



[Advice # 78](#) From: James M. Owendoff

Ms. Marilyn B. Reeves Chair,
Hanford Advisory Board
c/o Technical Resources International, Inc.
723 The Parkway, Suite 200
Richland, WA 88362

FEB 25 1998

Dear Ms. Reeves,

Thank you for your two letters of September 29 and November 7, 1997. The Department of Energy (DOE) shares the views of the Hanford Advisory Board (HAB) on a number of items addressed in those letters. Detailed comments on the Board's letters are provided in the enclosed attachment.

I wish to express my sincere thanks for your dedicated service on the Hanford Advisory Board and your commitment to the progress of the Environmental Management program. If you have additional questions, comments or concerns, please feel free to contact Martha Crosland at (202) 586-5944, or Fred Butterfield at (202) 586-8809, in the Office of Intergovernmental and Public Accountability.

Sincerely,

/s/ James M. Owendoff
Acting Assistant Secretary for
Environmental Management

Attachment

cc: John Wagoner, Manager, U.S. Department of Energy, Richland Operations Office

Alice Murphy, U.S. Department of Energy, Richland Operations Office
Martha Crosland, U.S. Department of Energy, Headquarters
Chuck Clarke, U. S. Environmental Protection Agency
Randy Smith, U.S. Environmental Protection Agency
Charles Rice, Chair, Idaho National Engineering Lab, Citizens Advisory Board
Tom Fitzsimmons, Washington Department of Ecology
Dan Silver, Washington Department of Ecology

**Attachment: Office of Environmental Management Comments on Hanford
Advisory Board letter dated November 7, 1997**

The Department agrees that the Tri-Party Agreement (TPA) is the primary legally controlling document for the Hanford cleanup program. The Department also agrees that all DOE activities must comply with the National Environmental Policy Act (NEPA) or meet other required regulatory requirements such as Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Resource Conservation and Recovery Act (RCRA). Moreover, the Department needs to provide a clear and concise explanation of how the various documents such as the 2006 Plan, the associated site implementation plans, the Contractors' Environmental Management Integration ("EMI") Report, and the Records of Decision (RODs) for the Waste Management Programmatic Environmental Impact Statement (WM PEIS), the Solid Waste EIS and the Surplus Plutonium EIS--relate to one another. The assumptions and recommendations of these documents regarding the treatment, storage, intersite transfer and disposal of wastes must be both consistent and understandable to the public. The Department is committed to ensuring that its decision-making processes are clear; that its decisions are based on accurate and consistent information; that opportunities exist for the public to provide comments and recommendations; and that DOE's decisions are clearly described, together with an explanation of how public comments were considered.

The draft integrated Office of Environmental Management (EM) timeline to which the Hanford Advisory Board ("HAB" or "the Board") referred in its letter of November 7 was developed by the EM Office of Intergovernmental and Public Accountability as a first attempt to graphically portray the relationships between various documents and decisions. An accompanying fact sheet was also prepared to describe in words these interconnections and the opportunities for public involvement. EM regrets that these tools appear not to have assisted in resolving the Hanford Advisory Board's questions, and will be working over the next several months to provide the clear and concise explanation that the Board has requested. The assistance of the HAB would be greatly appreciated in this effort.

Many issues raised in the Board's November 7 letter will be addressed in the draft waste management configuration for mixed and low-level waste which is presently under development. However, the Office of Environmental Management would like to take this opportunity to respond directly to several points the HAB raised in its letters.

First of all, EM wishes to commend the Board for participating in the recent joint meeting of members of the Hanford Advisory Board and the Idaho National Engineering and Environmental Laboratory Citizens Advisory board (INEEL CAB). This meeting focused on DOE planning efforts for the 2006 Plan and RODs for the WM PEIS. The Office of Environmental Management endorses cross-site discussions among local EM site boards pertaining both to mutual interests and national issues. EM believes that such information sharing will serve to strengthen the ability of the site boards to provide meaningful, informed advice to the Department.

Second, the Office of environmental Management would like to address the Board's concerns about the Contractor-led EMI Report, the recommendations from which were summarized in the June 1997 Accelerating Cleanup: Focus on 2006 Discussion Draft. In particular, EM wishes to reemphasize that this is a contractor report and not a Departmental document. These EMI recommendations currently are being reviewed by the Department. No proposals have been made by the Department to implement any of the EMI recommendations, except for three recommendations that had previously been included in the Department's plans, independent of the EMI Report. These three recommendations relate to: (1) the use of mobile systems for transuranic (TRU) waste; (2) the acceleration of TRU waste shipments and the subsequent closure of the Waste Isolation Pilot Plant (WIPP); and (3) minimization of storage and treatment of low-level waste. Eight of the Contractor EMI recommendations have already been rejected by the Department and are no longer being evaluated. The remaining recommendations--along with their underlying assumptions and rationale are currently being evaluated by the Department. This evaluation process will continue throughout Fiscal Year 1998. During this time, DOE will consider feedback from

stakeholders and Tribal Nations on these recommendations. Opportunities for providing comments on the recommendations will be available at meetings of local EM Site Boards (such as the HAB), during DOE's ongoing discussions with state regulators and associated groups (e.g., the National Governors' Association), and during the development of the Draft 2006 Plan. If the Department should propose to implement any of the remaining EMI recommendations, no decision will be made until the proposal has been adequately analyzed under the National Environmental Policy Act (NEPA), and it is clear that the proposal will meet applicable legal and regulatory requirements.

Third, EM would like to assure the Board that the Department will do everything it can to honor the commitments embodied in the TPA. The Department is not proposing either to relax applicable environmental restoration cleanup standards or to violate TPA commitments for the removal of tank wastes.

Fourth, the Office of Environmental Management is planning to continue its ongoing interactions with a number of established stakeholder organizations such as the National Governors' Association (NGA), the National Association of Attorneys General (NAAG), the National Conference of State Legislatures (NCSL), the State and Tribal Government Working group (STGWG) and the local Site Boards chartered under the EM Site-Specific Advisory Board (SSAB) and to provide other forums (such as the regional workshops to be held under the refocused National Dialogue and the forthcoming "Low-Level Waste Forum" to be sponsored by the Nevada Test Site Community Advisory Board) for public involvement in EM's decisions. Significant near-term issues include potential intersite transfers of waste and material and the siting of facilities, and could affect a number of sites and communities. EM looks forward to receiving the Board's advice and assistance on how to structure a process to ensure that the Department clearly communicates the options under consideration to the public--and that the public has an opportunity to meaningfully discuss and communicate their concerns with the various options.

Lastly, per the Board's request, Richland Operations (RL) Office has distributed copies of the draft baseline disposition maps to the HAB's Health, Safety and Waste Management Committee. The Committee also requested periodic briefings, which RL has agreed to provide. EM also supports the continuance of a Hanford Advisory Board representative attending the Richland Operations Office weekly 2006 Plan meetings.

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

Response to HAB Consensus Advice #78 (November 7-8, 1997)

Subject: HAB Consensus Advice on Focus on 2006 Plan & Contractor Integration Report

Letter from James M. Owendoff, dated February 17, 1998

URL: <http://www.hanford.gov/boards/hab/response/078.htm>

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