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Hand Summary, Comments <sup>9 13317 0143</sup> date Fri. 12/9

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## PORTLAND

**Date and Location:** Wednesday, November 30, Red Lion at Lloyd Center. 7:00 pm - 9:30 pm

**Welcome:** Dick Belsey, M.D., Oregon Hanford Waste Board

**Agency Representatives/Lead Negotiators:** Mike Thompson (USDOE), Roger Stanley (Ecology), and Doug Sherwood (EPA)

**Commentary:** Paige Knight (Hanford Watch)

**Panelists for the Question and Answer Session:** Mike Thompson, Roger Stanley, Doug Sherwood; Pam Innis (US EPA), Owen Robertson, (USDOE), Norm Hepner (Washington St. Dept. of Ecology), Paige Knight (Hanford Watch), Gerald Pollet (Heart of America Northwest), and Dirk Dunning (Oregon Dept. of Energy)

**Meeting Facilitator:** Alinda Page

**Approximate attendance:**

### Commentary

**Paige Knight.** Chair of Hanford Watch, spoke from a Citizens' Guide that was jointly prepared by the Washington Environmental Council, Heart of America Northwest, Hanford Watch, Hanford Education Action League, Hanford Action, Physicians for Social Responsibility, the Sierra Club and Columbia River United. She highlighted 5 key points from the Citizens' Guide about the tentative Agreement:

- The completion of the cleanup is not accelerated from existing milestones so it is not really speeding up the cleanup along the Columbia River.
- The Agreement will not reduce exposure to contaminants along the Columbia River. She indicated that 23 billion gallons of waste were disposed in the N area, including strontium 90 which is a bone seeker. Since people boat, fish and have access there and since workers could be exposed, serious cleanup is needed to reduce the threat of exposure and to meet regulatory standards.
- The commitment to cleanup by 2018 is weakened because there is no commitment to move the reactors by that date.
- There are fewer TPA milestones requiring that investigations be completed, which feels like milestones are slipping.
- The Columbia River Comprehensive Impact Analysis of the sediments, shorelines and islands is left up to Battelle which, as a polluter, should be ineligible to conduct such a study because of a conflict of interest.



### Formal Comments

**Lynn Sanderson:** Since these problems are so complex and expensive, she said she hoped there is a forward vision guiding the overall effort. She felt there should be a blue-ribbon panel to study and clarify US nuclear policy. It should request and value input from independent scientists, not just input from federal agencies and contractors. She said she is a little skeptical when she hears that ERDF is for "Hanford only" waste and expects there will be pressure to try to change this provision. She said that the public must be vigilant in this regard.

*Dirk Dunning*, Oregon Dept. of Energy: Mr. Dunning said that the State of Oregon had examined the ERDF proposal for some time, along with others on the Natural Resource Trustee Council, and was submitting formal comments on the environmental and public health threat that are of concern to them. These concerns relate to both the siting and the engineering processes. The siting process did not give adequate consideration to tribal rights, transportation concerns, the importance of priority habitat. The Natural Resource Trustees were not formally informed about this plan as is required by law. The Trustees have suggested that the siting process may need to be reopened. The agencies say reopening siting could delay the project by about 2 years. As Trustees, he said, they could not support the ERDF but they also did not oppose it because such a facility is needed. He said that the Natural Resource Trustee Council should be consulted about all such projects. He remarked that a recent tour of the Hanford site had demonstrated that the habitat across the site is not of equal value. He pointed out that there is a road that goes right through the heart of the best shrub-steppe habitat which, at a minimum, opens up the area to noxious weeds. Since ERDF is slated to go into this area of prime habitat, a comprehensive plan needs to be in place to protect it as much as possible.

*Dick Belsey*, Chair of Cleanup and Site Restoration Committee of the Oregon Hanford Waste Board on behalf of the Board: The Oregon Hanford Waste Board agrees with the general refocusing of the ER program. The negotiators followed the recommendations of the Future Site Uses Working Group and Tank Waste Task Force. The Board commends the TPA agencies for this. However, the Board has serious concerns about the budget and will continue to monitor the budget. The Board insists that USDOE meet the requirements of the TPA and ask for adequate funding from Congress.

*Dick Belsey*, Hanford Advisory Board: He expressed concern that deadlines for addressing sky shine, which could seriously impact Hanford workers, were going to be missed. He said that doses to workers must be minimized. From his perspective the real issue is the bottom line. He referenced an exit interview that John Tuck gave as he left USDOE (at the end of the Bush Administration) in which Mr. Tuck said that USDOE knew it did not have enough money to meet environmental compliance agreements but that the Department had agreed to them to preserve its production capability. Mr. Tuck's statement, he said, strikes at the heart of USDOE's credibility. He said there is constant worry that USDOE won't be able to meet the milestones. He pointed out that it is critically important to the health of the Pacific Northwest that there be no taint to the Columbia River. He said he was worried that if support for the cleanup were reduced, it would hurt the region, its health and its economy.

*Len Porter*: It seems like studies on groundwater have been done but that there are not decisions yet. What is needed are definite milestones for cleanup. Since there is not a high level of trust, the public needs something definite.

Paige Knight, Chair of Hanford Watch: She said her group has a lot of faith in the Oregon Dept. of Energy with Dirk Dunning and Ralph Patt (Oregon Dept. of Water Resources) and she supported Mr. Dunning's remarks. She said her group understands the crucial need for the ERDF but it feels the siting was not done as conscientiously and carefully as it could have been. She said the group wants Hanford waste to have a home at the ERDF, but not imported waste. She said Hanford Watch agrees that the Natural Resource Trustee Council must be part of the planning, engineering and construction. She said that ER Refocusing seemed like a shell game. It felt like Washington, D.C. was pressing down by threatening to take away the money because there has been no real cleanup since 1989. She said it did not appear that pump and treat was occurring on a serious level. She said they feared there was not enough money in the cleanup budget and what would occur would be a "harder, meaner" cleanup that would not protect health and safety. The money has to be spent well; to keep the money flowing, work will have to be done expeditiously. While her group agrees with some of the ER Refocusing effort, it was worried about budgets and wanted to see a real commitment to change.

Jim Lockhart began by referencing news reports about experimental testing on individuals, radiation releases, unsafe storage, and other abuses -- examples that typify what he sees as a trail of deceit that has accompanied the nuclear era in the US. He said he was concerned that nothing has changed in the 50 years since the nuclear age began. He felt that nothing was being done to deal with the horrible mess that has been created. He spoke, in particular, of people throughout Indian country who are dying from cancers at rates far higher than elsewhere. He felt that the nuclear industry as well as USDOE were responsible for many of the problems but that they had not lived up to their responsibilities. He said he believes that Nature is in danger of being poisoned and was ashamed we had created this poison.

Ross Tewksbury: He urged that publicity for future meetings be placed in alternative media like KBOO (radio) and the *Willamette Week*, not just in the *Oregonian*. The ads should identify key issues; they should not be expressed just in technical language. He complimented the agencies for the mailings he received prior to this meeting and said he felt they were doing a better job. He said the main goal at Hanford should be to protect human health and the environment from radioactive waste, not to clean up the place for other uses. He said he was skeptical any of these areas could be declared completely safe at the end of the cleanup. He said this idea is not only ludicrous but also dangerous because it might result in people growing agricultural products, like potatoes, that would cause consumers to get cancers. As far as limiting the ERDF to Hanford waste only, he said that there is so much nuclear material being generated, whether from nuclear power plants, medical waste, etc. that some of it will probably go to Hanford and he feels it is prudent to plan for it.

Gerald Pollet, Heart of American Northwest, requested that the record reflect the question and answer portion of the meeting. He said that Heart of America requested the following:

- signs to be posted on the shorelines and islands in the Columbia River within one month;
- within 6 months, surveys should be done and fences be put up where contamination was found;
- milestones are needed to reduce contamination to regulatory standards by the year 2000 along the Columbia River and install continuous air monitors or cams to determine if exposure goes above 10 millirems/year;
- deal with sky shine and other direct radioactive sources and with chemical contaminants on the islands.

He said an independent survey of risks and efforts to prevent exposure is needed. D island should not be an isolated example, but rather the first to be remediated. He said Heart of America did not find it acceptable to have Battelle conduct the Columbia River Comprehensive Impact Study because, as a polluter, it would have a conflict of interest. Such a study should suffice for NRDA, but if Battelle conducts the study, he said yet another such study would be needed. In addition, all relevant documents must be declassified and made accessible to the public. He said his group respects the efforts that the agencies have made to restrict the ERDF to Hanford waste only. However, upon reflection, they have realized that by combining the regulatory processes (CERCLA, NEPA and SEPA), the agencies committed to incorporating and meeting NEPA values. NEPA requires that cumulative impacts be identified and considered. He has heard that USDOE plans to bring waste to Hanford from other defense and FFCA (Federal Facility and Compliance Act) sites to Hanford. Thus, whether or not these wastes would go to ERDF, USDOE must identify where it is going so the public can see what USDOE plans to bring into Hanford.

*Dirk Dunning*, Oregon Dept. of Energy: On a recent tour of the site, he saw large piles of tumbleweeds, which pose a fire hazard for the ERDF. Planning must take into account this potential fire hazard.

#### Question , Answer, and Comment Session

*Comment* (Paul Richard): He indicated he had not seen any advance publicity for this meeting and said he found it very disturbing, given the toxicity of the chemicals involved. Since this meeting was one the public did not know about, he said there should be additional opportunities for the public to be informed.

*Response* (R. Stanley, M. Thompson, and Annette Carlson of Westinghouse-Hanford Company): We thought we had done what we could to get announcements out. There were advertisements on radio (National Public Radio and KXL) and in print (the *Oregonian*) and a mailing to a list of about 5000. Written comments will be accepted until December 8.

*Question:* Were these reports available to the public before today?

**Response (Annette Carlson):** They were sent to 1500 people who have been identified as "highly interested."

**Response (Gerald Pollet):** It is another question if those who received the reports understood them. Usually the public interest groups get people to the meetings. Here in Portland we did not make the effort we did in Seattle where we had over 100 people.

**Question:** Were the calendar sections of the newspapers notified?

**Response:** No. That is a good idea. They will be included next time.

**Comment (Ross Tewksbury):** The agencies did do a better job of publicizing these meetings than they have in the past. He said he received multiple reminders of the meeting which were helpful. He said that a lot of people who might be interested read alternative publications. He recommended that the *Willamette Week* and KBOO radio station be vehicles for publicity in the future.

**Question (Len Porter):** He wanted to know how ER Refocusing would reduce groundwater contamination and how the other plumes would be addressed.

**Response (M. Thompson, D. Sherwood):** Last year 5 groundwater pump and treat operations were initiated. Mr. Thompson said they would continue. The only new active groundwater remediation would be for the strontium plume at N Springs where a hydraulic barrier or wall is to be constructed to keep the strontium from getting to the River. If successful, because there would not be the flux back and forth to the River, the concentration of strontium in the groundwater would increase, which would make the pump and treat operation more effective. He said one workplan is scheduled for the next year; the others have been deferred to focus resources on the cleanup. Mr. Sherwood noted that two exceptions are a workplan for a major groundwater plume in the 200 Area and a plan to address a carbon tetrachloride plume (operable unit ZP1).

**Question:** What reduction of strontium 90 getting into the River do you expect?

**Response (M. Thompson):** There is a wide range of opinion about the impact. The actual reduction right now will likely be small because there is not a lot flowing now. Earlier, when N Reactor was in operation, there was. The strontium in the groundwater is 300 times the standard. We want to clean up the groundwater. If the wall is successful, it will slow the flow and should create a pool behind the wall that will be more susceptible to cleanup via a pump and treat operation.

**Response (R. Stanley):** He agreed with Mr. Thompson that there was a wide range of opinion as to the efficacy of the wall that is to be built. He said there is also a wide range of opinion about the adequacy of information available problem. Modeling results suggest there could be 93-94% improvement.

**Comment (Paige Knight):** Todd Martin of HEAL has found that more recent data show strontium is 1500 times the drinking water standard.

**Response (M. Thompson):** Concentrations in groundwater are going up because the flow is being reduced.

**Comment (Gerald Pollet):** He said he thought the question asked was what are you doing other than this to accelerate cleanup of groundwater all along the River. In reviewing the tentative Agreement with the current TPA, he said he and Heart of

America staff attorney, Cindy Sarthou, had found no acceleration of cleanup along the River from what was already expected. There is a deferral of work in the 200 Area. The public was promised the agencies would renegotiate to accomplish remediation along the River by 2018. He said they dispute the agencies' September statement that the tentative Agreement will "hasten" cleanup. He said he and Ms. Sarthou found there are fewer workplans due on average over the next 5 years (reduced from 6/year to just over 4). That would be acceptable if there were to be more remediation. However, USDOE has capped ER at current levels which only funds studies, not remediation, which will cost more. In addition, they have not negotiated accelerated cleanup along the River.

*Response (M. Thompson):* These agreements will let us get to records of decision (RODs) for cleanup along the River in the next 3 years. Once RODs are in place, then the engineering can occur and milestones will be set. Right now, there is no decision for what the cleanup will be so there is no milestone for cleanup.

*Response (D. Sherwood):* Groundwater study in the 100 Area is effectively done. With the RODs that will be out in the next few months, all of the operable unit studies will be out. On the question of overall acceleration, while there has been no commitment from USDOE to clean up the reactors, for the first time the other contaminated structures near the reactors are included. The agencies feel this is an acceleration.

*Comment (G. Pollet):* These workplans were already due. By law, 15 months after a ROD, active remediation must begin. The budget will not permit this because of the internally-imposed cap on the ER budget. Experience indicates that if deadlines for action are not set, things do not get done. Setting deadlines for remedial action and unrestricted use of the land along the Columbia River is essential if active work is to get done. Can USDOE do remedial action at 15 operable units with the current budget?

*Response (M. Thompson):* USDOE feels the actions are do-able with the funding available. The agencies have taken a hard look at costs and have reviewed assumptions for cleanup. Based on those reviews, we feel there is a good chance the work can be done. Confidence was high enough to get the Assistant Secretary at USDOE Headquarters to sign off on the Agreement. For USDOE to meet expectations, we will have to do business much more efficiently – the burden is on our shoulders.

*Comment (Sue Gould):* She said she wanted to hear more about the issues Paige Knight raised.

*Comment (G. Pollet):* Conservative estimates of radiation levels along the publicly accessible shores are 240 millirems. What is the risk? EPA's standard (10 millirems/year) is based on 1 fatal cancer for every 10,000 people. He said he had just heard there is a major gamma radiation source right along the shoreline that generates 75 millirems per second. In addition, he said he understands mercury is leaching into the groundwater. The public interest groups want a firm deadline to meet legal standards for radioactive and chemical contaminants. In the meantime EPA should put up signs at launch points and on the islands, within a month. Then, within 6 months, put up fences until the areas are cleaned. Sky

shine from N area cribs is a major risk: the cribs are so hot they give off radiation not only on the near shoreline but also on the far shore. Action is needed. It would be cheap to cap it with soil.

*Response* (M. Thompson): USDOE wants to shut down the N reactor and over a 3-year period make it "cheap to keep." Actions that will accompany this are to address sky shine, to put the hydraulic wall in at N Springs, and to characterize the cribs which are the sources of sky shine and groundwater contamination. 10% of the ER budget is allocated for these actions. There is no milestone for the cleanup but there is one for characterization so we can get going. For the past 5 years, because of an administrative division, we could not make headway; this has been changed and the way is paved for action. He said he agreed that sky shine posed unacceptable risks. He noted that the shoreline is currently posted and people should have no reason to spend extended periods of time on the River there. He said if a person were to fish every weekend for a year s/he would receive 8 millirems/year — which is below the regulatory standard.

*Comment* (G. Pollet): The report I have seen indicates that USDOE will not address sky shine in the near future. Moreover, the characterization plan includes only 2 bore holes; that is not adequate. Current signs face away from the direction that people would come from; you must land and come ashore before you can read the signs.

*Response* (M. Thompson): \$700,000 is allocated for addressing sky shine. Our expectation is that if we characterize in the hottest part of the crib, it will give a vertical distribution of the contaminants.

*Question* (P. Knight): What is the projected life of the double-shell liner?

*Response* (P. Innis): The operational life is 30 years.

*Question*: What is the cost of the preferred alternative?

*Response*: It is \$65 million for five years, including associated buildings.

*Comment* (P. Knight): We hear that high-level waste and TRU will not be allowed in but some low-level waste is more toxic than high-level waste. She said she was concerned there could be some leakage.

*Comment* (G. Pollet): Heart of America was approached a year ago about the road (that cuts through the center of the proposed ERDF area). He said they never received any SEPA or NEPA documentation and questioned why no EIS had been prepared.

*Response* (D. Sherwood): EPA was not asked about it at all and heard about it first from the Yakama.

*Response* (R. Stanley): He was not aware of the State's having been consulted.

*Response* (M. Thompson and Owen Robertson): They said they did not have information about this but committed to finding out and getting a response to Mr. Pollet.

*Comment* (Dirk Dunning): On his recent tour of the site he said being in the midst of 7-foot high sagebrush made a stunning impression and he found it painful to see it destroyed by the straight line the road cut through the area. He said that it will be important to block side roads to keep people out and to preserve as much of the remaining habitat as possible.

*Comment* (Jim Lockhart): We hear that strontium 90 is leaking into the River, but we are told not to worry because it is diluted by the volume of water in the River.

*Response* (M. Thompson): He said that although the proposed hydraulic wall is controversial, from USDOE's perspective, the groundwater contamination justifies its construction.

*Question*: How long has strontium been leaking into the River?

*Response*: It is known to have been leaking since 1963.

*Question*: Do the agencies care enough to try to get the word about these meetings out? Who is responsible for publicity? What is the cost of publicity relative to the cost of renting the meeting space, providing the sound system, etc.?

*Response* (R. Stanley and Mark Wallace, WA St. Dept. of Ecology): The three agencies work together now and try to be effective. \$21,000 was spent on newspaper ads alone for this series of meetings.