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Re: Hanford Solid Waste Environmental Impact Statement

Dear Messrs. Klein, Schepens, Fitzsimmons, and Iani

The Hanford Advisory Board (Board) has long and anxiously awaited the issuance of the draft Hanford Hazardous and Solid Waste Environmental Impact Statement (HSW-EIS). We are pleased that it has finally been released, however we are very disappointed with the draft. The Board believes the draft is incomplete and inadequate to support proposed decisions. In addition, it was not prepared in compliance with National Environmental Protection Act (NEPA) processes. Therefore, the Board urges the current draft be withdrawn and reissued in draft form for public comment to produce an adequate EIS, based on appropriate consultation and including the scope discussed below.

The draft HSW-EIS assumes the 2000 Record of Decision (ROD) selecting Hanford as a specific site for disposal of Department of Energy (DOE) complex low level waste (LLW) and mixed low level waste (MLLW) was fully supported by the Waste Management Programmatic Environmental Impact Statement (PEIS) analysis. As shown by public

comment on the PEIS, the states, Tribes, and other stakeholders did not find the PEIS analysis sufficient to support selection of Hanford as a disposal site for DOE complex-wide waste. As an example, a comprehensive, integrated, publicly vetted strategy for all nuclear materials disposition for the complex is needed to support the PEIS. The PEIS ROD was issued before preparation and public review of the Hanford draft HSW-EIS, which should evaluate the site-specific impacts of such disposal.

What was expected from this HSW-EIS was: 1) an understanding of impacts of past and continued waste disposal at Hanford; 2) comparison of LLW/MLLW disposal at different sites; 3) comparison of Hanford-only versus off-site waste; 4) the scope of all previously buried and newly-generated solid waste; 5) discussion on long-term management; 6) a range of treatment alternatives for radioactive and hazardous constituents and disposal options; 7) short and long-term impact assessments to ecology; and 8) significant differences between low and high volumes impact assessments.

The HSW-EIS should integrate all waste site analyses to determine the full cumulative impacts.

The cumulative impacts of related major actions, on site and complex-wide, are not adequately addressed in the draft HSW-EIS. The draft frequently incorporates other documents by reference only. In addition, the Board questions the consistency of the draft HSW-EIS with the PEIS. In order for the HSW-EIS to be a credible, bounding document, it must show how much waste in all forms Hanford is slated to keep. It should also state how much will be exported and how much new waste will be accepted.

Additional analysis is needed.

The Board believes the draft HSW-EIS lacks sufficient analyses to support related DOE-proposed decisions. These include the import and burial of low level and mixed low level waste, proposed expansion of unlined soil disposal trenches for low level waste, import of transuranic wastes (TRU), and the lack of plans to retrieve or mitigate the impacts from TRU waste buried before 1970. DOE intends to make final decisions on each of these issues within six months, following the adoption of the ROD based on the HSW-EIS. The inadequacy of the draft understandably concerns the Board.

Board finds the necessary changes to the draft document are significant.

The following numbered items (in no specific order of priority) identify examples of where the draft HSW-EIS is incomplete, inadequate, or excludes items that need to be addressed:

1. Failure to include impacts and alternatives identified by the Board (provided to DOE in advice #103 and 98) during the EIS scoping process.
2. Inclusion of off-site waste volumes in the draft HSW-EIS much greater than those identified during the EIS scoping period.
3. Lack of consultation with Tribes or other federal and state agencies, as required under NEPA and SEPA.
4. Failure to disclose impacts to groundwater and human health at the point of compliance for waste management units. The Board encourages the agencies to consider the recent advice from the Board reflecting input from the Exposure Scenarios Task Force (consensus advice #132). The point of compliance should ensure no further degradation to ground water beyond the edge of the waste management unit. Non-degradation is required under both state and federal regulations. Without explanation, and in apparent violation of applicable standards, the EIS provides only a partial description of groundwater impacts for a single well one kilometer away from the burial grounds.
5. The draft HSW-EIS improperly asserts a claim for irretrievable and irreversible impact to an unidentified area of ground water (which may encompass the entire Hanford site) forever, with no analysis or disclosure of how large an area this may be, how bad the conditions may become, or how long this may persist.
6. Inadequacy of NEPA assessment for endangered species.
7. Modeling and inventory assumptions are not explained and appear inconsistent with known data on the movement of radioactive and hazardous waste at Hanford, and are also inconsistent with other site actions.
8. Failure to include a true “No Action” alternative that does not import and bury offsite-generated LLW and MLLW from DOE sites and other generators. The current “No Action” alternative (as noted on page S-3, line 27-30) does not comply with legal or regulatory requirements.
9. Failure to include reasonable alternatives to the proposed actions, especially the failure to include an alternative to end the use of unlined soil trenches for disposal.
10. Failure to integrate and consider the cumulative impact of all Hanford waste decisions, the impact of these decisions on this EIS, and the conclusions from this EIS in those decisions. The estimated risks proposed by this action are only a small portion of the total risks posed by all site actions and should be communicated. This is exemplified by the failure to disclose and consider the cumulative impacts of wastes already disposed to the soil and proposed Performance Management Plan (PMP) actions to dispose of additional wastes

to the soil (e.g. proposed actions to dispose of some wastes from Hanford's high-level waste tanks in the soil). Additionally, the Board urges DOE to end the use of unlined soil trenches without leachate collection systems for disposal of wastes.

11. Accident analysis must include malevolent events.
12. The Board is concerned the programmatic issue of the cumulative and route-specific effects of transporting wastes from multiple sites to Hanford has not been addressed.
13. The Board is concerned the facilities required for treating remote handled TRU waste as required in the Tri Party Agreement (TPA) Milestone 91 have been delayed, and the impacts from delayed or lesser TRU waste retrieval, as well as the impacts of importing TRU have not been considered in this draft HSW-EIS.
14. Waste from high level tanks that may be disposed in soil and disposition of K-Basin sludge should be included.
15. Cumulative impacts of reactor components disposal, including naval reactor compartments, should be included.
16. Pre-1970 TRU waste in the burial grounds should be addressed.
17. The impacts of not retrieving or shipping to WIPP the post-1970 TRU waste should be analyzed.
18. There is inadequate analysis of cap performance. The draft HSW-EIS considers only one cap, and assumes it meets RCRA requirements.
19. There is no analysis to support the draft document cover letter assertion that use of deep lined "megatrenches" is bounded by the analysis performed for shallow trenches in the draft HSW-EIS.
20. Long term stewardship considerations are not evident.
21. The draft HSW-EIS lacks inclusion of Environmental Restoration waste, which was excluded from analysis in the PEIS.
22. The impacts of hazardous waste buried with various forms of radioactive waste (e.g. lead shielding) should be analyzed.

Currently disposed waste needs detailed analysis.

The Board has previously urged that DOE stop disposing of offsite wastes in the low level waste burial grounds (LLBG) until they are fully investigated for disposal of hazardous or dangerous wastes (including liquids, flammables, solvents, etc.) and for releases of hazardous substances (consensus advice # 98 and #103). It is vital that the groundwater monitoring around the burial grounds be substantially upgraded and vadose zone monitoring be instituted as part of this investigation. Many of the wells are dry, or soon will be, and the burial grounds lack any leachate monitoring and collection system.

The Board urges the State of Washington to exercise its authority over the burial grounds as dangerous waste management units to meet leachate collection standards, and to prevent the addition of several hundred thousand cubic meters of offsite waste to unlined soil trenches, as proposed in the draft HSW-EIS and the PMP. The Board has previously provided advice that the LLBGs should be independently regulated, and that the draft HSW-EIS should consider the benefits of independent external regulation of the LLBGs as a reasonable alternative (consensus advice #98).

Full cost of imported waste must be recovered.

The Board repeats its advice that the HSW-EIS considers the impacts on Hanford Cleanup from the costs of offsite waste (see consensus advice #79, #84, and #94). Charging generators the long-term, fully burdened costs of disposal (and treatment or storage), as the Board has advised (see consensus advice # 98), would encourage treatment and reduction in waste volumes. It would also reduce the impact of offsite waste on the ability of the Hanford site to meet TPA milestones and other compliance requirements. This costing method must be considered in the HSW-EIS.

Analysis should be limited to receipt of offsite MLLW for short-term storage and treatment only.

The Board has issued advice (#13 and #103) that the import of mixed waste to Hanford be limited to short term storage for purposes of using available treatment capacity. (If disposal of mixed waste were limited to onsite stored forecasts to be generated, the quantity for disposal would be 14,000 cubic meters. Instead, the draft HSW-EIS considers disposal of 210,000 cubic meters.) Thus, the analysis in the HSW-EIS should be limited to receipt of offsite MLLW for short-term storage and treatment. DOE wrongly states in the PMP the MLLW burial ground is permitted for offsite waste, and proposes to issue a decision in six months to start import and disposal of offsite mixed waste. The Board urges the State of Washington to limit the MLLW burial ground permit to the quantity and types of wastes forecast from Hanford Cleanup (as has been done with the Environmental Restoration Disposal Facility landfill).

Permitting decisions should not be made based on this draft HSW-EIS.

The Board is concerned that permitting decisions for the Waste Receiving and Processing facility, the low level burial grounds, and the Central Waste Complex may be made without knowledge of the quantities and nature of wastes proposed to be stored, disposed, or treated. The Board urges permitting agencies not to grant any permit based solely upon the draft or the final HSW-EIS unless this issue is resolved.

Board advises draft HSW-EIS be withdrawn and reissued.

The Board advises the regulatory agencies find the document inadequate to meet NEPA and the Washington State Environmental Policy Act (SEPA) requirements. The Board also strongly advises DOE to withdraw and reissue the HSW-EIS following appropriate analysis and disclosure. This revision would allow the most recent budget and cost comparison data to be factored into the document.

Sincerely,

Todd Martin, Chair
Hanford Advisory Board

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: Wade Ballard, Deputy Designated Federal Official, U.S. Department of Energy
Michael Gearheard, Environmental Protection Agency
Michael Wilson, Washington State Department of Ecology
Martha Crosland, U.S. Department of Energy Headquarters
The Oregon and Washington Congressional Delegations

U.S. Senators (OR)

Gordon H Smith
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