

June 6, 2003

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Re: Revised Draft Hanford Solid Waste Environmental Impact Statement

Dear Mssrs. Klein, Fitzsimmons, & Iani,

The Hanford Advisory Board (Board) has reviewed the revised draft of the Hanford Solid Waste Environmental Impact Statement (HSW EIS). While this EIS contains significantly more detail than the original draft, the EIS is still insufficient in terms of scope and detail.

The Board has previously advised the Department of Energy (DOE) to analyze the cumulative impacts from all Hanford wastes on Hanford soil, groundwater, the Columbia River and the people living downstream from Hanford. DOE has promised this analysis since 1997 in the Waste Management Programmatic EIS (WMPEIS). This HSW EIS provided DOE the appropriate opportunity to conduct that analysis. DOE chose not to.

The revised draft HSW EIS is not a site-wide EIS. We advise DOE to first integrate all Hanford-specific actions into a Hanford site-wide EIS to determine the aggregate impacts from all Hanford cleanup actions and decisions. Once that is done, then DOE can perform an analysis of the impacts of receiving, treating and disposing of offsite wastes destined for Hanford, combining the results of that analysis with the Hanford-only waste analysis to achieve a truly cumulative analysis of the impact of DOE's proposals.

Nevertheless, the Board believes that if the following deficiencies are addressed, a revised draft would be adequate to support specific decisions for only Hanford-origin wastes.

- **This draft EIS does not address all existing Hanford wastes, nor does it integrate the assessment of the Environmental Restoration wastes with the tank wastes.**

Some examples of the wastes not adequately analyzed include:

- Residual waste DOE proposes to leave in tanks;
- Leaked tank wastes;
- Wastes in related ancillary equipment and piping;
- Hazardous or mixed wastes buried in the low-level burial grounds, and releases from the burial grounds;
- Transuranic wastes in burial grounds;
- Waste currently uncharacterized and stored in the PUREX tunnels;
- K-Basins sludges; and
- Disposal of immobilized low activity waste (ILAW) that is an alternate waste form.

- **This draft EIS does not conduct the required ecosystems analysis.**

Washington State's Model Toxics Control Act (MTCA) details a specific road map for ecological evaluations. It is unfortunate DOE chose not to use this road map. The Columbia River is vitally important to the region. The analyses performed should include a detailed analysis of the impacts in and to the river and its ecosystem, as well as to the other interconnected ecosystems.

- **Compliance and analysis points in this draft EIS are unacceptable.**

The HSW EIS analyzes the potential impacts to groundwater at a line one kilometer away from the proposed disposal sites. This is inadequate and DOE should analyze the potential impacts at the edge of, and under, the disposal sites in the vadose zone and groundwater. Additionally, DOE should analyze the potential worst-case impacts from overlapping releases. Future releases from these disposals, which exceed regulatory limits, will trigger additional cleanup requirements under the Resource Conservation and Recovery Act (RCRA) and/or the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

- **This draft EIS makes a claim of irreversible and irretrievable commitment of groundwater due to contamination.**

- Groundwater is a State resource, not a Federal resource. DOE lacks authority to decide to allow contamination of groundwater to levels that prevent future use – and “irreversible and irretrievable commitment.” This

claim should be deleted. Moreover, DOE notes in response to Board Advice Number 133 (attached) that the claim is only made due to existing plumes and contamination, which are not within the scope of this EIS.

- Both State and Federal law for environmental cleanup require the protection of groundwater.

- **This draft EIS assumes all ILAW will be in the borosilicate glass waste form.**

Should DOE proceed with decisions based on this draft of the HSW EIS, the Board believes DOE is committing to a performance standard equivalent to glass, regardless of the waste form.

- **This draft EIS analysis shows all alternatives exceed regulatory limits.**

- DOE uses as its benchmark in the HSW EIS the DOE 25 millirem all sources limit. This dose, however, is not the legally controlling standard for cleanup decisions or for permitting of mixed waste facilities. This dose is greater than the EPA's and State's required regulatory risk ranges.
- DOE fails to address either the specific EPA or MTCA carcinogen-risk standards for radionuclides, or the State and Federal anti-degradation standards, which are applicable to this analysis.

If the above concerns are addressed in a revised draft EIS, the specific Hanford-only waste decisions the HSW EIS could support would be limited to:

- ❖ Whether to use an existing facility or build a new facility to treat waste;
- ❖ Whether to dispose of Hanford low-level waste (LLW), mixed low-level waste (MLLW), and ILAW in a common facility or continue to use separate disposal operations;
- ❖ Where such disposal facilities should be located; and
- ❖ Whether to continue existing disposal practices or move to larger facilities with liners and leachate collection capability.

A comprehensive EIS, integrating all impacts from both Hanford and offsite waste, is required before offsite importation decisions can be made. Some questions that have not yet been adequately addressed in either the WMPEIS or this draft EIS are:

An adequate transportation analysis has not been performed.

- For example, the HSW EIS estimated impacts in Oregon and Washington using generic transportation parameters. It does not consider the specific transport route conditions, which may result in alternate routes being used and the impacts on those routes.

Environmental Restoration wastes (not adequately addressed in the WMPEIS)

- The Board advised DOE in Advice Number 133 that many stakeholders felt that the WMPEIS analysis was not detailed enough to support selection of Hanford as a repository for complex-wide disposal of LLW and MLLW. The WMPEIS excluded Environmental Restoration waste from analysis. Consequently, the WMPEIS can make no decisions, and it provides no authority for deciding what to do with such wastes. The WMPEIS notes:

“If DOE had sufficient information about the ER transferred wastes, it would analyze their impacts in the same manner as the impacts of the WM wastes are evaluated in the WMPEIS. Unfortunately, DOE still does not have sufficient information on the volume or contaminant composition of these wastes to perform a meaningful impact evaluation at this time.” Page 1-42

“Additionally, very little information is available to DOE about the composition of environmental wastes. This prevents the Department from evaluating the impacts of managing these wastes at this time.” Page 1-42

Under no circumstances should our advice be construed as a request or expectation for cleanup work at Hanford to be slowed or stopped pending these changes. Hanford cleanup progress can and should continue by using appropriate regulatory mechanisms to dispose of Hanford wastes in the Environmental Restoration Disposal Facility and an appropriately licensed RCRA hazardous waste disposal facility for Hanford-only hazardous and mixed waste.

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.

Attachment: Response to HAB Advice #133

cc: Keith Klein, Manager, U.S. Department of Energy Richland Operations Office

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Tom Fitzsimmons, Washington State Department of Ecology
Marla Marvin, Deputy Designated Federal Official, U.S. Department of Energy
Michael Gearheard, Environmental Protection Agency
Michael Wilson, Washington State Department of Ecology
Sandra Waisley, U.S. Department of Energy Headquarters
The Oregon and Washington Congressional Delegations

U.S. Senators (OR)

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