



2009I-131

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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February 26, 2009

Ms. Susan Leckband, Chair
Hanford Advisory Board
713 Jadwin, Suite 4
Richland, Washington 99352

Re: Hanford Advisory Board (HAB) Consensus Advice #212 – Public Comment Period Considerations for the Tank Closure & Waste Management (TC&WM) Draft Environmental Impact Statement (EIS)

Dear Ms. Leckband:

Thank you for the HAB advice on the TC&WM draft EIS public comment period. Director Manning asked me to reply to you on his behalf.

We agree that the HAB and members of the public should have an opportunity to provide a thorough and rigorous analysis of the draft TC&WM EIS. Public and regulator input on the draft are critical for the completion of an acceptable final TC&WM EIS. Ecology encourages tribal nations, stakeholder groups, and members of the public to participate in the public comment process and have ample opportunity to review and comment on the draft EIS.

Within this advice, the HAB requests that the United States Department of Energy (USDOE) and Ecology work with members of the public on developing a one- to two-day informational workshop and a series of public hearings across the region. We agree that the HAB's Public Involvement Committee should be involved in the review and design of the TC&WM EIS workshops and public hearings, as well as the public information materials. However, USDOE retains the final decision-making responsibility regarding all TC&WM EIS public involvement. Ecology remains a cooperating agency in the development of the draft TC&WM EIS.

To clarify our role, a state agency may be a cooperating agency on a federal EIS when the agency has jurisdiction by law over, or specialized expertise concerning, a major federal action under evaluation in the EIS. As a cooperating agency, Ecology does not co-author or direct the production of the EIS. Ecology does have access to certain data and information as the document is being prepared by USDOE and its contractors. USDOE retains responsibility for making decisions in the preparation of the final TC&WM EIS, as well as for determining the preferred alternatives presented in the final EIS. However, Ecology's participation as a cooperating agency enables us to help formulate the alternatives presented in the draft TC&WM EIS.



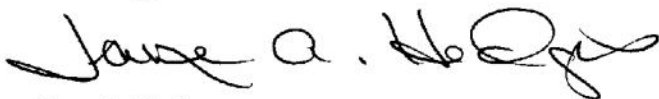
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Regarding our participation in the public involvement process, Ecology will:

- Provide input to USDOE in the planning of activities such as workshops and hearings.
- Provide comments on public information regarding the draft TC&WM EIS.
- Participate in workshops and hearings, providing the state's perspective on the draft TC&WM EIS as a cooperating agency.
- Receive and respond to questions and comments that are sent to our agency regarding the draft TC&WM EIS. USDOE will collect formal comments on the draft TC&WM EIS and provide responses. We welcome input from the HAB regarding our presentations and public information distributed on Ecology's perspective on the draft TC&WM EIS.

We look forward to further discussions with you as public involvement plans are formed on the draft TC&WM EIS.

Sincerely,



Jane A. Hedges
Program Manager
Nuclear Waste Program

dbm/jl

cc: Elin D Miller, EPA Region 10
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