

**HANFORD ADVISORY BOARD**  
**Revised Meeting Summary**  
**March 25-26, 1999**  
**Richland, Washington**

*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.*

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*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 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, 509-943-5319, or Enid Reck at Fluor Daniel Hanford, Inc., 509-376-5856.*

## Executive Summary

### FY2001 Budget

The Hanford Advisory Board (HAB) adopted consensus advice regarding the Hanford site's proposed Fiscal Year 2001 (FY2001) budget. The U.S. Department of Energy-Richland (DOE-RL) is scheduled to send its final budget request to DOE-Headquarters (DOE-HQ) in mid-April. A representative from DOE-HQ attended the Board meeting and shared perspectives from Washington DC with the Board.

Recent DOE public meetings held in Portland, Seattle, and Spokane gave stakeholders the opportunity to express concerns with the FY2001 budget submittal. The major programs funded under the submission were discussed, as well as the programs which would not be funded. The Board heard suggestions and recommendations from the Washington State Department of Ecology (Ecology), the U.S. Environmental Protection Agency (EPA), and DOE regarding the funding of various programs.

The Board expressed concern over the possibility of receiving level funding again for the Hanford site. Discussion identified many reasons for needing a larger sum of money in coming years to support cleanup progress. Members emphasized the need to change the strategic decision to cut funding to the Environmental Restoration (ER) program. Without funding for this program, critical cleanup along the Columbia River will not occur.

There was general agreement among Board members and the regulators that the current budget proposal is unacceptable.

### Tank Waste Treatment

The Board was updated on the status of filling positions in the Office of River Protection (ORP). Dick French was introduced as the new manager of the organization.

The Board received an overview of the results of 18 optimization studies. The three most significant findings were highlighted for the Board. First, BNFL found that it will be less expensive to construct a new tank than to move one of the tanks out of the tank farms. Second, the waste treatment facility will be constructed in such a way to allow for expansion at a later date. Third, the Hanford site should continue to pursue vitrification of the waste, rather than switching to grout.

The committee expressed frustration that the Agreement-in-Principle (AIP) negotiations have not successfully concluded. Perspectives were provided by all agencies and a resolution is promised in the near future. The Board will receive a written explanation of the outcome of the negotiations.

The Board adopted advice that recommends TPA milestones in response to its frustration the lack of progress in negotiations between the agencies. The milestones reflect short-term activities based on DOE's current project timelines. The advice also contains a plan to develop a public involvement plan for tank waste treatment based on the creation of a steering group to examine the facility and

vitrification process, identify opportunities, and develop a public participation plan best suited to each opportunity. A list of key principles to guide public involvement is also included in the advice.

### **Public Involvement**

The Public Involvement Committee introduced, and the Board adopted, consensus advice regarding Tri-Party Agreement (TPA) agencies' process for responding to public input. The committee stressed the need for all agencies to respond in a timely and productive manner to the public. The consensus advice recommended several modes of communication and mechanisms for creating an increased level of trust and communication between the agencies and the public.

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The meeting was called to order by Marilyn Reeves, Chair (Public-at-Large). The meeting was open to the public. Four public comment periods were provided at 11:45 a.m. on Thursday and Friday, at 4:45 p.m. on Thursday, and at 2:30 p.m. on Friday.

Members present are listed in Attachment 1, as are members of the public and others attending. Shelley Cimon, Oregon Hanford Waste Board (State of Oregon) had an excused absence. Board seats not represented were Richard Berglund, Central Washington Building Trades (Hanford Work Force), Rick Leaumont, Lower Columbia Audubon Society (Local Environmental), and Robert Larson, Benton-Franklin Council of Governments (Local Government Interests).

**ANNOUNCEMENTS MADE THROUGHOUT THE MEETING**

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

- Marilyn Reeves introduced Dan Berkovitz, Deputy Assistant Secretary for Planning, Policy, and Budget (EM-20), U.S. Department of Energy Headquarters (DOE-HQ).
- Paul Kruger, DOE, announced that the new Hanford site manager will be Keith Klein, former acting manager at the Waste Isolation Pilot Plant (WIPP) Carlsbad, New Mexico. The new Office of River Protection (ORP) manager will be Dick French, formally with Kaiser in the Tri-Cities area. More recently he has been an independent consultant.
- Ken Niles, Oregon Office of Energy (State of Oregon), announced that the first shipment of transuranic (TRU) waste to WIPP was postponed due to fog.
- Todd Martin, Hanford Education Action League (HEAL) (Regional Environmental/Citizen), stated that the HEAL Board has decided to close the organization.
- Betty Tabbutt, Washington League of Women Voters (Regional Environmental/Citizen), stated that she has asked Todd Martin to be her alternate.
- Wayne Martin, Non-Union, Non-Management Employees (Hanford Work Force), announced that he has accepted a management position with Pacific Northwest National Laboratory (PNNL) and is resigning from the Hanford Advisory Board (HAB). Susan Leckband will be sitting in his seat until a replacement is found.
- Max Power, Washington State Department of Ecology (Ecology), announced that Leon Swenson has filled the vacant Public-At-Large seat. Leon brings a technical background as well as excellent skills in consensus building and working with a wide variety of opinions. The University seat has been filled by Tim Takaro from the University of Washington College of Engineering. His alternates will be Joel Lassman and David Stensel who both have experience with groundwater issues on the site.

- Lloyd Piper, DOE, announced that Paul Kruger, DOE, is the new DOE deputy designated federal official for the HAB replacing Alice Murphy.
- Beth Sellers, DOE, stated that she will be leaving the Hanford site for a position with DOE in Kansas City.
- Merilyn Reeves announced that she had been asked to provide a soundbite for a video for cable television on the tenth anniversary of the Tri-Party Agreement (TPA). She asked for Board input on things to highlight.

### **AGENDA ITEM #1: WELCOME AND INTRODUCTIONS**

Leon Swenson, Public-At-Large, thanked the Board for the opportunity to become a member. He is a retiree from the Westinghouse Hanford Company and has ten years of experience on site working in waste disposal activities. He also has been involved with public outreach activities.

Beth Sellers, DOE, will be leaving Hanford in mid-April to accept a new position with DOE in Kansas City. She thanked the Board for its support and pressure in the last four and a half years that she has been involved with the Spent Nuclear Fuel (SNF) program. She stated that a good baseline is now in place and the program is progressing with the contractor in a good position to move ahead. Beth also thanked Doug Sherwood, U.S. Environmental Protection Agency (EPA), for his help in working through TPA milestones and Al Conklin, Washington State Department of Health (WDOH), for help with permits to begin construction. Progress in the program includes the completion of the Canister Storage Building (CSB) in May and initiation of installation activities in the K Basins. She encouraged the Health, Safety and Waste Management Committee (HSWM) to continue interaction with the program. Merilyn Reeves thanked Beth for her contribution to the site and for her frankness in working with the Board.

Norm Buske, Government Accountability Project (GAP) (Hanford Work Force), asked that the issue of badging for HAB members be added to the agenda. Merilyn Reeves confirmed that Tom Carpenter, GAP, had asked that this item be added to the agenda. The executive committee had decided not to include badging in the meeting agenda. Gerry Pollet, Heart of America Northwest (Regional Environmental/Citizen), suggested the topic be given ten minutes under "Administrative Matters" on Friday, March 26. Norm agreed to the motion. Greg deBruler, Columbia River United (Regional Environmental/Citizen), commented that the Board also needs to discuss the process by which the executive committee makes a decision on how items are put on the meeting agenda. Merilyn suggested that this issue could be addressed during the executive committee meeting the following afternoon.

Merilyn Reeves explained that the issue to be discussed on Friday was Norm Buske's desire to get a visitor's badge to take samples for the HAB on the site. She replied that the Board would need to request that type of technical assistance specifically through a committee, and that he could not take samples on behalf of the HAB without working through a committee.

## **AGENDA ITEM #2: FEBRUARY MEETING SUMMARY**

Ruth Siguenza, EnviroIssues, stated that that she had received several comments on the February meeting summary which have been incorporated. Norm Buske complimented the facilitation team on the much-improved meeting summary. The Board approved the February meeting summary.

## **AGENDA #3: FISCAL YEAR 2001 (FY2001) BUDGET**

Merilyn Reeves stated that the Board would consider three pieces of draft advice. She commented that a letter from Bob Tibbatts, DOE, to the HAB relating to the draft budget advice was handed out.

Lloyd Piper, DOE, presented an overview of the FY2001 budget process. A critical needs figure of \$1.297 billion for cleanup budget was identified for the site. An additional \$606 million is needed to be set aside for the BNFL privatization contract. Preliminary guidance from the Office of Management and Business (OMB) and DOE-HQ authorizes flat funding, which allocates \$1.065 billion for the total FY2001 site budget. There is a funding gap between critical needs and target funding of greater than \$200 million. This will have serious impacts on cleanup work. Last year there was a addition to the funding level, but there is no guarantee that will happen again. DOE decided to give priority to the K Basins and the Tank Waste Remediation System (TWRS). The following activities experienced major funding reductions under the target budget: plutonium stabilization at the Plutonium Finishing Plant (PFP), Defense Nuclear Facilities Safety Board (DNFSB) recommendations, environmental restoration (ER) activities along the Columbia River, Environmental Restoration Disposal Facility (ERDF), interim safe storage, and removal of transuranic (TRU) waste. DOE will request needed funding for the site, reduce the cost of base operations, and find breakthroughs that will significantly reduce the cost of compliance.

Paige Knight, Hanford Watch and Hanford Action of Oregon (Regional Environmental/Citizen), asked for more details about breakthroughs that will reduce compliance costs. Lloyd Piper responded that breakthroughs are activities that change the way business is conducted. For example, \$100 million was saved at the B Plant by finding quicker, cheaper methods of cleanup. Jim Trombold, Physicians for Social Responsibility (Local and Regional Public Health), stated that the reality of the problems needs to be expressed to Congress.

Lloyd Piper then provided an overview of the public meetings held in Portland, Seattle, and Spokane. The major themes include: positive comments on the public involvement process; DOE must request full funding to meet compliance schedule; the target budget is inadequate; flat funding and the future compliance gap is a major concern; the reduction in the ER budget is unacceptable; there should be cost reductions in SNF, ORP, other baselines, and indirects; and Environmental, Safety and Health (ES&H) activities must be funded. Public comments not expressed during the public meetings include raising the priority of ER activities and reactor stabilization on the river; requests to cut funding for non-compliance items, and requests to provide development of technology breakthroughs. Lloyd recommended that the Board consider commenting on these items in its advice. DOE's priorities are to ensure that TWRS and the K Basins receive adequate funding. DOE would also like some input on the payments in lieu of taxes, funding for technology development, and various state grants in the budget request. Another important issue to address is

whether or not DOE-Richland (DOE-RL) should fund transuranic waste (TRU) retrieval instead of the operation of Waste Receiving and Processing (WRAP) for TRU waste shipping and preparation. WIPP funds the cost of transportation of waste to New Mexico, so the site does not save money by not sending waste. Also, the Board should comment on whether additional funding in the ER program should be put toward soil cleanup or reactor interim safe storage.

Gerry Pollet complimented DOE on the quick compilation of notes from the various public meetings. He asked when the response to comments document will be completed. Lloyd Piper answered that the target was to distribute the document by the end of April.

Doug Sherwood, EPA, stated that EPA agreed with Lloyd Piper's characterization of the major themes expressed by the public. The public voiced concerns regarding full funding to meet TPA commitments and the desire to cease funding non-cleanup activities with cleanup funds. The public expressed concern for privatization in FY2001 and the need for a \$606 million set aside appropriation. Congress is only setting aside \$100 million today. A large regional support effort is needed to get the required increase in funding from Congress. In addition, there is a lack of confidence in DOE management's ability to clean-up Hanford cleanup due to the many acting positions, management changes, and high turnover rate.

Laura Cusack, Ecology, stated that she agreed with Lloyd Piper and Doug Sherwood's characterizations of public meetings. The main concerns expressed were the critical needs gap and funds being used for non cleanup activities not based on TPA or regulatory requirements. Ecology shares those concerns and expects DOE to request funding to meet these activities. Concerns were expressed about the tank waste treatment plant and the costs associated with the contracting and financing alternatives being considered. There was a plea to Ecology to require faster startup, more treatment, and enforceable milestones.

### **Introduction of Budget Advice**

Merilyn Reeves noted that this is the sixth year that the Board has commented on the budget. Gerry Pollet explained that the major themes of the advice were expressed on the first page. He thanked all Board members for their contributions and the hard work they put into drafting of the advice. Gerry explained that the advice addresses a number of the issues raised by Lloyd Piper.

Merilyn Reeves said that a Sounding Board would be held directly after the presentation of the budget advice in which Board members could express their constituents' opinion on the following question: "What are the words that express the deep concern of the Board and the urgency of the funding needs?"

Harold Heacock, Tri-Cities Industrial Development Council (TRIDEC) (Local Business Interests), provided an overview of the TWRS vitrification portion of the advice. The introductory section addresses the need to make the program a high priority and to construct a vitrification facility. The TWRS program has been broken into several topic areas including: vitrification and ongoing TWRS operations, ORP, the compliance shortfall, and additional work need to meet TPA FY2001 milestones. The budget allocates \$100 million to the sinking fund to pay for vitrification, but by

FY2001, the requirements rise to \$600 million for a number of years. The Administration has asked Congress in the FY2000 budget for an advanced authorization for the next five years. It also reiterates previous Board advice stating that DOE needs to examine alternative methods of financing the project. The vitrification plant is the largest single item in the budget. The ability to retrieve the waste and deliver in to the vitrification plant is of equal priority to the vitrification funding itself. The committee is concerned that the FY1999 reprogramming occur, and the money be restored in outyears. The outyear shortfall is projected to be nearly \$100 million. Another issue of concern is that the cost of pumping the single-shell tanks (SSTs) is rising. It requires several years to pump a tank and the activity is covered under a proposed consent decree.

Harold Heacock also presented the advice addressing the K Basins. DOE has established a baseline and is proceeding. There is a high confidence in the schedule and completion of the job. The process is moving into hiring, training, and staffing the operating staff. That has potential for difficult cost control unless efficient management steps are taken. Pressure should be placed on DOE and the contractors to achieve the baseline, and if possible to make substantial reductions to it. An additional item included in the advice is a separate estimate for dismantling the K Basins once removal of the waste is complete. The baseline estimate for this work is an additional \$180 million which should be included in the baseline budget estimate for the project.

Gerry Pollet stated that the strategic choice to eliminate ER is unacceptable. In addition, the linkage between the budget prioritization process and the 2006 Plan and Paths to Closure document is unclear. Lloyd Piper responded that the Paths to Closure document is intended to represent the Environmental Management (EM) program based on project baselines. It is not a driver. The work and the budget requests are driven by the baselines once funding is available, the baselines can be modified. Gerry Pollet expressed concern about the use of risk assessments in the budget process. He urged Board members to examine Marilyn Reeves' memo on the Site-Specific Advisory Board (SSAB) Chairs' meeting.

The draft advice recommends that skilled workers be retained, and DOE must improve efficiency to accomplish work. The advice also urges that DOE-HQ and the site respond to comments in a timely manner. The response to last year's budget advice was received in September, long after the decisions were made. In addition, the advice demands that adequate funding be available to get TRU waste out of the soil since the cost of retrieving waste from the soil will only become more expensive over time.

Gerry Pollet noted that the solid waste forecast states that in FY1999, 55% of all low-level waste (LLW) being disposed of on site comes from offsite. Offsite generators pay only 60% of the incremental cost of placing a barrel in the ground, and they do not pay for construction, monitoring, baseline costs, or even the full cost of burial. Ken Niles asked DOE to explain the process for setting rates for offsite waste disposal at the Hanford site. Lloyd Piper stated that the rates are based on a complex-wide policy set by DOE-HQ.

Nanci Peters, Yakama Indian Nation (Tribal Governments), reviewed the ER portion of the draft advice. The main theme of the section is that the strategic choice by DOE-RL to eliminate the ER program is unacceptable and does not reflect public values for protecting the region. The advice states that pump and treat activities for the carbon and uranium plumes must continue to control the

spread of groundwater contamination. The advice expresses concern over the role of the Center for Risk Excellence (CRE). Any guidance on risk, future use, or exposure scenarios, must be built with public, state, regulator, and tribal input. Finally, the advice states that the \$14 million in ER budgeted for groundwater/vadose zone (GW/VZ) integration should be used for meeting ER milestones and groundwater remediation and characterization activities rather than modeling.

Gerry Pollet presented the ES&H portion of the advice. The advice requests adequate funding for activities essential to worker safety, including the Integrated Safety Management System (ISMS). Footnotes are provided in the advice to provide detail on the issues that need to be addressed.

The advice also expresses concern regarding overhead and indirect costs. There are greater efficiencies to be found within DOE and reductions are encouraging.

Madeleine Brown, Non-Union, Non-Management Employees (Hanford Work Force), asked if the single-shell pumpout program is under consent decree or is proposed to be under consent decree. Lloyd Piper stated that the consent decree has been signed and will not be filed with the court until after the TPA public comment period. Therefore, the consent decree is not officially in place.

Gordon Rogers, Public-At-Large, expressed disagreement with several points within the ER portion of the advice. The Board agreed that the section would be flagged and revisited.

### **Sounding Board on FY2001 Budget**

Merilyn Reeves asked Board members to focus on the content of the message that the Board should deliver regarding the FY2001 budget.

Jim Trombold, Physicians for Social Responsibility (Local/Regional Public Health), stated that the HAB and citizens of the region should appreciate the hard work the committee has done in crunching budget figures and writing the advice. DOE and the congressional committees should consider the issue as carefully as the Dollars and Sense Committee. DOE management has an obligation to the taxpayer's to spend money more efficiently to complete cleanup work. However, that is no excuse to give the site a small piece of money and then state that an increase in cleanup can only come from spending what is probably an inappropriate amount of money in the first place. The public has been asked to identify those activities which will not be funded in coming years, many of which are critical to cleanup at the Hanford site. If we could get a little fear coverage and raise Hanford issues to a similar status of a trip to the moon, then Congress may be more apt to provide funding. It is a matter of the public will. It is a tragedy that the Board is in the position of recommending that cleanup work along the river should not be dropped.

Ken Niles, Oregon Office of Energy (State of Oregon), agreed with the previous comments from Jim Trombold. He attended a table-top transportation exercise in the Dalles, Oregon recently. He was struck by the training and the professionalism of a local fire chief. He responded to all possible scenarios and understood how to address the risks of a local fire within his community. There is a stark contrast between that and the DOE budget process which falls far short of meeting all critical activities. It is unconscionable that the public, DOE-RL, and the contractors are faced with trying to make unacceptable choices about which critical activities should fall below the level of funding. It

is frustrating that they say the money is not there. The money is there. We hear these days that Congress is ready to invest tens or even hundreds of billions of dollars in a new Star Wars System. It is a lack of recognition by Congress of the Hanford problems, and these must be understood before Congress will fund the site. DOE needs our help to convince Congress to fund the site. Ken Niles urged Board members and organizations to seek opportunities to persuade, to argue, to educate, and to influence members of Congress and those approving the budget. He urged EPA and Ecology to continue placing pressure on cleanup schedules, and not to change the schedules. EPA should help elevate this to a national level. When we look at what is at risk—the River, the environment, agricultural markets, the economy, lifestyles, and for many a spiritual well-being—how can we not do everything possible to remove the risk?

Todd Martin, Hanford Education Action League (HEAL) (Regional/Environmental Citizen), commented that the Board should remember that not all cleanup work can be accomplished immediately. DOE has stated that tradeoffs will be made. With level funding, ER will be starved, as well as other high profile areas. The TWRS program demonstrates this perfectly. Todd Martin presented a slide showing the TWRS requirements from FY2000-FY2008 and the cost associated with the program. The scariest part is the steep jump in cost near FY2008 when waste begins to be treated. This cost will continue to rise for several years, and regardless of what is done, there is not enough money in the budget to fund these activities. The cumulative money spent on the tank waste disposal program, not including characterization and operations, from 1989 to now is \$5 billion. The plans over the years have had a steep predictive spending curve; however, the actual spending rate is even steeper. If history holds, we will have spent \$8 billion by FY2008 and not have treated any waste. We need to ask for more money because we need it if we are ever going to treat the waste. A presidential election is coming and this should be made an issue.

Gerry Pollet, Heart of America Northwest (Regional/Environmental Citizen), commented that DOE states the compliance gap is \$232 million, but he believes it is actually \$40 million. The reasons for this is because \$198 million worth of non-legally required activities are being funded, which do not reflect public priorities. The overwhelming comments at all public meetings was to meet the TPA commitments; to deactivate the Fast Flux Test Facility (FFTF); and to return savings to the EM account. There is \$30 million saved out of the compliance gap by following through with these commitments. Subsidies of \$20 million are spent on other sites. Savings of \$3.5-4 million can be found through legal bills of former defense contractors; \$17 million from storing and safeguarding plutonium for DNFSB; and \$35 million for contract overheads. Money should not be spent on more modeling for the GW/VZ project. PFP can save \$20 million a year, and \$30 million can be saved by reducing DOE and contractor redundancy. The contractors have promised to lower the cost for SNF by \$30 million, and DOE's performance agreements need to require the contractor to meet this commitment. The total of the above activities is \$198 million that could be put towards cleanup work. The efficiencies need to be highlighted in the budget to prove to Congress that the site is examining all strategic choices. The site started to chop ER before looking at the range of options. Fines should be taken out of management costs. The money should be put into defined monitoring to provide the HAB with technical assistance or put toward Ecology and EPA hiring staff for public involvement. There is no reason to choose between ER and TWRS. The real choice is choosing between compliance and non-compliance activities.

Norm Buske, Government Accountability Project (GAP) (Hanford Work Force), complimented the effort from the Dollars and Sense Committee on the draft advice. He asked the Board to look at the priorities Lloyd Piper presented to the public during recent meetings. The priorities need to be determined first. He hopes to look at priorities, and not just the numbers. If FFTF were shut down, it would not cost the site a thing. He has argued for the site to come to reality, and how much would that cost? Maybe a hundred dollars. How the site is conceptualized is a game. Because FFTF is still operating, this is still a bomb plant. As long as we are out of reality, Congress will not understand why they should fund cleanup. First, cleanup will not work until FFTF stops being a bomb plant. Congress would be stunned and possibly fund the project if DOE turned the site over to be cleaned. DOE should take a leadership role in moving beyond bomb protection so that real cleanup can begin. Finally, the downwinders get left out of the process because the site only has money for cleanup. The HAB's mission is to address the important issues at the site, including the downwinders, who need a medical monitoring program. This should be included in the advice.

Pam Brown, City of Richland (Local Government Interests), complimented the Dollars and Sense Committee for all the work it did incorporating changes and collecting input from Board members. She commented that the ES&H portion of the advice is too long. She stated that she did not understand it and the advice is too complex for the Board to adequately address. The content of that section should go back to the HSWM committee and come to the Board as a separate piece of advice. A better definition of compliance is needed in the advice, particularly for FY2001 versus the tasks that must be accomplished. It is very important to track the work that must be accomplished in each year to keep the Hanford site cleanup moving. Also need to recognize that Hanford could get a \$1.065 billion budget. In light of this, the Board needs to voice its priorities. The Congressional committees are not inclined to give more than flat funding. From a local government perspective, the priority is to get rid of the waste that has potential for leakage. The assessment should continue this year to make sure that DOE is spending money effectively. We need to be sure that cleanup work is done in conjunction with a treatment facility so that it will fit together. In Washington DC, Pam discovered that it is important that the budget go to Congress as complete as possible as they do not want to look at add-ons. OMB understands the environmental risks to the region and is sympathetic, but the problem is the other billion projects that also need funding for political reasons. We should continue to work with OMB, and the governors of EM states should work with DOE. She was encouraged with the support seen from OMB for the Hanford site. Everyone needs to work together and advocate cleanup.

Madeleine Brown, Non-Union, Non-Management Employees (Hanford Work Force), commented that she echoed Pam's comment concerning the length and detail of the ES&H portion of the budget advice. She was glad to see emphasis on the topic, but, expressed concern that readers would get lost in the details. She volunteered to present a new version summarizing the section.

Merilyn Reeves asked for input on rewriting the ES&H section of the advice. Jim Trombold expressed concern about accuracy of the section. If it is factually correct, he is not sympathetic towards the reader. He voted to rewrite only if the Board was concerned about accuracy and credibility of the advice. The problem is detailed and difficult. Pam Brown suggested that the Board would not be able to absorb and agree to all the details in the advice. For this reason, it is important to summarize the main message and themes of the ES&H section. Paige Knight commented that the Board should be concerned about political expedience. The message should be

short and hard hitting so that the advice is heard. J.R. Wilkinson, Confederated Tribes of the Umatilla Indian Reservation (Ex-Officio Representatives), commented that he would like to speak on behalf of Joe Richards who drafted the ES&H section. He stated that Joe is precise and exact with his use of wording. He is willing to work with Joe and the committee, but he urged the Board to be careful when changing wording in the ES&H section. Ross Ronish, Group Health Northwest (Local/Regional Public Health), stated that he worked in health and safety for years and that he does not understand all of the advice. He would like to see the advice go back to committee for some rework. Charles Kilbury, City of Pasco (Local Government Interests), commented that he shares similar concerns on the advice. Gerry Pollet stated that it is important that a list is provided so that it is clear what is being asked for in the budget. This level of detail must be provided. The footnotes could be made into an attachment to shorten and simplify the advice. It is vital that the list of 11 items is not lost because it defines the activities that must be funded and are currently not funded in the IPL. Marilyn Reeves asked that the section be flagged and revisited.

Betty Tabbutt, Washington League of Women Voters (Regional/Environmental Citizen), stated that she did not have concerns about the level of detail in the ES&H section of the advice. It definitely reflects a lot of work and a great deal of understanding of information. She was concerned that the major themes send a mixed message. On one hand the advice states there is not enough money, but then the advice also says that more money is not needed due to identified points of savings. That can weaken the advice. It should state that adequate funding be given for a complaint budget, and as a secondary issue, efficiencies should be located. Her other concern is that the advice recommends that ORP give a high priority to staffing. It is not clear that there is a need for new money to do a reorganization, but the implication is that the Board feels money should be spent on ORP.

Madeleine Brown remarked that the Board is advising three agencies. Perhaps the advice should urge EPA to make Hanford cleanup more of a national priority. Marilyn Reeves suggest that a cover memo could be tailored in this manner to go to EPA-Headquarters (EPA-HQ). Madeleine continued that the specifics on the advice, including specific numbers, are difficult to agree on and that the advice should instead focus on the principles. If the Board cannot agree completely on the numbers, they should not be included. In regards to contract termination costs, the site has a legal obligation to this cost and we are contradicting ourselves by suggesting not to pay these costs. Lloyd Piper stated that if contracts were terminated due to lack of funding, DOE would have the legal obligation to pay the costs.

Susan Leckband, Non-Union, Non-Management Employees (Hanford Work Force), commented that she and Wayne Martin had spoken and that he was confused about the definitions in the advice. The definitions of "compliance based" and "legally required" are not clear. Marilyn Reeves stated that this topic should be flagged and revisited because this also came out of the HSWM committee.

Ben Floyd, Benton County (Local Government Interests), said DOE-RL cleanup funds should not be used for non-cleanup activities. The advice should state that the Program Area Integration Teams (PAITs), the HAB, and state and emergency grants are not considered non-cleanup activities, but are essential services that should be funded.

Leon Swenson, Public-At-Large, stated that he was impressed with the process. The Dollars and Sense Committee made many revisions and thoughtful work went into pulling the many comments together. He was disappointed with some specific statements and wording. The document is a helpful technical document and certain wording does not help the cause or the meaning of the advice. It should concentrate on being technically credible.

### Agency Perspectives on FY2001 Budget

Laura Cusack, Ecology, stated that Ecology will not support a budget that does not support full compliance with legal cleanup requirements. DOE must ask for sufficient funding. In addition, DOE must find more efficiencies in the program baselines. DOE and the contractors have found efficiencies in the indirect budget costs since FY1994, and the same search of other programs must be done to locate additional funds to be put toward cleanup. Ecology believes that cutting redundant oversight between DOE and contractors could add a large chunk of money to the cleanup fund. We need to put Hanford cleanup in the limelight and make it a national issue. Level funding is not going to get the job done.

Doug Sherwood, EPA, stated that EPA has held a senior executive committee meeting on February 24 before the public meetings. He stated that killing ER and not funding compliance activities is unacceptable. EPA's budget advice will state this message. He expressed concern that nothing will change before the submittal to DOE-HQ on April 15. If the public input process really means something to DOE, it should reflect public input. The advice will affect how DOE-RL submits its budget to DOE-HQ. If the Board wants to have an impact on that process, the advice must contain real, tangible items that DOE can change in a short period of time.

Lloyd Piper, DOE, the advice should be crisp and non interpretable. A prioritization of the budget items is important particularly in regards to the target case.

Dan Berkovitz, DOE-HQ, commented that he felt the advice was struggling with the important issues the site is facing. The site has been in a situation of receiving level funding for several years, and DOE-HQ has received indications that additional funding is required to run the program. He has heard concerns about the insufficient target levels. The targets for FY2001 are based on projections in the President's budget that the EM program will receive level funding in the future. The EM program has the responsibility to explain the impacts of level funding and decide how to allocate funding levels. Secretary Richardson got involved with the FY2000 budget, and there was extensive participation from DOE's Chief Financial Officer (CFO) and teams of DOE-HQ personnel visiting the sites. Secretary Richardson personally discussed the issue with President Clinton. The resulting budget came out at \$5.7 billion, which was more than in FY1999. The budget still has to be approved by Congress. It is important to define our priorities. Congress is debating these priorities and exactly where to spend the surplus. All projects ask for additional funding, and Congress is forced to decide between the needs. The EM program is committed to living up to the legal obligations and requesting adequate funding to meet these requirements. FY2001 will be a difficult year because there are problems at other sites as well. One of the priorities for the site should be to define impacts of level funding and to prioritize where money should be allocated should that happen.

## Board Discussion of FY2001 Budget

Merilyn Reeves asked if Congress gave additional funding for cocooning through a supplemental budget process. Doug Sherwood, EPA, responded that they identified the project for DOE to spend money in the budget year. However, it was not additional money. The \$5 million to do interim safe storage came out of the ER baseline. The extra "supplemental" money went to other programs. There is no assurance that if the site is given more money it will go to the top priorities. Even with this year's \$70 million increase in the budget, ER and cleanup along the river received \$11 million less.

Ken Niles asked DOE to discuss the priority of Hanford cleanup at EPA-HQ. Doug Sherwood responded that it is an important federal facility project with good connections to EPA-HQ. The agency will definitely pay more attention to the site if the FY2001 budget is not adequate to complete compliance cleanup work. EPA will not be able to help much in regards to getting a larger budget from Congress. Doug Sherwood agreed that it would be appropriate for the Board to send a cover letter to EPA-HQ.

Paige Knight asked if Dan Berkovitz had heard anything during the Board meeting that spurred him to go fight for an increased budget. Dan Berkovitz responded that if the site were to send a priority list stating that it was going to cut back in the ER program, he would question the choice after hearing the Board's discussions. He stated that he gets more value from seeing the River and the concerns of the HAB in person. Paige Knight asked what he was willing to do and what needed to be done in order to get the process moving. Dan Berkovitz responded that he is only one person and that there are many parties involved in the process.

Norm Buske remarked that he was struck by the priorities and the money involved. Gerry Pollet stated that he was astounded that FFTF would not have an impact on the FY2001 budget gap. The funds from closing the mortgage and shutting down FFTF could be used for higher priority cleanup. This would create \$30 million more to be used toward the compliance gap. It actually costs money to add waste created at the facility to the tanks. Dan Berkovitz stated that it is not clear that money was taken out of the EM program because FFTF is in the nuclear energy budget. Gerry Pollet stated that the money was taken out of the EM account and put into nuclear energy which reduced the EM budget by \$30 million. The basis of the TPA language was that the mortgage savings would fund higher priority cleanup work on site. This promise is forgotten by DOE when level funding is received. Gerry Pollet also commented that the site has reduced the overhead costs and questioned how other sites are handling this issue. Dan Berkovitz responded that overhead costs are a big issue and the pressure is being placed on all the sites. They are also a big issue in OMB and Congress.

Ken Bracken questioned if the Accelerated Paths to Closure planning process was still viable. Dan Berkovitz responded that the next update will be issued in the summer, so the process is still viable. Ken Bracken commented that the true timeframe for cleaning the site should be reflected in the plan. The credibility of this document is suspect by the public. Dan Berkovitz stated that there will be adjustments made to the closure dates in the revision. He hopes to describe the goal versus baseline schedule more clearly. The document is striving to be accurate and reflect the goals for accelerating work versus the actual schedule.

Merilyn Reeves stated that the definition of "closure" needs to be better understood. At a recent SSAB Chairs' meeting there was discussion of closing Fernald in 10 years; however, 80% of the waste will still be at the site. There is a disconnect between the HAB work and the work with the Accelerated Paths to Closure document. The Board does not see value in the plan. Conversations with Rocky Flats and Savannah River have also indicated that other sites question the viability of the document. There is concern that the document was simply a public relations effort. The other fallacy is that we can spend money at other sites and still take care of the tanks at Hanford. That cannot be done as quickly proposed, and money is not promised to return to other programs and sites in outyears because every budget year is different.

Greg deBruler commented that those who allocate the money still do not understand the problems at Hanford. The site could not rely on Dan Berkovitz to convince Congress to give adequate funds to the ER program because he does not have a package identifying the risks and illustrating how severe they are to the region. For that reason, it is understandable that DOE-HQ thinks level funding is acceptable. Greg asked how many people are involved in the process of examining the budget. Dan Berkovitz responded that there were approximately 100-200 people involved in the process for all the sites. Greg deBruler emphasized that until the needs, risks, costs of delay, and budget needs are well presented, it is difficult for DOE-HQ to understand. The cleanup mission at Hanford has not been fully embraced.

Pam Brown stated the five cities and the county support the continued mission at FFTF for production of medical isotopes, not weapons production. The money for FFTF came from the nuclear energy budget. There would be merit in compiling information for future use at OMB. Many sites have made the point that money can either be invested now or later. Pam Brown asked that Dan Berkovitz share his observations with the Board concerning the Congressional committee attitudes towards Hanford cleanup. When meeting with them this year, she felt that there is confidence in the work being done and a better understanding of the work in TWRS and the K Basins. Dan Berkovitz stated that credibility is critical to the site being funded. He does not think that DOE is at that point right now. The privatization program is making strides and will work to convince the House and Senate that DOE has the managerial and technical abilities to justify the expenditure.

Madeleine Brown stated that she wanted to convey some of Susan Leckband's words to the Board. The discussion of strategic choices gets ugly because the decision is like "Sophie's choice". You are asking us which baby to sacrifice. Level funding is not acceptable because the site needs are not level. The region may not pay merely in money later. DOE contractors and federal agencies should also find efficiencies. A level budget will not meet the needs at the site. Betty Tabbutt agreed with the pay now or pay later comments.

Jim Watts, Hanford Atomic Metal Trades Council (Hanford Work Force), commented that 150,000 members of the Washington State Labor Council endorse the work at FFTF for a medical isotope mission. EM funds should not be used to operate FFTF.

Jim Trombold commented that cleanup costs in terms of a disaster could be very high for the Federal Emergency Management Agency (FEMA). Congress would throw money at the site if an accident were to occur. He suggested that the people in Washington DC remember that preventative

measures are always the most effective efforts. Cleanup is preventative medicine for the site. If the budget is considered in terms of disaster prevention, it is easier to understand why the site should receive full funding.

Merilyn Reeves thanked Dan Berkovitz for attending the Board meeting and sharing his thoughts on the FY2001 budget process. She commented that she did not know why CRE is funded and why Hanford should spend \$600,000 to pay for their studies. DOE-HQ asked to do this effort and so it should pay for it.

Paige Knight reminded the committee that clarity and brevity should be a focus of the advice. The major budget advice themes were reordered. The Board asked that the numbers be verified. Advice to DOE-HQ will be indicated with italics in the text. Concern was expressed with wording in several sections of the advice. Board members agreed to return comments to Gerry to be incorporated before the Friday morning discussion of the advice. Areas of concern included: the ER section conveying the Board's true message, length and detail of the ES&H section, and verification of details throughout the advice.

### *Discussion of Changes to Proposed FY2001 Budget Advice*

Gerry Pollet explained the changes made to the FY2001 budget advice. Several corrections were made to clarify the distinction between DOE-RL advice and DOE-HQ advice.

Another major issue of concern was the ES&H section. An attachment to the advice containing the technical details will be sent to DOE and others who would be interested in these details. Ross Ronish apologized for his statement about the section on Thursday. Safety and health work depends on the quality of the people doing the work and compliance activities. Ross is concerned that the Hanford programs are constantly changing and the safety and health of the workers is not the main focus. The heart of the section is now found in the bulleted list of the advice. The list of 11 items of concern will go to the HSWM committee, and Joe Richards will be involved in reworking the advice as a separate piece of advice.

Emmett Moore, Washington State University (University), expressed concern about the wording of the PFP section. He commented that Advice #91 speaks to Resource Conservation and Recovery Act (RCRA) chemical waste and not to plutonium. Additionally, plutonium is specifically exempted from RCRA regulations. Finally, plutonium-bearing materials and solutions are special nuclear materials, not solid waste subject to RCRA. He stated that as a resident of the region, he does not want a criticality to occur. DOE should be responsible for PFP, and Ecology should not be involved. Gerry Pollet commented that plutonium materials should be regulated, but agreed with the changes. Doug Sherwood disagreed with Emmett's statement. He does not care which way the advice is submitted, because EPA will still pursue the regulation of plutonium material under RCRA.

The budget advice was adopted with the changes from the Board.

#### **AGENDA ITEM #4: ADVICE ON PUBLIC INVOLVEMENT**

Norma Jean Germond, Public-At-Large, introduced the public involvement consensus advice to the Board. The advice is one of five work items in the Public Involvement Committee workplan. The advice addresses the TPA agencies process for responding to public input, including timelines in summaries of the issues and concerns; how the input was used or the reasons for not using it; and alternatives to comment response documents. Ken Niles was the issue manager for the advice.

Ken Niles noted that there is a disconnect between public comments and agency responses to these comments. The public needs to know if and how its comments had an impact on decisions. It is discouraging to the public when its comments are not addressed. The advice gives specific examples for TPA agencies to improve the response process. Agency responses should always begin with a "yes or no" before they go into a detailed response to a comment. TPA agencies should give interim updates when they are swamped with public comments in order to reassure the public that issues are being addressed. The agencies can use the media, the *Hanford Update*, and the Internet to communicate with the public, although the Internet should not be the only method for communicating with the public. There should also be a mechanism in place for people to question unsatisfactory responses.

#### **Board Discussion**

Pam Brown asked the TPA agencies for their reactions to the advice. Doug Sherwood, EPA, stated that the process seemed reasonable. He agreed that the TPA agencies could do a better job of letting the public know when comments influenced a decision. Laura Cusack, Ecology, agreed that the advice was acceptable. Ecology has been trying to improve the public involvement program in the last few months and appreciates the advice. Paul Kruger, DOE, stated that the advice was straightforward, and the process ought to be used in all responses to the public.

Madeleine Brown remarked that the advice is beautiful. She has experience responding to public input and feels that the advice is human and real.

The advice was unanimously approved.

#### **AGENDA ITEM #5: TANK WASTE TREATMENT**

Lloyd Piper introduced Dick French, the new manager of ORP. He has worked as an independent consultant, as the president of Kaiser Engineers Hanford, and at Idaho Falls with EG&G. Dick French noted that he has been a resident of the Tri-Cities since 1988 and has a high commitment to the community. He commented that he has the distinction of working for the only Congressionally-mandated DOE office in the country. He is collecting data and gaining an understanding of the work being done at ORP and the path forward. The challenges in getting money for the future to prove that results are occurring will be difficult in the coming years and may take a regional if not national consensus on the program. Hanford is the biggest single project in the country in terms of complexity and money.

Merilyn Reeves stated that the Board would like to give him the past advice relating to the tanks. The Tank Waste Treatment Ad Hoc Committee is dealing with the initial 24 month period of the contract. Pam Brown asked when other ORP management positions would be filled. Dick French commented that the management position dealing with the BNFL privatization activity is currently being advertised. There are 24 positions open with a current staff of 65. Dick French stated that he wanted to fill the positions as soon as possible.

Todd Martin provided an update on the activities of the Ad Hoc committee. The committee has been focusing on TPA negotiations and public involvement issues. Jeff Luke, Non-Union, Non-Management Employees (Hanford Work Force) gave an update on the six-month decision process. Last night DOE-RL announced that BNFL will continue with work. If DOE wants to solicit public input during the second phase of the decision process, DOE should clearly identify public input mechanisms and implement them. DOE-RL committed to public input for the six-month decision but that did not occur. The Board asked that Dick French receive the portion of the February 11-12, 1999 meeting minutes dealing with this issue.

Dick French commented that DOE has a credibility problem. The lack of follow through is part of the problem. Trust must be established if ORP is to be successful. Gerry Pollet stated that at the public meeting last night he was struck by the discrepancy between DOE-RL saying it has not been asked to do a cost comparison between privatization contract and alternative financing methods. This has been the cry from the HAB for more than two years. It has been raised to Congress several times. Gerry asked about Dick French's plans for closing the gap and creating a credible plan to give to Congress on a set timeline to show the cost mechanisms. Merilyn Reeves suggested that the Board should let Dick French examine the issues and then work with the Ad Hoc committee before presenting his plans to the entire Board. Norm Buske commented that another issue of concern is the disconnect from reality in the Hanford program. Todd Martin stated that the BNFL documents contain an evolving baseline of the TWRS program. It is similar to the TWRS task force effort and is a significant evolution. Radical questions are being considered, such as glass vs. grout, and when the facility will be completed.

### Overview of Optimization Studies

Neil Brown, DOE, provided an update on the 18 engineering optimization studies. He stated that DOE was challenged by Congress, the HAB, and DOE-HQ to make sure it is getting the best contract for the money. The studies give a firmer ground to stand on when asking Congress for funding and optimization has reduced DOE risks and overall system costs. Three studies are worthy of the Board's attention: tank storage, facility size, and vitrification vs. grout.

The baseline for low-level activity waste feed receipt stated that DOE would give BNFL one tank to remove and operate outside of the tank farm. DOE asked BNFL how much money would be required to build a tank. BNFL found that it would be cheaper for them to build a new tank than to move a tank out of the tank farm. The one million gallon tank will need to be covered under the National Environmental Policy Act (NEPA) and agreements made with the regulators. Life cycle costs would drop and it provides extra tank space for single-shell tank retrieval. The estimated cost of the BNFL tank is \$55 million.

Neil Brown noted that plans originally called for building two pilot facilities which would be decommissioned after seven years. BNFL found that the throw away plans are technically infeasible due to RCRA, safety, and seismic issues. Consequently, Phase I plans are larger, more complex, and have a lifespan of 30-40 years. DOE found that a smaller facility will save nominal money in the short term and cost more in the long-term. The larger facility which the site is technically incapable of feeding, costs more money now. Building a facility with expansion capability seemed like the most reasonable alternative. This also provides flexibility in case Congress does not allow the construction of a second facility. This option optimizes the facility cost.

The third issue examined in the optimization studies was the decision to use vitrification rather than grout as the answer to Hanford tank waste problems. BNFL looked at the cost of getting a grout facility at Hanford. They also studied other waste forms and found that grout and glass were the only reasonable options. Glass has better long-term performance and uses only one-fifth of the land storage area compared to grout. The studies indicated that the two cannot be differentiated in terms of life cycle cost because the cost of disposal of grout eats up the savings associated with the cheaper facility, so that the two tie in the end. Therefore, there is no reason to switch to grout. Jim Owendoff agreed with this decision.

### Introduction of Draft Advice

Todd Martin introduced the draft advice from the Ad Hoc committee. An Agreement in Principle (AIP) still has yet to be signed, and without this document, the agencies will not negotiate TPA milestones. The advice addresses this issue by suggesting milestones, which is breaking new ground for the Board. The goal was to create a clear and concise piece of advice based on four factors. One, the TWRS program is a Board priority. Two, there is great frustration with the lack of progress between and within the agencies. Three, there has been no meaningful public involvement over the last three years. Four, DOE is currently making baseline decisions. Although DOE and Ecology have not been able to come to an agreement, the HAB, with 30+ different interests, came together to propose specific TPA milestones and suggest a public involvement strategy.

Ken Bracken, issue manager for the TPA milestone section of the advice, explained that the advice is focused on near-term milestones that are better defined and planned than out-year milestones. The proposed TPA milestones are logical steps in the process of acquiring the necessary tank waste treatment facilities. The following six TPA milestones are presented in this advice:

1. Complete a public involvement plan for the Hanford tank waste vitrification program - September 1999
2. Submit a Fiscal Year 2001 Congressional line item request for Phase I, Part B-2 treatment facilities to Congress - September 1999 (placeholder in the event contractual agreement is not reached with BNFL)
3. Complete planning for alternative contractual and technical approach for obtaining treatment services - September 1999
4. Complete DOE and Project Hanford Management Contract (PHMC) readiness to proceed evaluations for obtaining vitrification services that support Milestone #5 - April 2000
5. Complete decision to proceed on Phase I, Part B-2 or implement other program to complete vitrification of greater than 10% of Hanford tank waste by 2018 - August 2000
6. Initiate construction (first pour of structural concrete) for vitrification plant - July 2001.

Doug Huston, issue manager for the public involvement section of the advice, explained that the philosophy behind the public involvement section was to find the best approach for public involvement. The committee decided to develop a plan for a public involvement plan. The objective was for the public and stakeholders to be involved in the process in real-time. Ecology should create a steering group to examine the facility and vitrification process, identify opportunities, and develop a public participation plan best suited to each opportunity. A list of key principles is included in the advice.

Gordon Rogers asked if Ecology has any problems with undertaking the assignment. Max Power, Ecology, answered that the agency is looking for a creative public involvement campaign and wants input from stakeholders.

### **Board Discussion**

Gerry Pollet commented that the cost of building a large, high-level tank was to \$50 million before the review by Glenn Paulson and Ecology. The proposed tank is smaller and more expensive. Ecology did some work about cost comparisons for high level tanks. Neil Brown stated that he would look up the work and also send the review to BNFL.

Greg deBruler asked if a comparison between glass cullets and glass logs had been completed. Neil Brown, DOE, answered that cullet does not save money in processing. Much more is spent on separating and in disposal. The entire range - cullet, marbles, small bricks, reusable boxes - was examined to determine the costs associated with each. Results showed that cylinders saved money.

Betty Tabbutt commented that she was surprised that neither BNFL lawyers or Ecology had read the state law requiring citizen proponent negotiations to be triggered by a Notice of Intent (NOI) to apply for a dangerous waste permit. She was involved in writing the law; it was written for new facilities geared toward resistant communities. It defines a process providing independent facilitation, a citizens committee, early scoping, identification of concerns, mechanisms for addressing concerns, and legally-enforceable clauses that can be written into the permit. It would be worthwhile to look at the law since this mechanism exists and is triggered by something that has already happened. There are also requirements for bonding, closure, financial obligations, and applicant recordkeeping that must be taken into account.

Gerry Pollet stated that he hoped Betty Tabbutt will be on the steering committee for TWRS public involvement. He thanked the people who put the advice together. He also shared two principles that his organization has agreed on with the Board. One, it is technically possible to do better than treating only ten percent of the waste by 2018. Two, the public and decision makers need information about the risks of delay under all the alternatives. For example, the TWRS EIS calculation showed that a hydrogen explosion on a 10 year delay was .04%. That is too high. When the risks are identified, we can begin to examine the costs of the various alternatives. It is clear that work can be accelerated providing funding is in place. Todd Martin stated that the Ad Hoc Committee, DOE, and Ecology should have started 18 months ago with public involvement. The advice states that it is close to being too late and immediate action is needed.

Paige Knight commented that this is probably the most refreshing and exciting piece of advice the Board has put out in awhile. She thinks that the public is ready to be proactive, like the advice suggests. The strengths of the advice are obvious--clarity, brevity, and it's progressiveness. Marilyn Reeves stated that she was struck by the first principle to ensure the difference between public involvement, public relations, and public information. Jeff Luke agreed with Marilyn and cited the six month decision criteria as an example.

### **Agreement-in-Principle**

Max Power provided the Board an update on TPA milestone negotiations. He thanked the Board for its advice on this issue. The advice is timely and helpful. The negotiations for TPA milestones are still delayed. A senior executive meeting was held on February 24, 1999. There are many issues making it difficult to proceed with the agreement. This is a large project, and the stakes are high. All parties are concerned about leaping to milestones that cannot be met. At the same time, DOE does not want to be constrained by legal requirements that would weaken its position in negotiating with BNFL. The AIP was redrafted shortly after the February meeting. Ecology hoped to get feedback by March 18. DOE-HQ is still having problems, and Jim Owendoff has called a meeting to explore ways to move ahead with the AIP. The situation is not acceptable. Ecology is calling for enforceable short-term milestones to ensure the tank farms come into compliance with all laws.

George Sanders, DOE, commented that these TPA negotiations are challenging to discuss. He thanked the Board for its advice. The highest levels of the TPA agencies are engaged in discussions via video teleconferences and face to face meetings. People involved in the negotiations include Jim Owendoff, Mark Fry, Jim Hall, Jackson Kinzer, Dick French, Lloyd Piper, Tom Fitzsimmons, Dan Silver, Chuck Clarke, Mike Gearheard, Mike Wilson, and Doug Sherwood. This is not a trivial matter. The AIP is addressing fundamental issues that need to be resolved, including issues about enforceable commitments in the TPA. Discussions are also attempting to decide how to deal with the technical difficulties faced at the tank farm. The regulators need accountability, and DOE does not want to repeat past mistakes.

### **Board Discussion of the AIP**

Marilyn Reeves urged that the outcome of the meeting about the AIP be reported to Board members as soon as possible. Max Power agreed that there would be a report. The advice will also be shared in the meeting.

Norma Jean Germond stated that she understood Ecology felt it had a good path forward. But she also heard that Jim Owendoff has dug his heels in and is slowing an agreement. She hopes that the path can be moved forward, and that Jim Owendoff seems to be the remaining obstacle. George Sanders stated that there is movement and an agreement has nearly been reached. Jim Owendoff must report to Congress, and this is a difficult task. Paige Knight commented that the milestones from the advice should be used. She asked if there was any way to incorporate these milestones. George Sanders stated that he would send them to Jim Owendoff right after the HAB meeting. Max Power agreed with George that accepting the milestones would not be difficult. The challenge for Ecology is establishing a system to move forward after the milestones are in place.

Ken Bracken thanked the regulators for speaking from their heart rather than from a script. There is so much misinformation that the public does not know where the program is going. He requested that the Board be kept well informed about the outcome of the meeting with specific details on the areas of conflict and agreement.

Merilyn Reeves asked if Todd Martin would think of framing something to give the regulators showing what the Board would like to receive. Gerry Pollet objected because the advice needs to be given to the agencies as a clear and strong message. Merilyn Reeves suggested that a cover letter be included. Gerry Pollet stated that he wanted an AIP, not a response. The advice is clear that the Board is disappointed in their inability to come to an agreement. The Board agreed that a sentence be added to the advice requesting a response from the agencies about the meeting outcome.

Several wording comments were suggested and incorporated into the advice on Thursday evening and Friday morning. The advice was approved with the language changes recommended by Board members.

### **AGENDA ITEM # 7: ADMINISTRATIVE MATTERS**

Merilyn Reeves reminded the Board that an Executive Committee meeting will be held in the afternoon. She urged the committees to consider the need for monthly meetings. She suggested skipping a meeting during the summer to give committee members vacation time. Merilyn stated that she worries about burnout on the committees even though the monthly meetings have helped the Board get to know each other and hone in on the advice needed.

Ruth Siguenza informed the Board that the coffee was provided donated by the members of the Board who are Hanford employees.

### **HAB Budget**

Merilyn Reeves explained the HAB budget. The Board has never exceeded its budget and is doing well again this year.

### **Board Elections**

Merilyn Reeves stated that it was time to talk about election of the Board Chair. She has served for four years. The charter requires that the Chair and Vice Chair serve two-year terms. She asked the Board to begin looking for someone that they would have confidence in as Board Chair. She is willing to serve, but hopefully not for the full two years. She thinks of this time as a transition period.

Greg deBruler stated that the Board needs to look at when Merilyn might leave. It needs to carefully examine the transition so the Board continues to function effectively. Todd Martin and Norma Jean Germond nominated Merilyn for HAB Chair. No one opposed to the motion. Merilyn accepted the responsibility and again urged the Board to think about transitions. The Vice Chair position comes up in September and should be addressed soon.

## Progress Report

Amy Grotefendt, EnviroIssues, gave an update on the yearly progress report for the Board. She commented that all input from the TPA agencies and most of the executive committee have been collected. She will incorporate changes and get the report to the printers soon. The progress report will be sent out before the next meeting. The Board agreed to print fewer copies this year. Susan Leckband commented that the progress report would be a good item for the SSAB information packet for the September meeting. Reports left-over from last year can be put in these packets so that the SSABs can track the progress at Hanford.

## Badging

Because badging is a DOE responsibility, Marilyn asked Paul Kruger to update the Board on this issue. He stated that he has given Norm Buske a memo from the safeguards and security organization. The issue that has arisen is the need for consistency in badging HAB members. There are several HAB members who work on site and others that have regular business activities in buildings requiring them to have a badge. As of today, unescorted badges are available for the office areas in and around Richland. There have been reports of troubles getting in the Bechtel building and this problem should be addressed. Additional training is required to go beyond the office areas. Paul handed out information on this issue to all Board members. DOE is open to requests for activities on the site that require special badging and training.

Betty Tabbutt offered a motion that no badging requests be made for HAB members simply because they sit on the Board. It is not appropriate for people to be given badges just because they are HAB members.

Norm Buske expressed displeasure that he was not allowed to speak to the agenda item before others. He asked that the motion be taken off the floor. Marilyn Reeves stated that she would not remove the motion, but he could state his concerns. Norm turned on a geiger counter sitting in front of him and stated that the Board has had warnings for what was coming. He commented that he had set up a test to the validity of the HAB and its charter. He stated that the validity of all SSABs would be challenged. He commented that his test was brought by GAP and that DOE had received previous warnings at other sites when an organization staged a ten minute nuclear war at Los Alamos. He said that humans are visual. Wearing a tie means "I can be led around." Wearing high heels means "I won't move too quickly." Someone wearing bright colors like Norm says "watch out." At the first Board meeting he attended, he staged a terrorist attack on the HAB. He took DOE hostage and now the test is here.

Norm Buske recently requested a badge, stating that he wanted to take samples on the site. He stated that DOE External Affairs denied the badge, and now it has come to the Board's attention. This is a charter item and that is the real problem. Norm read the mission from the charter and commented that this is a great responsibility. Board requirements include participation in meetings, to read and be prepared to comment on documents, and to be available for work between meetings. He stated that Board members have the responsibility to do whatever possible to carry out these requirements. He stated that he has determined that he needs to look around the site and take samples. Any HAB member could do this with the usual visitor's badge. Norm has now created a

test to determine if DOE will give him a badge. He wants to make sure that the HAB advice is valid. His position is that all advice is invalid because DOE will not meet the test. Norm stated that there would be no further consensus advice out of the HAB. The next step of the program is a motion to retract all previous advice. If the Board can offer no new advice, he argued that the HAB would be invalid and should be shut down. All SSABs should be shut down if the HAB is shut down. Norm stated that the alternative is to give him the badge. The HAB is siding with DOE. If he does not have an agreement for a normal visitor badge today, there will be no consensus advice passed.

Merilyn Reeves stated that there was a motion on the floor and that if he made any more motions to dissolve the organization she would rule it out of order. She urged GAP to examine its role, mission, and value to the HAB. The challenges Norm brought up are not badging issues, and she ruled them out of order. Gail McClure, DOE, clarified that visitor badges are valid up to the Wye barricade, beyond that an escort or special training is needed. Greg deBruler stated that the current badges should not become more restricted. He did not agree with the motion put forward by Betty Tabbutt because badges were issued for all Board members when the HAB was first formed because of more stringent security measures in place at the time.

Madeleine Brown commented that she was uncomfortable with the motion because the Board is not parliamentary. Badging is not within the purview of the Board. The Executive Committee should discuss how to badge members for committee tours. Norma Jean Germond responded that the HAB is a policy Board. It does not need to inspect everything on site in order to make a policy recommendation. However, she believes that Norm Buske should be able to visit some of the areas he has requested with an escort. She supported Betty's motion and does not feel that HAB members should automatically receive badges.

Gerry Pollet commented that the real issue Norm Buske raised is discrimination. Some HAB members have badges allow them to go into public buildings without an escort. He stated that he can go in these buildings with his badge but has to stop and wait for an escort. He even needs an escort to use the restroom. Not all members require an escort. Gerry stated that Norm should have the same badge as everyone else on the HAB. The Board should not hold meetings in buildings that require badges. The HAB follows Washington state public meeting laws which require people to be able to come to meetings freely. Additionally, Betty's motion is out of order because the issue is equal access to a badge for HAB members. Whether or not technical work is allowed under this badge is a separate issue. Paul Kruger acknowledged that there has been inconsistency in how DOE badges have been provided over the years. Gerry Pollet commented that the Board must respect Norm Buske's request to be treated in the same fashion as all other Board members.

Betty Tabbutt clarified the previous motion as follows: No badge should be issued for access on site, in the name of the HAB, simply because the requestor is a HAB member. Norm Buske should apply as a member of GAP or as a private citizen, rather than a HAB member. Susan Leckband stated that the Board should not respond to any group threatening to stop consensus advice. The Board is not in the business of issuing badges. Meetings should be held in buildings with public access. Greg deBruler commented that issuance of visitor badges would solve the issue. He suggested having Norm go through training before getting a badge.

No action was taken on the motion. Paul Kruger will provide the full Board information relating to DOE badging policies and procedures. HAB committees will review their meeting locations, and DOE will look into concerns regarding the availability of visitor badges for these meetings.

Norm Buske stated that the Board missed the point. The fundamental issue is whether a HAB member can go and satisfy his/her responsibilities as outlined in the charter. If DOE can issue uniform badges to all members, then the issue is solved.

## **AGENDA ITEM #9: UPDATES**

### **Savannah River SSAB Meeting**

Merilyn Reeves announced that her memo describing the Savannah River SSAB meeting was available at the back table. DOE-HQ prepared formal provided the minutes for the meeting. She urged that at least two people from the HAB attend future meetings. She asked Ken Niles to provide some background on the conference calls he has been involved in in preparation for the May transportation workshop at Fernald. The dates of the meeting are May 20 - May 23. There will be a tour of Fernald on May 21. The draft agenda should be approved by early April. The group is identifying core topics to use as breakout groups, including 1) issues on routing, transportation mode and cost; 2) packaging, safety issues, and risks; 3) stakeholder involvement and communication; and 4) notification and emergency response. Ken stated that he has provided the group with a brief description of Hanford issues. Currently, ten attendees may come from each site. He will provide more information to the facilitation team to be distributed to the full Board. Merilyn asked interested Board members to contact Ken. This will also be a topic for discussion at the Executive Committee meeting. The HAB has the budget to send five people. Pam Brown, Wade Riggsbee, Harold Heacock, Susan Leckband, Ken Niles, and Paige Knight expressed interest in attending the workshop.

### **Committee Elections**

Ruth Siguenza announced the results of recent the committee elections: HSWM—Pam Brown (chair), Doug Huston (vice-chair); ER—Shelley Cimon (chair), Gordon Rogers (vice-chair); Dollars and Sense—Gerry Pollet (chair), Harold Heacock (vice-chair) and Public Involvement—Norma Jean Germond (chair), Ken Niles (vice-chair).

### **September SSAB Chairs meeting**

Merilyn Reeves stated that the Hanford Site is hosting the SSAB Chairs' meeting in September. Susan Leckband and Madeleine Brown will help Merilyn identify information to be included in the meeting packet. Merilyn suggested that two, half-day tours of the site would be useful and asked for suggestions on handling tour logistics. Madeleine Brown suggested meeting participants take a boat trip on the river. Nanci Peters announced that the Yakama Nation will host a special dinner. Susan Leckband commented that Michael Kern, Consortium for Risk Evaluation with Stakeholder Participation (CRESP) has offered to make the "Lego" layout of the DOE complex and its wastes available for the meeting. Merilyn stated that there is money in the HAB budget for Board members to attend the meeting.

Ruth Siguenza announced that the Board received a press release stating that the first shipment to WIPP arrived successfully.

### **PUBLIC COMMENT**

Geoff Harvey, BNFL, stated that he works in public affairs for the company and wanted to make a clarification regarding Wednesday evening's session on privatization. BNFL had stated on Wednesday night that the presentation was an official public meeting. It was not a public meeting, but rather an opportunity for dialogue, discussion, and interaction. He apologized for the confusion. He has talked with several Board members about improving the public involvement process and welcomes suggestions.

Gerry Pollet stated that the regulators had informed him that the meeting was the official public meeting under the commitment to hold a public meeting every six months on TWRS. Max Power stated that it did cover that commitment as a forum for discussion. However, it was not an official public meeting related to the NOI for the BNFL hazardous waste permit.

## **Attachments**

### **1. Attendees**