

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

Nov. 7, 2003

Jessie Roberson, Assistant Secretary of Energy
U.S. Department of Energy, Headquarters
1000 Independence Avenue
Washington, D.C. 20585

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Todd Martin

CO-VICE CHAIRs:

Ken Bracken
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Re: Risk-Based End States

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the Umatilla
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Dear Ms. Roberson,

The Hanford Advisory Board (Board) has yet to review the Risk-Based End States (RBES) draft document that Department of Energy-Richland Operations (DOE-RL) and Department of Energy-Office of River Protection (DOE-ORP) plan to submit to DOE-Headquarters (DOE-HQ). However, the River and Plateau Committee has received two presentations on the content of the document and the Board, at its November meeting, received a presentation. In a gesture of good faith, prior to review of the document, the Board is providing initial advice which we urge be used as guiding principles in preparation of the final document.

For over a decade, the Board, as well as related stakeholder bodies (the Future Site Uses Working Group, Tank Waste Task Force, and Exposure Scenarios Task Force), have provided values and principles to guide risk-based decision making at Hanford. The Board encourages DOE to utilize this body of work in the RBES process and build on the work already done by stakeholders. We suggest that workshops be conducted and modeled after these previous efforts.

Public Process

DOE's September 2003 *Guidance for Developing a Site-Specific Risk-Based End States Vision*, stated "the Department's goal, in consultation with stakeholders, is to develop and then incorporate in appropriate regulatory documents, a risk reduction strategy that evaluates the total risks associated with both existing contamination and with the process involved in cleanup." The guidance also stated, "a risk-based end state vision will be formulated in cooperation with regulators, and in consultation with affected governments, Tribal nations and stakeholders (as appropriate)."

To date, there has not been an opportunity for the Tribes, stakeholders and affected local and state governments to work with DOE in the development of Hanford's Risk-Based End States document. In addition to the already scheduled public meetings, the Board requests DOE hold a forum (one or more days) to discuss the

RBES documents. DOE-RL and DOE-ORP should not complete and issue final RBES documents until this meaningful dialogue occurs. Meaningful stakeholder involvement has been and continues to be fundamental in making better decisions on Hanford cleanup and fostering public acceptance of cleanup decisions. Such involvement should include communities not traditionally involved in Hanford issues (e.g. the Hispanic community).

Risk-Based End State Issues

The Tri-Party Agreement (TPA) was created as a risk-based cleanup agreement and the Board reiterates its support for the TPA. In supporting the TPA, the Board emphasizes that the RBES process should not be a mechanism for reducing the quality and rigor of Hanford cleanup and should in no way circumvent, supercede or subvert the existing federal and state laws as the decision-making mechanism for Hanford cleanup. RBES may provide helpful input to the implementation process supporting Hanford site cleanup.

It appears DOE will identify the following topics as inconsistent with the RBES approach:

100 Area Records of Decision (RODs) and Comprehensive Land Use Plan Assumptions

The RBES guidance requires sites to identify the divergence between Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) RODs and Comprehensive Land Use Plans (CLUP). The Hanford CLUP assumes no residents in the 100 Area. The Board remains supportive of the existing CERCLA RODs for the 100 Area instead of the CLUP because:

- These RODs saved taxpayer dollars and have expedited remedial action along the river.
- Given the significant progress in the 100 Area cleanup, altering the current approach would be extremely inefficient. For example, characterization of burial grounds (to support a different risk approach) and waste sites along the river will likely be more expensive than continuing with the existing cleanup.
- Reasonable tribal use of the area will likely approximate, or even exceed, the exposure forecast in the existing CERCLA RODs (under a residential farmer scenario).

300 Area Cleanup

The 300 Area industrial cleanup end state is not consistent with those waste sites outside the 300 Area fence. The Board has been, and remains, supportive of an 'unrestricted use' designation for the area 'outside the fence' (see Advice #125).

In addition to the variances discussed above, the RBES vision includes the assumption that groundwater in the 100, 200 and 300 Areas will not be used in the foreseeable future. This runs counter to past Board advice to protect the Columbia River (Advice #132, Advice #135, and Advice #145).

Overall, the Board agrees with the RBES document's support for the TPA; however, the Board urges DOE to revise the RBES document to be responsive to Board values on groundwater. Further, the Board urges the regulators to exert their authority in assuring the cleanup of groundwater at Hanford is consistent with Board values.

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.

Attachments: HAB Advice #125, 132, 135, and 145

cc: Bob Card, Under-Secretary of Energy, U.S. Department of Energy,
Headquarters

Dave Geiser, U.S. Department of Energy, Headquarters

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cc without attachments:

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