



2007I-389

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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July 3, 2007

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

Re: HAB Consensus Advice #198 – Fiscal Year 2008-2009 and Outyear Budgets

Dear Ms. Leckband:

Thank you for the advice on the U.S. Department of Energy's (USDOE) budgets.

Ecology agrees that USDOE has improved communication with regulators and stakeholders about budget information. Access to clear information provides a path for meaningful discussions on Hanford funding and cleanup priorities.

We share the Board's concern that current "target" funding approved by the Office of Management and Budget is far short of meeting the USDOE's compliance needs at Hanford. We are also concerned that USDOE's Office of River Protection did not provide enough detail to regulators or the Board on measures to recover schedules and shrink its compliance gap for critical Tri-Party Agreement (TPA) milestones.

- As the Board's advice points out, there is a record of USDOE commitments regarding cleanup of the Hanford Site. Without appropriate funds, Ecology has serious concerns about the federal government's commitment to meet its legal obligations to clean up the Hanford Site. We support funding at levels to achieve compliance with the Tri-Party Agreement (TPA).
- We agree that open and timely discussion of Hanford budget issues, especially areas of critical funding shortfalls, are necessary. These discussions provide opportunities for regulatory and public input to USDOE and help build support of Hanford funding.

USDOE – Richland Operations Office (RL)

The Board has been consistent in its values and advice on groundwater cleanup. Ecology agrees that an increased focus on groundwater cleanup is necessary and appropriate, especially in light of delays in the Waste Treatment Plant and single-shell tank (SST) retrievals. We agree that:

- RL's target budgets are inadequate to meet cleanup compliance schedules and commitments.
- The pre-1970 burial grounds containing transuranic elements should be remediated by the 2024 deadline. The post-1970 transuranic burial grounds should remain on the current TPA milestone schedule of 2011.
- Costs to protect Hanford's special nuclear materials should not fall under the cleanup budget.

USDOE – Office of River Protection (ORP)

As we said in our comments on Hanford funding, ORP's current schedule for tank waste retrieval is unacceptable. Removing, treating, and disposing of Hanford's vast inventory of toxic and nuclear waste remains our highest priority. We agree:

- That ORP should request adequate funding to continue work on the waste treatment plant and to retrieve the waste from single-shell tanks as soon as possible.
- That delaying tank retrieval poses unacceptable risks to the people, environment, and economy of the Northwest region.
- With the Board's advice concerning cleanup of contamination from past leaks from the tanks. We are currently working on milestones for corrective actions for past releases from the tank farms.

The Board offered advice to accelerate the planned 2018 opening of the Waste Treatment Plant (WTP), specifically the Low Activity Waste (LAW) facility. We share the Board's concern over delays in the completion and start-up of the WTP. At this time, Ecology is unsure if acceleration of the LAW facility is the right course of action. The proposal is still in the conceptual stage, with many technical and environmental issues yet to be addressed. We do support the Government Accountability Office's advice that USDOE needs to develop a higher level of certainty before moving forward on projects.

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We agree that:

- The Waste Treatment Plant needs to move forward in a manner that is safe, technically sound, and reflects appropriate oversight of contractors by USDOE. We cannot yet make a determination regarding early operation of the LAW facility.
- USDOE should continue to explore the options and impacts of earlier and increased throughputs of the LAW facility. However, this work should not be done at the expense of the existing WTP schedule or workscope.

The current path for cleanup of Hanford's tank wastes is completion and operation of the WTP and construction and operation of a second LAW facility. Prior to planning and construction of a second LAW facility, a decision was made to explore supplemental treatment options. Important lessons are being learned from the testing of the bulk vitrification process, but we have not gone far enough to judge whether that technology option will prove itself. We do agree that there is a "go - no go" decision point that will be reached to ensure construction of the second treatment facility proceeds on schedule.

- USDOE and the regulators will continue to work together to determine if bulk vitrification is a viable technology for Hanford.
- Early startup of LAW is not a substitute for bulk vitrification or a second LAW facility. Therefore, it is inappropriate to compare them. Also, the concept of early LAW is not sufficiently developed to be reasonably evaluated against any other options.

We appreciate the Board's continued support for Hanford cleanup. If you would like more information about Ecology's concerns with USDOE budgets, please contact Nolan Curtis at 509-372-7954.

Sincerely,



Jane A. Hedges
Program Manager
Nuclear Waste Program

cc: Elin D. Miller, EPA
Nick Ceto, EPA
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Mike Weis, USDOE-RL
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