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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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March 18, 1997

Ms. Marilyn Reeves, Chair
Hanford Advisory Board
101 Stewart Street, Suite 1101
Seattle, WA 98101

Dear Ms. Reeves:

Thank you for your letter of February 7, 1997, conveying Consensus Advice #63, dealing with Institutional Controls. Ecology appreciates the effort and the thoughtful discussion the Board has put into this issue since the Strategic Planning Workshop in May 1996. The result is a set of principles and guidelines that will be very useful to us, as regulators, and to all involved in making Hanford cleanup decisions over the next thirty years.

As you know, the Department of Ecology recently received a report from its Model Toxics Control Act Policy Advisory Committee. That committee dealt with many of the same issues that the Board has considered. Our initial assessment is that your advice and the advisory committee's report are consistent and mutually supporting.

Let me tell you the key points that we take from Advice #63--points we will use as touchstones over the coming years:

- The term "institutional controls," as used in discussions of environmental cleanup, usually refers to specific restrictions on use for specific locations because of residual contamination. Your letter makes it clear that we need to distinguish this concept from the Department of Energy's continuing ownership, or "institutional control", over the whole of Hanford. The latter has often made discussions about the role and implementation of institutional controls needlessly obscure. We all will benefit by improved clarity in our use of terms.
- Institutional controls--consistent with Washington Law--are largely a protective means of last resort. Wherever possible, elimination of the hazard posed by residual contamination is preferable to trying to sustain controls over a long time period and through potential changes in land ownership.
- Institutional controls are not costless and their long term costs need to be considered in any comparison of cleanup alternatives.

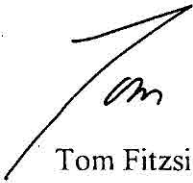


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- At least in this state, we still have a way to go to establish efficient, effective means of recording and enforcing institutional controls--and in defining controls in a way that makes it possible to record and implement them in a cost-effective way. Working with the Department of Energy and local governments at Hanford provides a good opportunity for us to improve how we establish such controls.

We encourage the Board to continue working in areas such as this, where establishing some basic principles and guidelines can help us do a better job over the long term of cleanup. Please convey our gratitude for the Board's good and thoughtful work.

Sincerely,



Tom Fitzsimmons
Director