



Thomas P. Grumbly  
Assistant Secretary for Environmental Management  
Department of Energy  
1000 Independence Avenue SW  
Washington DC 20585

December 8, 1995

RE: Draft Waste Management Programmatic Environmental Impact Statement (DOE/EIS-0200-D)

Dear Mr. Grumbly:

The Hanford Advisory Board believes the following advice reflects the criteria DOE, EPA, WDOE, should use in selecting and negotiating alternatives. This advice is identical to HAB consensus advice #13 on Off Site Mixed Waste Acceptance adopted on February 3, 1995, and forms the basis for this additional advice and recommendations.

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 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. Technical, economic and equity concerns should be addressed in deciding whether to approve storage. 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 wastes for treatment at Hanford, the sending sites 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 wastes. DOE must fully disclose all projected waste types and quantities that may be shipped to Hanford prior to any consideration by Washington of TSD permits for 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 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 wastes to be treated, stored or disposed of at Hanford.

The HAB is concerned that the WMPEIS has used the Baseline Environmental Management Report (BEMR) as its source for estimated waste volumes. We urge USDOE to work with individual sites to verify and validate these estimates, as well as other identified assumptions.

USDOE should develop an effective decision-making process to integrate those EISs dealing with waste storage, treatment and disposal from USDOEs facilities. This process must be designed in a way that will earn the agreement of the affected states and Indian nations, and the support of SSABs and other affected stakeholders; this process must also contain a strong public involvement element. Please refer to HAB Advice #34, requesting an integrated public participation process. The SSABs can play a key role in public involvement, but it must be augmented by a broader outreach program. USDOE should work with stakeholders to ensure that their values are factored into alternatives being considered in the WMPEIS. We have attached two documents (The Future for Hanford: Uses & Cleanup from the Future

Site Uses Working Group and the Final Report of the Hanford Tank Waste Task Force) which identify the values of Hanford stakeholders.

The Hanford Advisory Board urges the Washington State Department of Ecology and the U.S. Environmental Protection Agency be fully involved in decisions that would impact the Hanford site, particularly in decisions that could compete with or detract from the sites cleanup mission and the resources it requires.

We look forward to your written response as is called for in our charter.

Very truly yours,

Merilyn B. Reeves, Chair  
Hanford Advisory Board

cc: Chuck Clarke, U.S. Environmental Protection Agency, Region 10  
Cindy Kelly, Designated Federal Official  
Linda Lingle, Site Representative  
Mary Riveland, Washington Department of Ecology  
John Wagoner, Department of Energy - Richland Operations  
The Oregon and Washington Congressional Delegations

This advice represents HAB consensus for this specific topic. It should not be taken out of context to extrapolate Board agreement on other subjects matters.

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

*HAB Consensus Advice #38*

*Subject: Draft Waste Mgmt Programmatic EIS (DOE/EIS- 0200-D)*

*Adopted: December 7-8, 1995*