site, and the recharge is less than at other sites. Observation has confirmed the lower mobility of these components on the Hanford site.

Tim asked about the uncertainty boundaries for projecting beyond 1,000 years. Bob said they have done 25 realizations. To quantify uncertainty, 100 realizations or more would be needed, as uncertainty increases over time.

There was some discussion of the washing machine effect along the edges of the river. Bob explained that the effect is to lower concentrations with the same total mass. To use this tool for pump-and-treat decisions, a smaller-scale model would be needed.

Tim asked if available projections for future climate change are included in the models. They are not included at this point, but the team is considering how to include those kinds of variables. The model represents present conditions very well at this time. Additional history matching to help validate the models is possible. The models will begin to be modified after this summer’s assessment is done.

Jim Curdy, Grant & Franklin Counties (Grant & Franklin Counties), referred to the picture in the handout from Karl Fecht. He said the U.S. Bureau of Reclamation has a map showing that when they were building this and the soil was soft, a pond above (where the surface water was) saturated the ground and the whole bank went out. That water dump was then abandoned. Bob thought that Karl and George, who are doing

the research on the clastic dikes, would probably be familiar with that. Jim asked that Bob take a look at those maps and add it to his material.

Maynard Plahuta, City of Richland (Local Governments), asked if other contaminants would be added to the current list of ten. Bob said other contaminants would be added in areas where they are particularly relevant.

Tom Carpenter, Government Accountability Project (Hanford Work Force), recalled that this SAC process was started because of the failure of models showing a low migration rate for wastes beneath the tanks. People who pointed out the problem lost their jobs. Ernie Monies was brought in. At that time, there was a promise to include the public in developing the SAC. The Government Accountability Project tried to participate, but there was no travel budget for participation so giving input was very difficult. Tom has seen letters written by some scientists involved in the process complaining about the process and the level of technical expertise. There have been visits with Keith Klein to discuss these concerns, but the concerns have not been acknowledged or addressed. He fears the SAC is another self-serving model that DOE will use to justify importing waste.

Dib Goswami said a number of experts have contributed to this process, and there have been a lot of improvements over the years. He agreed there was a bad start regarding stakeholder participation. Requested travel funding from DOE-Headquarters (DOE-HQ) did not materialize.

Tom said mixing with solvents or supersaturation can increase mobility of wastes regardless of soil conditions. Dennis said the contaminants appear to be behaving in the way the agencies expected. There is investigation going on under the tanks. No plutonium has been detected at deep levels; had they seen any, it might have indicated some other processes going on. Bob said that in other geological conditions, there are different chemical reactions. Charles said the team stays aware of current literature. He cited a pump and treat at the B5 reverse well, a deep-injection well at the B plant site. It created a localized plume of contaminants not usually seen at Hanford. The degree of absorption made it impossible to pump the plutonium and other elements.

Tom said he wrote a letter to DOE and Ecology because he understands the budget for remediating liquid leaks from the failed system in the 200 Area has been slashed from \$10 million to almost nothing. John Morse said the budget is intact. Fluor Hanford has relined a number of lines. There are some cuts, but the work is going forward.

Norma Jean Germond, Public-at-Large, asked about the appropriate use of the SAC, dose assessment, and what was used in past studies (she assumed they were also developing their own data). Bob said when this was first developed, some thought it would answer everyone's questions, but it is a specific tool for site-wide analyses. Norma Jean said people have concerns about needing detailed assessments in specific areas. Bob said those kind of assessments are being done for individual tanks and the tank farms, and they will be incorporated into the SAC models. Norma Jean was worried the SAC won't be useful if it is used to generalize, because some contaminants are more dangerous than others. Bob thinks grouping contaminants together will show how the whole of those individual impacts will be greater than the sum of each of them.

Greg deBruler, Columbia RiverKeeper (Regional Citizen, Environmental & Public Interest Organizations), said that the comparison to CRCIA is overstated because of the depth and breadth of the CRCIA criteria. The SAC has a long way to go to do what CRCIA requires. He didn't think the presentation addressed how the SAC could be used with **the HSW-EIS**.

Bob Larson, Benton-Franklin Council of Governments (Local Government Interests), asked if other sites were doing this type of modeling and whether Hanford is communicating with them. Bob Bryce said each site is required to do a composite analysis that looks at the radionuclides in their waste. He has recently conferred with people from Oak Ridge and Idaho National Engineering and Environmental Laboratory (INEEL). There is a committee made up of representatives of each DOE site that looks at those analyses and gives feedback.

Columbia RiverKeeper Hanford Groundwater/Soil Cleanup Forum

Greg deBruler gave an update on a public forum hosted by Columbia RiverKeeper in Hood River, Oregon. Columbia RiverKeeper focuses on water quality issues. It invited DOE, EPA, and Ecology to attend the forum. After making plans with the agencies and setting the agenda for dialogue, DOE decided not to attend. The regulators did attend. Matt McCormick, the Central Plateau manager, who is working for Jessie Roberson on material stabilization and safeguard securities, said on behalf of Mike Schlender that DOE would let the Cleanup Constraints and Challenges Team (C3T) document speak for them.

In preparation for the forums, Greg analyzed the DOE groundwater strategy document. The discussions at the forum were based on his analysis of the elements in the strategy. One major topic was the point of compliance for the level of contaminants outside the 200 Area core zone. The strategy puts the point of compliance in the buffer zone, but the public said it should be directly below the source of contamination. Greg said that the regulations are driving the cleanup goals, but it should be the other way around. The regulators appreciated the public comments and said they would incorporate them into the document.

One issue Greg has with the groundwater strategy is that the document says that contaminants may have to be left in the vadose zone. If the goal is to clean up groundwater to its highest beneficial use (drinking water), that statement should not be included in the strategy. The regulators agreed and said they would remove it.

Another point the public made was that dates are not as important as the quality of the cleanup. A citizen made the point that the mind-set demonstrated in the groundwater document is that DOE will not be able to clean up the groundwater. But if the goal is to clean up groundwater, the challenge has to be accepted and the money needs to be spent to find a way to do it.

Greg brought a copy of a resolution passed by the Affiliated Tribes of the Northwest, passed at their quarterly meeting on February 15th. It instructs the TPA agencies to clean up all groundwater to its highest beneficial use and to clean up contaminants so that the groundwater will not be re-contaminated.

Mike Schlender, DOE-RL, responded via telephone that he learned a lot from listening to Greg's comments. His impression from listening to the agency representatives who attended the meeting was that the outcome of the meetings was not as significant as Greg's comments indicated. Mike said he told Greg that the strategy was just something for DOE to use to start the groundwater management plan that the Board saw earlier. Mike is interested to see the changes to the strategy based on the results of those meetings.

Mike said it was his decision not to send a representative to the public forum. Mike wanted to keep his executives focused on the activities going on with contracts, work on the site, and acceleration. If Mike made a bad decision, he wants to move on. Both the C3T process and the groundwater strategy had good leadership from Ecology and EPA. He felt that any question brought up at the public forum could be answered by those documents. The groundwater strategy is out for public comment, and DOE-RL will pay attention to those comments. Mike would like to see any comments from the forum that would impact the implementation of the strategy.

Jane Hedges said she found the forum very valuable. At the meetings, they agreed to some language changes based on the comments. Gerry Pollet commented that the participation of the regulators in the public led to a lot of good dialogue.

Draft Advice on Groundwater

Gariann Gelston presented the groundwater draft advice. The River and Plateau Committee tried to make the advice substantive in terms of what the Board wants rather than just complaining. Because this is a cross-cutting issue, a team consisting of Greg, Gerry, Susan Leckband, Non-Union-Non-Management (Hanford Work Force), Shelley Cimon, Oregon Hanford Waste Board (State of Oregon), and Dirk

Dunning, Oregon Office of Energy (State of Oregon) collaborated on the advice. The advice has gone through many versions, and they tried to keep it at the policy level. Because it is such an important issue, this advice emphasizes that the groundwater strategy must be comprehensive.

Tom Carpenter noted that the issue about the point of compliance being below the waste site is not in the draft advice. Doug Huston said that was stated in a recent advice from the Exposure Scenarios Task Force.

Gerry wanted to add that the groundwater strategy should include the previous recommendation that the cleanup of groundwater at each area along the river should be started within one year of completion of that area's soil cleanup and should be completed by 2018.

Ken Bracken asked for clarification on the definition of "highest beneficial use," and who determines how and where that is determined. Nick Ceto, EPA, said the national contingency plan (NCP) under CERCLA is very clear that it means restoring groundwater to drinking water standards or better. Some aquatic species are actually more sensitive to some constituents of drinking water than humans. With that in mind, CERCLA and MTCA allow for a lower standard if the technology is not available. However, the public has the right to expect the standard will be reached, and the Board should keep pushing the agencies to do so.

Jim Trombold, Physicians for Social Responsibility (Local & Regional Public Health), said the Board expects technology to be funded. Nick said there is a balancing element because the funding is public and the public has to decide on its priorities. There are provisions to reopen issues if there are advances in technology or if things break down over time.

Nick said that both the end states and the regulations deserve attention. Beneficial use should not be defined by the end state. If the end state does not call for people drinking the water, that doesn't mean it shouldn't be cleaned up to that standard.

Greg said that one comment from the public in Hood River was that if DOE wants to close the site in 30 years and leave, it could use lack of technology as a reason for not doing the cleanup. The strategy should state that water will be cleaned up and the money will be spent to get the needed technology. The value of water in the future in an arid climate should be weighed against the investment now.

With very minor changes, this advice was adopted.

State-of-the-Site Meetings

The Public Involvement Committee wrote a letter thanking the agencies for the successful State-of-the-Site meetings earlier this year. The agencies made good use of lessons learned from the last set of meetings. The committee also made suggestions for next year's meetings. A couple of minor changes were made and the letter was accepted. It will be sent to the local agencies, DOE-HQ, and the Washington and Oregon congressional delegations.

Draft Letter on End States

Susan Leckband presented a letter for Board consideration. Beth Bilson (DOE-RL) suggested that the River and Plateau Committee help DOE take the end state discussion to the public. She said if the Board wants to be involved and saw a need for a process, then it would be nice if the Board would formally say that. A letter would be useful in DOE-RL's negotiations with DOE-HQ.

Susan said the committee formed a subcommittee of people involved in the end states vision and guidance for risk-based end states required of DOE-RL by DOE-HQ. The committee asked for and was granted attendance at a C3T meeting where the beginnings of the discussion of the vision and end states took place. Attendees were Dan Simpson, Public-at-Large; Doug Huston; Greg deBruler; Pam Brown, City of Richland (Local Government Interests); Leon Swenson, Public-at-Large; and Susan Leckband. Susan

reported that the agencies planned to make decisions together after the meeting. This is the intended process, but it may not get the agencies to the visions they are required to have with stakeholder consensus. Susan thanked Beth Bilson for being so forthcoming and helpful in bringing these issues to the committee and asking for response. Todd said the main concern is that the timeline given to DOE-RL by DOE-HQ does not clarify how the Board can fit into the process. The draft is due out in June and the Board is supposed to buy off on it by September.

This letter says that the Board can bring valuable expertise on workshops on this subject. The Board wants to follow this process since it will lead to the implementation plans and development of some sort of end state process. Documents already exist to determine where this process will lead and how the Board can develop advice at the policy level.

Ken Bracken said the two elements in the letter are a request for documents and a request to be involved. Since there is no clear path forward for participating in the process, the letter clarifies that the Board wants to participate. Ken suggested sending this letter after the Board has been told it cannot participate.

Pam Brown said that the Board refused to participate in C3T when first asked. This letter says the Board has changed its mind. Ken said that means the letter is asking for involvement of the entire Board in C3T. Susan said the committee hoped that C3T was not the public process because the public should be involved with end state discussions on an ongoing basis. There was extensive discussion of how to state the Board and committee's desire to be involved. Dennis Faulk said his impression from the committee discussion was that this letter is trying to say the committee was glad to attend the C3T meeting, but the public process needs to be laid out. He suggested referring to other end state efforts the Board has been involved with to present the Board as a valuable asset in this one. Max Power, Ecology, said the Board should volunteer to help develop the public involvement process.

Todd summarized that the letter needs to say that it is unclear to the Board how stakeholders or the public will be involved in this process to influence the document and that the Board wants to work with DOE to develop the process for public participation. Nick said C3T is not the right avenue for the Board to become involved in this issue.

Todd suggested that this letter would be good to have on file if guidance from DOE-HQ is issued this fall under the claim that there has been public input. Norm thought the Board had been involved in this process over the past. Todd said the committee thought much of this would be an academic exercise and compiling things that have already been done.

Tim Takaro said in light of recent developments – DOE pulling out of the groundwater forums, DOE-Office of River Protection (DOE-ORP) saying it only needs to go to one budget meeting, restricted availability of information – he feels that the Board should utilize every opportunity to stress the importance of public involvement. Bill Kinsella said there is a trend of concern on the Board that there is a distancing by DOE with the public involvement. The PIC committee will discuss this issue, with input from Tim, on its next committee call.

Norm Dyer said he has been involved in public involvement from a public utility perspective, and he believes it is very important to go the extra mile to communicate, even if it is always to the same people. Jim Trombold said the committee should discuss it even if no advice is produced.

Jeff Luke, Non-Union, Non-Management (Hanford Work Force), reminded the Board to be alert that for over 30 years, the regulatory guidelines have looked at risk from a broad base by looking at risk to all forms of life. He feels that DOE at the national level is close to allowing the past 30 years of knowledge and experience to be dismissed in certain cases. So this is not just an exercise. There is substance to it.

The recommended changes were made and this letter was accepted.

Draft Advice on Technetium Removal in the Waste Treatment Plant

Doug Huston presented this draft advice. DOE-ORP has decided to eliminate technetium (Tc-99) removal from pretreatment. This decision was made without public input and the reasons behind the decision are not clear to the Board or the committee. If they understood the reasoning, it is possible they would agree, but lacking that information, it looks like a bad idea. The advice includes a short list of why it is a bad idea and what information is needed to decide. Finally, the advice says that without a demonstrably good reason, Tc-99 treatment should remain in the plan. It asks the regulators to scrutinize DOE's decision.

Al Conklin, Washington State Department of Health (DOH), said that the current application for the air emissions license has a commitment for Tc-99 removal and that is how DOH is licensing the facility. He has received no information to counter that. Greg Jones said he has talked to the permitting people at DOE as a result of Al's information, and they are following up on it.

There were no comments on the concepts in the advice. The advice was adopted with minor wording changes.

Overview – Hanford Budget Process

Harold Heacock gave an overview of the Hanford budget process as it has occurred in the past. At the federal level, the administration proposes a budget. The Office of Management and Budget (OMB) assembles and generates the budget. It goes to Congress, they make changes and pass two separate pieces of legislation: a budget authorization and an appropriation bill. After the budget is approved by Congress and signed by the President, there is a funding distribution that actually allocates the money that has been appropriated. In the fall, DOE-HQ gives the sites budget guidance on the general framework of some of the procedural issues, overall spending targets and approaches to the budget. By March, the local departments have developed their budgets. In April, there are public meetings to get public and stakeholder input. The local DOE subsequently submits the budget and throughout the summer and early fall; DOE-HQ compiles the total budget and reconciles it. In the fall, the budget goes to OMB, which puts it together with all the other department budgets and puts together the President's budget that goes to Congress.

The FY 2003 budget was finally appropriated in March. For FY 2004, the President's budget was submitted to Congress in mid-January. Congress will be working on it through the summer and hopefully the FY 2004 appropriations will start in October. Typically, it is after the first of October when Congress approves the budget; everything operates on continuing resolutions until they do. No information has been available to the public on the FY 2003 budget. There will be some limited public budget meetings for the FY 2005 budget in April or May, but what information will be available to comment on is uncertain.

The Tri-Party Agreement (TPA) has two paragraphs about the budget process, Sections 148 and 149, which say that public comment must be solicited and considered when putting the budget together. Some specific requirements in those sections have not been met for the FY 2003-2005 budgets. The advice addresses this issue and expresses confusion about the reason why. DOE-HQ says the information is available and can't understand why the Board hasn't seen it. The local department doesn't think it can give out the information because it is embargoed. The committee has seen total numbers, but not the kind of detailed breakdown that it has been accustomed to receiving under the TPA requirements.

Bob Larson said from his discussions with DOE locally, they didn't appear to have received the FY 2003 budget yet. Harold said they have received it, but haven't shared it.

Pam told the Board that Ecology has asked her organization, Hanford Communities, to create an information piece on how the federal budget process works. It will be on TV next week in Richland and Kennewick.

DOE-RL

Wade Ballard, DOE-RL, presented his viewpoint on the budget process. At any point in time, DOE is dealing with budgets for three fiscal years and people can get confused. Typically, during the January-April timeframe, the sites get directions on how to construct the budget for the coming two years. However, that has not been the case for the last couple of years. When the local budget is submitted in April, DOE-HQ gets input and prioritizes it. The budget is then submitted to OMB, where it is embargoed while under development within the executive branch. Around Thanksgiving, it is given back to DOE for review and at the end of December it gets finalized. The budget is then printed and the Presidential budget is released in January or February of the second year. There are Congressional hearings from March to September. Around the first of October, the budget is approved.

This year, FY 2003, continuing resolutions have lasted for six months. During that time, due to world events and budget impacts, there has been a series of recisions; money has been taken from the federal budgets across the board. Currently, the FY 2003 budget is available and DOE is operating from it. The 2004 budget is going through Congressional hearings. The 2005 budget submittal is being prepared.

From the DOE perspective, over the past three years its budget process has changed from a subjective system of determining contractor fees to a performance-based system. It changed from cost-plus configuration to a fixed-price system.

The Hanford Performance Management Plan (PMP) is the focal point for all DOE's actions. It is available on the Internet and contains a lot of the information. Because of the ongoing nature of the PMP, it is possible to track the budget and have multiyear funding. By signing up to the Hanford PMP, DOE conveyed that it expects Congress to fund the projects within the PMP on an ongoing basis.

The money the local DOE offices have received from DOE-HQ tracks with the amounts requested in the Hanford PMP. Hanford originally received the full request prior to the recisions. DOE has been working with Fluor Hanford to figure out how to work around the recisions. There will not be a big impact in 2003.

As required, DOE had a briefing meeting with EPA and Ecology on April 10th about the FY 2003 budget. The President announced the FY 2004 budget request on February 3rd, and DOE briefed the regulators, as required in Paragraphs 147 and 148, on February 13th. The regulators and the Budgets and Contracts Committee were both briefed on two occasions: 1) in January they were informed of what DOE planned to do with the money, though not the actual numbers, and 2) on March 11, the Budgets and Contracts committee was briefed on the information from an earlier meeting with the regulators.

The FY 2005 budget guidance was received on March 17, 2003. DOE transmitted it to EPA and Ecology on March 31, 2003. Wade showed the Board the numbers that were shared in those meetings. A briefing is set for April 10th and public meetings will be held on the 15th, 22nd, 23rd, and 24th in Seattle, Portland, Hood River, and Richland. The budget will be submitted on April 25th. The target is to send it to OMB on September 8th. It will go to Congress on February 2, 2004 as a Presidential budget.

Wade showed the breakdown of the budget numbers. The target for 2005 is \$1,045,628,000. The steady growth matches the funding requirements of the accelerated program. DOE uses a project breakdown system (PBS) to assess costs. The PBS is comparable to a work breakdown structure. The system was changed to meet Congress' request for a nationally consistent system.

One of the requirements of Paragraphs 147 and 148 is to request funding levels for full compliance. That is a fundamental driver behind the TPA, and the local DOE budget request meets TPA requirements. The second requirement is to consider the values expressed by Hanford stakeholders. Wade said he thinks the budget reflects the values expressed by Hanford stakeholders. The copy of the DOE-HQ guidance has to be provided within two weeks, and the contractor guidance within one week. Ecology and EPA were briefed within two weeks. They have to be briefed within 30 days of the President's budget release and inform and involve the public and stakeholders.

This is an accelerated budget with numbers that far exceed the money necessary to meet the TPA requirements. Meetings and briefings have occurred and more are planned. DOE is meeting the requirement to submit the guidance to EPA and Ecology for 2005. The contractor guidance has not been finalized yet. A meeting is set for April 15th. They will meet the requirements on the current appropriation as soon as the information is available.

DOE-ORP

Greg Jones reported that DOE-ORP would only be attending one of the budget meetings due to limited data for the FY 2005 budget. Since DOE-ORP has only two numbers – a waste treatment plant number and a tank farm number – it did not think that warranted attending four meetings. DOE-ORP has been told by members of the public that it has too many public meetings. DOE-ORP has already been to eight public meetings in 2003: four State-of-the-Site meetings and the Tank Waste Retrieval and Closure EIS scoping meetings. At the State-of-the-Site meetings, people were able to talk to the managers about priorities.

Historically, DOE-ORP had to set priorities and there has been a compliance gap. That is not the case at this time, although there is an issue in which money was issued to the wrong place and must be moved to the right place. There is money over the next three years to build the waste treatment plant, retrieve and close tanks and pump liquids out of single-shell tanks (SSTs).

Ecology

Joy Turner, Ecology, disagreed with the information on Wade's slides. She pointed out that the level of data and information at the meetings has been thin. The numbers in the most recent packages were at the PBS level, which is much less detail than used to be in the activity data sheets. DOE has said TPA milestones are being met, but the information at the PBS level does not provide breakdowns on each project, so it is not possible to track TPA milestones. For the past two years, Ecology has written letters to DOE expressing its displeasure with the process; a third letter is probably in the works. Paragraphs 148 and 149 are specific in terms of dates, level of detail and public involvement. The State-of-the-Site meetings do not meet the requirement to have public meetings on the budget. DOE has been good about sharing the information it has in a timely way, but the information has been limited.

EPA

Nick Ceto added that there was not sufficient information at the March 21st meeting on the FY 2005 budget to allow EPA to give meaningful comments. The opportunity to comment will be limited to ten days between April 15th and the 25th. The requirement is to notify and fully resolve comments to the satisfaction of all parties, but that cannot be done with this level of information. Nick said the spirit of 148 and 149 is not being met and that he could feel empathy because EPA has had the same budget problems that DOE has. EPA is not getting the level of detail needed. The level of detail provided for FY 2004 is better, but still inadequate. EPA plans to raise this concern to the appropriate level.

Board Discussion

Ken Bracken said that Roger Butler, the Assistant Secretary of Policy and Budget Planning, spoke at the SSAB chairs meeting in Denver last week. Ken said he was very forthright and honest in answering questions. Ken said it is very apparent that DOE is managing to the Hanford PMP, as Wade said. The SSAB chairs brought up their concerns about the level of detail in the budget information they are getting. Some boards said they were getting enough.

Ken said he was struck by the dichotomy in the remarks between DOE and the regulators. He thinks the issue boils down to the interpretation of Paragraphs 148 and 149. It sounds like, according to DOE-RL, that the PMP and the performance-based contracts are available and since DOE-RL is managing to those, the public and the stakeholders can get the budget information they need from those. Ken said that in the past the stakeholders had more detail than was necessary, but now there is not enough. There has to be a balance. He suggested everyone stop pointing fingers and figure out how to get more detail.

Greg deBruler said another letter might not be sufficient; he thought the regulators should fine DOE until they get the information they need. He pointed out that contrary to Wade's assertion that the public has the necessary information, people we wouldn't be asking for it if that were the case.

Wade pointed out that the TPA talks about activity data sheets, which are no longer used. DOE-RL has shared the information it has given; he doesn't understand the disconnect. He strongly asserted that DOE has met the requirements of 148 and 149.

Paige Knight believes these problems began with the DOE Environmental Management top-to-bottom review. She sees a huge communication gap in which public trust, which had been improving, has broken down. It doesn't make sense to her that DOE-RL has enough information to hold four public budget meetings, but DOR-ORP does not. She said as far as having too many meetings, her constituents had simply asked that they not have public meetings too close together. There are so many important steps taking place right now that the meetings are vital. DOE needs to work with the Board on this issue. Paige does not have faith that this administration wants public participation and fears the tank waste program will fall apart.

Greg Jones said DOE-ORP is trying to be up front with people about the budget information it has and did not think attending more meetings was a good use of resources.

Pam Brown observed that the good team spirit in the last year or two has devolved into lawsuits. She is concerned that the contractors have been set up for failure due to the huge contracts with huge unfunded work scope. She is concerned because DOE says it will look at alternative technology instead of vitrifying all the tank waste, but the money for that is being taken out of the contract.

Nick Ceto said the overall budget numbers look pretty good and that stakeholders should be encouraged that there seems to be sufficient money to do most of the work. While there is frustration with DOE-HQ in particular, there is also poor communication on some of the day-to-day things. He urged people to acknowledge that there are constructive things going on between the agencies.

Tim Takaro asked what stakeholders could expect for future funding, given the current world situation and the money that was reprioritized this year. Todd responded that Roger Butler indicated things could get worse because the President wants to spend money in other ways. Marla added that it is easier for Congress to cut across the board than to go back through individual budget items.

Tim Takaro could not understand the reason for changes that make it more difficult to understand Hanford funding. Wade Ballard said he did not agree with the premise that this administration is making it more difficult. He said the reason the budget is embargoed is to protect it from outside influences and so that the changes can't be traced to individuals. Last year, DOE released the budget to the regulators with the understanding that they would not share it with anyone else. DOE-HQ did not realize that the local DOE offices have to abide by the TPA, but this year Jessie Roberson made a point to following the TPA requirements. Wade said that as far as the level of detail is concerned, everyone is as far apart as the perception indicates, but it has nothing to do with the new administration. The activity data sheets named in the TPA do not exist anymore. But people who were here when they did exist tell Wade that there is just as much detail in the PBSes. The regulators disagree.

Dennis Faulk interjected that stakeholders got used to seeing the integrated priority list, which probably included more detail than was necessary. There should be enough detail to show whether there is enough money available to fund particular projects.

Bob Parks asked Greg Jones if he could confirm a rumor that the waste treatment plant was on hold for three years and that Roy Sheppens was going to DOE-HQ to guarantee funding for it. Greg Jones said the funding request has been granted through 2005. Roy is working on getting the baseline and actual construction funding, since construction is authorized in segments. The current segment is funded through April 30th. Authorization for construction for the rest of the plant will likely be authorized next week.

Bob asked about an article in the Weapons Complex Monitor of March 24th about an order in 2001 from the administration to prohibit mandatory project labor agreements. It is holding up the river corridor contract and he asked who in DOE is working on it. Marla said it is at the highest level in DOE.

Gerry pointed out that the Hanford PMP is not the TPA, which is supposed to be used to guide funding. Many of the people on the Board and the regulators did not approve of the Hanford PMP. The Board needs to know what it costs to meet both TPA and other legal requirements. The purpose of knowing the costs, according to Paragraphs 148 and 149, is to allow the public and the regulators to find out if more work can be done faster on other things. Gerry cited various projects that the Board has been told could not be done because of budget constraints, but the Board has not seen the budget. The Budgets and Contracts Committee was denied its request for a breakout of what is going to be spent in different areas along the river.

Gerry said it was DOE's decision to eliminate the activity data sheets, which were a very large stack of papers, unlike the few sheets of paper that Wade was showing for this year.

Gerry wanted to know how \$53 million could be spent on integration, yet there is not enough money to install 40 groundwater-monitoring wells even though the TPA target is 50 wells per year. He pointed to the money being spent for tank closure, which is beyond regulatory approval. Gerry criticized the new management strategy that gives money to the contractor and tells them to do as much as they can; that is like giving them a blank check and there is no accountability for that money.

Gerry asked how DOE was going to listen to, transmit, incorporate and respond to stakeholder views about priorities by sitting in their offices rather than going to meetings. Wade responded that the Hanford PMP is an acceleration of the TPA and includes nothing that is outside of the TPA. He said there are a number of mechanisms that people can access to get the level of detail Gerry is asking for. The contractors are developing the detailed work plans with numbers.

Doug Huston was disappointed that DOE-ORP is not going to more budget meetings since it is more about listening to what the people of Oregon have to say than the numbers. Bill Kinsella echoed that sentiment, saying that communication needs to remain open. It is bad enough that the regulators aren't getting the detail they need; there is no reason to let communication erode further. The main thrust of the Public Involvement White Paper is that DOE needs to communicate openly and often.

Norm Dyer agreed. He asked Greg if it is not DOE's responsibility to determine what projects will be done and how the money will be spent. He asked if DOE was going to provide that information. Greg said it was a fair point and they would be doing one budget meeting.

Gerry had someone check to see if the information on the Internet on the PMP had the level of detail Wade claims, and reported it has the same level that Wade presented at this meeting and to the committee. The committee had asked for and not been given a year-to-date report, but that is on the Web.

Draft Advice on Hanford Budget Process

Harold presented advice that documents the frustration the Board and the Budgets and Contracts Committee feel with the budget process as it has devolved over the past few years. It cites Paragraphs 148 and 149 of the TPA relative to the budget process and disclosure. It states the Board's concerns with management decisions and project scope changes made with little or no public input.

The advice calls for DOE-ORP to make disclosures on technology alternatives to vitrification, tank closures, the third melter in the waste treatment plant, and the removal of Tc-99 from tank waste, which does not have regulatory approval.

It asks DOE-RL to disclose the level of funding for groundwater issues, solid waste cleanup costs, and funding levels for activities related to N Area cleanup. It asks for overhead and infrastructure costs and funding levels for regulatory fees and grants. Harold pointed out that funding in all budget areas has increased, but the budget for regulatory support has decreased by almost 8%. This is the area that funds the Board.

The advice asks DOE to re-establish trust with the Board and the public through open communication and disclosure. It calls for the regulators to initiate an enforcement action to force disclosure and for DOE to lift the embargo.

The thrust of comments from Board members was in favor of tempering the emotional language in the advice. There was also concern about advising the regulators to take an enforcement action. Maynard said some of the stronger language was an attempt to express the level of frustration felt by the Board.

Todd asked what the regulators would do with this piece of advice. Joy Turner noted that EPA is not called out by name in the advice, though Ecology is. As far as enforcement, she said Ecology would bring this forward to management's attention. Tom Fitzsimmons has concerns about this issue, but Ecology has limited resources like everyone else and must prioritize the resources spent on enforcement.

Nick Ceto also noted that EPA was not mentioned. He didn't think EPA intended to issue a penalty, but the agency would take this advice into consideration when making that decision. When EPA assesses a monetary penalty, money is taken away from cleanup and goes back to the U.S. treasury. Penalties imposed by the State can be funneled to a mutually agreed upon piece of work. He thought there might be other ways to get a change. EPA will be talking to Jessie Roberson about some of these concerns next week, taking into account the Board's comments.

There was some debate about the level of detail the advice requested. Keith Smith thought the advice should list the requested items because this budget process typifies a trend at the site for DOE not to listen to anyone. Tom Carpenter agreed that it is a trend. He cited the decision to issue a tank closure contract with no public input. Even the regulators were surprised by the fact that DOE-ORP is not going to budget meetings. DOE-RL is not going to groundwater meetings. Public interest groups that have filed Freedom of Information Act (FOIA) requests for the top-to-bottom review have been denied and have to go to court. He cited many other issues including the elimination of the Hanford joint council on resolving employee concerns. He thinks the regulators need to be initiating enforcement actions that will be effective. It is fundamental to the oversight process to have good information. The public has a 12-year history of getting the budget information and should register strong concern that that history is over.

Jim Trombold urged issuing advice that reflects Board members' beliefs regardless of the consequences.

Paige wanted to send strong advice. She expressed doubts that the public would be able to do the searching required to pull the details out of the documents on the Internet. She wanted DOE to find solutions to this issue before wasting the public's time with meaningless public meetings.

Gerry said the list of requested items informs the public on what the problem is and its extent. It is meaningful to people who don't have experience with the past budget process. Without the examples, DOE-HQ will not understand why the public needs this information. Gerry said the regulators need to tell the Board what the alternative is to taking an enforcement action. The letters of the past couple of years have not been effective.

Susan Leckband suggested adding that the regulators and the public are seriously prevented from participating because their funding has been slashed.

Jeff Luke said he thought that the local DOE would just as soon release the desired information; he thought the problem was at the DOE-HQ level. He asked whether EPA has any other enforcement options besides taking money and putting it in the general fund. Nick said EPA does not have the same flexibility when penalizing another federal agency as when penalizing a private entity. The TPA allows stipulated penalties.

EPA can write letters and meet with management. EPA's options are limited on budget issues; environmental threats are another story.

Paige noted that the public cannot support cleanup without information. Her basic question is whether this administration feels it needs the public's support for cleanup.

Bob Larson said this advice, including the details in it, should to be sent to ensure DOE and the administration know that stakeholders have objected to the changes in the budget process. Without the examples on why stakeholders need information, they will say, "You're getting the money. What do you care how we spend it as long as we meet the TPA?"

Ken Bracken said he was struggling with this advice because the budget process is a problem that DOE and the regulators have not been able to resolve, so advice restating the TPA requirements would not likely help. He preferred to focus on asking policy questions such as: Is there a change in policy of meeting the TPA requirements? Why or why not? Then how do policy changes affect life-cycle costs? It is clear that DOE is now making its decisions on life-cycle costs. For DOE-RL, what policy changes have occurred for things like the K Basins, groundwater, and transuranic waste (TRU) shipments? Ken didn't know what an enforcement action would look like on something like this.

Jim Trombold warned against thinking the Board's advice would have a huge impact. One of the impacts might be a degree of embarrassment along with the publicity.

Greg Jones said DOE needs to work out some issues with the regulators, such as determining how to adjust for replacement of the activity data sheets. Advice on that issue is helpful. Greg pointed out that the administration believes it is doing more for cleanup than anyone before them because it is providing more money than ever before. The Board's role is to question what DOE is doing with the money and how well it is cleaning up the site. He warned that it comes across as whiney when the Board complains about the level of information and the commitment of this administration to cleanup. Jessie Roberson has gotten accolades from bi-partisan committees for her way of looking at how to get cleanup done faster and cheaper. For the first time, the administration asked for the money and got it.

Keith Smith said it is hard to tell from this level of detail whether the TPA is being funded, because the funding includes other things. When the committee asked for more detail, it was told it costs money to get that level of detail that takes away from cleanup. However, he pointed out that the contractors know the details on the funding because they have to get the money to do their work, so by the time the contractors have those details, the Board should be able to get it.

Jeff Luke recalled a paper that came out a few years ago called "Waste to Wilderness." He thinks this is the time for a strongly worded statement. Tom Carpenter agreed and said that while Hanford may have more money in the short term, the result will be a dirtier site. If the public doesn't know what the money is for, it doesn't matter that there is more of it. Paige added that if you don't know where the money is going, you can't hold anybody accountable for it. She remains fearful that the waste treatment plant will not be built. She has heard rumors that the alternative technologies will not be steam reforming, but grout. All the values the Board has voiced are going down the drain.

Bob Parks noted that as a Hanford employee, he has never seen the work going so fast. There are layoffs, but there is also hiring going on. The money is being spent on cleanup.

Marla Marvin, DOE-RL, said she would like to see some acknowledgment in the advice of the money being spent and the work being done. The work is following the PMP, and a lot of detail is available. Maynard said the issue is communication about funding, not the level of funding. Some of the decisions being made may be acceptable to the Board, but the Board does not have the information to determine that. Gerry said DOE never responded to the Board's comments on the PMP, but they are funding it. He said that if the Board can't make its concerns clear to DOE at this meeting, Nick should take this advice to DOE-HQ and make the Board's concerns clear to Jessie Roberson.

Todd noted that the Board has not focused on the fact that the funding that covers the Board is being decreased. He said input from the Board has saved a lot of money in the past. With accelerated cleanup, the workload of the Board will increase while funding will decrease. The amount of money that is being cut is the equivalent of two advisory board meetings. The Board could discover in September that it has no more funding, but would not know that because budget details aren't available.

Todd checked the level of support for asking for enforcement action as a way to avoid this budget process again next year. Ken said he would not stand in the way of the advice on that issue. Gerry said Sections 148 and 149, which have gone through the public process, cover the enforcement issue. It is spelled out and has worked for years. Todd said he anticipates the response will be that DOE's attorneys say they are in compliance. Gerry said the provision includes going to mediation if a penalty goes to dispute.

Dennis Faulk said there needs to be an intermediate step. The advice should tell the agencies to get together and work this out and report back on their resolution. Success in that would resolve the public's concern, and otherwise the regulators could proceed to enforcement.

Tom Carpenter said Bob Card and Jessie Roberson told him the SSAB funding decisions are local, not national. Bob Card indicated that spending on DOE-HQ was going to be minimal.

Susan pointed out that the Board's past budget advice has been on target and she thinks the agencies recognize that. She reiterated that a communication problem exists. Ken said he thought Dennis's suggestion gets around his problem with the advice.

Todd asked Board members to give feedback on further action to the Budgets and Contracts Committee.

The recommendation to take enforcement actions was removed from the advice. The focus of the requests was for enough detailed information to make informed decisions. There was some discussion about language in the advice that implied a communication problem between Ecology and DOE. Joy said it is not a communication problem, but a difference of opinion on what should be provided. Board members saw her point but felt that the problem wouldn't exist if people really understood what was being said, so there is a communication component to the problem.

The emotional language was removed, the policy issues were stated, and examples were provided. The advice was adopted. It will be copied to Roger Butler as well as DOE-HQ and the Congressional delegations.

Update on Site Specific Advisory Board Chairs Meeting

Todd reported that this SSAB chairs meeting was the most consequential he has attended. Also in attendance were Sandra Waisley, who replaced Martha Crosland as the Acting Director of Intergovernmental and Public Accountability and is the designated federal official to the Site Specific Advisory Boards (SSABs), and Roger Butler.

Regarding the FY 2003 budget, Roger said the SSABs should be able to get all the information they want for 2003 and 2004. For FY 2005, past administrations have allowed the SSABs to participate in the budget development and information to be included in the regional budget hearings. That policy was a mistake and will not be continued. Todd requested something in writing to all site managers with copies to the SSABs as guidance on what information will be shared and when on all three of these budgets. Roger said he could do that, but Todd wasn't sure if that meant he would do it.

Some SSABs have had very large budget cuts. Todd reported that the DOE-HQ people seemed surprised that members of those Boards were upset. The guidance on SSAB budgets to Jessie Roberson for FY 2003 was to maintain flat funding from FY 2002. DOE-HQ apparently thought the SSABs had received that guidance, but they hadn't and the policy has not been applied at all SSABs.

Roger and Sandra explained that during the top-to-bottom review, individual teams reviewed the SSABs for alignment with the core goals of the Environmental Management program, for providing value added, and for spending resources efficiently. Todd made the point that no review teams ever talked to the Hanford Advisory Board (HAB). If so, he would have showed them the letter from the TPA agencies requesting the HAB to look at issues surrounding acceleration and the HAB 2002 Annual Report, which describes the measuring stick as to whether the HAB's goals were met. Roger said the team should have talked to the HAB but did not have the time.

At the last HAB meeting, a statement on TRU waste from the last SSAB chair's meeting was presented, but the HAB decided that Todd should not sign it. Three other Boards declined to sign it and one was uncertain. The letter is being released without signatures from Hanford, Fernald, Rocky Flats, and possibly Paducah.

At the SSAB meeting, the Chairs analyzed the information from each site's PMP information on the accelerated movement of waste around the complex. Removing big baseline things like waste going to Yucca Mountain resulted in the realization that there were multiple disconnects. The SSAB chairs drafted a letter to address inter-site waste transfer. Todd took the risk of signing the letter once the pathways to closure language had been removed. The letter asks to have the waste disposition map (or whatever document is being used to make transnational inter-site shipments) updated and provided to the SSABs. Ken Bracken added that Todd weighed the content of this letter against past HAB before agreeing to sign it. They were under pressure from the other SSABs to explain the HAB's position and the reasons for it.

There was discussion of formalizing the SSAB chair process in order to take actions at the meeting instead of going through a lengthy process to get letters approved, as has been done in the past.

Another topic at this meeting was the new Office of Legacy Waste Management. Todd didn't bring the report back, but he was told it wasn't especially substantive. Susan and Harold will get a copy of it.

The next SSAB chairs meeting will be at Paducah. Following that, Todd volunteered to host it at Hanford, providing DOE-HQ still supports these meetings.

Attendees of the meeting toured the Rocky Flats facility. Ken noted that Rocky Flats is making good progress and is following its PMP, which anyone can read to see what the site is doing. Ken brought back copies of everything handed out and will provide those to the River and Plateau Committee.

Ken said Roger Butler was very straightforward in his answers and participated in a discussion about why the HAB is getting so much more money than Savannah River's advisory board. Todd and Ken requested that if such a comparison was going to be made, that it be done in the daylight. Roger agreed to do that. Sandra Waisley had not heard that there would be such a comparison, but other SSABs had heard that. What drove the comparison was that Savannah River's advisory board's budget was cut in half. It just learned that it will run out of money in June, but already has hotel commitments through the end of FY 2003. Rocky Flats' advisory board is disputing its budget with the site manager, not with DOE-HQ. Roger Butler acknowledged that DOE-HQ is under pressure to look at things complex-wide, and the analysis was not as in-depth as it should have been. The learning curve is progressing. There may be a comparison analysis done. The theme was that SSAB funding has to be in direct correlation to cleanup funding, since DOE-HQ can make a good case that public involvement has resulted in savings. Todd and Ken gave Roger the HAB 2002 Annual Report and pointed out the performance-based management and how the HAB ties its business to demands by the TPA agencies. They hope that dialogue prompts an honest and straightforward review.

Ken asked Roger if he supports meetings of the chairs and he said yes. Ken asked about SSAB-hosted workshops and if DOE-HQ would take the lead in determining what workshops were important strategically in acceleration. Roger said that would be a good idea to consider. Ken agreed that this was a productive meeting.

Marla Marvin reported that due to some carryover, HAB funding looks okay for FY 2003. Every program is being scrutinized, so the Board needs to continue to demonstrate how closely it is tied to successful cleanup. She is sure this Board will take some cuts, with that money going directly to cleanup. She made a commitment to work with the Board to do what makes sense.

Tim asked about the future. Todd said that he believes the HAB is in a much stronger position than some other SSABs because of the way the HAB conducts business and that it has a performance matrix. The HAB is independent and does its own work, so there is a greater degree of support from the agencies. Other sites don't have that. Many SSABs are in dire straights as are the sites themselves. Not all budgets are increasing. He thought the HAB would be successful to the extent that it can solve problems locally. He will keep in touch with the agencies, and if there is a problem, they should let him know. He thought the SSAB meetings were useful as an opportunity to gather information and make a case for the HAB.

Tim Takaro said he appreciated the HAB delegation's work in defense of HAB productivity and efficiency. He also appreciated the continued effort for a national dialogue on waste disposition. Tim supports getting involved with budgeting and asked when and how that should be done. Todd thought it was covered in the budget advice. Tim said if the thrust is to eliminate SSABs, then the SSAB chairs should address that directly. Todd said that the letter was a push for the SSAB chairs to become more of a body because of the perceived threats from the administration. They talked about reducing the chairs meetings to once a year, but decided that was not a good idea.

Gerry asked if Todd was saying that the actual line item for the Board had been cut for this year. Marla said she took what Todd said to mean that the HAB would be held level at the FY 2002 funds. Todd said he was deliberately confusing because at the SSAB meeting, what the DOE-HQ representatives said did not seem to mesh and presented multiple conflicts with the guidance DOE-HQ presented.

Wade Ballard did not think there were any cuts to the HAB budget in FY 2003. The numbers in the advice do not reflect the decisions. There is still a lot of uncertainty about the FY 2004 budget, and he does not have the detail on the 2003 budget yet. The carryover should take care of the HAB this year. The Board isn't the only thing being funded from the carryover. However, the administration has said there is no need to carry funds over. If there is money left, it can be carried over to the next year to collect that unused money. It looks like a reduction, but it isn't.

Gerry thought that the figures shown were uncertain and thought the Board should be concerned about the cuts in funding. He recalled that the HAB was the first SSAB established, and its existence is a requirement of the Hanford cleanup agreement. The survival of this Board doesn't depend on DOE's largess, but on regulator support. If DOE were to try to cut the Board out of existence, the regulators could take enforcement action and fine DOE the amount required to fund the Board. Unlike other SSABs, the HAB advises the two regulatory agencies as well as DOE. The HAB was established under Washington State law and the compliance agreement, as well as under the Federal Advisory Committee Act (FACA).

Jim Trombold pointed out that the public involvement of the Board and the public hearings have resulted in public support of funding.

Ken Bracken mentioned that Roger Butler said that on April 25th, field office managers have an opportunity to go before a review board at DOE-HQ to request additional funding. His opinion is that a manager would be staking his career if he did that. He stressed that DOE-HQ's attitude is that the funding decisions will be based entirely on how the PMPs translate into contracts and how well the work to be done follows that plan.

National Resources Trustee Council

The National Resources Trustee Council, which includes agencies that address Hanford, has asked to make a ten-minute presentation at the June Board meeting to see if there are areas where the Board could join

with them on any issues. The Board agreed it would be a good idea, so Todd will invite them to the June meeting.

Agency Updates

HWS-EIS Update

Mike Collins, DOE-RL, reported that the new revised draft of the Hanford Solid Waste Environmental Impact Statement (HSW-EIS) was approved on March 28th. Everyone who got a copy last time will get one again. DOE-RL sent postcards to people who gave comments or attended meetings last time to let them know they can get a copy. April 11th is the beginning of a 45-day comment period. DOE-RL is considering five or six meetings, possibly one in Spokane. After the comment period, the final version will be prepared and records of decision will be issued on July 31st.

The changes in this version of the EIS include expanding the number of alternatives looked at. The reviews looked at large lined megatrenches and lined low-level waste (LLW) disposal. It provides information on the impacts of transportation of waste through Oregon and Washington and analyzes an option where only Hanford's waste would be dealt with. Immobilized Low Activity Waste (ILAW) disposal alternatives are included. The SAC was used to determine cumulative impacts.

The EIS is available in hard copy, CD, and on the Hanford web site: www.Hanford.gov/eis/eis/0286B. It can be accessed through the Hanford home page.

Gerry asked when DOE-RL would stop disposing waste in unlined ditches if the megatrenches approach is used. Mike said the megatrench could be available by 2005 or 2006. An idea under consideration is to end disposal of LLW in unlined trenches by using storage until the megatrenches come on line or by sending some off site. That decision hasn't been made yet. DOE-RL continues to dispose of mixed LLW in lined trenches. Gerry asked Mike to let him know if disposal in unlined trenches could be ended by the end of this year. Mike said the baseline assumes continued disposal of LLW in unlined trenches. Marla added that it is in the preferred alternative. Gerry said DOE is talking about megatrenches, and there were comments during the last EIS comment period that lined trenches are not the same as megatrenches.

Nick Ceto said DOE should take credit for being willing to talk about LLW. The regulators are working with DOE to see if they can address LLW before a new facility is built. Gerry thanked the regulators for sending DOE a letter about this.

Gerry said the major issue with this EIS is that it is 3,000 pages long. By scheduling the public meetings early in the comment period, there is not enough time for people time to study the document, prepare comments, and circulate them to the public prior to the meetings so the public can be informed before they give their comments. He asked if the comment period could be extended. Gerry understood that the Tri-City/Hanford community has been told they can send in their comments late and still have them considered. He asked why one community would be favored over another.

Mike said right now he has been told there will be a 45-day comment period. He thought several groups would ask for an extension, but he didn't know if the manager would approve it. He said that during the last comment period, people asked to have extra time after the meetings to prepare their comments. The best he could offer was to move the meetings to the middle of the comment period. There was a lot of discussion about extending the comment period. Marla pointed out that the decision is not Mike's to make. Mike said if an extension of the comment period is granted, he has no problem allowing more time before the public meetings.

Jim Trombold wanted to make sure DOE had time to digest and respond to comments before issuing the final document. Mike said DOE-RL has about a month and a half to prepare the final, incorporate the comments, get management approval, send it to the Federal Register, and send copies to people with what

they think their decisions will be. Then there is a 30-day window when nothing is done. After 30 days, formal decisions are announced and implemented. Jim asked if that final date is fixed. Mike said it is.

Paige reminded Mike that in Portland last time they had to have a second meeting because of the large turnout. The public read the document and gave valuable input. Mike agreed and said he can take the Board's comments about an extension back to Keith Klein and present an argument for granting an extension. Paige commented to Marla that she feels the deadline is coming from DOE-HQ, not the local agency. She doesn't believe DOE-HQ is interested in the public's comments or will take them seriously. She said granting an extension would show that the public is being listened to and considered. This EIS is the most important thing that has been done and it will affect Hanford for hundreds and thousands of years. She asked DOE to consider the future generations and grant more time for the public to provide thorough comments on this EIS.

Bob Parks asked about how advertising is done for the public meetings on the EIS. Mike said they found newspapers to be the most effective media. Gerry asked Mike to take the lessons learned on the newspaper ads last time. Mike said he did the ads last time, and he is getting help with them this time.

Gerry said that Ecology intends to use this EIS for its Resource Conservation and Recovery Act (RCRA) permits for all solid waste activities, so Ecology would need to determine if the EIS is adequate for that purpose. Ecology could determine that the EIS is inadequate both because of content and lack of adequate public review and comment.

Gerry asked that the Board draft a letter requesting a 30-day extension of the comment period. He said if he sends in a large number of comments on the 28th of May and DOE doesn't consider those comments but does consider comments that came in earlier, he has a good basis for a lawsuit. The comment period is scheduled to end on Memorial Day, which really means comments have to get to DOE by the end of business the Friday before.

Norm Dyer clarified that a 30-day extension of the comment period would extend the final decision date by 30 days. Mike Collins said it would. Norm wanted to be very sure that the Board could live with that. Most of the Board felt they could.

Jim Trombold said he would appreciate it if the agencies could give some comments on the EIS before the public meetings so people can see what they think.

There was a letter written a year ago asking for an extension of the comment period, so that was used as a template to draft this request. With some changes for this instance, the letter was completed and accepted.

DOE-ORP

Greg Jones reported that the waste treatment plant construction is continuing at a rapid pace. He reported that Bechtel has hundreds of people working on the site. Bechtel went 8.8 million hours without lost time from a work accident. That record was broken this week when a worker broke his leg and couldn't return even to light duty. In this type of environment, 5,000 hours without an accident is considered outstanding.

The demonstration closure of tank C106 under the M-45 milestone for retrieval started this week. Workers removed 18,000 gallons of liquid and are now working on getting the 10,000 gallons of solids out and cleaning the tank.

Tim Takaro asked if the solids in tank C106 were salt cakes or sludge. Greg said the solids are primarily salt cakes and sluicing will be used to remove them.

Greg referred to DOE-ORP's meeting with Ecology. DOE-ORP does not like to surprise Ecology and will do a better job to avoid doing so again. He said he was also surprised to find out that a third melter may not be an advantage. (See Committee Reports – Tank Waste Committee.)

DOE-ORP is reconsidering hot commissioning of the waste treatment plant. There is an opinion in the nuclear field that it is not as good for the workers to put hot material in there four years before commissioning. The TPA milestone would need to be modified if cold commissioning is pursued.

Paige asked if DOE is following its baseline. Greg said the control board has not approved the baseline. Paige asked if this presented a legal problem. Greg said following the baseline is not a legal issue.

Paige emphasized the need for continued communication on any problems with getting the vit plant built and operating. The only way to hold DOE accountable and keep the public in support of the cleanup is to have information in a timely way.

Ken asked for a timeline on approval of the DOE-ORP baseline. Greg said there are just a couple of minor matters, and then it will be probably be approved next week by DOE-HQ and for aspects of contracts.

Keith Smith said he had heard from workers that the schedule on the plant construction has slipped. Greg said he didn't disagree with that. Greg said they have stated before that engineering is behind construction, so they have scaled back construction. That data was already communicated.

Ecology

Max Power gave an update on the waste importation lawsuit by the State of Washington. When DOE changed a record of decision about TRU waste, there were discussions that led to a meeting between the State, Jessie Roberson and others. The State agreed not to take legal action until after the negotiations on TPA milestone M-91 at the end of March. M-91 deals with facilities to retrieve, treat, characterize, store, and certify for shipment the TRU wastes on the site. The State was interested in the pre-1980 TRU waste and getting a framework for dealing with it based on CERCLA. The State thought that would address a large set of wastes that had not been dealt with in detail since the 1987 Hanford Defense Waste EIS. They thought there was a formula that would produce some enforceable assurance that the TRU waste was properly retrieved, characterized, packaged, and certified to leave the site.

Ecology thought the negotiations were going well and that a mutually agreeable solution could be reached. Negotiations had gone on in good faith since December. Forty-eight hours before the negotiation deadline, the assistant secretary told Tom Fitzsimmons that DOE could not agree to the solution. At that point, the governor asked the attorney general to file a lawsuit in the Eastern District of Washington to ask for a temporary restraining order against any additional TRU waste shipments.

The case is based on three legal arguments: 1) that there is not adequate coverage under the National Environmental Policy Act (NEPA) for those shipments; 2) that DOE acted arbitrarily and capriciously under the terms of the Administrative Procedures Act; and 3) DOE is not adequately meeting the requirements of the National Waste Management Act. The suit will be heard on April 18th for a motion of preliminary injunction in the Eastern District of Washington in Yakima by Judge McDonald. Last week, the Department of Justice filed its brief in opposition to the lawsuit. The State must respond to that by April 8th.

Gerry said the public and a lot of groups appreciate the State filing this lawsuit. He made some comments on the lawsuit. Todd drew the comments to a close so that there can be discussion with the Board members who filed a lawsuit against DOE on what the guidelines say about conflict of interest. After Gerry made some further remarks on restricting speech, Todd reiterated that this would be worked out outside of this Board meeting. (See Public Comment.)

Bob Parks spoke in favor of shipment of TRU waste to Hanford. He was disappointed that DOE put the State in a position to file the lawsuit. He believes the money saved by closing sites will be applied to Hanford cleanup. Bob Larson also supports waste coming in as long as there is a plan to ship it out again. Max said that in a discussion with Roger Butler and Mike Wilson it was made clear that when other waste sites are closed, the money saved does not go to cleaning up other sites. It goes back to Congress for other national priorities.

Max said the states of Idaho, Washington, South Carolina, and Oregon filed as friends of the court in another lawsuit being heard in Federal District Court in Idaho concerning the application of the Nuclear Waste Policy Act in the DOE Order 435.1. The Natural Resource Defense Council, the Yakama Indian Nation, and the Snake River Alliance brought the suit. The brief was filed last Monday and is accessible via the court's web site.

When the M-91 negotiations fell apart and the State filed the lawsuit, it was an indicator that a long-running dispute under M-91 had not been resolved. Tom Fitzsimmons issued a director's determination under the terms of the TPA on the issue that originally started the dispute.

Laura Cusack, Ecology, via telephone, said the negotiations expand to different areas. The State's lawyers advised Ecology to issue the director's determination on the specific dispute (M-91.01) which was the date on which DOE would complete acquisition of all facilities to treat and process all Hanford TRU waste, set for 2012, and the M-91.03 milestone, which was DOE's project management plan on how it would deal with TRU waste. The determination calls for a new project management plan in August 2003. The plan will have to be updated again in 2009 and 2013. Those dates were based on new information that will be coming in from Environmental Restoration records of decision and other documents, adding to the volume of TRU on site. The project management plan will be updated and there could be negotiations for new milestones for facilities. Ecology feels that the issues around TRU waste have not been totally dealt with, so they are considering other options at this point. DOE has 30 days to appeal the director's determination issued on March 10th.

Ken asked when the Idaho lawsuit would be heard. Max said he thought it was May 7th or 11th.

EPA

Nick Ceto congratulated the Board on the successful public meeting at Gonzaga University. He encouraged the Board to do other things to get young people involved.

Nick said EPA issued a press release April 3rd announcing that it was assessing a penalty against DOE for delay of sludge removal from the K Basins. Removal was supposed to begin in December, but it has not started yet. The dollar amount of the fine is less for the first five or six weeks.

EPA is concerned about remediating the 618-10 and 11 burial grounds sooner. There is similar waste in other burial grounds. DOE-RL sent EPA a letter committing to develop RH-TRU retrieval technology. There is a discussion among the agencies on how to scope out the work in 618-10 and 11.

Discussions are also underway on a site-wide ecological risk assessment for the river corridor. Beth Bilson thinks there may be money available for that work right now. The idea is to pull together other risk assessments that have already been done on discrete areas along the river and identify data needed to get a good look at current and future risks and put everything into the big picture of impacts on the river.

In the 300 Area, some soil site cleanup is nearly complete. The backfill was supposed to have been started and completed late this year. EPA has decided to take a step back and extend the milestone. It is important to make sure the backfill is consistent with the industrial land use that the area has been earmarked for and to figure out the best configuration for industrial use in the future. The agencies all agreed to that.

EPA gave comments to DOE on the revision on the HSW-EIS. EPA looks forward to seeing how its comments were addressed.

Discussions have started on accelerating stopping storage of LLW in unlined trenches in advance of new facilities being built. Currently there are mixed LLW trenches and the Environmental Remediation Disposal Facility (ERDF). The agencies are exploring the regulatory pathways needed.

Joy Turner passed out the new organizational chart with phone numbers for Ecology staff. Laura Cusack filled Roger Stanley's job when he retired; Laura is now the lead TPA negotiator. Jane Hedges is the cleanup section manager, responsible for chemistry and hydrology for the Comprehensive Environmental Restoration Compensation and Liability Act (CERCLA) issues. Ron Skinnarland is the waste management section manager. He handles permitting compliance and air issues. Joy deals with waste treatment plant permitting as well as policy, communication and planning.

Greg deBruler said on February 14th, Columbia RiverKeeper and US Fish and Wildlife wrote a letter to the TPA agencies asking them to stop the N Area ecological risk assessment and any other ecological risk assessments until they complied with the commitments made on the BC pilot risk assessment. The public involvement component has not been followed through. There has not been a response. He wants a response from each agency. Nick said EPA sent a response that stated that EPA does not have the time to stop their risk assessments; there are ongoing needs for those assessments. The workers on the site need them to be sure they are doing the appropriate work.

Committee Reports

River and Plateau – The committee will meet the week after next. Topics will be the M-24 change package on well drilling; Initiative 3 from the PMP; cesium and strontium capsules; preparation for the June meeting (there may be advice); and the 200 Area risk assessment. The committee looks forward to seeing the HSW-EIS.

Public Involvement and Communications – The public perspective piece on waste importation introduced at the last Board meeting was reworked via email and it is ready to go out with the next DOE mailing. It was available at the Gonzaga University public forum. On the next committee call, discussion topics will be DOE and public involvement. The call is April 17th at 11:30.

Jim Trombold said if people liked the forum at Gonzaga, the committee could consider doing another one in the future. Paige Knight suggested Portland in October. Todd said the Board needs to do an update article on what the Board does for the Hanford Update and asked if Amber could write up a blurb about the forum. Amber agreed and suggested writing a thank you letter to Gonzaga University's College of Arts and Sciences because they were so helpful and supportive. Todd will help her write a thank you letter.

Everyone agreed that the forum was a success and thanked everyone who worked on it, participated in the panel, and provided the visuals.

Budgets and Contracts – Harold reported that the committee has been working on the advice that was adopted at this meeting. The committee may have a joint meeting with the Tank Waste Committee in May to talk about alternative technologies and the cost of scheduling. The baselines should be available at that point. There are still some unresolved issues that may be addressed in another piece of advice. After DOE meets with the regulators in April, more information will be available to the Board.

Health, Safety, Environmental Protection – Keith Smith said the committee has a meeting planned for April 16th at 9:00. Noting that the Board no longer has any worker representatives since he retired, Keith will be talking to workers to see if anyone could serve on the committee. The committee wants to put together a worker panel for the June Board meeting. Jim Trombold said there hasn't been much participation on committee calls or at their meetings. Any Board members who want to join the committee are welcome.

Tank Waste – Doug Huston reported that at its last meeting, the committee discussed Tc-99 and the classification of tank waste as TRU. Two pieces of advice came from those discussions. The advice on TRU waste needs further committee work, and will be presented at the June Board meeting if it is ready. The Tc-99 advice was presented at this meeting. The committee would like an update on DOE-ORP baselines at its next meeting.

Doug also reported on a regulators' workshop he attended on March 31st. It turned out to be a workshop between DOE-ORP, Ecology, and EPA. DOE-RL didn't have a lot to do there. The purpose was to discuss issues of current concern between the TPA parties, including Tc-99, supplemental technologies, tank waste space, and others. It was clear to Doug that there are significant philosophical differences. Concerning supplemental technologies, a significant issue was DOE's "good as glass" performance issues. DOE is interested in a standard that is compliant with regulations. Removal of Tc-99 and melter configuration were both contentious issues. The meeting ended by agreeing to have another meeting.

Joy Turner said Ecology was surprised by the meeting because there were many issues brought up that the technical staff had not been aware of before the meetings. The third melter not being of much use due to throughput and other issues were shocking to Ecology. Ecology heard that Tc-99 could not be removed efficiently before being treated and turned into glass and that it was cost prohibitive. There was disagreement about the criteria for determining what good-as-glass is. Nothing was resolved. Ecology expects to receive an information package next week with details on the data being used as a basis for these decisions. (See Agency Updates – DOE-ORP.)

Board Business

There will be a leadership retreat to talk about committee structure, budget issues, and the public involvement situation in April or May. Leadership selection will take place in June.

Topics for the June Board meeting

HSW-EIS

Possible worker panel on the Integrated Safety Management System (ISMS)

Initiative 3 from the PMP

Advice on TRU waste

DOE-ORP baseline

Committee week in April is the week of the 25th. If the HSW-EIS public meetings interfere, it could be changed.

Todd suggested that the Board take June and July off for committee week unless something comes up that needs to be dealt with. The work plans for next year will be presented at the September Board meeting.

Ken encouraged all committee chairs and vice chairs to attend the retreat. It was very successful last year, and the Board is ready to take a step beyond the things accomplished after the last retreat. Todd will be sending an email with possible dates.

Some committee calls will be rescheduled in April.

The Board agreed to issue a press release summarizing the work done at this meeting.

Public Comment

Gerry Pollet announced that four citizen groups filed a lawsuit on April 2nd to bar importation of remote and contact-handled TRU waste to Hanford. The news release was available along with related documents. The complaint is available on the web sites for Heart of America Northwest and Columbia RiverKeeper. Along with those two organizations, Washington Physicians for Social Responsibility and the Portland and Cascade chapters of the Sierra club are included in the lawsuit. They will continue to work closely with the Washington Attorney General's Office to make sure shipments are permanently enjoined.

Todd referred to guidance received from DOE-HQ a couple of years ago about conflict of interest. Anyone on the Board that is suing DOE needs to recuse themselves from comments on those topics. He said he

would be talking to the Board members involved in this suit to be sure we are all complying with that guidance. (See Agency Updates – Ecology.)

Attendees

HAB MEMBERS AND ALTERNATES

Ken Bracken, Member	Todd Martin, Member	Wanda Munn, Alternate
Pam Brown, Member	Bob Parks, Member	Maynard Plahuta, Alternate
Tom Carpenter, Member	Gerald Pollet, Member	Dave Rowland, Alternate
Jim Curdy, Member	Margery Swint, Member	Keith Smith, Alternate
Greg deBruler, Member	Tim Takaro, Member	John Stanfill, Alternate
Norma Jean Germond, Member	Jim Trombold, Member	Art Tackett, Alternate
Harold Heacock, Member	Al Boldt, Alternate	Amber Waldref, Alternate
Doug Huston, Member	Sky Bradley, Alternate	Dave Watrous, Alternate
Paige Knight, Member	Norm Dyer, Alternate	Charles Weems, Alternate
Bob Larson, Member	Gariann Gelston, Alternate	
Susan Leckband, Member	Rebecca Holland, Alternate	Al Conklin, Ex-Officio
Jeff Luke, Member	Bill Kinsella, Alternate	Earl Fordham, Ex-Officio

AGENCY, CONTRACTOR, AND SUPPORT STAFF

Wade Ballard, DOE-RL	Max Power, Ecology	Bryan Kidder, CH2M Hill
Greg Jones, DOE-ORP	Ron Skinnarland, Ecology	John Kristofzski, CH2M Hill
Marla Marvin, DOE-RL	Joy Turner, Ecology	
John Morse, DOE-RL	Mary Anne Wuenecke, Ecology	Kim Ballinger, Navarro
Yvonne Sherman, DOE-RL		Linda Grotefendt, EnviroIssues
		Tammie Holm, EnviroIssues
	Sharon Braswell, Nuvotec/ORP	Lynn Lefkoff, EnviroIssues
Nick Ceto, EPA	Kristin Lerch, Nuvotec/ORP	Penny Mabie, EnviroIssues
Dennis Faulk, EPA	Nancy Myers, Bechtel-Hanford	
	Maritsa Collantes, AWU	Mark Benecke, Fluor
Dib Goswami, Ecology		Jeff Hertsel, Fluor
Jane Hedges, Ecology	Charles Kinczizl, PNNL	Dick Wilde, Fluor
Fred Jamison, Ecology	Robert Bryce, PNNL	Barbara Wise, Fluor

MEMBERS OF THE PUBLIC

Alan Page, Columbia Energy	John Stang, TC Herald	Monte Wilson, INEEL CAB
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