



JAN 22 2002

Mr. Todd Martin, Chair
Hanford Advisory Board
1933 Jadwin, Suite 135: G1-04
Richland, Washington 99352

Dear Mr. Martin:

CONSENSUS ADVICE #122: THE COMMUNITY RELATIONS PLAN

Thank you for submitting the Hanford Advisory Board advice #122 on the draft Community Relations Plan. There were many revisions to the Community Relations Plan as a result of your and other comments made by citizens in the Northwest. For example, we have included language in the Community Relations Plan regarding the publication of Comment and Response documents within 60 days of the public comment period ending. Also, the Hanford Advisory Board Charter has been incorporated into the Community Relations Plan again. Finally, more information on effective public notification of public involvement activities is included in the Community Relations Plan.

Attached are the Board's comments and the Tri-Parties' response to comments. Please contact us if you have further questions or comments.



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Attachment

**HANFORD ADVISORY BOARD COMMENTS AND
TRI-PARTY AGENCY RESPONSES**

Comment: Citizen input and participation is vital to any government agency decision-making process. In practice, it is not easy for citizens to become involved in these processes or to influence the outcome of decisions. The Tri-Party Agreement (TPA) Community Relations Plan is more than a legal document that contains requirements for public involvement in Hanford cleanup decisions—it is also a working document that explains to the public how to get involved in these decisions. The Plan, which is currently under revision, is a necessary and useful tool for both the public and the TPA agencies to: 1) explain how and where to get information about Hanford; 2) introduce people who are actively involved in cleanup (including government agencies, tribes, and Hanford Advisory Board (HAB) members); 3) plan and give notice for public involvement activities, and 4) provide mechanisms to evaluate and improve the TPA public involvement process. The HAB requests the incorporation of the following values into any revision of the Plan:

The HAB suggests the Plan be titled, “The Hanford Cleanup Public Involvement Plan.”

Response: The document has been renamed “Hanford Site Tri-Party Agreement Public Involvement Community Relations Plan.”

Comment: The Plan should be updated and maintained to meet the requirements for public involvement under applicable laws such as the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), the Model Toxics Control Act (MTCA), and the National Environmental Policy Act (NEPA). The updated Plan should reflect new requirements of MTCA pertaining to public input for site specific risk assessments and ecological risk assessments, and notice and input of public values for future land and resource use.

Response: The Community Relations Plan describes public involvement requirements mandated by the Tri-Party Agreement, which includes the Comprehensive Environmental Response, Compensation and Liability Act and the Resource Conservation and Recovery Act, among many other state and federal environmental laws. The National Environmental Policy Act public involvement requirements will not be included in the Community Relations Plan.

There are numerous regulations that apply to Tri-Party Agreement public involvement activities. The agencies combine and/or coordinate requirements to be as comprehensive as possible. The information in the Community Relations Plan is designed to reflect this procedure. A section identifying the elements of public notice has been added to the Community Relations Plan, and the information in Appendix A/Other Laws has been

JAN 22 2002

expanded to identify public involvement aspects of several applicable regulations.

Comment: The Plan should clearly state these requirements regarding public notice and planning of public meetings:

Proposed meeting locations and times should be identified to interested citizen groups, Tribes, government entities, including the States of Washington and Oregon, and the HAB forty-five (45) days prior to the proposed meeting whenever possible. Note that certain applicable laws require a forty-five (45) day notification.

Response: The Tri-Parties agree that interested citizens should be consulted, when possible, at least 45 days prior to scheduling any public meeting. One method used to accomplish this is the established Tri-Party Agreement Quarterly Public Involvement Planning meetings where upcoming public involvement opportunities are discussed and the Tri-Parties receive feedback from interested citizens.

Comment: Prior to finalizing meeting or hearing locations, dates and times or the contents of notices for meetings and hearings, the TPA agencies should consult with interested citizen groups, the States of Washington and Oregon, Tribes, and the Public Involvement and Communication Committee of the HAB regarding appropriate dates, times, and locations to avoid schedule conflicts. Also, whenever feasible, either a meeting or a conference call and e-mail should be used to consult with the States of Washington and Oregon, Tribes, Hanford public interest groups and other citizen groups to seek agreement among interested parties on meeting formats and agendas. Meeting planners should seek to include non-TPA agency viewpoints or information to assist citizens in understanding how public values may be impacted by proposed actions of the TPA agencies.

Response: The Tri-Parties strive to collaborate with the interested public in a given location to develop formats and agendas to have the most productive meeting possible. In addition, the Tri-Parties recognize the value of allowing interests outside the Tri-Parties to be a part of the agenda. The following has been revised in the Community Relations Plan, "The Tri-Parties strive to include a wide variety of viewpoints, such as an alternative viewpoint or local perspective, in all Tri-Party Agreement public meetings."

Comment: The dates, locations, times, agendas and form of notices for public meetings, hearings and comment periods should be established thirty (30) days prior to any meeting or hearing or the start of a comment period. Exceptions should only be made for emergency actions. Thirty-day notice should be provided to interested citizen groups, the States of Washington and Oregon, Tribes, and the Public Involvement and Communication Committee of the HAB.

JAN 22 2002

Response: The following has been added to the Tri-Party Agreement Public Notification Process, "The Tri-Parties will strive to notify stakeholders 30 to 45 days before the start of a public comment period or before a public meeting."

Comment: Citizens may request a meeting or hearing on cleanup issues. The TPA agencies should hold the meeting, if possible, at the location requested. In addition, following the model provided by MTCA, if ten or more people request a meeting or hearing, the TPA agencies should hold a public meeting in the requested area. If a meeting is not possible, the TPA agencies should work with the group to address their concerns.

Response: Under the various laws governing Hanford cleanup, there are many opportunities for citizens to request public meetings or hearings. After much consideration, the Tri-Parties believe that adding the language of ten or more people requesting a meeting may prove to be more restrictive than what is currently in the Community Relations Plan. The draft Community Relations Plan, dated August 2001, currently reads, "If significant interest is demonstrated, the Tri-Parties will conduct a formal public process." The Tri-Parties believe the language on public meeting requests is sufficient and no revisions have been made to the Community Relations Plan.

Comment: The HAB believes that public involvement is a two-way process. When citizens provide input on significant Hanford cleanup decisions, they should be responded to in a timely manner by the TPA agencies. HAB advice #92 (March 1999) provides further guidance in this regard: A "Comment and Response" document should be prepared after all TPA comment periods or meetings, and mailed within 60 days to all commenters and others who request the comments and responses. Whenever possible, efforts should be made to allow commenter to clarify their comments or reply to TPA agency responses prior to the decision being finalized.

Response: The Tri-Parties agree that a Comment and Response document should be prepared within 60 days of the end of the public comment period, when possible. If delays occur due to a large volume and/or complexity of comments, interested citizens will be notified by mailer, the *Hanford Update* and/or the Tri-Party Agreement website at <http://www.hanford.gov/tpa/tpahome.htm>. Once the document is finalized, it will be made available to citizens who provided comments and others who request the Comment and Response document. If there are only a few comments made during the public comment period, then the agencies may prepare individual letters in response to comments.

Comment: To maintain an effective public involvement program, the TPA agencies should assess at least annually the effectiveness of public involvement efforts to identify areas requiring improvement. The results of this assessment should be formally documented in a report for general distribution.

JAN 22 2002

Response: The Tri-Party Agencies agree that an annual evaluation of the effectiveness of public involvement is vital. The section on the annual public involvement evaluation has been expanded to include the procedure, schedule and requirements of the evaluation. These include conducting the evaluation in the final quarter of each calendar year, evaluating individual activities by using survey cards at meetings, workshops, etc., and requesting feedback on the effectiveness of speakers, presentations and informational materials from the public, environmental interest groups, the Hanford Advisory Board, and Tri-Party Agreement agency staff and management. The annual evaluation process will include compilation of a report that will be distributed to participants and members of the Board and available on the Tri-Party Agreement website. See page 6 of the Community Relations Plan for more information.

Comment: The Plan should say that: the charter of the HAB, as it exists or may be amended, including commitments to funding and the Open Public Meeting Act, is part of the Plan and should be attached as an appendix.

Response: The Hanford Advisory Board charter has been included in the Community Relations Plan as an appendix. (See Page D-1 of the Community Relations Plan.) When applicable, the Tri-Parties comply with the Open Public Meeting Act. However, a description of the Open Public Meeting Act will not be included in the Community Relations Plan.