



[Advice # 86](#) From: Jay Rhoderick and Martha Crosland

Ms. Marilyn Reeves, Chair
Hanford Advisory Board
723 The Parkway, Suite 200
Richland, Washington 99352

December 10, 1998

Dear Ms. Reeves:

Thank you for your letter of September 11, 1998, regarding Intersite Waste Disposal. Your letter provided consensus advice from the Hanford Advisory Board (HAB) regarding a request from Site-Specific Advisory Board (SSAB) participants at an August 1998 Nevada Low-Level Waste (LLW) Workshop. At that workshop, SSAB participants requested that members from each of the eleven SSABs chartered by the Department of Energy's (Department) Environmental Management program across the country, rank six options for disposal of LLW outlined in the Waste Management Programmatic Environmental Impact Statement (WM PEIS).

Your letter advised us that the HAB is opposed to this request to rank the LLW disposal options and, therefore, will not do so. The HAB also believes that the Department should not make site-specific decisions based on the WM PEIS and that it is inappropriate for the Department to use an informal ranking by SSABs as a basis of its decision-making. As noted in your letter, the HAB supports a National Dialogue on the disposition of all nuclear materials and wastes.

We agree with the HAB that decisions regarding disposal of specific waste streams should not be made on the basis of the WM PEIS. The WM PEIS is intended to provide the environmental analysis to support broad, programmatic decisions on where the Department should treat and dispose of LLW and mixed low-level waste (MLLW). A number of options are analyzed in the WM PEIS. The Final WM PEIS, issued in May 1997, analyzed potential environment, safety and health impacts, as well as socioeconomic impacts for a variety of programmatic alternatives for waste management activities, including alternatives which propose a limited number of Department sites for regional disposal of LLW and MLLW. Site-specific decisions on individual waste transfers are intended to "tier" from the WM PEIS decisions and may require additional site-specific analysis under the National Environmental Policy Act. During the public comment period on the WM PEIS, more than 1,200 individuals and organizations provided the Department with comments, which were addressed in the Final WM PEIS.

The preferred alternative in the Final WM PEIS narrowed to six the number of potential regional disposal locations for LLW and MLLW, and stated that the Department intended to select 2-3 of these sites but did not know yet which such sites to prefer. Rather, the Department committed to further discuss LLW and MLLW disposal alternatives with stakeholders prior to announcing more specific site preferences for regional disposal. The Department is actively sharing information about options for the pending decisions on selection of regard disposal site for LLW and MLLW with Tribal, State, and local governments, SSABs and other interested stakeholders. An information package on these pending LLW

and MLLW disposal decisions has been sent to all SSAB members, all State and Tribal Working Group members, the National Governors' Association, and the Energy Communities Alliance, with a request for comments. This information also has been published on the EM Internal Home Page.

The Department will consider all input from its stakeholders, including any input regarding preferences or ranking of options. Clearly, a consensus ranking of disposal options by SSABs would be valuable input to be considered, along with other information in selecting specific regional disposal sites.

Your letter also relayed previous HAB concerns with the WM PEIS. The HAB has questioned the adequacy of the WM Pepsi's evaluation of cumulative impacts from management of environmental restoration waste or from other disposition/disposal decisions. The Department respectfully disagrees that the cumulative impacts are not adequately analyzed. The Final WM PEIS analyzed the cumulative impacts (for Hanford and other sites) associated with all past, present, and reasonably foreseeable Department actions. The Final WM PEIS included an appendix which qualitatively analyzed environmental restoration wastes. The Department is now in the process of completing a Supplement Analysis (under its National Environmental Policy Act) implementing regulations that will further evaluate the potential impacts associated with environmental restoration wastes which might be transferred to the waste management program for disposal.

You expressed concern that Hanford clean-up budgets and compliance could be impacted by subsidizing disposal of off-site waste and lack of "full costing" of disposal charges. This issue is one the Department will continue to consider as it makes these disposal decisions. As to your preference that the Department use licensed, externally-regulated disposal facilities instead of expanding DOE facilities, the Department will soon complete a policy analysis on use of commercial disposal facilities. The purpose of this analysis is to evaluate whether the Department should revise its existing policy on the use of commercial disposal facilities.

We agree that DOE's decisions must be legally defensible and in accordance with environmental regulations. The Department is committed to seeking and considering input from Tribal, State, and local governments, SSABs and other stakeholders in its planning and decision making processes, including those for treatment and disposal of LLW and MLLW. While we regret that the HAB has decided not to express a preference amongst the options for LLW and MLLW disposal decisions, the Department will continue to keep the HAB informed of its progress in making the WM PEIS disposal decisions and welcomes any additional input. Thank you for sharing your views.

/s/

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/s/

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cc: SSAB Chairs

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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 #86 (September 9-11, 1998)
Subject: HAB Consensus Advice on Intersite Waste Disposal
Letter from Jay Rhoderick & Martha Crosland, dated December 3, 1998
URL: <http://www.hanford.gov/boards/hab/response/086.htm>
Last Updated: 08/04/2003 14:42:54*