



**U.S. Department of Energy  
Hanford Site**

**JUN 24 2011**

11-HAB-0040

Ms. S. L. Leckband, Chair  
Hanford Advisory Board  
Enviroissues Hanford Project Office  
713 Jadwin, Suite 4  
Richland, Washington 99352

Dear Ms. Leckband:

HANFORD ADVISORY BOARD (HAB) APRIL 1, 2011, CONSENSUS ADVICE #244,  
"CLEANUP BUDGET PRIORITIES FOR FY 2012, 2013 AND ENSUING YEARS"

Thank you for your advice #244 letter (enclosed) regarding Cleanup Budget Priorities for Fiscal Year (FY) 2012, 2013 and ensuing years for cleanup activities at the Hanford Site. On behalf of Assistant Secretary Dr. Ines Triay, we appreciate the HAB's continued interest in the cleanup work at Hanford, and would like to assure you that we are committed to satisfying the Department's cleanup and regulatory obligations. Both the U.S. Department of Energy (DOE) Richland Operations Office (RL) and DOE Office of River Protection (ORP) will include the HAB advice as an attachment to our FY 2013 budget requests to Headquarters, which will be compliant with Tri-Party Agreement (TPA) milestones and regulatory requirements for FY 2013.

Below please find our responses to each advice point in HAB Advice #244.

**Advice point #1:** The Board advises DOE-HQ to request full funding from Congress to meet all TPA milestones and regulatory requirements. It is not enough for field offices to simply "identify" costs to comply. The field offices are obligated to request full funding pursuant to the TPA requirements.

**Response:** The Office of Environmental Management (EM), RL, and ORP will continue to identify and request funding consistent with regulatory commitments and cleanup goals at Hanford.

**Advice point #2:** The Board advises the Tri-Party agencies that a lack of budget does not justify changing milestones (e.g. dropping enforceable milestones has led to a suspension of TRU retrieval and waste treatment until late 2013).

**Response:** DOE is committed to continued cleanup of the Hanford Site and to meet our regulatory compliance commitments. As provided in the TPA, if appropriated funds are not available to fulfill DOE's obligations under the TPA, the Parties shall attempt to agree upon appropriate adjustments to the impacted workscope or milestones. If the Parties agree to propose significant changes to the workscope or milestones, a public input process will be followed and input considered prior to final decisions on the proposed changes.

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**Advice point #3:** The Board advises DOE-RL to request additional funding in FY 2013 for PFP decontamination, deactivation, and decommissioning activities to complete the demolition to slab on grade by 2013 and comply with associated TPA commitments.

**Response:** RL's 2015 vision set a goal to bring the Plutonium Finishing Plant (PFP) to 'slab-on-grade' by 2015, ahead of the TPA milestone, with the advantage of saving between \$200M (million) and \$300M in total project costs. RL will request funds for FY 2013 to realize the 2015 vision and meet the TPA milestone.

**Advice point #4:** The Board advises DOE-RL to request funding in FY 2012 and 2013 for Central Plateau characterization, solid waste burial ground work, and continuation of work to retrieve and treat buried mixed wastes. The Board has emphasized a need to request funding levels that enable characterization and/or removal, treatment, and disposal of pre-1970's transuranic waste sites (e.g. Purex Tunnel). These funds make it possible to reduce potential risks to the public and environment from various waste sites such as chemical and pre-1970's TRU wastes, radioactive, and non-radioactive burial ground waste and solid waste landfills.

**Response:** RL's funding requests are commensurate with TPA requirements. RL has participated in numerous discussions with the Board and its Committees about waste site characterization and the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) decision-making process. We plan to continue these discussions as we move forward in the CERCLA process for the Central Plateau.

**Advice point #5:** The Board advises DOE-RL to request funding in FY 2013 for U Canyon Demolition and remediation to permit continuation of field work and compliance with TPA associated milestones.

**Response:** RL's funding requests are commensurate with TPA requirements. RL will take this advice into consideration for the FY 2013 Budget Request and in relation to meeting regulatory requirements.

**Advice point #6:** The Board advises DOE-RL to request funding in FY 2013 to ensure cleanup of the Outer Area of the Central Plateau complies with the TPA milestones associated with this work.

**Response:** RL's funding requests are commensurate with TPA requirements. RL will take this advice into consideration for the FY 2013 Budget Request and in relation to meeting regulatory requirements.

**Advice point #7:** The Board advises DOE-RL to request funding in FY 2013 and out-years to support additional remediation work along the Columbia River.

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**Response:** RL's funding requests are commensurate with TPA requirements. RL will take this advice into consideration for the FY 2013 Budget Request, and in relation to meeting regulatory requirements.

**Advice point #8:** The Board advises DOE-RL to request funding in FY 2013 for 100K area Deactivation, Decontamination, Decommissioning, and Demolition and waste site remediation to continue progress in the River Corridor and comply with associated TPA commitments.

**Response:** RL's funding requests are commensurate with TPA requirements. RL will take this advice into consideration for the FY 2013 Budget Request and in relation to meeting regulatory requirements.

**Advice point #9:** The Board advises DOE-HQ to fund safeguards and security through a different DOE program office than DOE-EM. Funding should not be taken from the DOE-EM cleanup budget.

**Response:** DOE senior management expects DOE's line programs to be fully responsible for safeguards and security as opposed to another support organization. The premise is that the line programs must make the decision as to how much safeguards and security are needed in relation to the mission that needs to be accomplished. Therefore, it is appropriate that this funding be included within EM appropriations. In addition, EM safeguards and security costs are supported within a single budgetary control point, enabling EM to make adjustments as necessary; thus, mitigating the potential need for a reprogramming to cover unanticipated requirements across the EM complex.

**Advice point #10:** The Board advises DOE-RL and DOE-ORP to scrutinize the minimum safe and site services ABB to find efficiencies. Some service upgrades may need deferral. DOE-ORP and DOE-RL should disclose the portion of its funding which goes to site services. Reductions in funding of site services should not compromise worker and public health and safety or risk failure of mission.

**Response:** As discussed during the March 16, 2011 public budget workshop, DOE looks at all the potential hazards associated with nuclear facilities and puts controls in place to mitigate potential hazards. These identified vital safety systems constitute 'minimum safe' activities. Minimum safe activities are in place to protect human health and the environment, and they must be funded. Currently, the RL and ORP offices are looking at all of the minimum safe activities to ensure other, non minimum safe activities are not included in these costs. RL and ORP will continue to scrutinize minimum safe and essential service activities for efficiencies that may free up funding for cleanup activities.

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**Advice point #11:** The Board advises DOE's Hanford field offices to request the funding needed to meet "target milestones" and remain on pace for final milestones. Under the FY 2012 Request to Congress and DOE-RL's 2013 plan, DOE proposes to stop for two years all retrieval and treatment of TRU and mixed wastes from the unlined burial grounds, and treatment of stored wastes. Shutting down retrieval and treatment will increase risks and increase overall cleanup costs, as well as add years of delay. The Board also advises the Washington State Department of Ecology, as the regulator, to ensure that treatment requirements are met.

**Response:** DOE will take this advice into consideration for the FY 2013 Budget Request and in relation to meeting regulatory requirements.

**Advice point #12:** The Board advises DOE-RL to plan and identify in their budget proposals the significant amount of cleanup work not yet in the TPA. This includes Central Plateau characterization and further remediation work along the Columbia River.

**Response:** RL will take this advice into consideration for the FY 2013 Budget Request and in relation to meeting regulatory requirements.

**Advice point #13:** The Board has long supported accelerating waste retrieval from Hanford's SSTs. The objective is complicated by limited space available in Hanford's double-shell tanks. The Board advises that DOE-ORP determine its needs for waste blending tanks as part of the WTP complex and determine how to integrate blending tanks into its SST retrievals. The Board also advises that DOE-ORP identify funds to move forward with designing and constructing these new blending tanks.

**Response:** ORP will take this advice into consideration for the FY 2013 Budget Request and in relation to meeting regulatory requirements.

**Advice point #14:** The Board supports DOE-ORP's FY 2013 request for funding start up of the LAW facility as stated in previous advice (Advice #234 and #224).

**Response:** ORP appreciates the Board's support for our planning efforts related to the treatment of tank waste at Hanford, consistent with the HAB's values.

**Advice point #15:** The Board advises DOE-ORP to identify the total contingency funding and commissioning costs for the WTP.

**Response:** ORP will continue to operate within the approved total project cost of \$12.263B (Billion) for the design, construction and commissioning of the Waste Treatment Plant project. As discussed in briefings with the Board and its committees, the \$3B of management reserve and contingency in the \$12.263B total cost has not changed.

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**Advice point #16:** The Board advises DOE-HQ to share “target” budgets for FY 2013-2017 with the Board.

**Response:** EM understands the HAB’s desire to obtain target funding levels and have responded to similar requests on several occasions during Site-Specific Advisory Board Chairs meetings. However, this decision is not EM’s to make. Office of Management and Budget (OMB) Circular A-11, Section 22 prohibits the release of the out year discretionary data without prior OMB approval, which states:

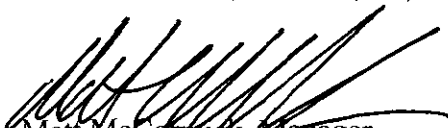
“The nature and amounts of the President’s decisions and the underlying materials are confidential. Do not release the President’s decisions outside of your agency until the Budget is transmitted to the Congress. The materials underlying those decisions should not be released at any time, except in accordance with this section. In addition, outyear discretionary data is considered pre-decisional and should not be released without prior OMB approval.”

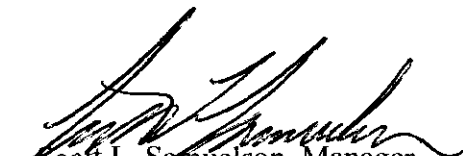
**Advice point #17:** The Board advises DOE-RL and DOE-ORP to define the following terms and identify how these items justify or drive budget requests (making progress, minimum safe, essential, ready to serve, compliant, compliance, enforceable milestones, target milestones, good project management, TPA, and Consent Decree).

**Response:** EM’s annual budget formulation guidance reflects lessons learned from previous budget cycles and refinements of definitions and terms. We will continue to strive to use clear and understandable terminology in our outreach and communication efforts on the budget. We will also continue to seek advice and recommendations from the HAB consistent with its values for cleanup in the development of outyear budgets.

We value the advice that the HAB and all stakeholders provide us in setting budget and cleanup priorities and will continue to give your recommendations careful consideration during the planning and budgeting processes.

If you have any questions, please contact us or Paula Call, RL at (509) 376-2048 or Pamela McCann, ORP at (509) 376-7663.

  
Matt McCormick, Manager  
U.S. Department of Energy  
Richland Operations Office

  
Scott L. Samuelson, Manager  
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Office of River Protection

Enclosure

cc: See page 6

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cc w/encl:

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State Representatives (WA)

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U.S. Senators (WA)

M. Cantwell  
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