



Chuck Clarke, Regional Administrator
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue
Seattle, WA 98101

Mary Riveland, Director
Washington Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

John Wagoner, Manager
Department of Energy, Richland Operations
PO Box 550 (A7-50)
Richland, WA 99352

February 8, 1995

RE: Off-site Mixed Waste Acceptance

Dear Messrs. Clarke and Wagoner, and Ms. Riveland:

The following advice was adopted by the Hanford Advisory Board on February 3, 1995.

The State of Washington and U.S. EPA should not allow the U.S. Department of Energy or U.S. Department of Defense to transfer to the Hanford site any "Mixed (hazardous and radioactive) Waste" unless the following criteria are met:

1. A general condition of permit and plan approval and subsequent off-site waste acceptance in Washington State should be on-going substantive compliance with Washington Dangerous Waste laws and the terms, conditions, and schedules of permits, consent orders and clean-up agreements (e.g. the Tri-Party Agreement) between the DOE and the State.
2. Acceptance of off-site waste must be contingent on existing facility capacity and on availability of funding to handle processing and storage needs, while having a neutral or positive impact on Hanford clean-up.
3. In all instances where DOE proposed to treat off-site wastes at Hanford, a written reciprocal agreement should be required between the State of Washington, the state of origin of the off-site waste and the Department of Energy.
4. In deciding whether to approve storage, technical, economic and equity concerns should be addressed. Prolonged storage of off-site wastes prior to treatment, or of post-treatment residuals, generally should not be approved.

5. No pretreatment storage should be allowed at the receiving site unless it has been approved in the written reciprocal agreement between the shipping and receiving states.
6. Plans and schedules to treat off-site wastes should be approved only in instances where there is a binding legal obligation on the part of DOE for primary and secondary off-site storage facilities designed to receive post-treatment residuals before wastes are allowed to be shipped to Hanford. Plans and schedules should specify that generally no residuals will be stored or disposed of at Hanford. In the event of substantial noncompliance with Washington Dangerous Waste Law requirements, or failure to have off-site facilities available for return of post-treatment residuals, off-site waste will not be accepted at Hanford. Lacking specific agreement between the state, DOE and state of origin, waste residuals should be returned to the site of origin or other compliant facilities to be specified in plans and schedules.
7. When reviewing requests from other sites/states to accept mixed wastes for treatment at Hanford, the sending sites's treatment plan should be scrutinized to determine whether there has been thorough consideration of on site treatment and pre-shipment storage. Off-site wastes should not be accepted for treatment where such analysis is lacking or not compelling, unless it is otherwise approved in the reciprocal agreement between the sending and receiving states.
8. Receipt of any off-site wastes for treatment should require submission by shipping state of a schedule for shipment, treatment, and post-treatment residuals management, and prior written approval by the State of Washington.
9. Transport of off-site waste to Hanford for treatment will require careful planning of routes and consideration of weather emergencies to minimize the likelihood of an accident. Emergency preparedness for minimizing the impacts from an accident will require financial support from DOE to state, tribal and local involvement, including adequate equipment and training. When materials are shipped, timely notification should be provided to transportation agencies.
10. Cumulative impacts (e.g. of other wastes types) must be analyzed and considered in decisions concerning the movement and treatment of DOE mixed wastes. DOE must fully disclose all projected waste types and quantities that maybe shipped to Hanford prior to any consideration by Washington of TSD permits for mixed wastes generated at other facilities. This information must be part of the PEIS and Draft Site Treatment Plan public comment/public participation process, and of an inter-regional and inter-site advisory board dialogue, prior to development of final Site Treatment Plans and any agreement by Washington State to accept off-site wastes.
11. Hanford off-site waste acceptance criteria must include provision for inspection and payment of appropriate permit fees to cover all state costs, including inspection of pre-shipping procedures. Existing Mixed Waste facilities at Hanford must be in substantial compliance with the Tri-Party Agreement milestones, other orders or agreements and RCRA or state law requirements in order for permits to be issued or amended to allow off-site Mixed Wastes to be treated, stored or disposed of at Hanford.

The Board and its Health, Safety & Waste Management Committee will consider both additional information that has not been presented to date as well as agencies' responses to this advice. Based on that additional information and agency responses, it is expected that the Board will offer additional advice and recommendations to the U.S. Department of Energy, USEPA and the Department of Ecology.

The Board would like the State of Washington to explore options to control other materials (including low level waste, plutonium or transuranic (TRU) contaminated waste) intended for transport by DOE to Hanford for storage, treatment and/or disposition.

Very truly yours,

Merilyn B. Reeves, Chair
Hanford Advisory Board

cc: Thomas Grumbly, Department of Energy

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HAB Consensus Advice #13

Subject: Off-site Mixed Waste Acceptance (Health, Safety & Waste Management Committee)

Adopted: February 3, 1995, Letter to Tri-Parties