



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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March 28, 1995

Ms. Marilyn Reeves, Chair  
Hanford Advisory Board  
22250 Boulder Crest Lane  
Amity, OR 97101

Dear Ms. Reeves:

Mary Riveland has asked me to respond to the Hanford Advisory Board Consensus Advice #13-- Off-Site Mixed Waste Acceptance. I am pleased to do so, in light of the very useful discussion we had at the February Board meeting.

First, let me reiterate three points that I made to the Board at that meeting:

1. Any activities associated with storage or treatment of off-site wastes at Hanford must comply with Washington's Dangerous Waste Act and appropriate regulations. Treatment and storage of off-site wastes must not hinder or delay actions at Hanford to comply with Tri-Party Agreement milestones.
2. Dealing with the legacy of nuclear weapons production is a collective responsibility. Washington is willing to do its fair share, but we shall insist that other states accept their share of the burden.
3. We recognize that how the storage and treatment of mixed wastes is handled in the USDOE complex is a precursor issue for a much larger series of decisions. We intend to work with the Federal Facility Compliance Act process to lay the groundwork for that larger discussion. I must caution, however, that Washington's legal authorities are limited. We are likely to achieve more sharing of burdens by other states through negotiation and development of a publicly-accepted approach, than by over-reaching the authority we have under law.

Our first point appears to capture the intent of points 1 and 2 in the Board's advice.

At USDOE's request, the National Governors' Association has assembled a working group of representatives from twenty-two states to assist in developing an equitable and acceptable process for handling inter-site transfers of mixed wastes. In that forum, Washington, together with states hosting other major USDOE facilities, has proposed principles that generally parallel those in the balance of the Board's advice. These principles, which appear to be gaining support

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from the participating states, were shared with the Board at its February meeting. In particular, the concept of an agreement among the sending and receiving states and USDOE (point 3 in the Board advice) has been accepted. I intend to keep the Hanford Advisory Board informed of progress in these discussions.

The State of Washington continues to support full accounting for existing and potential waste streams, and meaningful public participation in decisions about both inter-site transfers of wastes and treatment and disposal methods. As indicated in the Board's advice, point number 10, this covers areas broader than just the Site Treatment Plans for mixed wastes.

In our view, the best way to "control" the flow of other off-site wastes to Hanford is to secure acceptance of collective responsibility by the federal government and other states. That is the avenue the State of Washington is pursuing. We hope the Hanford Advisory Board will help us develop mutual, acceptable understandings of collective responsibility across the country.

Sincerely,



Dan Silver, Assistant Director  
Office of Waste Management

cc: Chuck Clarke  
John Wagoner