

# HANFORD ADVISORY BOARD

A Site Specific Advisory Board, Chartered under the Federal Advisory Committee Act

**Advising:**

US Dept of Energy  
US Environmental  
Protection Agency  
Washington State Dept  
of Ecology

April 3, 2009

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Michelle Pirzadeh, Acting Regional Administrator  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue RA-140  
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Re: Draft Tri-Party Agreement Change Packages

Dear Mr. Brockman, Ms. Olinger, Mr. Manning and Ms. Pirzadeh,

## Background

The Hanford Advisory Board (Board) held a Committee of the Whole workshop on March 11, 2009 to review the proposed package of changes to the Hanford Clean-Up Agreement (TPA). The numerous milestone changes to the TPA include: Acceleration of some River Corridor cleanup milestones; new milestones setting goals for remediation of groundwater along the river; longer schedules for K-Basin cleanup and delays in retrieving transuranic (TRU) waste from burial grounds. Additional TPA changes include delays in treating wastes and in developing capacity to treat wastes; allowing some facilities to remain open and operating in the 300 Area; containing contaminated groundwater on the Central Plateau after 2020; and, revising regulatory approaches (e.g. using one regulatory process instead of multiple processes) and lead agency roles (some of which are agreements to be negotiated later this year).

The Board supports the strategy reflected in the proposed TPA milestone changes that accelerate cleanup along the River Corridor and set specific groundwater remediation goals near the river for the first time.

The TPA Agencies (U.S. Department of Energy (DOE), U.S. Environmental Protection Agency (EPA), Washington State Department of Ecology (Ecology)), negotiated this path on the basis of the “currently anticipated funding” in the latter part of 2008 and early 2009. As we have noted in numerous pieces of Board Advice, the DOE’s “target” budgets for 2010-15 and Congressional Budget Request for 2009 were hundreds of millions of dollars per year less than needed to meet milestones. DOE is obligated to request funding to meet those milestones. While the Board has acknowledged that some TPA changes are warranted when technical obstacles are an issue, the Board does not support changing milestones when the administration does not request from Congress funding sufficient to meet TPA milestones.

As stated in the TPA change package, the overall proposal is comprised of trade-offs for “adjustments in work scope and milestones consistent with the currently anticipated available funding.” The level of funding anticipated when these adjustments were negotiated has dramatically increased through the Fiscal Year 2009 and Economic Stimulus appropriations. These additional appropriations may result in an additional \$1.96 billion being available for increased work scope. The Board believes that those tradeoffs delaying work, which we advised should be funded with anticipated increases in cleanup funding (see Board Advice #206, 210, 213), may no longer be required.

### **Board Advice**

- The Board supports the adoption of the recently negotiated milestones to ensure progress on newly established goals and milestones for groundwater remediation along the river and accelerating soil cleanup in the river corridor. However, the Board does have concerns about the proposed negotiated delays in some milestones.
- The Board advises the TPA Agencies to revisit the proposed delayed milestones when they begin new milestone negotiations before the end of calendar year 2009. This action will enable the TPA Agencies to consider bringing the scopes of delayed work back into the near term in the TPA, using the additional funding projected to be available to DOE-Richland Operations, and in tandem with presenting new milestones for accelerated cleanup of the outer Central Plateau units. The upcoming negotiations should also address moving forward to:
  - a. Accelerate clean up along the river, including groundwater goals and uranium contamination of groundwater in the 300 Area;

- b. Resume retrieval and certification of TRU waste and treatment of mixed wastes (including developing capacity for treatment);
  - c. Accelerate Plutonium Finishing Plant cleanout and removal;
  - d. Accelerate cleanup of groundwater in the Central Plateau with more specific goals than containing the spread of contamination to the Plateau by 2020; and
  - e. Accelerate characterization and cleanup of 200-SW-1 and 2 (large burial ground soil units), and not delaying cleanup of 200-BP-5 unit.
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- The Board applauds and supports adopting milestones for a new strategy that addresses the outer Central Plateau area soil units with the intent of moving quickly using retrieve, treat and dispose remedies to achieve unrestricted cleanup standards. This added scope of work will require new funding, which likely will require creating new milestones.
  - The Board supports adoption of combined soil and groundwater units in single Remedial Investigation/Feasibility Study documents for a holistic approach to cleanup, and supports completing Feasibility Studies for units along the Columbia River by 2012.
  - The Board advises that unenforceable target dates and goals should not replace milestones and schedules. Ecology and EPA should not give up existing roles and responsibilities.

Sincerely,



Susan Leckband, Chair  
Hanford Advisory Board

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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.*

cc: Doug Shoop, Co-Deputy Designated Federal Official, U.S. Department of Energy, Richland Operations Office  
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