



February 7, 1997

Ms. Jill Lytle  
Deputy Assistant Secretary,  
Nuclear Materials and Facilities Stabilization  
U.S. Department of Energy Headquarters  
Forrestal Building  
1000 Independence Avenue SW  
Washington, DC 20585

Subject: National Dialogue on Nuclear Materials and Waste

Dear Ms. Lytle:

The Hanford Advisory Board has developed the attached advice for your use in moving forward with the National Dialogue on Nuclear Materials and Waste.

We look forward to the rapid conclusion of the preliminary planning phase of this critical dialogue and are anxious to begin work. Thank you for the opportunity to participate.

Sincerely,

Merilyn B. Reeves, Chair  
Hanford Advisory Board

Attachment

cc: Thomas Grumbly, DOE Headquarters  
Al Alm, DOE Headquarters  
John Wagoner, DOE Richland Operations  
Chuck Clarke, U.S. Environmental Protection Agency  
Tom Fitzsimmons, Washington Department of Ecology  
Alice Murphy, Designated Federal Official  
Randy Smith, Environmental Protection Agency  
Dan Silver, Washington Department of Ecology  
Washington & Oregon Congressional Delegations

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**Hanford Advisory Board Consensus Advice on November 18 Draft National Dialogue  
on Nuclear Materials and Waste**

Generally, the Hanford Advisory Board is supportive of the National Dialogue process so far, and we approve of the thrust of the latest draft proposal. We strongly encourage DOE to forge ahead with this

process. We suggest that, in order to show commitment and to initiate involvement, at least a "pilot effort" be launched in early 1997. The experience of the Plutonium Roundtable Forum, the Oregon Dept. of Energy focus groups or the Nez Perce Tribal Leaders Workshop could be used as a ready model for such a pilot.

While we have concerns about the draft proposal some of which are noted below, these concerns should not slow the process of convening the Dialogue. The draft is not the final charter. Such a charter should be approved by the consensus of the participants of the Dialogue. A pilot regional dialogue could improve the quality of such a charter by addressing some of the outstanding questions in the current draft.

The following reflect the current concerns of the Board:

### **DOE COMMITMENT TO NATIONAL EQUITY DIALOGUE PROCESS:**

What commitment does DOE have to the Dialogue? Are all relevant DOE programs on board? This should be in writing in next draft. How much money can DOE commit? Will DOE support the administrative and data acquisition needs of

the Dialogue? How will Dialogue recommendations be used in decision process? It is a given that the Dialogue not provide an avenue for DOE to avoid compliance with applicable state and federal environmental laws and agreements.

### **GOALS OF THE NED:**

The over-all goal is to implement a credible and sustainable dialogue for disposition of nuclear materials. Simply "exploring" equity and fairness is not adequate. These are key components of the dialogue. The initial regional and national meetings which define the values and principles upon which the dialogue is based should define what these terms mean in the context of the Dialogue.

There is a lack of clarity regarding who will present material to members of the public. USDOE should not be the sole source of information. Citizens groups need to be able to present background and issue information.

Regarding the regional meetings: We understand these are initially to develop regional values and principles in addition to educating and informing the public about nuclear materials issues. There should be a well defined feedback loop between the national and regional forums. The regional meetings need defined financial support. We recommend that regional stakeholders and the facilitator, not USDOE be supported to publicize the regional meetings.

### **SCOPE OF THE NED:**

There should be specific language stating which EISs and PEISs will be covered. Final EISs should not, by default, be taken off of the table. For example, regarding Pu disposition, location of facilities outlined in the recent PEIS must be included. The relationship to the 10-year plan (10YP) should be spelled out including the relationship to the 10YP budget and measurements of progress in the Plan. The first product of the Dialogue should be definition of such key underlying concepts as equity and fairness. These could either shape or evolve from the definition of values and principles.

### **GUIDANCE:**

Dialogue participants should have full access to unclassified information. In keeping with the Openness Initiative, a review of relevant classified information should be conducted, and where possible, that information should be declassified. The statement that DOE will make future decisions within context of the values and principles developed within the Dialogue and where not possible, DOE will present proposed decision to the steering committee and "will provide for the involvement of National Dialogue participants in the decision-making process", is problematic. The section in quotations is very unclear. Involvement needs further definition. Clarification of the role of states, tribes and local governments is needed.

### **PRODUCTS:**

Clarification is needed regarding the sources of the data packages referred to in this section. There must be a systematic independent assessment of these data packages to include validity and reliability testing. Data needs to include cumulative impacts of various waste storage, disposal, processing and transportation decisions. A definition of values and principles such as that used by the Hanford TWRS Task Force is needed.

### **APPROACH/PROCESS:**

Additional definition of phrases in this section is needed, specifically: who is meant by "parties not historically active in DOE decisions/issues". Historically active already includes: citizens groups, general public, state and local governments., tribes and more.

Who is being targeted by this statement that is not included in general public/tribes/ governments? What does "decision-testing" and "degree of commonality without" mean? Who will "strategically use mass media for broadest possible outreach"? We are not convinced that DOE will do a good job of this, since DOE generally not doing a good job of using mass media to involve public.

### **TIME FRAMES/SCHEDULE:**

The time line is ambitious - especially for activities in early 97. Need to account for turnover, new Secretary of Energy, etc. With a pilot effort in the near-term, the overall timeline should be revised to be more realistic. There needs to be adequate time for the development and the verification of reliable data, the outreach and discussion of the issues, the development of regional meetings with coordination into a national discussion. There should also be a time for a return to the regional participants for a reality check.

### **PARTICIPATION:**

We agree with the establishment of a steering committee with broader representation. The planning committee was chosen rather randomly. How will the steering committee be balanced as far as regions/issue/and stakeholder participation?

It is important to have the participation all shipper and receiver states in the Dialogue. Especially at the outset the participation of all large USDOE sites in the

planning group is critical. These should also include stakeholders at Savannah River, Oak Ridge, LANL and NTS. There should be a commitment from participants that there will be no side-deals either between sites or with sites and DOE which would undercut the comprehensive nature of the Dialogue.

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

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