

HANFORD ADVISORY BOARD**Revised Meeting Summary****November 6-7, 1997****Portland, Oregon**

This is only a summary of issues and actions in this meeting. It may not represent the fullness of ideas discussed or opinions given, and should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.

Executive Summary i

Summary of the Board's Meeting

Announcements Made Throughout the Meeting	1
Welcome and Introductions	2
Approve September Meeting Summary.....	2
Maintaining Cleanup Progress.....	2
Focus on 2006/Contractors Integration Report.....	8
200 Area Soils Remediation Strategy	12
Decontamination and Decommissioning Budget Impacts.....	13
PHMC Performance Evaluation	14
New Business.....	15
Tank Waste Remediation System	17
Independent DOE Validation of PHMC Performance Measures	20
Board Administrative Matters.....	22
Hanford's Safety Culture	23
Possible Updates	25
Public Comment	26

Note: Attachments are numbered according to the order they are mentioned in the summary. The attachments that were distributed at or before the Hanford Advisory Board meeting are not routinely distributed with this summary. If you need a copy of an attachment, please request it from Donna Sterba at Technical Resources International, 509-943-1804, or Enid Reck at Fluor Daniel Hanford, Inc., 509-376-5856

Executive Summary

Maintaining Cleanup Progress

The Board spent several hours discussing cleanup progress at Hanford and what can be done to ensure that stakeholder values relating to cleanup are maintained in the face of declining budgets. Ecology, EPA, and DOE provided input to the Board's discussion by focusing on the Tri-Party Agreement (TPA), the remaining major milestones, and what needs to be accomplished to move cleanup forward. The Board agreed to hold a workshop at its December meeting for Board members to identify the top policy issues for 1998, what the Board can do to ensure that stakeholder values are being integrated in cleanup activities, and ways that to get the message of the importance of cleanup to Congress.

Focus on 2006/Contractors Integration Report

The Board received reports on several meetings related to the 2006 Plan and Contractors Integration Report. These included a joint meeting held between the members of the Board and the Idaho Citizens Advisory Board that resulted in a joint statement. The results of the National Dialogue Pilot Workshops were summarized. Uncertainty remains on how the results of those workshops will be used and whether the National Dialogue process will continue. A meeting was held in Dallas with all of the site-specific advisory boards' chairs in attendance. The focus of the meeting was on the 2006 Plan and Contractors Integration Report and how DOE will be using the information included in those reports. The Board also received an update on the FY98 and FY99 efficiencies. It appears that even with the identified efficiencies, there will still be a gap in the funding for FY98 and FY99.

The Board adopted advice which focused on issues relating to planning documents currently under public review, including the Focus on 2006 Plan and the Contractors Integration Report. The concerns addressed in the advice included DOE ensuring that assumptions about waste transfer are the same in each document, defining a clear path forward and purpose for the documents, aligning the timelines in each of the documents, identifying legal documents on which the decisions will be made, identifying who will be paying for disposal costs, and addressing TPA milestones. It is Consensus Advice #78.

200 Area Soils Remediation Strategy

Ecology and EPA presented the 200 Area Soils Remediation Strategy and the proposed related TPA change package to the Board. The Environmental Restoration Committee presented draft advice focusing on concerns relating to the strategy. After discussion, the Committee agreed to rewrite the advice, focusing on the TPA change package, and resubmit the advice for consideration at the December Board meeting.

Decontamination and Decommissioning Budget Impacts

The Environmental Restoration Committee presented draft advice on the impacts of budget cuts to the decontamination and decommissioning program which result in laid off workers, a loss of institutional memory, and impacts on safety issues. After discussion, the Board adopted the advice. It is Consensus Advice #76.

PHMC Performance Evaluation

The Dollars and Sense Committee reported on the input it had provided to the DOE independent validation of Fluor Daniel Hanford's self assessment. Also, it presented draft advice on the PHMC performance measures for FY98 which applied the lessons learned from FY97 evaluation. After discussion, the Board adopted the advice. It is Consensus Advice #77.

New Business

The Board was briefed on a court case in Texas which has resulted in a preliminary injunction forcing DOE to consider sending waste to unregulated off-site disposal facilities. After discussion, the Board adopted advice which asked DOE to appeal the decision and present a credible defense. It is Consensus Advice #79.

The Board was asked to consider DOE's policy of openness and commitment to working with outside groups before alternatives are developed and to request that both site and Headquarters' personnel restate their commitment to this policy.

Tank Waste Remediation System

An update on the TWRS privatization funding was provided. With current and anticipated funding levels, there will be a funding shortfall in 2006 of \$600 to \$900 million. A partnering team has been formed to include regulatory agencies, tribes, stakeholders, and contractors to review double shell tank integrity, vadose zone, and the development of a program plan. The SX Farm borehole has been extended to 175 feet, but further drilling is being slowed by gravel layers.

Independent DOE Validation of PHMC Performance Measures

A brief overview of Fluor Daniel Hanford's self assessment and DOE's independent validation was provided. While there were areas of agreement, areas for improvement, such as eliminating overlapping roles between DOE and the contractors, were identified. The Board raised questions on compliance with milestones, safety and employee reprisals, and economic transition.

Hanford's Safety Culture

The Board discussed the growing concerns about the safety culture and fear of retaliation for reporting safety violations. Input was provided to the Health, Safety and Waste Management

Committee on its framing of draft advice and included who the advice should be targeted towards and potential data to back up concerns about safety.

Updates

The EMAB Science Committee met on November 5-6 to focus on funding for basic science research and technology development based on the sites' needs. The Hanford Site Technology Coordination Group is in the process of developing technology and science needs for FY98 and encouraging program managers and contractors to pursue using new technologies. The Board was briefed on the status of TPA milestones. The spent fuel milestone (M-34) is being renegotiated based on schedule problems and the need for additional funding. The tank characterization milestone (M-44) has completed its public comment period and a request will be prepared. DOE has appealed Ecology's decision to deny a TPA change to delay removal of waste from the C-106 tank (M-45). The change package for the Plutonium Finishing Plant is on hold while funding issues for FY98 and FY99 are resolved.

Public Comment

Dirk Dunning provided public comment to the Board. He reminded the Board to keep in perspective the dangerous materials that are being handled at the Hanford site. Secretary O'Leary disclosed that a large amount of plutonium is unaccounted for at Hanford, potentially over 1.5 tons. However, the alarm raised over the unaccounted for plutonium is not nearly as strong as what would happen if 1.5 tons of \$50 bills were missing from the U.S. Treasury.

HANFORD ADVISORY BOARD
Revised Meeting Summary
November 6-7, 1997
Portland, Oregon

This is only a summary of issues and actions in this meeting. It may not represent the fullness of ideas discussed or opinions given, and should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.

Thursday, November 6, 1997

The meeting was called to order by Chair Marilyn Reeves, Oregon League of Women Voters (Public-at-Large). The meeting was open to the public. Four public comment periods were provided, at 11:45 a.m. and 4:45 p.m. on Thursday, and at 11:45 a.m. and 2:45 p.m. on Friday.

Members present are listed in *Attachment 1*, as are members of the public and others attending. Board seats not represented were: Richard Berglund, Central Washington Building Trades Council (Hanford Work Force), Paul Danielson, Nez Perce Tribe (Tribal Government), Charles Kilbury, City of Pasco (Local Government), Rick Leaumont, Lower Columbia Basin Audubon Society and Columbia River Conservation League (Local Environmental), Jim Watts, Hanford Atomic Metal Trades Council (Hanford Work Force). Pam Brown, City of Richland (Local Government) attended the Environmental Management Advisory Board Science Committee as a representative of the Board and could not be present for portions of the Board meeting. Tom Engel, University of Washington (University), attended the Environmental Management Advisory Board Science Committee meeting as representatives of the Board and was not present at the Board meeting.

Announcements Made Throughout the Meeting

[Items are listed in chronological order, rather than the order made. Announcements with no dates are listed last.]

- The Board self-evaluation forms must be returned to EnviroIssues by November 11.
- The Health, Safety, and Waste Management Committee will be meeting on November 12 at SeaTac Airport in Seattle. Important issues on the agenda include worker health and safety, spent fuel, and the election of a new chair.
- The Dollars and Sense Committee will be meeting on November 14 at the Federal Building in Richland. An agenda for this meeting is available.
- The Environmental Restoration Committee meeting has been rescheduled for November 24 at the Bechtel Building in Richland. A new chair will be elected at this meeting.

AGENDA ITEM #1: WELCOME AND INTRODUCTIONS

Cindi Laws was introduced as an alternate for Gerry Pollet, Heart of America Northwest (Regional Citizens, Environmental, and Public Interest Organizations). Changes to the agenda included adding a briefing from Alice Murphy, DOE-RL, on the assumptions and disposition maps for the next draft of the 2006 Plan for the Hanford Site. Greg deBruler, Columbia River United (Regional Citizens, Environmental, and Public Interest Organizations), expressed concern with the small time allotment to discuss new business. Marilyn Reeves explained that the Executive Committee expects that the new business agenda item will be a brief summary of a new issue and opportunity to determine whether the Board or a Committee wishes to pursue it.

AGENDA ITEM #2: APPROVE SEPTEMBER MEETING SUMMARY

Greg deBruler expressed concern that the summaries are not capturing the full range of issues and concerns discussed at each meeting. Marilyn Reeves suggested that that type of issue could be addressed in the Board's self evaluation form.

Tim Takaro, University of Washington (University), asked that on page 20, the following statement be changed from "...PNNL has withdrawn its co-sponsorship." to "PNNL declined to co-sponsor." He also noted that since the September meeting, PNNL has chosen to become a co-sponsor of the Health of the Site meeting. Madeleine Brown, Fluor Daniel Hanford (Hanford Work Force), provided editorial changes which will be made. Ralph Patt, Oregon Department of Energy (State of Oregon), asked that the statement made on page 14 by Suzanne Dahl, Ecology, referring to "major curies" be checked for accuracy.

AGENDA ITEM #3: MAINTAINING CLEANUP PROGRESS

Louise Dressen summarized the purpose behind this agenda item. There has been a growing frustration expressed from Board members that while there is a cleanup mission at the Hanford Site, declining budgets, an increasing number of Tri-Party Agreement (TPA) milestone changes, and a complex-wide focus on cleaning up smaller sites first are allowing that goal to slip farther and farther behind. Other concerns being heard include: lack of budget for the treatment of waste proposed to be shipped to Hanford; changing strategy and lack of progress for managing tank waste; lack of Congressional support for tank waste privatization; spent fuel removal schedule slippage; budget cuts for the environmental restoration program; mortgage reduction savings not staying at Hanford; and the deceleration of the decommissioning of aging facilities.

Based on these concerns and others, Board members have been searching for ways to send a message to the TPA agencies and Congress on what needs to be done, how cleanup can move forward, and what are stakeholder values for cleanup. To accomplish this, presentations to the Board will focus on what the TPA milestones are, impediments to meeting those milestones, what needs to be done to ensure those milestones are met, and agency perspectives on how long-range planning efforts and budget allocations will impact those milestones.

Ken Bracken, Benton County (Local Government), provided an overview of the purpose of the TPA and what the Board has been doing to ensure that the TPA milestones are being met (*Attachment 2*). His concern is that the regulatory agencies and the Board are no longer focused and providing leadership to ensure that the commitments made in the TPA are being met. Examples such as the treatment of tank waste and the closure of tanks have shown a less than straight path forward. The approach to treatment of tank waste has moved from using grout to today's privatization project which will only treat 10 to 15% of the total volume in the near term and full scale treatment some time in the future. In addition, there is not strong support from Congress for the privatization approach to waste treatment. This is not progress. Ken is also concerned with the amount of advice offered by the Board and whether it has had a measured impact on maintaining the commitment to the TPA milestones and the cleanup of Hanford. One way that the Board can assist in ensuring the TPA milestones are being met is to resume receiving reports on the status of the TPA each month.

Shelly Cimon, Oregon Hanford Waste Board (State of Oregon), presented the stakeholder vision of cleanup which has been developed over the past several years in groups such as the Future Site Uses Working Group (FSUWG), Tank Waste Task Force (TWTF), and others (*Attachment 3*). The FSUWG was convened in 1992 by federal, state, and local agencies and include representation similar to the Board. Its charge was to identify potential future uses for the Hanford site, select appropriate cleanup scenarios, and probe for convergence among the cleanup scenarios. The group divided the site into six regions and provided a range of land use options.

The TWTF was convened by the TPA agencies in Spring 1993 to assist in renegotiating part of the TPA. This group developed values and principles for the remediation of the waste, including consideration of risk and safety, cost-effectiveness, interim and residual environmental impacts, technological feasibility and certainty, timing of implementation, and duration of activity. The group also developed principles for evaluating trade-offs, such as protection of areas and resources, certainty that cleanup will be accomplished, and stability of funding.

An important component of these two groups was the fact that a TPA lead negotiator was at the meetings and the value of the groups' input into changing and developing milestones was continually emphasized. The broad, overarching values that came from the TWTF included protecting the environment; maintaining worker health and safety; getting on with cleanup; using a system design approach, keeping end points in mind; allocating funds to high priority items; demonstrating on-ground progress; reducing paperwork and decision-making redundancies; changing course based on scientific advancement; assuring accountability; continuing efforts on all tank leaks, preventing new leaks; making strategic investments in new technologies; having the safest form of waste drive decisions; and eliminating the need to transport waste.

The TWTF also told the regulators and U.S. Department of Energy (DOE) to maintain the important guidelines used to develop the TPA, such as legally binding milestones, measures of accountability, preservation of existing treaty rights, extensive public and tribal involvement, obligation of regulators to assist DOE in achieving acceptable funding levels, and ability of workers to speak freely. These two groups said a lot about the cleanup mission at Hanford and the Board has continued the vision. The goals of the Northwest remain the same and DOE and

the regulators need to remember to ask the stakeholders for assistance when renegotiating milestones or when they are stuck with a problem.

Melodie Selby, Washington Department of Ecology (Ecology), provided an update on the TPA major milestones which remain. The TPA was signed in 1989 and was one of the first of its kind. It is a legally enforceable document and is based on the Federal Facilities Compliance Act. The purpose of the TPA is to bring Hanford into compliance with environmental laws, including the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), and the Washington State Model Toxics Control Act. The main goals of the TPA are to bring waste management activities up to current practices; safely dispose of and treat waste; and clean up where contamination has reached the environment. It is important to note that when the TPA was first signed, stakeholders commented that groundwater contamination was not included in the original milestones. The agencies went back and renegotiated milestones for that contamination and the second of those milestones was completed last month. It is also important to remember that there have been successes.

A handout was provided to the Board which highlighted the major TPA milestones on one page and showed their completion dates (*Attachment 4*). The remaining milestones fall into three categories: past practice site cleanup, retrieval/treatment/disposal of waste, and safe and compliant operations. There has been no date established for the final disposition of reactors. Negotiations were completed last summer for the interim stabilization of reactors and the agencies will be reviewing options in five years to see if there are alternatives paths for disposition. Milestones for the K Basins are currently under negotiation; the current DOE proposal is to remove fuel by 2001 and sludge and water by 2006.

Dan Silver, Ecology, reminded the Board that it is an effective group that assists the cleanup at Hanford, but that there is room for improvement. Since the TPA was signed eight years ago, a little more than \$9 billion has been spent, resulting in many successes, such as shutting off the discharge to the ground, moving contaminated soil away from the Columbia River, PUREX and B Reactor facilities transition, and better waste management practices. However, the largest projects have eluded us. For example, tank waste, while being a safer environment to work in, getting the waste out of the soil has not happened. K Basins still have 90,000 spent fuel rods and it is unclear when they will be removed and whether there will be funding. Ecology's confidence in these large projects and others is fading and as a result, how the agency regulates is changing. The agency will not be renegotiating any of the major milestones, as was demonstrated for the removal of waste from the C-106 tank. Ecology is not asking DOE and its contractors to operate in an unsafe environment, it is asking that the milestones already committed to be met. If progress is not made on removing waste from the soils, major enforcement actions will be taken. A repeat of FY97 is unacceptable; excellence must be seen on the site during FY98.

Dennis Faulk, U.S. Environmental Protection Agency (EPA), agreed with Dan Silver's assessment of the effectiveness of the Board and other stakeholder groups. The FSUWG was instrumental in helping move cleanup forward. Its values are still being used for groundwater remediation and decontamination and decommissioning of facilities. Stakeholder input on the decision to build the Environmental Restoration Disposal Facility helped break through agency

disagreement and moved cleanup forward. At the first Salt Lake City meeting, EPA made a commitment to examine the way the site was regulated. This resulted in EPA and Ecology no longer sharing regulatory oversight on every program; EPA focuses on CERCLA sites and has been able to move the 100 Area cleanup forward. While there has been progress, Hanford is not being cleaned up as fast as possible. Subcontractors are being forced to slow down work because there is not enough funding. EPA is committed to taking enforcement actions if the 200 Area Remedial Investigation is not funded. EPA is anticipating that with decreasing funding, the agencies will look to stakeholder groups, such as the Board, for help in prioritizing activities.

George Sanders, DOE, agreed with Dan Silver's earlier comment that a lot of successes have occurred on the site, such as milestones added to the TPA, waste stream discharges ceased, definitions for the transition of facilities established, and negotiations underway for both spent fuel and the transition of the Plutonium Finishing Plant, which are major challenges. Stakeholders have and continue to provide valuable input to these successes and the values expressed by the Board and others often set the posture at the negotiation table. It is important for the Board to continue its advice. A policy does exist, ordered by DOE-Headquarters, that TPA milestones cannot be agreed to, whether they are new or changed, if there is no funding available. If the milestones goes beyond the baseline or funding levels, a Secretarial signature is required. As Dennis Faulk said, the Board will be providing valuable input into the prioritization of activities as funding limits the activities that can be accomplished.

Board Discussion

George Kyriazis, City of Kennewick (Local Government), questioned why Hanford has fallen behind other sites in the ability to solidify waste. Ken Bracken responded that a large number of other DOE sites have the capability of tanking liquid waste and putting it into a solid form. Savannah River has salt stone for low-level waste, which is comparable to grout; West Valley has a vitrification facility; and INEL has a calciner. Hanford does not have any of these capabilities.

Merilyn Reeves added that Shelly Cimon and others, at the request of Thomas Grumbly, went to Washington D.C. and trained managers on public participation. Part of that training was a presentation of the basic stakeholder values for the Hanford Site. Many of the managers who were trained are no longer there and the new managers may need to be trained.

Dick Belsey, Physicians for Social Responsibility (Local/Regional Public Health), reminded the Board that the issue with using grout to solidify waste was that the grout developed by Hanford resulted in 10-40 percent of the high-level waste going into near-surface disposal. This was unacceptable to stakeholders who explained their issues and concerns to DOE who then realized that grout was an unacceptable alternative to treating tank waste.

Tim Takaro asked why Milestone 35 was not on the handout provided by Ecology. Melodie Selby explained that Milestone 35 requires DOE to provide electronic access to the regulatory agencies so that they can complete their work with the most accurate information available. The major effort for this milestone was completed several years ago; it is now an ongoing effort with

no associated completion dates other than ongoing compliance. Tom Woods, Yakama Indian Nation (Tribal Government), expressed a concern about emphasizing the recommendations of the FSUWG when it only looks at anticipated uses over the next fifty years. There needs to be a broader vision of future use with waste remaining on the site for 50,000 years.

Bob Larson, Benton-Franklin Regional Council (Local Government), stated that when the TPA was first written, program managers took it very seriously and it was the basis for requests for funds. It appears the opposite today in that the TPA is being changed if there are not enough funds to meet milestones. Dick Belsey offered his opinion that the issue of changing milestones was a concern for stakeholders from the beginning. The Board and other stakeholders have continuously stressed their opposition to changing milestones based on convenience and questioned the reasons behind every milestone change. In addition, it is important not to be too critical of the Board. It has survived numerous obstacles, such as polarizing viewpoints and lack of technical assistance, to become a knowledgeable group of individuals. Norma Jean Germond (Public-at-Large), voiced her appreciation for the perspectives offered by Ken Bracken, Shelly Cimon, and Melodie Selby and her belief that the Board has continued to focus on the values from the FSUWG and be very clear to the TPA agencies about what needs to be done.

Madeleine Brown added that while DOE has published many planning documents, including a Five-Year Plan, Hanford Mission Plan, and a Ten Year Plan, it is important for the Board to keep the focus on the TPA and how these various plans fit into the milestones. Gerald Hess (Public-at-Large) questioned how the recommendations from the FSUWG had been implemented and whether decisions are still being made based on those recommendations. Paige Knight, Hanford Watch of Oregon (Regional Citizen, Environmental, and Public Interest Organizations), agreed with earlier statements that the TPA is not being held as the foremost legal document on the site and is being allowed to change, such as changing the status of the Fast Flux Test Facility. Betty Tabbutt, Washington League of Women Voters (Regional Citizen, Environmental, and Public Interest Organizations), stated that it seems the Board has become a rubber-stamp for DOE plans and is as "stovepiped" as the agency. Emphasis should be placed on discussions, even when there are conflicting opinions, rather than always trying to achieve consensus. Also, an effort should be made not to get bogged down in technical details, but focus on major policy issues.

Paige Knight asked if regulatory enforcement actions would take funding away from cleanup for legal costs. Dan Silver responded that if an appeal is made to the Pollution Control Hearings Board, penalties imposed go into the state general fund. If an appeal is made before going to the Hearings Board, penalties agreed to can be directed towards a specific project. Ecology does not want to take money away from cleanup, but issues penalties to change behavior.

Paige also questioned whether it is known what the additional \$240 million requested for spent fuels will go towards and what can be done to change the practice of slowing down work on the site when there are not enough funds. Ben Floyd, Benton County, (Local Government) questioned whether the additional \$240 million for spent fuel would significantly move the project towards completion. George Sanders answered the question regarding additional funding for spent fuel by saying that DOE is continuing to work on those questions and is preparing a presentation to the Health, Safety, and Waste Management Committee at its December meeting.

Dick Belsey added that this latest request for additional funds surprised the Board; there are technical issues to be resolved before it can be determined if additional funds will be wisely spent.

Wayne Martin, Pacific Northwest National Laboratories (Hanford Work Force), asked the regulators whether they believe enforcement measures increase progress towards cleanup and whether there are things the Board can do to help emphasize the importance of cleanup. Dan Silver responded that it is important to remember that regulators do not do the work, it is done by another party, so that the regulator is always focused on how to get the result wanted and maximize the work being done. In the case of waste management activities, Ecology determined that enforcing a penalty would change the behavior and it did. However, this does not work in every case and the agency considers all options before it imposes a penalty. Dennis Faulk added that if DOE does not meet its commitments to the Superfund law, EPA must taken enforcement action or the agency is not doing its job. EPA can tell DOE where it must spend the penalty.

Alice Murphy added that while DOE has implemented the efficiencies identified since the Salt Lake City meeting, there is still a gap in funding for FY98 and FY99. However, DOE-Headquarters and Congress, because of past spending inefficiencies, still think that Hanford is not as efficient as possible. The question is who decides what is the most efficient situation and what should be done when more money is required as is occurring in the spent fuel program. At times there is a disconnect between the Northwest values, such as risk reduction, getting on with cleanup, and the goals of Headquarters, including mortgage reduction. The TPA does make an impact on the decisions being made at Headquarters and Congress. Wayne Martin stated that it is important for DOE to present the issue to the Board and let the Board take a policy position on what it feels is important and present that to the agencies and Congress. Ben Floyd suggested that the Board needs to review the commitment to cleanup and specific examples of why it feels there is no longer a commitment. The Board also needs to identify priorities, determine the preferred alternative for waste transportation and begin promoting it at local and national levels.

Norma Jean Germond added that the defense budget has now surpassed the cleanup budget. DOE needs to be more effective in presenting successes and failures to both Congress and the President's Administration in order to reverse this trend. George Sanders agreed with the Board's frustration of asking contractors to slow down work because of a lack of funds. However, DOE is in continual discussions with the Congressional delegation from the region; once budget decisions are made, no lobbying can occur. Alice Murphy concurred and said that DOE may need to do a better job at keep the Northwest public updated on the successes and failures occurring on the site.

Harold Heacock, Tri-Cities Economic Development Council (Local Business Interests), added it appears that the spent fuel program requesting more funds and falling behind schedule is a symptom of a lack of direction in the progress towards cleanup. This same problem existed before and DOE corrected its path. The same correction needs to occur again and the place for it to happen is on Capitol Hill where appropriations are made. Greg deBruler suggested that DOE should prepare a video or some other type of presentation which clearly identifies the successes that have occurred and the risks that remain on the site to serve as a lobbying effort to Congress.

Shelly Cimon suggested that another lobbying tool would be for the site-specific advisory board (SSAB) at each of the sites to join together to issue advice on what needs to occur programmatically. Ben Floyd reported that Ecology and the Hanford communities are signing an agreement in the next few days to produce a video which will cover the TPA, risks remaining at the site, and other important issues.

Mary Lou Blazek, Oregon Department of Energy (State of Oregon), asked Dan Silver to clarify why he does not believe the site needs additional funding while others do. Her concern is that there could be a mixed message going to Capitol Hill. Dan responded that Congress has continually provided Hanford and the Tri-Cities with funding of over a billion dollars each year. Work is not being done efficiently and until that happens, asking for additional funds is not an option. For example, with a management and integration contractor on the site, duplicating roles should not be occurring in DOE, but are still.

Merilyn Reeves added that George Kyriazis and she told the agencies at the Salt Lake City meeting that there should not be a gap in funding that leads to non-compliance. They did not say whether that gap should be covered by efficiencies or additional funds. George reminded the Board that it and the Dollars & Sense Committee were opposed to the management and integration concept because it is inefficient and can lead to duplication of efforts. This fear is being realized as employees do not know who their employers are. DOE needs to find a better way to work with its contractors.

Tom Woods suggested that any further discussions on this subject include a reevaluation of the mission of Hanford. It seems that this is getting more and more confused and an understanding of the mission determines what is funded and what is not.

AGENDA ITEM #3: FOCUS ON 2006/CONTRACTORS INTEGRATION REPORT

Merilyn Reeves reported on the joint meeting held between the Board and the Idaho Citizens Advisory Board on September 16. A joint statement was signed by both chairs that indicated the concerns regarding the Focus on 2006 Plan. George Kyriazis added that the Idaho Board is working to get more interaction between the various site specific advisory boards.

Betty Tabbutt reported on the National Dialogue Pilot Workshops in Portland, the Tri-Cities, Spokane, and Seattle during the week of October 20th. A summary of the meetings is being submitted to the National League of Women Voters, which will submit it to DOE (*Attachment 5*). The summary describes the planning process, evaluation of responses, and ideas for next steps. Detailed analysis of the public responses will take additional time and will be submitted in the near future. The report prepared for the Oregon focus groups is also being submitted to the National League of Women Voters. The complete package will be included in the next Board packet.

George Kyriazis reported on the SSAB chairs meeting held in Dallas which both Merilyn and he attended. The concerns and issues at other sites are similar to Hanford, such as waste disposal,

ground water contamination, and long-term waste storage. George was pleased to see DOE-Headquarters take an interest in having the sites talk together and there was strong support for continuing meetings between SSABs. There was a lot of discussion concerning the 2006 Plan as well as the Contractors Integration Report. Al Alm reiterated that the Contractors Integration Report is to be reviewed by the sites as only what should be added to future drafts of the 2006 Plan. A baseline mapping of waste transfer across the entire complex will be prepared by Headquarters and will be ready for review in January (*Attachment 6*).

An important point made at this meeting was that even though the smaller sites, such as Rocky Flats and Fernald, are being slated for expedited cleanup, DOE will still have a stewardship role at the sites beyond 2006 and will have to continue monitoring the stored waste. Marilyn Reeves added that that 60 percent of the waste will remain at Fernald after 2006. In addition, there is a tentative change in budget structure so that DOE's Environmental Management has three accounts: project closure which would include Rocky Flats and possibly Mound; short-term closure for sites closed by 2006; and long-term closure for sites open beyond 2006. There will also be a program direction account to cover salaries and support services contracts. If approved, this will provide the sites with more flexibility. Marilyn also reported that based on conversations with other SSABs, the Board should recognize how well DOE and its contractors at Hanford communicate with its stakeholders. Other sites are still having major problems with this.

Alice Murphy provided a brief update on the FY98 budget. The appropriation has passed in Congress, but allocations have not been received from Headquarters. There is an add-on of \$35 million in the waste management account for Richland. In addition, there is \$10 million in the Environmental Restoration account, of which Richland is requesting \$6 million for reactor entombment. Alice provided the Board with information on efficiencies being made to make up the gap for FY98 and FY99 funding. Even with efficiencies, there remains a \$51 million gap for FY98 and \$64 million gap for FY99. Examples of efficiencies already identified include making benefits and business plans more like industry plans and streamlining the budget planning process.

Alice added that DOE is expecting that the 2006 Plan and Contractors Integration Report will reflect TPA milestones, NEPA decisions, other laws and regulations, and budget appropriations and authorizations. The efficiencies that are being worked on now will not be put into the baseline until DOE is sure that they are real efficiencies. Richland is submitting another draft of the 2006 Plan which will focus on the President's FY99 budget. The 2006 Plan will be updated once a year each fall so that a draft can be sent to Congress in February. A 45-day public comment period will be held before it is finalized. The Multi-Year Work Plans for FY98 have been signed and the approved baseline change request based on the efficiencies will be processed in November. These will be integrated in the next draft of the 2006 Plan. The schedule for the baseline and FY98 and FY99 budget development, 2006 Plan submission, and major decisions for environmental impact statements and records of decision was distributed to the Board.

Harold Heacock introduced draft advice for consideration by the Board concerning the 2006 Plan, Contractors Integration Report, and other planning documents currently under review. The

advice focuses on general issues relating to all the planning documents, such as ensuring assumptions about waste transfer are the same; defining a clear path forward and purpose for the documents; aligning the timelines; identifying legal documents on which decisions will be made; identifying who will be paying for disposal costs; and including TPA milestones.

Board Discussion

Gerry Pollet expressed his concern about the lack of useful information available to the National Dialogue Pilot Workshops. Toby Michelena, a consultant to the League of Women Voters for the workshops, reported that it was difficult to get the information he needed and that there were errors in the data he did receive. Betty Tabbutt agreed with Gerry's assessment of the situation. Greg deBruler suggested in the report to DOE that numbers not be relied on for the only analysis of comments. Otherwise, this might lead to DOE deciding that a concern is not important because it was not the most popular.

Tom Woods questioned how DOE will be using the results of the workshops. Betty responded the goals of the workshops are summarized in the report; workshops were held in Oregon, Washington, and several other states and each were held in a different format. The lessons learned from the different formats would allow the National Equity Dialogue to move forward and use the most effective one. Whether or not DOE is going to listen to the actual comments is up to the agency. Tom would encourage the League of Women Voters to ensure that DOE listens to what was said at the meetings and not just use the workshops as a substitute for effective public input. Marilyn Reeves added that there is a meeting next week where the League, Toby, Elaine Hallmark, the facilitator, and Marilyn will discuss what happens with the results. No one really knows what will happen next until this discussion occurs. Tim Takaro suggested that the Board might endorse the summary of the meetings in order to emphasize their importance. Paige Knight suggested that there is no deadline as to when this information will be used so the Board and League should not rush through its decisions.

Greg deBruler asked George Kyriazis what will be the basis for transporting waste between sites and if there is still time for public input. George answered that there has not been a decision as to what waste will be moved and where. DOE-Headquarters has input from all the sites on the 2006 Plan which addresses the transfer of waste and the next draft of the plan will incorporate these comments. Greg suggested that there needs to be a meeting of all the SSABs, not just the chairs. Also, DOE needs to obtain public input on alternatives before they are put into documents; the current practice for the 2006 Plan seems to be to develop the alternatives and then ask the public for its comments.

Gordon Rogers (Public-at-Large), suggested that if the 2006 Plan and the Contractors Integration Report are planning documents, as DOE says, then these are fulfilling the commitment to involve the public in the decision-making process. Gerry Pollet questioned whether the 2006 Plan will reflect decisions which have gone through the National Environmental Policy Act (NEPA) review or potential cost savings. Alice Murphy responded that the Hanford submission for the next 2006 Plan draft will be based on the baseline for the site, not assumptions in the Contractors Integration Report or Waste Management Programmatic Environmental Impact Statement

(PEIS). Gerry expressed concern that other sites might assume that sending waste to Hanford would be more cost effective without an evaluation of the environmental impacts.

Bob Larson asked if there has been any reconciliation between the shortfall in funding and the \$1 billion in cost savings that Fluor Daniel Hanford has estimated can be achieved. Alice responded that if programs identify specific efficiencies, they will be allowed to use those savings in either advanced or accelerated work. If there are cross-site savings, such as in benefit packages, then there will be a site-wide determination of what is the next highest priority. Ben Floyd questioned why there was a discrepancy between the \$376 million required for compliance shown at the last Board meeting and the handout provided today which shows \$308 million. Alice responded that these compliance figures are still being worked out and it is difficult to see what is falling in and out of the compliance figure. Ben suggested that a presentation be made to the Board on how the budget allocations affect TPA milestones.

Paige Knight suggested the advice on the various planning documents not reference the National Dialogue, which has not happened yet. Gerry Pollet suggested the Board consider adding advice about DOE's apparent change of policy to send waste to unregulated disposal facilities. He also suggested adding advice that opposes any cost savings based on relaxing cleanup standards.

Tom Woods suggested that before the 2006 Plan can be allowed to move forward, the public must be made aware of and allowed to comment on the fact that the Plan is proposing a new mission for Hanford. Gordon Rogers stated that the advice should not suggest that DOE discontinue the planning efforts that these documents support. It is necessary to come up with a variety of alternatives, even if some of them do not comply with state and federal laws, to develop creative ways to clean up Hanford in the face of declining budgets. Alice added that there will be a 45-day public comment period before the final version of the 2006 Plan is sent to Congress in June. The Records of Decision for the Waste Management PEIS for hazardous waste will be written in November; high-level waste in December; and low-level and mixed waste in June.

Tim Takaro suggested adding advice that ensures the accessibility of data in easily understood formats. Madeleine Brown suggested the points regarding worker and public safety and unfunded mandates from Headquarters and Congress, while true, be removed as they do not relate to this topic. Tim questioned whether the Board would have the opportunity to address intersite waste transfer other than within the context of these planning documents. Harold responded that at a meeting with Secretary Peña, transportation was identified as an important issue. However, in conversations with other DOE-Headquarters' managers, transportation was not seen as an important issue until it is determined where the waste is going. Susan Leckband, Numatec (Hanford Work Force), suggested that the advice not ask questions about the planning documents, but change the points to advice.

Action on Agenda Item 4 - Focus on 2006/Contractors Integration Report

On Friday, Louise Dressen highlighted the changes made to the draft advice based on the previous day's discussion. Gordon Rogers expressed concern that these documents are planning

documents with an ongoing public comment period and decisions are not being made with them. Thus, this advice is not necessary. The Board should simply say that the documents, if used for decisions, must follow the NEPA process. Lynne Stenbridge, Hanford Education Action League, (Regional Citizen, Environmental, and Public Interest Organizations), suggested adding a strong statement that clarified roles and relationships should be determined before planning documents are developed. Gerry Pollet asked for a specific statement objecting to the lowering of cleanup standards to achieve cost savings.

Another revision of the draft advice was presented to the Board incorporating the above comments. After further discussion on specific wording changes, the advice, as revised, was adopted. It is Consensus Advice #78.

AGENDA ITEM #5: 200 AREA SOILS REMEDIATION STRATEGY

Ralph Patt introduced the 200 Area Soils Remediation Strategy. The strategy document focuses on the assessment and remediation of the 200 Area soils as a result of discharging liquids from processing facilities and is part of a TPA change package. There are tank farms and soil trenches that are highly involved and make this a complex problem. This strategy does not address the tank farms. Also included in the strategy are criteria for prioritizing characterization and cleanup.

Jack Donnelly, Ecology, introduced himself as the primary point of contact for Ecology on the 200 Area Soils Remediation Strategy. This has been an effort to find a way to do better business in the 200 Area. From the regulatory perspective, the milestone packages are needed to determine how soil will be investigated. There are existing milestones to investigate waste areas in the 200 Area based on the operable unit approach, but the milestones are not well aligned. The change package aligns the dates and applies lessons learned from the 100 Area investigations.

Over the past six years, the new approach of investigating wastes sites in the 100 Area by type and process versus geographic boundaries resulted in paperwork reduction from converting waste sites within 32 operable units to 27 waste groups. It also established a more sound baseline. The strategy document is not to be used for the investigation and remediation of waste sites. The waste site groupings will be formalized in work plans to be developed later. All the agencies have signed the draft change package and it is available for a 45-day public comment period.

Ralph Patt reviewed the draft advice prepared by the Environmental Restoration Committee. The concerns expressed by the Committee focused on the definition of similar sites, such as how much sampling would be required. The strategy also suggests that the easiest sites should be characterized first. However, if characterization is not being done on all the sites, the impact on groundwater cannot be known.

Board Discussion

Tom Wood expressed a concern that the 200 Area Soils Remediation Strategy is being put through the NEPA process with a comment period and it appears that it is set up to go straight into Records of Decision. If it is a decision document, then there are many problems with it and the Yakama Indian Nation cannot support the Board's draft advice as currently written. Dennis Faulk responded that he agrees with most of the Yakama's concerns. However, the strategy document is not a decision document and it is not making decisions. EPA has not spent time commenting and fixing some of the problems with the strategy because it is a planning document and time and money should be spent on milestones. However, if the Board feels strongly that the strategy document should be correct, then EPA will spend the time to fix it. It is important to remember that DOE will have to investigate all of the sites eventually.

Merilyn Reeves suggested adding to the advice the Board's understanding that the soils strategy is not a decision-making document. Dick Belsey added that while the Health, Safety, and Waste Management Committee supported the approach to characterization taken in the strategy document, it felt the criteria were not correct and should be changed. Cleaning up areas which are the easiest is not a reasonable approach to cleanup. Gordon Rogers questioned whether remediation would not begin until all of the 200 Area had been characterized. Jack Donnelly said that is not the plan. Records of Decision will begin to be written in 2000. Dennis Faulk reminded the Board that because of shrinking funding levels, it will become necessary for tough trade-off decisions to be made about which cleanup activities take place first.

Action on Agenda Item 5 - 200 Area Soils Remediation Strategy

On Friday, based on the previous day's discussion, the Board agreed that the advice will be sent back to the Environmental Restoration Committee to change the focus of the advice towards the proposed TPA change package, not the soils remediation strategy document, and will be brought to the Board in December for consensus.

AGENDA ITEM #6: DECONTAMINATION AND DECOMMISSIONING BUDGET IMPACTS

Madeleine Brown introduced draft advice prepared by the Environmental Restoration Committee. It was written based on presentations made by both DOE and Bechtel that the Environmental Restoration program was facing shrinking budgets and that workers in the 100 B and C Areas and on decontamination and decommissioning projects would be forced to stop work and be laid off. When work is stopped and started, routines are disrupted, and a loss of institutional knowledge occurs. The Board has provided advice in the past that said deferring work is not efficient. This advice adds that it also can have a detrimental impact on worker safety. However, with FY98 budget supplements, there is a potential that this advice is no longer needed. The Board should discuss this and determine if it wants to adopt it.

Board Discussion

Gordon Rogers expressed his opinion that the supplemental budget being given to the Environmental Restoration program makes this advice unnecessary. Also, if the Board provides advice that more funds should be spent on a project, then the Board should also provide advice on where those funds should come from. Ralph Patt disagreed with that statement. Tom Woods said that the conflict between wise business decisions and lowering risk in the environment of decreasing funds will become more and more real. Alice Murphy added that it was her understanding that the supplemental budget was for reactor entombment which would not necessarily prevent workers from being laid off.

Action on Agenda Item 6 - Decontamination & Decommissioning Budget Impacts

On Thursday, Louise Dressen reviewed the changes made to the advice based on the previous day's discussions. After further discussion on specific wording, the advice, as revised, was adopted. It is Consensus Advice #76.

AGENDA ITEM #7: PHMC PERFORMANCE EVALUATION

Pat Serie explained to the Board the process that has led to the draft advice on Project Hanford Management Contract (PHMC) FY98 performance measures from the Dollars and Sense Committee. The Board raised issues and concerns when the request for proposals was written and has continued to raise concerns over cost savings, performance incentives, and other issues. The Committee has also met with Linda Bauer and Bob Rosselli, DOE-RL, and provided input into DOE's independent validation of Fluor Daniel Hanford's self-assessment. At the request of Alice Murphy, the Dollars & Sense Committee has reviewed FY97, looking for lessons learned which could be applied to the FY98 performance measures.

Alice Murphy added that the John Wagoner, DOE, and Hank Hatch, Fluor Daniel Hanford, will be available Friday morning to discuss the self-assessment conducted by Fluor Daniel Hanford and DOE's evaluation of that self-assessment. DOE's evaluation was subjective, based totally on input and evaluations. For the FY97 evaluation of Fluor Daniel Hanford, there are 160 critical peak expectations and 80 mega expectations that serve as the base for the fee. Fluor Daniel Hanford has submitted 141 expectations for review and DOE has approved 70 and disapproved 2. For FY98, DOE is developing performance measures tied specifically to the baseline. While FY97 required a lot of process work, FY98 will be more focused on specific cleanup actions. DOE-Headquarters will be reviewing the performance measures as well. It is not clear when the performance measures will be available for review.

George Kyriazis updated the Board on the input provided to Linda Bauer and Bob Rosselli on the FY97 evaluation of Fluor Daniel Hanford's performance. Their evaluation included input from stakeholders and DOE and contractor personnel. Issues discussed with the Dollars and Sense Committee included: role of integrator and duplication of efforts with DOE; performance

in the areas of safety, cost effectiveness, public involvement, and technology management; management organization; enterprise companies; and overheads and number of contractors.

Chuck Potter, Benton-Franklin Regional Council (Local Government Interests), introduced the draft advice prepared by the Dollars and Sense Committee for the Board's consideration. The Committee determined that it was important to stop commenting on FY97 and focus on how to make the PHMC performance better in FY98. The advice does not advocate changing the type of contract or contractor and makes its recommendations within the context of the current contract.

Board Discussion

Bob Larson expressed appreciation for the openness John Wagoner and Hank Hatch have taken in discussing the PHMC. The Benton-Franklin Regional Council has invited John Wagoner, who has accepted, to a meeting to discuss why the contracts for the enterprise companies should be extended. In addition, when a Freedom of Information Act request for the Fluor Daniel Hanford proposal executive summary was turned down, John Wagoner and Hank Hatch assisted in releasing the document to the Committee.

Action on Agenda Item 7 - PHMC Performance Evaluation

Chuck Potter reviewed the changes made to the advice based on Thursday's discussions. After further discussion, the advice, as revised, was adopted. It is Consensus Advice #77.

AGENDA ITEM #8: NEW BUSINESS

Gerry Pollet briefed the Board on an item of new business that has not been discussed by any of the committees (*Attachment 7*). In the Contractors Integration Report, there is mention of sending waste to off-site disposal facilities which will be identified later. A company in Texas, Waste Control Specialists, sued DOE for the opportunity to bid on taking waste from the Fernald site. The site was not included as a potential site because it has no U.S. Nuclear Regulatory Commission (NRC) or state license. DOE lost the case and is deciding if it will appeal. This is a concern because it violates DOE's commitment to end self-regulation of disposal facilities within five years. Legal observers and the judge have agreed that DOE did not provide a sufficient defense in this case. Gerry presented draft advice for the Board to consider requesting that DOE-Headquarters appeal the decision and mount a credible defense. Mike Wilson, Ecology, added Ecology has not been briefed on this case by DOE. If DOE does not appeal the decision, Ecology would see this as a reversal of policy to not self-regulate and would be concerned. Additional materials on this court case were provided to the Board (*Attachment 8*).

Board Discussion

Mary Lou Blazek added that the State of Oregon has similar concerns. If DOE does not appeal the case, there may be statutes that allow the preemption of federal laws by states, in which case,

Oregon has a law that states waste can only be stored by the generator. Gerry Pollet said that under the Atomic Energy Act, DOE could preempt state laws. Alice Murphy reported that until the case is settled, the field offices have been ordered not to make any awards for low-level radioactive waste disposal. The Fernald Site was following DOE policy when it did not consider Waste Control Specialists as a disposal option because it was not licensed.

Harold Heacock questioned why this would be a concern when both states and the NRC have the authority to regulate disposal sites. Gerry explained that commercial waste is under NRC jurisdiction, however, waste generated by DOE is still being self-regulated. When DOE is disposing waste from the 200 Area, the hazardous waste is regulated by Ecology, but not the radioactive waste. Jim Cochran, Washington State University (University), Paige Knight, and Betty Tabbutt spoke in support of further consideration of the advice. Ken Bracken stated that if courts are allowing the disposal of nuclear waste, without any hazardous constituents, without regulatory oversight, this is a serious issue which should be considered. Paige Knight questioned whether the Constitution's guarantee of state rights preempt this judgment. It was clarified that this is an issue of interstate commerce and national defense which allows federal jurisdiction to take precedence. It was agreed to place it on Friday's agenda for consideration.

Greg deBruler briefed the Board on an issue he would like the Board to consider. Energy Secretary Hazel O'Leary expanded the openness policy of DOE. However, with O'Leary no longer at DOE, changing management at DOE-Headquarters, and new contractors at Hanford, it is important to remind DOE and the Hanford site personnel of their commitment to openness. The Board has failed to reestablish the working relationship with the new managers on the site. Openness, as defined by Secretary O'Leary, is public participation in decision-making. Goals of Environmental Management's public participation include identifying a full range of alternative approaches to addressing issues, providing opportunities to help Environmental Management make decisions, and provide current, accurate, and complete information. However, these and other goals are no longer being met by DOE. A policy needs to be established so that every manager understands what public participation is and how to successfully implement it.

Public participation funding and outreach has been drastically cut, leading to more decide-announce-defend decisions coming from DOE. Greg would like the Board to invite Secretary Peña and John Wagoner to restate their commitment to openness and the values adopted by Secretary O'Leary. Also, the new managers at Hanford should be educated as to what is expected of them in terms of working with members of the public, stakeholders, and the Board.

Action on Agenda Item #8 - New Business

Louise Dressen reviewed the draft advice concerning the waste disposal court case in Texas. After discussion it was agreed that the advice should be sent to Secretary Peña. Gerald Hess questioned whether the advice should tell DOE to appeal the decision. Because the decision handed down by the Federal Court was a preliminary decision, DOE could either appeal the decision or go to trial. After discussion, it was agreed that the advice should state that DOE should appeal the injunction and present a vigorous defense. After further discussion of specific wording changes, the advice, as revised, was adopted. It is Consensus Advice #79.

AGENDA ITEM #9: TANK WASTE REMEDIATION SYSTEM (TWRS)

Pam Brown provided an update on the TWRS privatization (*Attachment 9*). Representatives from the TWRS program were available via telephone to answer questions from the Board. This is an urgent issue because Hanford is well beyond the design life of the single-shell tanks. In 2018, the design life of the double-shell tanks will be reached. By 2028, the design life of the double-shell tanks will have been exceeded. This should accent how important it is for the TWRS privatization projects to stay on schedule. This will only happen with a sustained budget.

At the present time, Congressional and DOE-Headquarters' allocations have not provided authorizations to make the baseline profile. Hanford is reviewing the budget allocations to ensure that funding requests are attainable between now and 2001, which is the deadline to have all necessary funding in the reserve account. The goal is to make hot start up of the facility possible by 2002 and total budget authorization requested by 2002 of \$1.45 billion. The \$1.45 billion covers capital costs required to offset funds expended by the contractor if DOE does not proceed.

In FY95 and FY96, Hanford received \$15 and \$53 million respectively to cover the costs of the contractors through Phase I. If proposals are submitted in January 1998, each will be reimbursed \$27 million. In FY97 and FY98, the budget authority was \$170 and \$115 million. Hanford did receive \$170 million for FY97 and sources are saying that the \$115 million will be received for FY98. Sources are also saying that for FY99, anticipated funding is \$180 million. What this means is that Hanford is behind schedule to achieve the \$1.45 billion set aside necessary which could create a short fall bow wave in 2006 of as much as \$900 million. Alice Murphy said that when the baseline was developed, the assumption was that a year's worth of funding should be received a whole year in advance of when it is needed. Assuming that a six-month advance was used, that would result in a \$600 million gap in 2006.

Pam reported on a workshop being planned relating to TWRS. Topics to be discussed include tank waste characterization, safety issue resolution, operation and maintenance of the farms, waste retrieval, process waste support, mobilization waste storage, and management support. This is an attempt to get everyone informed, including the public, local government, and others, about TWRS so that clear support for this project can be presented to those outside the region.

David Shafer, DOE, provided a status report on the TWRS vadose zone characterization activities. The stage factor analysis, which was part of the expert panel recommendations, looks like it will be able to define the area of contamination based on spectral gamma logging. The TWRS partnering team has been used successfully before and is currently looking at double-shell tank integrity, TWRS vadose zone, and the development of a program plan. The members of the partnering team include Ecology, State of Oregon, two tribal nations, the Hanford Advisory Board, Fluor Daniel Hanford, Lockheed Martin Energy Systems, MacTec, and Jacobs Engineering. To receive input from stakeholders on the vadose zone and groundwater issues,

DOE is holding a facilitated workshop on November 19th and 20th. From the issues raised during this workshop, plans for future stakeholder involvement will be developed.

The borehole at the SX Farm has been extended to 175 feet. Based on screening analysis, there has been little contamination below 150 feet. The extension is going slowly through the gravel layers and, most likely, hard tool drilling will be required. Bad weather has resulted in the project slipping approximately four weeks behind schedule and it is now about 7 percent over budget. In FY98, there was appropriation language designating \$35 million for waste management activities at Savannah River and Hanford. From that, TWRS requested funding for salt well pumping and an additional \$4 million for vadose zone activities.

Ralph Patt reported that while the drilling of the borehole at the SX Farm is going slowly, it will be important once it gets down to groundwater to determine if the tanks are affecting groundwater. DOE must continue to do more characterization of the vadose zone to understand the consequences of the tank farms and do an accurate risk assessment. There are groups working on new technologies for characterization and the Environmental Restoration Committee is working on draft advice for how to handle this issue. It is anticipated that this advice will be presented to the Board at its December meeting.

Board Discussion

Bob Larson asked whether the funding levels drive the decision on July 1, 1998, for TWRS Phase 1B to go with one contractor versus two because the funding levels are not what was expected. Pam Brown responded that DOE is still pursuing two contractors. George Kyriazis questioned whether the baseline has been checked for accuracy since it was first developed. Pam responded that that baseline represents DOE's initial anticipated costs. When proposals are received in January, the cost estimates will be revised. Greg deBruler questioned how the contractors were responding to this shortfall in funding and suggested that they be heard from at the next Board meeting. Pam said that Lockheed has been very up front with its concerns about the risk associated with this project and it is trying to negotiate the contract terms with DOE so it is not a fixed price bid. BNFL has been saying that it is happy with the process to date. Pam added that Congress did not agree with the concept of forward funding for a project that does not have a bid yet. Congress was only willing to allocate money for the costs for FY98 so that the companies could be reimbursed for the work they have already accomplished. Harold Heacock stated that until the proposals are submitted in January, it is not known how much capital will be required in the set-aside fund, the risks, and the potential bow wave.

Ken Bracken questioned why the amount of money needed by TWRS to operate and be in compliance with the TPA is below the baseline. Alice Murphy reported that Hanford has told DOE-Headquarters that the target numbers provided to the site do not include enough funds for privatization and they have agreed to let it be added to the baseline. Ken asked whether as the 2006 Plan goes forward, will the total amount, including privatization, be included as a requirement. Alice responded that the \$993 million required for the baseline and the \$1.45 billion required for privatization will be shown on separate lines. Ken expressed concern that DOE-Headquarters might be assuming that the total amount required for compliance is included

within the \$993 million. Hanford is required to request the total amount of funds to be in compliance and should not be separating out privatization. Alice clarified that the compliance number for Hanford will be the \$993 million plus the amount required for privatization.

Greg deBruler asked David Shafer if membership for the TWRS partnering team has been finalized. David responded that an official representative from the Board has not been designated; Ralph Patt is currently filling that capacity. DOE has formally requested that a representative be appointed. The official letters inviting the Yakama Indian Nation and the Nez Perce Tribe have been sent, but representatives from these groups have already been attending the meetings. At Ralph Patt's request, the State of Oregon was added, but a letter has not yet been sent.

Merilyn Reeves suggested that because of the importance of the tank waste, privatization, and the vadose zone, the Board might need technical assistance to enhance its understanding of the issues. That expertise is now being provided by Ralph Patt, who is retiring, and the Board should consider if it might want Ralph to continue in this capacity after his retirement. This would allow his participation in the TWRS partnering team while not being a Board member.

Gordon Rogers expressed concern about the membership of the TWRS partnering team, including state and tribal agency conflicts with their ex-officio membership on the Board. He asked David Shafer to provide more detail on the vadose zone characterization planning document. David responded that a draft plan was put together to support the development of task plans for FY98. That plan is being used as a start for discussions by the partnering team.

Tom Carpenter, Government Accountability Project (Regional Citizens, Environmental, and Public Interest Organizations), asked whether uranium has been found in the groundwater from the BX-102 borehole. David responded that a report for the BX-102 borehole was issued about three weeks ago and it does appear that there is uranium contamination in the vadose zone. However, it is not known from where the contamination is coming. The groundwater in that area has dropped so there is now a gap between the characterization wells and the groundwater table. An occurrence finding report designating this finding has not yet been released. A process for systematically reviewing new data on the vadose zone or groundwater associated with the tank farms is being developed and once that is in place, a report will be issued.

Tom Carpenter questioned how the invitation to have a Board representative on the TWRS partnering team was made. Merilyn Reeves responded that she received a phone call, and while not understanding the goal, length of time and other issues relating to the partnering team, decided to appoint Ralph Patt until a decision can be made on what the Board should be doing officially on this matter. Jackson Kinzer, DOE, added that he has asked David Shafer to work with Ralph Patt on how his expertise can be utilized after his retirement. Tom suggested that there need to be others involved in the partnering team. Ralph added that Casey Ruud is on the partnering team representing Ecology. Merilyn suggested that until his retirement, Ralph will be representing the Board, and that the Board discuss his replacement in January.

Madeleine Brown asked for more information on the November 19-20 workshop and that the Environmental Restoration Committee be kept informed about them. David Shafer responded that Dee Willis, a TWRS budget analyst and a psychologist, will be facilitating the workshop. One of the goals of the workshop is to develop a means of effective stakeholder involvement in groundwater and vadose zone issues, including how to better integrate the two issues.

Greg deBruler requested that all the agencies, including Ecology, be asked to give their perspectives on the vadose zone program. Also, he suggested that the entire Board should discuss the appointment of a representative to the TWRS partnering team and that discussion take place before January so the replacement can be brought up to speed and there not be a gap in the Board's participation. Greg also expressed concern that the workshop to be held on November 19th and 20th is an attempt by DOE to address the concerns being raised by the Columbia River Comprehensive Impact Assessment (CRCIA) team in a broader context. If the specific items of concern relating to the CRCIA are not on the agenda for the November workshop, the CRCIA team will not be represented. Tom Woods asked for Board support and concern over DOE's attempts to neutralize and eliminate the two-year effort to define a comprehensive assessment, incorporate it into broader issues, and not do the assessment as designed.

AGENDA ITEM #11: INDEPENDENT DOE VALIDATION OF PHMC PERFORMANCE MEASURES

John Wagoner, Linda Bauer, and Bob Rosselli, DOE, and Hank Hatch and Chuck Little, Fluor Daniel Hanford, provided a brief presentation to the Board on the self-assessment performed by Fluor Daniel Hanford and DOE's independent validation of that self-assessment. The Board received the executive summary of Fluor's self-assessment and the evaluation performed by DOE (*Attachment 10*). John Wagoner reported that the self-assessment was conducted because of Secretary Hazel O'Leary's visit to the Tri-Cities last October and her meetings with local community leaders to talk about the contract and DOE's commitment to provide feedback to the public about how the contract was proceeding. Conducting a self-assessment has been a part of Fluor Daniel Hanford's past business practices and DOE views it as an important element of quality management. As time passed, new questions arose about the contract and DOE heard specific requests to independently review the PHMC to determine if it was accomplishing what it should.

Last week, John traveled to Washington, D.C. to brief the Secretary's office on the reports. This included Betsey Moeller, Chief Operating Officer, her staff, and Peter Brush, Acting Secretary of Safety and Health. They both believe the most important thing for DOE is to continue critical self-assessments conducted by the sites to find their own deficiencies and take steps to correct them. This is the first time any contractor has done this type of critical self-assessment. External reviews have been the practice in the past and there has not been buy-in from the site as to what needs to be done based on the results. Congressional delegates were also briefed on the reports.

DOE's review validated the Fluor Daniel Hanford evaluation, the areas of improvement, and how they would be made. Differences appear in the grade each would assign for the different areas of work. A level of performance desired has not yet been achieved across the board. Where Fluor Daniel Hanford has been strong, DOE project managers were able to pull back and not be involved in the details. Where Fluor Daniel Hanford was not strong enough, DOE project managers were more involved in the details and ensuring sufficient direction to subcontractors. There is agreement that this needs to change. DOE's role is to set forth requirements for carrying out safety and health and regulatory requirements, not issuing direction to subcontractors.

There is agreement that DOE selected a good type of contract vehicle in the form of management and integration and a good contractor and in many areas, it is delivering better results than other types of contracts. It has allowed Hanford to bring in more technical capability and depth than in the past and there was no real slippage in the projects during the transition, for which credit goes to the incumbent employees. It is important to understand that there is no relationship between the self-assessment and independent validation and the fee determination. The fee is not based on a subjective evaluation; there are specific objective measures set up to determine how much fee can be awarded. Separating the two allowed the self-assessment to be much more candid.

Hank Hatch added this assessment and evaluation have been an attempt to look at the entire year and capture where improvements have been made what remains to be improved. Both John Wagoner and he are committed to continuing detailed discussions about these reports. Fluor Daniel Hanford is going to focus on looking forward and implementing recommendations from both reports, including safety and health documents, communications, project direction, and fostering a sustainable economy in the Tri-Cities. Marilyn Reeves expressed appreciation for the representatives from DOE and Fluor Daniel Hanford who have met with the Board, not only at this meeting, but also over the past year through video conferences and committee meetings.

Board Discussion

Betty Tabbutt questioned why when three out of the four major projects at Hanford had missed TPA milestones, the programs were still given good ratings. Bob Rosselli responded that milestones are broader than the TPA and include both internal and Defense Nuclear Facilities Safety Board. When all those are included, twenty-eight percent of the milestones were missed. From DOE's standpoint, that is not good enough and it was characterized as marginal performance. Hank Hatch added that a site-wide baseline has been developed for the first time and there will be improvement in meeting that baseline and subsequently, milestones. However, in some areas, safety improvements were needed before milestones could be met.

Tom Carpenter questioned what will be done to change the culture of safety and reporting of safety concerns. There is concern that the Hanford Workers Joint Council is not being used and that recommendations made by an expert consultant to DOE on improving the employee concerns process were not implemented. John Wagoner responded that DOE is committed to pursuing safety on the site to a point where all the employees feel Hanford is a safe place to work, to supporting the Joint Council, and to the recommendations made in the National Inspections and Consultants report. Hank Hatch also responded that, in his opinion, the safety

culture has not become worse since the transition of contractors. Fluor Daniel Hanford has made it clear to managers that there is no tolerance for retaliation. Fluor Daniel Hanford is also trying to bring the first regional case in front of the Joint Council, but there are reasons that is not occurring. A bill of rights for each employee is also being prepared and will be put on the back of badges.

Tom expressed concern that even with statements made in the DOE independent evaluation and reports from the Department of Labor and Industries, which have said there is a problem with safety at Hanford, there is not yet acknowledgment of that by Fluor Daniel Hanford. Gerry Pollet agreed with this statement and stressed the importance of Hank Hatch and John Wagoner meeting with the Joint Council to discuss safety and retaliation issues. To date, Fluor Daniel Hanford has not been willing to accept a case involving employee concerns of safety, environmental protection, or retaliation. Also, Gerry questioned whether there are any specific performance measures tied to openness and prevention of retaliation. Hank responded to these concerns by saying that he has not received an invitation to meet with the Joint Council and has asked John Brock, chair of the Joint Council for such an invitation at the earliest convenience. John Wagoner restated the importance of everyone on the site contributing to safety and that there be an open process for both managers and employees to speak freely.

Madeleine Brown questioned how the role of DOE employees versus the role of contractors will be communicated to all employees. John Wagoner said it is up to him and his management team to ensure this occurs, but there has not been a specific plan for completing it. Tim Takaro asked if the Environment, Safety & Health Council will be able to continue its work. Hank Hatch promised to look into that matter and restated Fluor Daniel Hanford's commitment to working with the Board by appointing a senior manager to work with each one of the committees.

Jim Cochran asked why in the area of economic transition, Fluor Daniel Hanford rated its performance as marginal and DOE rated it as good. Bob Rosselli responded that Fluor Daniel Hanford based their evaluation on the performance of numbers while DOE placed importance in different areas, such as the fact it was an innovative concept, several different options for success, more jobs created than expected, and local representatives were pleased with the performance to date. Two areas where they need to improve include more assistance with the Tri-City Economic Development Council (TRIDEC) for business recruitment and improved communication. It was noted that the enterprise companies have not performed as expected and that they need to do a better job of marketing themselves to move away from dependence on Hanford.

AGENDA ITEM #13: BOARD ADMINISTRATIVE MATTERS

Louise Dressen reminded Board members to fill out the self-evaluation of the Board and return it to EnviroIssues no later than Tuesday, November 11. An ad hoc group (Mary Lou Blazek, Gerry Hess, and Chuck Potter) developed this year's self evaluation. It was written to be consistent with past evaluations so that results could be compared. EnviroIssues will be summarizing the responses and the ad hoc group will be analyzing them for the next meeting.

Gail McClure, DOE, provided an update on the remittance slips Board members should be receiving when travel reimbursements are deposited into their checking accounts. There was a mix-up in the paperwork, however, they will be sent to her office soon and then will be forwarded to members. Also, she asked all Board members to turn in their travel expense accounts for FY97. If Board members are only making hotel reservations for travel, they should still contact Mutual Travel to ensure that the government rate is charged.

Betty Tabbutt reported the Public Involvement Committee has drafted letters to reporters who have written outstanding articles on Hanford issues. These thank the reporters for their work and copies will be sent to their publishers. The Board agreed that these letters should be sent.

Louise Dressen introduced a proposed charter amendment to address the need to replace two of the committee chairs. As currently written, the charter does not direct how committee chairs should be elected. The proposed amendment was prepared by the Executive Committee. Tom Woods requested that the charter no longer refer to the Yakama Indian Nation as an ex-officio member as the group is now participating as a member. It was clarified that when more than one person is representing a Board seat on a committee (i.e., a member and an alternate), only one person from that seat may vote for a committee chair. Also, it was agreed that every effort will be made to ensure that each committee member is allowed to vote, whether or not they are in attendance at the meeting when an election is held.

AGENDA ITEM #14: HANFORD'S SAFETY CULTURE

Louise Dressen reported that the Health, Safety, and Waste Management Committee has been discussing concerns relating to safety at the Hanford Site. Tom Carpenter and Dirk Dunning, Oregon Department of Energy (State of Oregon), would like to discuss these issues with the Board, get feedback on the issues the Committee should be addressing, and prepare draft advice to be presented at the December Board meeting.

Tom Carpenter reported that the Committee is perceiving that safety is becoming more and more of a concern under the new contractors. Shifting of priorities has made safety a low priority and there have been numerous accidents, such as with cranes, to demonstrate this. Also, it is important to note that accidents within enterprise companies are not reported in the safety statistics being reported by the site. The Occupational Safety and Health Administration (OSHA) is supposed to be taking over the regulation of health and safety at DOE sites. However, at the last meeting planning for this transition, DOE appeared to be backing away from this concept and asking for pilot sites to try this new regulatory structure rather than the development of a full-scale transition plan. Also, because of privatization and increasing use of contractors, OSHA has decreasing oversight authority. The Committee feels that it is time to provide advice to DOE which restates the importance of safety on the site and an environment in which reprisals for expressing safety concerns are not allowed.

Dirk Dunning added that it is important to remember that in an environment of declining budgets, cutting safety related items can seem to be an immediate way to save money. This, in turn, can cause morale problems. Also, when punishment is given when safety standards are not met, reporting of safety violations is discouraged. The Board might want to focus on advice that suggests ways to encourage safety, rather than punish retaliation.

Board Discussion

Margery Swint, Benton-Franklin Public Health (Local and Regional Public Health), questioned where the Committee is getting its information on declining safety on the site. She asked if the Committee was looking for commonalities, such as workers involved in accidents are new employees or what was their training. Dick Belsey said the Committee has not looked at that detailed type of information. Margery agreed that morale is low on the site because workers are afraid of losing through jobs with continued downsizing. However, it is important to separate the safety concerns, from the loss of job concerns, from the morale concerns. Tom said a recent example of the safety concerns was the seven pipefitters who were laid off, which caused the other workers to become silent about continuing safety concerns. The Department of Labor and Industries issued a strongly-worded report against Fluor Daniel Hanford for this issue.

George Kyriazis expressed concern that while a marginal rating was given to Fluor Daniel Hanford in the evaluation of its performance, John Wagoner and Hank Hatch were both adamant that safety is a number one priority and the safety records support their statements. However, both John Wagoner and Secretary Peña wrote a letter to employees saying that a group is being formed to review safety concerns. Safety does seem to be a problem on the site, but how will the Board prove it? Tom Carpenter added that when Secretary Peña visited Hanford recently, he met with employees about some safety issues in the tank waste program and that review is occurring as a result of that conversation. Tom is a member of that review as well.

Dick Belsey suggested that line managers be the target of this advice because they implement safety activities. Madeleine Brown suggested that if the Board's advice suggests an employee survey, it is very important to stress that the anonymity promised is carried out. Many employees believe that even when anonymity is promised, it is not delivered. Also, it is correct that the fear of layoffs results in less reporting. The advice should consider focusing on what can be done to increase safety, not decrease retaliation. Talk of retaliation creates a fear within workers.

Chuck Potter suggested that advice offered should not suggest changing the structure of the PHMC. If the contract is read closely, as written, it may be able to be used to implement increased safety on the site. Dave Watrous, TRIDEC (Local Business Interests), said that the Board's advice needs to be read by employees. A survey would help in determining which companies have a good safety culture and which do not. Gordon Rogers suggested that other industries must also experience these types of safety problems during downsizing and that some of their research and solutions might be applicable to Hanford.

Tim Takaro supported the comment about collecting data on the Hanford safety culture. He said the Health, Safety, and Waste Management Committee will be developing milestones for evaluating safety. Sessions at the Health of the Site meeting will also address this issue.

AGENDA ITEM #15: POSSIBLE UPDATES

Pam Brown reported on the Environmental Management Advisory Board Science Committee meeting Tom Engel and she attended, which was looking at science funding for the Environmental Management program. Mark Gilbertson, DOE-Headquarters, made an excellent presentation on the funding to be allocated which represented exactly what was told to him by stakeholders last year. This means that DOE is funding projects based on the sites' science needs and improving communication between the researchers and the program managers. Pam encouraged them to look at sources of technology outside of the Environmental Management budget which could meet the technology and science needs of the sites.

Louise Dressen reported that in discussions with Board members, it was decided to form an ad hoc group to plan a format for the December meeting discussion on maintaining cleanup progress at Hanford. A large portion of the December meeting will be focused on this topic. Interested persons should contact Louise to become involved in the planning process.

Tim Takaro reported that Board members and alternates must register but do not have to pay a registration fee for the Health of the Site meeting.

Pam Brown provided a report on the Site Technology Coordination Group's (STCG) recent activities. Technology and science needs are being developed for FY98. A major issue is how Hanford can increase its use of new technologies. Program managers and contractors are not actively pursuing the use of new technologies. Contractors ask for additional funds to pursue new technologies, however, STCG members feel that the reduction of cleanup costs should be the incentive for using new technologies. Dirk Dunning added at the recent tank closure conference, a representative from Oak Ridge reported on a project that while having problems, has had some successes. The representative made it very clear that all of the development work for the tank closure technology happened at Hanford. Oak Ridge did not develop any of it.

George Sanders provided an update on ongoing TPA negotiations. The spent fuel milestone (M-34) has incurred a schedule problem as well as a need for increased funding which the Board was told about at the September meeting. DOE has been working with the Defense Nuclear Facilities Safety Board and the TPA to address these concerns. Negotiations on changing the milestone will begin as soon as it is understood how much additional funding is required and for what activities. Mike Wilson added that because the spent fuel program is falling behind schedule and becoming more expensive, Ecology is less open to changes without substantive milestones which can be enforced and a clear understanding of where the additional funds will come from.

Ken Bracken questioned whether the additional funds required by the spent fuel program (\$200 million) are included in the baseline budget request shown by Alice Murphy earlier. George

responded that it is not clear yet. It appears that not all of the additional funds are included in the baseline. Ken suggested that the Board needs to realize that the baseline is always going to be changing. However, once it is determined whether it includes all the programs' needs, the Board needs to ask the regulators how that budget baseline affects the TPA milestones. Jeff Breckel, Ecology, added he believes the baseline does include the additional funds required by spent fuel.

The milestone relating to tank characterization (M-44) just finished its public comment period. Few comments were received and a change request should be prepared quickly. The milestone relating to the C-106 tank (M-45) has an appeal from DOE for Ecology's denial of the proposed delay in removal of waste from the tank. That appeal will go to the Pollution Control Hearing Board. The plan for the C-106 tank is to begin sluicing in September 1998.

The change package relating to the Plutonium Finishing Plant is facing funding problems for FY98 and FY99. The package relates to the transition of the building into stabilization, maintenance, and dismantling. Roger Stanley, Ecology, has asked DOE to provide an integrated picture of the spent fuel program and the Plutonium Finishing Plant dismantling milestones for the years 2002 and 2003, where more and more funds will be required to keep those programs progressing.

PUBLIC COMMENT

Dirk Dunning provided public comment to the Board. He reminded the Board to keep in perspective the dangerous materials that are being handled at the Hanford site. Secretary O'Leary disclosed a large amount of plutonium is unaccounted for at Hanford, potentially over 1.5 tons. However, the alarm raised over the unaccounted for plutonium is not nearly as strong as what would happen if 1.5 tons of \$50 dollar bills were missing from the U.S. Treasury.

Attachments

1. Attendance
2. Hanford Advisory Board - Paradigm Shift
3. Stakeholder Values (FSUWG, TPA, TWTF)
4. TPA Milestone Summary
5. National Dialogue Pilot Field Workshops for Washington and Oregon: Preliminary Report
6. Integrated Timeline for Programmatic Intersite Issues (Working Draft For Markup)
7. Unregulated, Offsite Commercial Waste Disposal Presentation
8. LLW Forum News Flash - Federal Court Enjoins DOE from Excluding WCS Waste on New Disposal Contracts (10/19/97) and Waste Control Specialists versus United States Department of Energy - Preliminary Injunction
9. TWRS Privatization: Funding for Contracts to Clean Up Tank Wastes
10. Project Hanford Management Contract FY'97 Critical Self Assessment Executive Summary and Report to the Secretary of Energy on DOE's Evaluation of the Fluor Daniel Hanford, Inc. Management Contract

**THIS PAGE INTENTIONALLY
LEFT BLANK**