

HANFORD ADVISORY BOARD

Revised Meeting Summary
December 3-4, 1998

Doubletree Inn Downtown
Portland, Oregon

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

Executive Summary	i
Announcements Made Throughout the Meeting	1
Welcome and Introductions	2
Approve November Meeting Summary	2
Tank Waste Vitrification.....	4
Public Comment	9
Spent Fuel	10
Openness Recommendations	13
Railroad Use Study	15
Tank Waste Remediation System (Office of River Protection).....	16
Public Comment	18
Tri-Party Agreement Agencies Report on Progress.....	19
•John Wagoner	19
•Randy Smith.....	21
•Dan Silver	21
Hanford Advisory Board Progress - Chair's Progress Report	22
Board Actions	23
Public Comment	24
Groundwater/Vadose Zone	25
Possible Updates	28
Attachments	28

Attachments are numbered in the order they are identified in the summary. The attachments distributed at or before the Hanford Advisory Board meeting are not routinely distributed with this summary. If you need a copy of an attachment, please contact Donna Sterba at Technical Resources International, 509-943-5319, or Enid Reck at Fluor Daniel Hanford, Inc. 509-376-5856.



EXECUTIVE SUMMARY

TANK WASTE VITRIFICATION

The Board received an update on the workplan and activities of the Tank Waste Treatment Ad Hoc Committee. The bulk of the committee's efforts are focused in the next six months around the issues of Readiness to Proceed, Tri-Party Agreement (TPA) negotiations, technical costs, and an important decision point in February, 1999. The issues are weighty enough to consider issuing press releases. Two months ago, the Washington State Department of Ecology (Ecology) has sent the U.S. Department of Energy (DOE) a draft Agreement-in-Principle outlining short-term milestones and privatization efforts. DOE expects to respond soon. The agencies are significantly apart conceptually. Board members expressed outrage at the lack of progress in the TPA negotiations.

The Board discussed concerns regarding the lack of clear DOE decision making authority and decision processes. There are over 70 major deliverables due in the next two years, most of which have a 30-day DOE review turnaround. Board members expressed concern with DOE's ability to respond to these deliverables when it has not yet made a decision on the Agreement-in-Principle. BNFL invited stakeholders to attend its business and management meetings. BNFL has no intention of withholding information, except that which would be of value to its competitors.

The Board had a lively discussion of both proposed advice and an associated press release. The two major issues of significant debate were possible additional waste streams that could be generated if the Fast Flux Test Facility were to be restarted and the TPA public involvement process. The Board adopted and issued a press release and advice to the TPA agencies. The advice contained a notation that consensus was not achieved, and a minority opinion was attached to the advice before transmittal to the agencies.

SPENT FUEL

The Board was updated on the spent fuel project and its new high confidence baseline. Baseline change requests, contingencies, expenditures, training, procedures development, and progress on TPA milestones are all being tracked in light of an increased emphasis on accountability.

The Board inquired about what mechanisms were in place to ensure that people are up front about program progress and potential difficulties. EPA noted that it has more confidence with the new management processes. Board members expressed concern with the adequacy of the contingency, believing it may be too low. The Health, Safety, and Waste Management Committee (HSWM) identified the key issues it is following, including management improvements, progress on project management controls, milestones, project cost, and safety control. Other concerns include operation and maintenance staffing and training.

OPENNESS RECOMMENDATIONS

The Board received an overview of four openness workshops held during fiscal year 1998. Five fact sheets were compiled and a report containing 51 recommendations was produced. The report was received favorably by the Site-Specific Advisory Boards. This was all done for approximately \$10,000. The major conclusion of the workshops was that openness is about fostering and maintaining an open decision making process. DOE has approved five more workshops to be held in fiscal year 1999.

Board members discussed contractor performance measures related to openness with some expressing a concern that the recommendation for incentive fees may be micromanagement. Others noted that many of these recommendations tracked the Board's advice on other performance measures. Another concern was raised in relation to DOE's ability to maintain openness if Hanford were to take on a production mission in the future. One member raised serious concerns about the openness report, including a strong concern that the culture of secrecy is being perpetuated. The Board adopted consensus advice that affirmed that increasing and maintaining openness is important to the Board.

RAILROAD USE STUDY

The Dollars and Sense Committee presented draft advice. However, additional information came to light at the meeting. The Board decided to send the draft advice back for consideration by both the Dollars and Sense and Environmental Restoration Committees.

TANK WASTE REMEDIATION SYSTEM (OFFICE OF RIVER PROTECTION)

Two executive search firms are currently recruiting for the three or four key positions in the Office of River Protection (ORP). The official organizational structure should be in place by December 6, 1998. The final selection of an office head should be made in January, 1999. The organizational structure and logic for the program will be included in the 90-day plan submitted to Congress.

Board members expressed the hope that ORP would have a close working relationship with the Board. Members also expressed concern about the coordination and integration of ORP with the rest of the Hanford site, including the potential splitting of programmatic authority on waste and budget decisions and the Integrated Priority List. Board members also expressed an interest in receiving copies of the 90-day plan as soon as possible.

The Board adopted consensus advice on the ORP functions, operations, and its 90-day plan.

TPA AGENCIES REPORT ON PROGRESS

John Wagoner, Randy Smith, and Dan Silver made remarks regarding their perspectives on the state of the Hanford site. For John Wagoner and Randy Smith, this was their last opportunity to speak to the Board, as John Wagoner is retiring from DOE, and Randy Smith is moving on to a

new management position within the U.S. Environmental Protection Agency, Region 10. John Wagoner enumerated many of the specific accomplishments on site in fiscal year 1998. Randy Smith focused his remarks on the changes he has observed during the 12 years he has worked with Hanford. Dan Silver reflected on the disputes between Ecology and DOE in 1998 and his hopes for 1999. All three expressed their appreciation for the Board and its work.

CHAIR'S PROGRESS REPORT

Merilyn Reeves reflected on the past year. The Board is a mirror of the complexities of the Hanford site and is unique among advisory boards due, in part, to the support it has had from agency managers like John Wagoner and Randy Smith. An important part of the Board's work is to communicate Hanford issues, activities, and accomplishments to a public that does not speak the technical language of Hanford. The Board should look at unfulfilled commitments and should keep reminding the nation of what remains to be done at Hanford. During 1998, the Board was effective in getting this message out to other advisory boards and to Congress. In closing, she thanked John Wagoner for his support of the Board and for his advocacy for public involvement.

GROUNDWATER/VADOSE ZONE

Deliverables for this project fall into three categories: authority, budget, and content. Clear authority for the project should be established by December 18, 1998. An existing \$13.7 million has been allocated to activities on the site, and an additional \$5 million is expected to be added. Another \$10 million will pay for related basic science projects. A long-range plan is under development which will include schedules, costs, and project specifications. It will be out for a 60-day public review period in January, 1999. In addition, the Expert Panel is seeking stakeholder input into its work regarding identification and assessment of risks. There appear to be significant data gaps in this project.

Board members inquired how ORP and the Tank Waste Remediation System (TWRS) would interface with this project. DOE indicated that ORP only covers TWRS groundwater/vadose zone issues. The integration team is trying to encourage the flow of information between different site staffs. This is a concern of some Board members. Members also expressed concern about stakeholder involvement in the groundwater/vadose zone project and the addressing of serious policy issues that appear to have been put on the back burner.

A question was raised regarding the relationships between this project, the Center for Risk Excellence, and the Consortium for Risk Evaluation with Stakeholder Participation (CRESP). The Board considered asking one of its committees to look into this issue. One Board member expressed concern that CRESP missed the whole point of including tribes in its risk assessment model.

HANFORD ADVISORY BOARD
Revised Meeting Summary
December 3-4, 1998
Doubletree Inn Downtown
Portland, Oregon

In order to expedite corrections to this draft meeting summary please submit comments or changes to Ruth Siguenza, EnviroIssues, 206-260-5041, prior to the February Board meeting.

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.

The meeting was called to order by Chair Marilyn Reeves, Public-at-Large. The meeting was open to the public. Four public comment periods were provided at 11:45 a.m. Thursday and Friday, 4:45 p.m. Thursday, and 3:45 p.m. Friday.

Members present are listed in Attachment 1, as are members of the public, and others attending. Board seats with excused absences were Donald Worden, Public-at-Large; Jim Cochran, Washington State University (University); and Emmett Moore, Washington State University (University). Board seats not represented were Richard Berglund, Central Washington Building Trades (Hanford Work Force) and Rick Leaumont, Lower Columbia Basin Audubon Society (Local Environmental).

ANNOUNCEMENTS MADE THROUGHOUT THE MEETING

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

- Mike Parson, US Fish and Wildlife Service, announced that Fish and Wildlife is beginning a planning process for the Arid Lands Ecology Reserve. Management of the area will be focused on maintaining the biological and ecological integrity of the preserve. The agency wants to look at appropriate human activities, including tribal issues. A public meeting will be held on January 14 at the Tower Inn in Richland, Washington. The agency is very interested in getting the Board's input into their process. A Richland office was recently established, and Dave Gecke is the manager of the Hanford National Wildlife Complex.
- Ruth Siguenza, EnviroIssues, announced that a new member orientation will take place on February 10, 1999.
- Alice Murphy, U.S. Department of Energy (DOE), announced that John Wagoner's retirement is effective January 2, 1999. Jim Hall, the current manager for the DOE-Oak Ridge Operations Office, will serve as the acting manager during the interim.
- Dennis Faulk, U.S. Environmental Protection Agency (EPA), announced that Randy Smith is leaving the Region 10 Superfund Office and will now be heading up the Region 10 Office of Water. Mike Gearheard will be the Acting Director until a replacement is named.

- Mike Wilson, Washington State Department of Ecology (Ecology), announced that Jeff Breckel was leaving Ecology to join the Lower Columbia Salmon Recovery Board.
- Marilyn Reeves, announced that Shelley Cimon, Oregon Hanford Waste Board (State of Oregon), and Betty Tabbutt, Washington League of Women Voters (Regional Environmental/Citizen), are working on a letter of appreciation for Jeff Breckel and asked for volunteers to help draft one for Randy Smith. She also encouraged everyone to attend the social gathering that evening.
- Louise Dressen, EnviroIssues, urged people to sign in and to fill out tax exempt forms. She introduced Pat Kenny, Don Worden's new alternate, and Hilary Culverwell, a staff member at EnviroIssues.
- Mike Wilson introduced Bob Speed, who will be working on public involvement issues for Ecology.
- Paige Knight, Hanford Watch of Oregon (Regional Environmental/Citizen), introduced two students from her high school, Jackie Muma and Joe Watson.
- Max Power, Ecology, announced that there is a vacant Public-at-Large seat on the Board.
- Ruth Siguenza announced that the Hanford Advisory Board (HAB) self-evaluation summaries are done. These were distributed along with the Fiscal Year 1999 (FY99) Board workplan. Recommended changes or corrections should be given to Louise Dressen or Ruth Siguenza.
- Gail McClure, DOE, explained that all Board members who have telephone calling cards should have received a form that looks like a survey. This form must be filled out and returned or the card will be canceled. She also asked that Board members submit any outstanding expenses so she can close the books on FY98.
- Ken Niles, Oregon Office of Energy (State of Oregon), introduced Erin Ogle, a student of environmental studies at Portland State University.

AGENDA ITEM #1: WELCOME AND INTRODUCTIONS

Ruth Siguenza distributed copies of the Board's FY99 work plan.

Marilyn Reeves commented that the previous evening's meeting on waste management was excellent. (Attachment 2) She added that we must pay now to take care of these things, or we will pay even more in the long run.

AGENDA ITEM #2: APPROVE NOVEMBER MEETING SUMMARY

Norm Buske, Government Accountability Project (GAP) (Hanford Work Force), expressed dismay that his remarks regarding the Fast Flux Test Facility (FFTF) were not accurately reflected in the November meeting summary. He had originally said that there should be no restart of the FFTF and thought that he had been abundantly clear. He informed the Board that what people actually say should go into the summary. He also commented that meeting notes that use the word "feel" to describe someone's thoughts actually un-empower them. He views himself as a semi-professional propagandist. He asked that meeting summaries reflect that

someone *said* something rather than *felt* it. He also drew attention to page nine of the notes, and said that they are watered down comments. He remarked that he is embarrassed that students have to see adults behave in such a manner. He will submit his proposed changes in writing.

Jerry Peltier, City of West Richland (Local Government), remarked that he is on a city council, and it is always an issue trying to summarize things. Individuals may think they said something but whether or not they did is another issue. He suggested that the Board review the tapes to ensure that the meeting summary reflects what was actually said. Marilyn Reeves added that in the past, the Board has discussed using the word "outraged" and decided that it must be up to individuals to actually say they are outraged.

Norm Buske remarked that he also has issues with page 15. The second sentence says that Russell Jim, Yakama Indian Nation (Tribal Government) "feels" compliance should include treaty rights, when Norm heard Russell use the word "demand". Marilyn Reeves remarked that she did hear Russell say that, and Russell replied that, as a manager, he cannot "demand" anything. He associates with people who make demands. Norm replied that what he was suggesting is that the record is not accurate and pointed to the bottom of page 18, where it says that Native Americans "do not support...". Support should be replaced with "accept", which is much stronger. Russell agreed with this change.

Norm Buske further commented that on page 18 he had commented that sacrifice zones are a crime against humanity. He also made several suggestion that are not included at the top of page 20. Also, under public comments, he believes that Gai Oglesbee, member of the public, was complaining that the public is not heard and believes that in this record, she has not been heard. He asked that her specific remarks get included in the record.

Additionally, Norm Buske thinks that page 26 sounds fluffy. It is crucially important that DOE and its contractors deal with reality at Hanford. If there is any seriousness to cleaning it up, reality must be dealt with. He said that this record must reflect reality or it won't work. He remarked that the Board is part of the DOE culture and is not saying what is there. He wants his particular complaints to be listed, and as part of that desire, staged a terrorist attack at the last meeting. He explained that this was a symbolic attack to see if it would show up in the minutes. He was outraged that it was not reflected in the minutes, and that it belongs in there at least as a metaphor.

Marilyn Reeves responded that she has reviewed the meeting summaries over the past four years and is amazed at how thick they have become. Louise Dressen added that she appreciates that people read them and that this issue has come up in recent Board meetings. The question is whether it should be a meeting summary or a verbatim account. She remarked that EnviroIssues has received conflicting guidance. Clearer guidance is necessary.

Tim Takaro, University of Washington (University), identified that on page 2, there is confusion about the Health of the Site Conference. He said that three members of the Board, including Lynne Stembidge, Hanford Education Action League (HEAL) (Regional Environmental/Citizen), and himself, helped select the participants for the conference. Those who wish to participate next year should contact him.

Madeleine Brown, Non-Union, Non-Management Employees (Hanford Work Force), noted that Pat Kenny's name was misspelled in several places and asked that the phrase "the cost and safety risks of" be added after "avoid." Additionally, page five reads "an estimated" 29 people are needed for the Office of River Protection (ORP). This is should say "additional." She also suggested that the Board check the tape for the discussion regarding penalties for cost shifting on page 22.

Gerry Pollet, Heart of America Northwest (Regional Environmental/Citizen), noted that many people outside the Board rely only on the Executive Summary, and it is his belief that this does not accurately reflect the Board's feelings and actions on subjects.

Merilyn Reeves suggested that Board members contact the facilitation team prior to the meeting to address concerns with the meeting summary. She also suggested that members clearly state that they want things in the summaries if they feel strongly about them. She noted that meeting summaries should express the will of the group. Dick Belsey, Physicians for Social Responsibility (Local/Regional Public Health), suggested that the notes present issues, then explain how each member feels about them. Merilyn noted that that is a burden for the facilitation team.

AGENDA ITEM #3: TANK WASTE VITRIFICATION

Todd Martin, HEAL (Regional Environmental/Citizen), summarized the Tank Waste Treatment Ad Hoc Committee workplan. The bulk of the group's efforts are focused on the next six months. Readiness to Proceed (RTP) will be the focus of March, April and May. Tri-Party Agreement (TPA) negotiations will occur in December, January and February. The go/no go decision point is in February. Technical costs will be tracked throughout the six months. The most important decision point concerning regulatory issues will occur in February. Committee members are assigned to each of these areas as issue managers. He noted that despite the near-term focus, they are not losing focus on bigger issues beyond the six-month window.

Merilyn Reeves asked if the group had discussed ways to get their message out. Todd Martin replied they had not, but that the issues are weighty enough to warrant issuing press releases.

Mike Wilson, Ecology, commented that Ecology sent DOE a draft TPA Agreement-in-Principle (AIP) outlining short-term milestones and privatization efforts two months ago. Ecology has not received a response. This raises the issue of major decisions being made without an official TPA public involvement process. Leif Erickson, DOE, responded that DOE is currently reviewing the AIP and a response will probably be sent out in the next week. Todd commented that he wanted

it to be clear that this is not a ho-hum issue. DOE has changed the milestone structure. DOE and Ecology are not talking and are significantly apart conceptually. Jim Rasmussen, DOE, noted that he and John Wagoner had spoken with James Owendoff, DOE-HQ, about this issue.

Board discussion

Merilyn Reeves asked Todd Martin who at the U.S. Department of Energy Headquarters (DOE-HQ) is responsible for following these issues. Todd replied that Walter Howes, DOE-HQ, has a large chunk of the decisionmaking authority, but there is no clear decisionmaking process. He noted that there are over 70 major deliverables due in the next two years, most of which have a 30-day DOE review turnaround. He expressed concern with DOE's ability to respond to all of these when they cannot make a decision on the AIP. Leif Erickson replied that it will be a difficult task and that the process will be streamlined. Merilyn asked if there was a precedent for releasing some of the AIP. Mike Wilson replied that he does not see any reason that some information cannot be released. Norma Jean Germond, League of Women Voters (Public-at-Large) expressed outrage that the HAB is being kept in the dark on this issue. She noted that BNFL is not producing what they should, and DOE is stuck, which keeps the parties far apart. Jackson Kinzer, DOE, commented that his staff will devote as much time as necessary to this issue.

Alan Dobson, BNFL, remarked that BNFL has been producing all that is required in the contract. Its policy is to be completely open and honest. He noted that stakeholders are welcome to attend its business and management meetings, and there is no intent on BNFL's part to withhold information, except for that which would be of value to its competitors. Mike Wilson clarified that the philosophical differences regarding the AIP are between DOE and Ecology and have nothing to do with BNFL. Norm Buske noted that the disagreement on this issue is not listed in the notes. Paige Knight added that it is imperative that a strongly worded letter be sent to DOE and suggested that they do a press conference. She said that it is outrageous and infuriating that the agencies have not yet agreed on an AIP. Pam Brown, City of Richland (Local Government), remarked that the lack of permanent leadership is probably responsible for this. She suggested that the Board ask DOE-HQ to authorize someone to make these kinds of decisions and recommended Walter Howes. Jerry Peltier added that he met with Ralph Lightener, DOE-HQ, in James Owendoff's office last year, and suggested that he be the point person. Gordon Rogers, Tri-Cities Technical Council (Public-at-Large), remarked that until the ORP is staffed and functioning, DOE should place the full decision making responsibility at Hanford.

Todd Martin gave an overview of the committee's six-month timeline. The first deliverable date was October 24th, when the project management plan was due. The second was November 24th, when the Integrated Master Plan (IMP) for Phase B1 was due. The third is December 24th, when the cost documentation package, the IMP update for Phase 2 construction and facilities options, and value engineering and optimization studies are due. There are approximately two dozen of these studies underway looking at optimizing the plant design and the vitrification process. The fourth is February 2nd, which is the go/no-go decision point. He noted that this is not a contractual decision point, but an internal DOE one. When BNFL signed the

contract, they came to an agreement in principle with how they will price the waste, and these negotiations are ongoing. The go-no go decision is when they will reach agreement on the specifics of these pricing issues. A summary of this timeline is included as Attachment 3.

Todd Martin reviewed the committee's recommendations for advice. It asks DOE to develop a clear decision making process, to consider alternative financing and to develop a long-term funding program. He noted that the Tank Waste Retrieval System (TWRS) program alone is more than the entire Hanford budget and there is not enough money for it. Madeleine Brown agreed with the advice as stated, but asked that the second paragraph of the go/no go point be more powerfully expressed. Harold Heacock, Tri-Cities Industrial Development Council (TRIDEC) (Local Business), commented that inflammatory statements do not necessarily get more attention and expressed concern that there is no clearly defined basis for making a decision. Neil Brown, DOE, clarified that there is nothing in the contract that mentions a six-month decision point; that it is an internally-imposed one. Bob Larson, Benton-Franklin Regional Council (Local Government), expressed concern that there are too many acting DOE managers and wondered who will make the decision. He suggested inserting into the advice a request for DOE to identify the individual who will be making decisions. Ken Bracken, Benton County (Local Government), asked the Board whether there might be another decision point beyond the February date. He suggested broadening the advice to make DOE aware that the Board is cognizant of the possibility of future similar decision points. Shelley Cimon concurred, and asked how BNFL can successfully shop for financing when they do not have a commitment from DOE. Alan Dobson responded that this is BNFL's major issue with the contract, but that they feel reassured by DOE's messages that appropriations will be made. Marilyn Reeves agreed that the advice should be stronger and asked the Board to consider issuing a press release so that everyone knows that the waste cannot be treated at present. She asked the Board to discuss the idea of getting the word out beyond the Northwest. The Board agreed to draft a press release.

Ruth Siguenza distributed copies of Ecology's proposed draft TWRS TPA negotiations AIP.

Action on Press Release

Pam Brown suggested that the press release begin with the statement that the leaking storage tanks pose the most significant risk. Dick Belsey noted that money is the major issue. Jim Watts, Hanford Atomic Metal Trades Council (Hanford Work Force), commented that he'd like to hear from DOE and BNFL on what is actually doable before he is willing to agree to a press release. Jackson Kinzer replied that he sees nothing unreasonable in the advice but that a timeline is necessary. He added that he will be the Acting Manager at ORP and will report from a programmatic point of view to James Owendoff and from an administrative point of view to the new manager at Richland. Lloyd Piper, DOE, considers the advice to be doable, but is concerned with the level of detail and the timing. He noted that there are a lot of commercial negotiation and financing strategies that must be done. Alan Dobson added that BNFL could live with the advice, although a mechanism to participate would have to be created since they are not signatories to the TPA. Jim replied that it is time the contractors participate in the decisionmaking process. Tim Takaro noted that hearing that the advice is doable is comforting and that it should be made clear that the consequences of failure are extreme. He noted that the purpose of the press release would be to express the HAB's fear of failure. Gerry Pollett added

that a proactive public comment and involvement process must be developed to ensure credibility. Betty Tabbutt added that she wants more specific advice and suggested that part of the purpose of a press release should be to let the public know that the HAB knows what is happening. Jerry Peltier noted that the principle of this advice was meeting milestone schedules, and that this message should not be diluted.

Merilyn Reeves suggested that the Board look at both the advice and the press release so that they are compatible. Ken Niles identified the key points: characterization of the problem and the potential for failure of the privatization effort, the need for short-term milestones, and concern regarding the lack of progress in TPA negotiations.

Norm Buske added that he thinks the press release is watered down but is reasonable to present to the Board. Gerry Pollet expressed concern that DOE has set its own private timeline on a public policy issue, thinking it could work in conjunction with the contractor without public input. He views it as unacceptable that public involvement is incorporated only at the convenience of the private timeline. Todd Martin added that he hopes they haven't given the impression that this is the end all be all of input for TPA milestones. This is just a first step.

After further discussion on specific wording changes, the revised Press Release was adopted.

Russell Jim distributed a resolution passed by the Yakama Nation on November 4th, 1998 which addresses many of the issues discussed by the HAB and says that cleanup of Hanford is not in compliance with federal law. (Attachment 4) He noted that legal counsel from the Yakama nation was present. Tom Carpenter, GAP (Hanford Work Force), replied that he received a DOE document entitled "Risk Based Requirements for Long-term Stewardship" and believes that the contents of it are inadequate and that it does not represent real cleanup. Paige Knight asked Russell who else would receive the document, and Russell replied that it would go to all entities with which he is involved. He added that the Yakama Nation looks beyond seven generations and that the current cleanup plan is based on mainstream society's concept of stewardship and implies sacrifice zones. In addition, transferring land into private ownership severs treaty rights.

Action on Agenda Item 3

Ken Bracken remarked that he is concerned about the process the Board is using to develop this piece of advice, especially regarding the potential of amending the advice with a statement regarding the potential addition of new liquid nuclear wastes to the tank system. He expressed a high concern with the capability of getting treatment and said that treatment capability is necessary whether there is a new mission or not. If the HAB is to have a process and amend such things at the 24th hour, he fears for how effective the Board will be in the future. He also commented that when the advice was first drafted it was very simple and straightforward. It said agencies, stop mucking around. Get something on paper that addresses milestones. Understand the criteria by which DOE will make internal decisions. He asked the Board to go back to the basics of why the advice is there. He noted that it is a time critical moment for this particular

activity. Norma Jean Germond concurred with Ken's comments and said that it is a very important piece of advice. She likes it without the statement regarding potential new missions since this information was not discussed and did not go through a committee process.

Tom Carpenter added that he has grave concerns and thinks that the HAB has missed the boat by dodging an issue that is a dealbuster for his organization. He remarked that if there is to be a process to discuss cleanup, the DOE must decide if it is in the business of producing or cleaning up waste at Hanford. He said that it is ludicrous and idiotic and a crime against humanity if DOE chooses the production path. If this occurs, he will block consensus on every issue until that issue is dealt with by the Board. But, because there has been no decision on FFTF yet, he is willing to withdraw a blocking of consensus for this advice, but wants his dissenting opinion regarding producing future waste at Hanford attached to it.

Gerry Pollett noted that he had offered a compromise that said the public involvement process for TPA negotiations should allow for input on this question. The projection for existing cleanup missions for the tanks is frightening—there isn't space. In terms of compromise, this says that we must look at treatment and storage capacity from all sources and the TPA should take input.

Merilyn Reeves asked the Board if this was something they could live with, and Jerry Peltier noted that he is opposed to the new statements regarding potential new missions and associated waste and the TPA public involvement process. Norma Jean Germond remarked that the Board needs to address the issue of additional new waste. She noted that she will go along with the document without the statement on new waste if that is what it takes to get consensus. Harold Heacock suggested that they adopt the advice without the statement on new waste, but that the issues should be assigned to a committee to draft a position.

Pam Brown also expressed opposition to the new statements on new waste and public involvement. Gordon Rogers agreed that it is unacceptable and asked for assurance that the proposed public involvement action would not delay DOE's approval of the Phase B1 contract. Gerry Pollett added that there are two show-stoppers for him. First, going forward without meaningful public involvement with a \$10 billion contract is unacceptable. Second, you cannot add more waste to the problem when you do not have adequate storage or treatment capacity. He sees no reason to go forward with the advice unless these concerns are met.

Harold Heacock noted that it is important that this advice proceed since it is one of the more important things the Board has done.

Tom Carpenter noted that Hanford operated for 50 years without public input. He thinks that things would have been done differently had there been something similar to the HAB. The Board's most fundamental responsibility is to debate whether we should be adding to a spent fuel waste problem that is currently unmanageable. He thinks the Board is not doing its job if it does not deal with this issue.

Dick Belsey said that the advice needs to get out in a timely fashion and suggested that the Board put aside its differences on FFTF and deal with them separately. Paige Knight remarked that the Board cannot afford to let this piece of advice go by the wayside. She is in favor of sending it out. Betty Tabbutt agreed, but expressed concern that developing new waste could substitute for the 10% DOE is committed to cleaning up. She wants reassurance that new waste will not be used to satisfy that 10%.

Dick Belsey added that the February decision point does not sound like a solid milestone. He thinks its artificial, and DOE will not be able to meet the deadline. He also thinks the public involvement piece should be there and noted that discussing the FFTF issue is critical and should be on the top of the agenda for the next meeting.

Gordon Rogers asked if the consideration of alternative financing matters is something that they have to reach a decision on before the February decision point. Jackson Kinzer replied no. Todd Martin added that February represents a target date for finishing negotiations with BNFL on the structure of the pricing; Jackson concurred. Gordon asked Gerry Pollet if he wanted public involvement prior to that time. Gerry responded that it sounds like February is essentially a decision made by DOE management and will have no bearing on whether there will be public input. He said there should be public involvement before they take the jump with BNFL. Jackson responded that the ad hoc committee has access to the information that DOE will receive in February. Also, there will be alternate financing studies going on throughout this two year period as a result of the GAO report. Marilyn Reeves asked Gerry if he meant to delay the February decision date in order to provide for public involvement. He replied that if the negotiations lock in a pricing mechanism, then he does. DOE should make sure they do not lock in financing mechanisms that preclude changes based on the alternative financing reviews and public input about the wisdom of different alternatives. Jackson responded that they are not locking anything in that does not have downstream flexibility.

Marilyn Reeves added that this advice tells the agencies that the HAB is following the process and has concerns about the criteria being used to make substantive decisions and that they want to be involved.

After further discussion on specific wording changes, the advice, as revised, was adopted. It will be noted at the bottom of the advice that consensus was not reached, and that a minority of members wish to have additional language inserted.

PUBLIC COMMENT

Greg deBruler, Columbia River United (Regional Environmental/Citizen), announced that he attended a press conference in White Salmon, Washington and learned that DOE is hoping to produce more waste at Hanford. He asked how this can happen when the technical challenges to deal with existing waste have not been overcome. He read aloud a proclamation addressing this issue, and has requested a copy of DOE's 20-year planning strategy that lays out future plans.

Norm Cimon, La Grande, Oregon, expressed opposition to the startup of any new waste-generating activities. He suggested that a cost-benefit analysis be conducted.

AGENDA ITEM #4: SPENT FUEL

Beth Sellers, DOE, gave an update on the spent fuel project. Last summer, DOE developed a high confidence baseline. In the past two years, two new things were instituted. The first is a Baseline Review Board composed of Nancy Williams, FDH, herself and several other staff members which meets every other Friday. They discuss baseline change requests and contingency analysis. They also review expenditures on a quarterly basis. Currently there are issues with Westinghouse in Carlsbad. They are behind schedule in fabricating the K West Fuel Retrieval System and high-level meetings are taking place as a result.

The goal of the new Results Management Team is to refine the baseline management process, analyze strategies for managing funds and focus on risk. It meets weekly. They are also looking at cost and schedule performance; training and procedures development; and milestones, such as the TPA.

Accountability is being strengthened by regular Critical Path meetings. Nancy Williams and every subcontract manager must attend these meetings. The manager reviews what was due that week and discusses ways to complete projects if there is a problem.

The project execution plan outlines the requirements for how personnel are expected to execute the project. The baseline control process has in theory been in place since it began, but in reality it has only been in place since spring. Good controls are now in place. Systems cannot be changed unless changes are well-documented. Baseline change control will take place for cost and schedule changes.

Beth Sellers commented that the integrated management decision process is new, and this is where risk is analyzed. Use of contingency and estimate completion are the end result of these. They will probably be using the same process in the integrated water treatment system. It is possible that design changes are necessary and these would involve cost benefit analysis. Baseline Change Request (BCR) is documenting the cost savings and doing a priority list which should be completed in 1999.

Copies of the contingency report were handed to Gerry Pollett and Harold Heacock who have analyzed the risks on the project.

Board discussion

Paige Knight asked what mechanisms are in place to make sure people are being up front, and Beth Sellers responded that both DOE and the contractor are in the field asking questions and doing visual confirmations. Doug Sherwood, EPA, added that EPA is checking into it also and that he has more confidence with the process.

Jerry Peltier asked whether DOE has its own subcontract manager, and Beth Sellers responded that they do not. Beth noted that she meets with Nancy Williams on a weekly basis and that this is where issues are brought up. Regarding funds management, DOE does monthly invoice reviews and looks at worksopes to make sure they are being completed. There is also a weekly meeting with John Wagoner and Ron Hanson, Fluor Daniel Hanford (FDH), on this issue, so it has top level attention.

Doug Sherwood added that they are close to approving a baseline. It has already been approved by FDH. DOE is on the verge of approving it. Ecology will not sign a change package until there is an approved baseline. The baseline must meet the TPA before they are ready to sign. The first milestone, the delivery of the proposed plan and the focused feasibility program for spent fuel, was met, so things are on track.

Norm Buske remarked that it looks to an observer that holes are being created in what is an increasingly complex situation and expressed hope that concern over the training does not get lost in the complexity of computerized management. He asked if Duke's Senior Environmental Safety and Health Manager resigned over budget cuts, and Beth Sellers replied that she was not aware that anyone had resigned. She added that there is a site integration manager who keeps abreast of issues that arise. Norm remarked that he sees no concern with integration back with the entire site.

Todd Martin asked where changes in input to the controls process come from. Beth Sellers replied that it comes from the Spent Nuclear Fuels Project. Any alteration to the database would come from a Fluor or Duke employee. Todd asked how the contingency gets built in and Beth said that there is a small pot. Todd replied that 7% contingency seems low and Beth replied that it is up to 15%. Doug Sherwood clarified that the Baseline Review Board and the change control process is the same thing from an approval standpoint. It goes back to the group of senior managers who must decide that that is how money should be spent. Accountability has been brought in and people who work faster are rewarded, so more money can be released to get the work done.

George Kyriazis, City of Kennewick (Local Government), asked if contingency is really in their budget. Beth Sellers said that it is, but that the subcontract manager does not have it in his budget. Doug Sherwood added that the goal is to spend the money effectively, and move work from next year into this year. Their goal is to not give back \$17.3 million in uncosted balances each year. Alice Murphy clarified that this is consistent with site policy: if a project has savings, it can accelerate work forward.

George Kyriazis asked if the spent nuclear fuel project is meeting all the milestones, and Doug responded that the first milestone was met and that they are not off track to meeting the rest of them. Tim Takaro added that he is pleased to see this intentional decision process. Paige Knight asked if people were located in different buildings and if so, how did they communicate. Beth replied that they are in four different buildings approximately 10 miles apart, which is why the results

management team was formed. Paige then asked what progress was made in the spent fuel process and Beth responded that the Multi-Canister Overpack (MCO) Hanley machine was received and assembled. She added that more components are coming this month and that it will be tested in the spring.

Merilyn Reeves said that one year ago, there was a 20% confidence level that the project would come in on time and at cost. Beth responded that their confidence level for contingency is 90%. Merilyn asked if the unresolved cost issues have been dealt with, and Beth replied that this issue highlights the fact that there is still risk. They are currently going through a three-month exercise of discussing sludge treatment options with everyone on-site. Doug added that the project still has \$70 million for 70 cubic meters of sludge. The current plan is to use it in the cold vacuum drying facility but they are unsure if it will fit. Alice added that there is a monthly report accessible through the internet that explains cost and schedule variances, TPA issues, and major milestone issues. They just completed a year-end review with the Environmental Management (EM) people and this document was used to brief them.

Ken Bracken asked for clarification on the question regarding confidence levels. Beth replied that the reason they are not giving out a number is because they have not formally quantified it. She said that they are terming it a high confidence level schedule.

Health, Safety and Waste Management Committee Report

Harold Heacock presented a summary of the key issues being followed by the Health, Safety and Waste Management Committee. Management improvement has addressed many of the committee's problems on the spent fuels project. One area of concern on the committee's part is the impact of management improvements on the Hanford budget. This is a \$1.7 billion estimate, not a \$1.586 billion estimate. This money must still come out of the budget. Once the fuel is out of the basin package the storage building will still have ongoing surveillance costs. Project contingency is about 10%, though it is hard to judge if this is enough. He said that the uncertainties are primarily in the operations and maintenance areas. Currently, approximately 450 people are charging to the project.

The ISR (Integrated Safety Report) has been issued which is an overall integrated summary of the safety analyses for the project. Also, a project management team has been established and this is a big step forward. Tim Takaro asked if the confidence on the contingency plan includes time contingency. He noted that the time laid out for delays due to weather does not sound like a lot of contingency.

The committee will focus on these issues: implementation of management improvements; monitoring progress on the project management controls; milestone application; project cost; and safety control. The committee considers the implementation of management improvements to be the top priority because they have concern with DOE's ability to manage the project. There is a \$1.7 billion estimate and a vitrification plant coming on line soon. The committee has asked DOE several times where the money will come from and would like to see a report that gives an overall perspective of the funding requirements. Alice Murphy said that the General Accounting Office (GAO) asked the same question and that such a report cannot be done without the

involvement of the Office of Management and Budget (OMB) and Congress. She added that DOE is aware of the funding gap.

Harold Heacock noted that safety is another key issue and that the Safety Analysis Reports are a huge workload. Other concerns include operation and maintenance staffing and training. He noted that the TPA change package was approved and signed off on. George Kyriazis remarked that 10% contingency is inadequate and thinks it should be 15%. Jerry Peltier added that the contingency to finish the project because of the unknowns is 25%.

AGENDA ITEM #5 OPENNESS RECOMMENDATIONS

Mary Lou Blazek, Oregon Office of Energy (State of Oregon), gave an overview of the FY98 openness workshops. In 1994, Secretary of Energy O'Leary made a strong commitment to openness. John Wagoner supported openness when he came to Hanford and strongly backed the charter in 1996. The first workshop took place in October 1997. The workshop charter stated that their purpose was to make suggestions for making DOE more accountable, improve the climate for employee openness, and declassification priorities. In FY98, four one-day workshops were conducted, five fact sheets were compiled, and a report with 51 recommendations was produced. This was all done for approximately \$10,000 indirect costs, plus considerable in kind contributions. The major conclusion workshop participants agreed upon was that openness is about fostering and maintaining an open decisionmaking process.

Key participant recommendations include: use performance measures to promote openness; support openness for employees; improve access to information; support and streamline declassification; and continue openness workshops in FY99. Mary Lou Blazek added that more work should be done to develop performance measures on DOE and contractor openness and that workshop participants suggested that 5-6% of contractor fees be tied to openness performance. Other recommendations include: create an open environment for employees; have a zero tolerance policy for contractor reprisals; provide training for DOE supervisors and workers on employee concerns; hold individual managers personally accountable; improve DOE document accessibility; use electronic aids to speed declassification; and devote one entire day of a future workshop to Native American issues. She noted that openness successes in FY98 included the following: over 270,000 pages were added to the Opennet; the downwinder litigation base is being made available; and DOE is supportive of the workshops. On the negative side, there is currently a squeeze on funding for document declassification.

John Wagoner gave the go-ahead for five workshops in FY99. The first will focus on DOE's response to the 51 recommendations made in FY98 openness workshops. The second will focus on transparent processes and document access. The third will define openness criteria and performance measures, and the focus of the fourth workshop will be tribal issues. The last will focus on a DOE-Contractor openness evaluation. Marilyn Reeves added that this report was taken to the Site-Specific Advisory Boards (SSAB) meeting in Boulder and was received very favorably.

Board discussion

Gordon Rogers asked about DOE-HQ's response on using these workshops as pilot projects and Mary Lou Blazek replied that they have not yet received the final word. Gordon expressed concern with recommending a 4-6% incentive performance fee or deduction and suspension of a contract for demonstrated retaliatory action, which he views as micromanagement. He would have trouble endorsing those specific things, though he approves of the advice in general.

Gerry Pollet said that many of the recommendations for performance measures track the Board's advice on other performance measures. Given that openness is one of the six major goals, it deserves the same sort of performance measures as those in the contract. He commended Mary Lou Blazek for her work. Tom Carpenter added that he wanted to acknowledge Hanford and DOE for going ahead with funding the workshops, and mentioned that someone was brought in who has done training for hundreds of U.S. Department of Energy, Richland Office (DOE-RL) managers on the issue of whistleblowers. Changing the atmosphere is the most important thing in his view, not regulations.

Action on Agenda Item 5

Jim Watts commented that openness is going in the right direction and asked if any improvements in openness could be reversed if production at Hanford were changed to suit military purposes. Specifically, could DOE put a blanket of national security over the site? Mary Lou Blazek replied that in a production mode there would be more classified documents. Jim asked DOE representatives if they could pull the secrecy over the waste materials since there would be revenue streams for new waste. Alice Murphy replied that she doesn't think DOE would use that as a reason to blanket secrecy for waste materials.

Norm Buske commended DOE for incredible improvement in openness, but noted that there are a few slight omissions like the public, and workers who are exposed to harm. He thinks that DOE is still sitting on stuff and that they go along with openness because the HAB is part of their game. He thinks that DOE is not facing reality. He began reading from the Executive Summary of the Openness Panel report, and Marilyn Reeves pointed him back to the draft consensus advice, which was the focus of discussion. Norm replied that the advice contains the same stuff. He considers the advice progress, but it's not what the Board presumes and that the concepts are not right. He explained that DOE does not deserve the credit it is getting. His biggest concern is that the basis is wrong and that it looks like non-reality. Marilyn again reminded him that he was not reading from the consensus advice, and Norm replied that the Executive Summary is actually wrong. Marilyn suggested that he come to the next five meetings of the openness group. He replied that his notion was to raise his objections at the HAB meetings. He added that if things reported to the Board are not realistic, it was his job to raise his hand and say "This is not realism." He asked if the Board is part of a system that pretends that everything is fine. He then remarked that he could not be part of consensus because he believes it is a sham.

Gordon Rogers noted that Tom Carpenter, not Norm Buske, holds GAP's seat on the Board and that he would like to hear from Tom. Gordon noted that he would work with Norma Jean Germond on the last paragraph of the advice and suggested that they add a sentence at the end that says that not all Board members concur with each individual recommendation.

Norma Jean Germond said that the change made in the last paragraph hits what the Public Involvement Committee was trying to say, which is that they want DOE to look at the recommendations and implement them. She noted that there is a tremendous history of lack of openness in the past but that the Board is not choosing to address that. Rather, they are saying that openness is what is wanted. She thinks that the entire piece hits the mark exactly and she endorses it. Ken Niles said he hopes that the final paragraph does not have to include qualifiers. Marilyn Reeves asked Gordon Rogers, Norma Jean Germond, and Susan Leckband, Non-Union, Non-Management Employees (Hanford Work Force) to work on editing the draft advice.

Gordon Rogers pointed out that Tom Carpenter's name is listed as a participant in the Openness Panel and asked him directly whether he was involved in the development of the 51 recommendations. Tom replied that the core of GAP's objection is that DOE is proposing to go backwards with the opening of FFTF and that that will put a shroud of secrecy on the site. If that happens, the GAP will not participate in an openness panel or workshop and will not cooperate with DOE.

Norm Buske remarked that he objects to the advice, and he wanted it noted in the minutes that he was silenced by the Chair when he expressed concern on this advice. He said that he thinks DOE has drafted a document that will perpetuate the culture of secrecy. Marilyn Reeves disagreed with Norm's claim that he was silenced and noted that when this issue came up they were working on the consensus advice generated by committee, while he was working off of the executive summary of the report to DOE on which the advice was based. Norm replied that the consensus advice basically goes on top of the report, and as such it countenances evil. He sees it as invasive and evil and as part of an evil package that is continuing secrecy. In order to avoid countenancing evil, he informed the Board that he would step down from his seat and withdraw on this particular item.

After further discussion on specific wording changes, the advice, as revised, was adopted. It is Consensus Advice # 89. Norm Buske, GAP alternate member, abstained.

AGENDA ITEM #6 RAILROAD USE STUDY

Jeff Luke, Non-Union, Non-Management Employees (Hanford Work Force), said that the Dollars and Sense (D&S) committee's advice was based on DOE's Inspector General report. When the committee drafted the advice, members thought they had all the pertinent information. However, additional, potentially important information recently has come to their attention, and he suggested that the advice be reconsidered by a joint session of the Environmental Restoration (ER) and D&S committees, including EPA people. The new information involves issues dating back to 1992. Greg deBruler raised a concern with sending the advice back to committee since it seems to make sense and Gerry Pollett responded that the new information was significant and might dramatically change the nature of the advice. He explained that EPA has a strong set of

facts and points of view that they had not seen. Gerry suggested sending it back to committee as well. Marilyn Reeves remarked that both the Chair and the Issue Manager suggested sending it back and that that is what will happen.

Bob Larson asked the D&S committee members to note that many of the railroads were transferred to the Port of Benton, and the port has a subcontractor who will run the railroad.

AGENDA ITEM #7 TANK WASTE REMEDIATION SYSTEM

Jackson Kinzer, DOE, updated the Board on the status of personnel recruitment for the ORP. Two executive search firms are currently recruiting for the three or four key positions. Seventy applications and over 500 inquiries have been received. He thinks the official organizational structure will be in place by Sunday December 6th. Marilyn Reeves asked when the decision will be made on an office head. The final selection should be made in January. All the organizational structure and logic for the program will be woven together and included in the 90-day report. Marilyn commented that she hopes the announcement of the position included the fact that there would be a working relationship with the HAB.

George Kyriazis presented the D&S Committee's Draft Advice recommendations on the ORP. The committee's understanding is that the manager of ORP will report to the Assistant Secretary of Environmental Management (EM-1), will receive programmatic direction from EM, and that the office will be located at Hanford. Their main concern is the coordination and integration of the ORP with the rest of the site. They also have an issue with the fact that there will be 27 new employees. George asked if DOE had planned to hire that number of people even before ORP was created, and Jackson said yes. George said that the 1995 report from Congress also said that there was no clear chain of command and too many managers. Jackson said that the chain of command is clear; he is in the acting role.

George Kyriazis noted that one of the main items in the request is to make the ORP management plan available to the public prior to its submission to Congress. Jackson Kinzer responded that this presents a schedule constraint and would preclude DOE's ability to make the deadline for the 90-day report. George added that another concern involved splitting programmatic authority on waste and budget decisions, the Integrated Priority List (IPL), and other things. This is the main focus of the remainder of the advice. Jackson replied that the management plan addresses all these issues and includes a matrix that identifies the prime responsibility for a laundry list of things associated with the decisionmaking process, much of which includes the TPA and budget issues.

Board discussion

Greg deBruler commented that he knows the name ORP was created with good intentions, but believes the name is an insult to protecting the Columbia River. He remarked that if ORP were truly an office of river protection, the TWRS success mission would be part of that office and it would be at the level of the site management Board, which was the HAB's advice regarding the Columbia River Comprehensive Impact Assessment (CRCIA) one and a half years ago. He thinks the advice has good points but is missing the piece regarding integration, the comprehensive assessment, and everything else discussed in the CRCIA. He added that ORP is half baked and incomplete, but that it is salvageable. He suggested having open discourse on it to create a win-win for everybody.

Lloyd Piper remarked that George Kyriazis hit on a lot of critical issues, and this advice is timely and important. Todd Martin added that there is one concept missing: the timeline has a new ORP manger coming up to speed at the same time that major decisions regarding tank waste treatment disposal are being made.

Betty Tabbutt asked for clarification regarding the 27 new hires. She remarked that Jackson Kinzer had alluded to the fact that there will be ORP contacts at DOE-HQ and asked if these were part of the 27 new hires. Jackson said that they are not. These assignments have been made and include individuals currently working with Jim Owendoff. One is Ralph Lightener; Ken Lange, DOE, will also be involved.

Betty Tabbutt added a general observation that this piece of advice seems to be buying into more of the same. The reality is that this project is not isolated. She does not think the advice is specific enough to address the concern regarding chain of command. She said she would like to see Todd Martin's concern regarding the new ORP manager coming up to speed added as well as more information on the question regarding TPA and how ORP will relate to the regulators and meet the milestones.

Pam Brown said she knows that the ORP was created in part to provide better security for the budget associated with the tanks and asked if there had been discussions regarding next year's budget. Specifically, is it part of the regular budget, or is it separate? Lloyd Piper said that it is part of the overall Hanford budget, and ORP information becomes part of the overall Hanford budget that gets approved by EM-1.

Ken Bracken commented that he thinks the advice should be more direct. He has suggestions that he will give to George Kyriazis.

Tim Takaro said he thinks that many substantive issues regarding integration with other projects are coming out, and this leads him to believe that there has not been adequate public review or Board review of the issue. He appreciates the piece of the advice asking for public involvement, but wonders what kind of involvement can occur between now and January.

Tom Carpenter added that a mistake was made in the scope of the legislation establishing the ORP. He thinks it is too narrow and that Hanford and the Board should view it as the floor rather than the ceiling. He views it as an opportunity to broaden the scope beyond privatization.

Paige Knight noted that ORP looks to her like another layer of bureaucracy that will eat up the Hanford budget. She would like Tom's comments incorporated because they could guide the vision to the ceiling instead of to the floor. She also supports Greg deBruler's idea that it be more comprehensive.

Action on Agenda Item 7

Wayne Martin, Non-Union, Non-Management Employees (Hanford Work Force), remarked that the Board must be careful about what gets pooled underneath the ORP. He recalled that the ORP was so named in order to make it more difficult for Congress to cut the funding. Since its creation was just a matter of words, he suggested that the Board focus on the fact that having something that shows a connection between TWRS and the river is a good thing.

Paige Knight asked if ORP was an unfunded mandate. Tim Takaro suggested that the legislation is not very restrictive because it does not say that it only includes the privatization contracts, but actually implies that much more can be included. Jerry Peltier remarked that this is in essence a status report and suggested that they include in the advice what they think should be in there with no restrictions.

Betty Tabbutt asked if there is anything in the legislation that precludes the DOE-RL manager from being the head of the ORP, and Marilyn Reeves said no. Lloyd Piper said that that was not the intent of the legislation.

Marilyn Reeves wanted to have something in the advice stating that the Board stands ready to work to have the ORP succeed and that its members would like to work with the development of a management plan. Making it available for public review prior to submission is unrealistic, and that perhaps they should change it to make it available for review by the HAB as soon as possible. Jackson Kinzer noted that when Congressional Representative Doc Hastings and his staffer Doug Riggs promoted the idea of the ORP it was to do just what Wayne Martin indicated: to get the attention of the Congressional groups to garner their support of the programs. Jackson suggested that the group think seriously about promoting the need for additional funds.

After further discussion on specific wording changes, the advice, as revised, was adopted. It is consensus Advice # 90 .

PUBLIC COMMENT

Stephen Kaplan remarked that he has done work as a freelance researcher and writer on new energy development. Prior to this he served as an assistant to Senator Gaylord Nelson in Wisconsin. He addressed the issue of DOE policy and the general conventional wisdom regarding ways to remediate nuclear waste. Right now the reigning policy is vitrification and geologic storage. He believes that this is questionable on scientific grounds and is politically untenable. If new scientific research is correct, this policy is not needed since alternatives exist. Work is being done on a worldwide scale for remediating waste on site. Two of the most promising alternatives include research on low energy nuclear reactions. He read from a June 10th, 1998 *Oregonian* article entitled "Cold Fusion Confusion Reigns in Washington" which

challenged DOE to take a serious look at research being done in this field despite the scientific establishment's view that this research is untenable. This field shows there is a possibility of transmuting nuclear waste into non-radioactive materials. He remarked that if the French Atomic Energy Commission can sponsor research in this field, surely the DOE can. New research reported recently that is within the existing scientific paradigm by Dr. Paul Brown, a respected Colorado nuclear physicist, has proven to his satisfaction that gamma ray radiation of nuclear waste can dramatically cut the half lives of most of the nuclear materials that we have to deal with. He provided a packet of materials overviewing some of this research. He asked that the Board take a serious look at it. A number of Hanford scientists have looked at this research. There is no money in the DOE budget to look at this in a concentrated way. He also hasn't seen advocacy groups taking this seriously.

FRIDAY, DECEMBER 4, 1998

AGENDA ITEM #8: TPA AGENCIES REPORT ON PROGRESS

John Wagoner, DOE-RL, Randy Smith, EPA and Dan Silver, Ecology, presented their perspectives on the State of the Site. Transcripts of their remarks appear in Attachments 4-6.

John Wagoner, DOE (Attachment 5)

There were a number of areas in which considerable progress was made in FY98. However, there are also issues of concern remaining. Areas in which progress was made include:

Spent Nuclear Fuel

Important physical accomplishments were made in regards to the spent nuclear fuel project. The prototypes for the multi canister overpacks have been released and the bidding is currently underway. The first 30 baskets that will go in the MCOs have been completed, and a transport system is in place to move the multi canister overpacks from the K Basins over to the new canister storage building. Finally, an agreement was made with EPA on a schedule for getting the fuel out of the K Basins.

TWRS

The BNFL contract was completed. The cross site transfer system is in place so that waste can be removed from the 200 West Area to 200 East. All the old unreviewed safety questions regarding double and single shelled tanks were closed out. Tank BY-103 was pumped, and three other single-shell tanks are in the stabilization process. DOE came to agreement with Ecology on how to deal with stabilizing the rest of the tanks. The organic nitrate tanks are coming off the Wyden watch list. The process of sluicing the waste out of Tank C-106 has begun.

Plutonium Finishing Plant

The contractor was released to do limited movements of special nuclear material, and an analysis was completed to see if plutonium can be safely removed from Tank Z-361.

Environmental Restoration

B Plant was closed. All the cesium and strontium capsules have been returned to the Waste Encapsulation Storage Facility (WESF). Progress was made in getting materials out of the 300 Areas. DOE is ready to get rid of almost 2,000 metric tons of unirradiated uranium. The entire 1100 area was transferred to the Port of Benton.

Waste Management

Some of Hanford's mixed waste was shipped to a treatment facility in Idaho. DOE was able to use its effluent treatment facility in the 200 Area to save money by using it to treat water that came out of the N Basin. The N Reactor complex was deactivated and cocooning of the C Reactor was completed. A secondary containment system in the T Plant facility was installed. Upgrades were made to the 222-S high level radioactive laboratory. Finally, 700,000 tons of material was disposed of in the Environmental Restoration Disposal Facility (ERDF).

River Protection

The Columbia River Corridor Initiative was developed so that work can be organized to get the largest amount of land off the Superfund list at the earliest possible date. The Wahluke Slope area was removed from the Superfund list. The groundwater/vadose zone integration project is beginning to come together, including pumping and treating over a billion liters of groundwater in FY98.

Safety

Over 1 million safe hours of work were completed during FY98. DOE has shifted its thinking on safety issues and is now using the term Integrated Safety Management to pull together the various initiatives to improve safety at Hanford that currently exist. Hanford has been a leader in developing an integrated safety management system.

FY99 Appropriations

The FY99 allocations are believed to be adequate to meet all TPA milestones. Decisions regarding distributing funds throughout Hanford have already been made. Hanford is going to propose reprogramming of \$50-56 million out of the capital and into the expense budget for TWRS to avoid workforce reductions.

John Wagoner made several suggestions to the Board concerning focus areas for FY99, including the remedial action EIS; the Columbia River Corridor Initiative; the spent fuel nuclear project; the Waste Isolation Pilot Plant (WIPP) shipments; and the vadose zone project.

Randy Smith, EPA (Attachment 6)

Randy Smith provided an overview of Hanford since he began working on its issues in the mid-1980's. Hanford is overwhelming. Its size is overwhelming. Its technical complexity is overwhelming. The grandeur of the land and the river is overwhelming. And the challenge of remediating the environmental damage done to the site is huge. Hanford is also overwhelming in its economic importance to the Tri-Cities area. It also has tremendous cultural and sacred significance to the peoples who have inhabited the area for as long as anyone can remember. Hanford also has had a huge symbolism in a very profound issue in our society of war and peace. The last aspect of Hanford that has always been overwhelming is the duration of the problems we are dealing with. And it is a problem that can wear us out.

In the mid-80's, Hanford was still in the business of producing weapons, and secrecy was a crucial part of the daily life of the site. It was a site that had made no significant progress in managing its waste streams properly. We now have a site that is focused on environmental issues. EPA, Ecology, and DOE have evolved a set of rules and relationships that are as effective as any in the country. We have come a long way.

When we formed the Board, we were a little uncertain what we were going to get and how this was going to work. The Board has been tremendously helpful in providing perspective, putting values on the table, offering common sense, giving depth to the manner in which issues are addressed, and bringing passion to difficult issues. My advice to you is, "keep it up". I want to thank all of you for your willingness to be part of this long relay of cleaning up Hanford.

Dan Silver, Ecology (Attachment 7)

Dan Silver described 1998 as a year of great dispute between his agency and DOE. He felt that a great deal of pressure was put on both agencies by Governor Gary Locke, Attorney General Christine Gregoire and Director Tom Fitzimmons, Ecology, and as a result it was a very turbulent year for Dan.

Ecology's regulatory focus in 1998 was shifted from the K Basins to focus on enforcement against DOE. Ecology threatened DOE with a lawsuit, which was averted at the last minute. The agencies have settled these disputes, and 1999 is a year of possibility.

Dan Silver encouraged the Board to remember that a great deal of cleanup has occurred at the site and that every day workers are putting their lives on the line to do this dangerous job. He described the emerging focus on the vadose zone and groundwater monitoring as a more systematic approach to cleanup issues at Hanford.

He also commended DOE for signing a privatization contract. Dan Silver has three major concerns on this issue: DOE's level of commitment, because it has never done something like this before; uncertain Congressional interest and support for this effort; and Ecology's capacity to manage this issue.

He encouraged the Board to stay united, because the more divided we are, the more at risk we are. He also commented on transitions and personnel shifts, including his respect and appreciation for John Wagoner, Randy Smith, and Jeff Breckel.

Dan Silver then called up John Wagoner and Randy Smith, and the three awarded HAB members with certificates of appreciation for their hard work in 1998. Following the presentations, John added his thanks to Randy and Dan, and commended the Board. He said that he thought about words to describe the Board: discipline, consensus, dialogue, diversity, friendship, and devotion.

AGENDA ITEM #9: HAB PROGRESS—CHAIRS'S PROGRESS REPORT

Merilyn Reeves remarked that since she came to Hanford in 1994, she has observed a very symbolic change. Prior to the Board's first meeting, there were eight guard houses out on the site, and not long ago, when she went for a tour, there was only one.

The length of time it took to hand out the certificates of appreciation indicates to her how others view Hanford: as a 500-pound guerrilla. In fact, the size of the Board is a mirror of the complexities of the site. She described the HAB as unique among advisory Boards and said its successes are due to the working relationships and support they have had from John Wagoner and Randy Smith. When John provides support, there is support from everyone down the line at DOE.

She noted that the Board is designed to improve understanding of the issues, progress, and tasks ahead at Hanford among constituent groups, decision makers, colleagues at other SSABs, the general public, and themselves. It occurred to her last that the HAB is now caught in the jargon that is part-and-parcel to the language at Hanford. It is difficult to translate words like "privatization" to the general public. What it really means is that treatment of waste is needed. She noted that 1998 was the first time that US Senators and Washington State Congressional Representatives responded to one of the Boards memos because it contained the signatures of Board members. She noted that the only way to increase understanding is to capture people's attention. The Board must figure out ways to do this.

Merilyn Reeves recommended that the Board improve its ability to translate the needs that are on the site, as well as highlight the progress made with taxpayer dollars. The Board's top priority is to send consistent messages. Postponing any treatment is costly, and the nation has an obligation to complete the cycle of the work that was done for a military purpose. The Board should look at unfulfilled commitments, and should keep reminding the nation and their colleagues of what there is at Hanford. The Board should not give up on the message of "get on with cleanup". She said she was proud of the message that was carried out across the nation to the HAB's counterparts in 1998 and believes there is now a far better understanding among them of the scope of Hanford's problems. She also believes that Congress got the message that there are watchdogs in the Northwest.

She thanked John Wagoner and believes that there is no finer advocate for public involvement. She thanked Randy Smith and Dan Silver for helping to create a regulatory scheme that is more streamlined, efficient, and flexible. She also acknowledged the work of the DOE, EPA, Ecology, EnviroIssues, and contractor staff.

AGENDA ITEM #10: BOARD ACTIONS

Norm Buske thanked the staff, facilitators, Tri-Party Agreement representatives, and DOE for progress. His 1998 year end review title is "commitments yield results", and the mission is "no further production mission for Hanford". Yet DOE is considering expanding production. He believes that this compromises the whole thing and wants to draw DOE's attention to the disaster implied by this. He also noted the 1985 first joint sampling by a federal agency with multiple parties--DOE, Oregon and Washington, and EPA—of Hanford's impacts on the Columbia River. A set of independent studies were also done between 1986 and 1991, and DOE is still saying that they'll get back to us. It has been about 10 years.

Tim Takaro asked John Wagoner if the work stoppage at Tank C-106 is over. John replied that additional sluicing has not occurred and will not occur until appropriate controls are in place. It was not expected that there would be significant organics in the exhaust area of that tank. Construction set a limit of 50 parts per million, and when the sample showed it was going well over that, sluicing was shut down. More controlled testing will be done. DOE is working closely with the regulatory agencies. Safety is the main concern.

Tim Takaro asked about the low-level waste treatment in Idaho. Specifically, what is thermal treatment? John Wagoner replied that it is a permitted incinerator. The agreement with Idaho is that waste can be brought in for treatment, but must then be returned. The facility is very good, and the State of Idaho is comfortable with it.

Tim Takaro then commented on the positive safety results that John Wagoner reported and expressed concern about the zero accident policy. Tim thinks that this creates a disincentive to report. John replied that he is very concerned about this since they are required by law to look at statistics. This is always a balancing act, and he does not wish to rely solely on statistics.

Jerry Peltier said that he thought the presentations were excellent. He thinks the Board must focus on where it is going and remember that privatization only deals with 10% of the tank waste. The term cleanup implies that it will be cleaned up some day, when in fact, some waste will be stabilized and will be there forever. He suggested using the term stabilization instead of cleanup, since some is never going to be cleaned up. The public should be made aware of this. He said that he gained an understanding of the volumes of overall waste while at the Chicago meeting, and thinks the Board can help look at interim issues, such as where the waste will go and how it will be handled.

Greg deBruler raised the issue of John Wagoner's departure and said that the Board needs to ask the "who is next" question. He asked how the Board can get involved in the process to make sure that DOE selects the right person for this goal. He thinks the Board should be a part of the process. Despite differences, everyone is there for one purpose: to clean up Hanford. He asked

that the Board in 1999 look together collectively to see how this mission can be accomplished without all the jockeying.

Ken Bracken commended Randy Smith's speech and said that it made him think about how often they understate their accomplishments. He commented that an Ecology person stood up at a tank closure meeting and said that Hanford reduces more high-level waste in a given year than all of the other DOE sites put together. This is a phenomenal accomplishment. He suggested that they find a better way to communicate these accomplishments to others.

George Kyriazis noted that he has seen remarkable improvements in the past three years and attributes it to teamwork. He has seen a "can-do" attitude from EnviroIssues and thinks that Alice Murphy has been a big asset. The regulators have worked more closely with the committees and he has seen tremendous positive attitudes among them. He thinks there will be a battle with DOE-HQ on how to develop ORP. John Wagoner responded that they have reached agreements with DOE-HQ on the structure and size of the basic organization of the ORP. He gave credit to Ron Hanson and his team at Fluor Daniel for the integrated program they put together for FY99. George responded that he is worried about implementation.

Norma Jean Germond recalled Doug Sherwood's environmental restoration presentation at the November HAB meeting. She was very impressed by this overview look at the total picture and what lies ahead. She thinks Dan Silver really focused on the future. She is also impressed with recent accomplishments.

Betty Tabbutt raised a Board business issue. She is concerned about losing expertise on the Board. She feels that there should be succession from alternates to the chairs but is unclear how that is supposed to be done.

PUBLIC COMMENT

Dave Watrous, TRIDEC (Local Business), asked the members of the Board to reconsider its opinions on FFTF. He entitled his presentation the "Least Case Waste Scenario." There are many ways to reduce waste generation at Hanford. In the target areas, there are three areas. Tritium is an example. The production of it generates no waste. In neptunium-237, the logical location is Savannah River, so there is no waste to us. Medical isotopes are non-radioactive when they start, and the vehicle they go into is also non-radioactive. During tritium operations from 1982-1993, atmospheric releases were nonexistent. There is low-level solid waste, though, but on the order of tens of cubic meters per year. As for post operations, fuel storage does generate waste, but only thousands of gallons per year. The other issue is openness. Tritium production is highly classified, and its separation is classified, but everything in and around it is not. FFTF is a modern reactor, so the information regarding it is export-controlled information. If developed commercially, it would require an export license. Otherwise, the information is available.

AGENDA ITEM #11: GROUNDWATER/VADOSE ZONE

Bob Alvarez, DOE-HQ, provided DOE-HQ's expectations for funding for the groundwater/vadose zone integration project. The expectations for DOE-HQ deliverables fall into three categories: authority, budget, and content. DOE expects to establish clear authority for the project by December 18, 1998, including concurrence authority over the workscope of across-site activities addressing vadose zone characterization; approval authority over technical elements, monitoring authority, delineation of the roles and responsibilities of programs and contractors, and authority over performance metrics. This project would be subject to regular assessment through the expert peer review panel, Richland management and DOE-HQ. They have identified \$31.7 million in existing funds that have been going towards vadose zone activities on the site. In order to have a meaningful integration project, they are adding approximately \$5 million to that sum. Another \$10 million will go to pay for basic science projects related to the vadose zone. The long-range plan will include a science/technology road map, a detailed work plan, and a project logic. The plan will be out for a 60-day public review and comment period after January 1, 1999. DOE-HQ would like the HAB's advice on what to do after the plan is adopted. Specifically, how can a project like this establish an institutional presence and how should it be staffed?

Linda Bauer, DOE, gave an overview of the drivers for the integration project. She said that there has been fragmentation of the technical group and therefore gaps in knowledge and inefficient uses of resources. There has been little sense that there is a common defensible cleanup objective, especially in the 200 Area. The mission statement of the project contains five objectives: to integrate all of the cleanup activities to conduct a comprehensive effects assessment; to infuse science and technology into cleanup decisions; to establish a technical review process; to build trust and credibility among stakeholders; and to improve the public participation process. A lot of work has been done since the Pendleton meeting on the long range and the strategic plans.

Mike Hughes, Bechtel-Hanford, explained that the long range plan is a combination of three things: schedule, cost, and project specification. These are the pieces that go into the project baseline, which is the cost schedule baseline on one side and project specification on the other. Michael Graham, Bechtel-Hanford, and his staff are currently working on this project. If you look at the current baseline for the site, the core projects are going down their own path relative to the TPA. The purpose of the long-range plan is to identify near and long-term decisions and milestones requiring evaluations of impacts to regional water resources and identify required interconnections and dependencies. This will be a living document, and the key is to get it reviewed so that they can have it as a tool to start planning for the next three years. Linda Bauer passed around letters that help define roles and responsibilities.

Board discussion

Norm Buske said that he did studies of Hanford groundwater going into the Columbia River in the 1980s and early 1990s. DOE and its contractors were unable to come to terms with reality of this, which was so fascinating to scientists that Norm and others developed a model of DOE's inability to learn called "Why Reasonable Minds Differ." He referred to an overhead called the

Site Integrated Project Driver that has five items. First is the compartmentalization of technical work, and reads “compartmentalization in technical work results in use of technical resources in the interest of public relations.” Second: individual project decisions and end points do not lead to common defensible Hanford cleanup objectives. Third, there is no trust and credibility. Fourth, it does not work, and it will not work. Fifth, we will get back to you on that. He said that there is no reality here, and it will not work until the group has come to terms with reality. He emphasized that he has been available to the expert panel and volunteered to put together a presentation. This did not transpire because of travel cost issues.

Tim Takaro asked Bob Alvarez’s opinion on how ORP and TWRS will interface with the groundwater/vadose zone integration project. Bob replied that the name ORP was bestowed on it by Representative Hastings, but that it only covers TWRS issues. He noted that, with the ORP, the vadose zone activity that is part of TWRS will for the first time be integrated with the operational side. The object is to ensure that things do not enter the environment and get any worse. Some projects are logically tied to the integration project. With the TWRS project, this includes the integrity of the tanks. He added that, until recently, the vadose zone had been an afterthought but that the whole dynamic is changing because they are recognizing first and foremost that the vadose zone, the groundwater and the river are at the heart of the technical basis for making risk-based cleanup decisions. Linda Bauer added that, as the integration team is put together, they are matricing their staff back and forth to ensure the flow of information. Tim expressed concern that these same connections will not exist at the ORP and that those entities won’t be communicating in the same way. Bob said it will not be easy, but DOE is committed to it. He added that no other DOE site is undertaking anything of such depth.

Todd Martin asked if there is an item that requires TWRS work, and there is a TWRS person on the team, does that person go back to TWRS and interject that activity into the multiyear workplanning process? Linda Bauer said yes. As the team defines the essential elements, the team members must go back to their project organizations and help assure that those get built into their plans and reflected in the IPL.

Greg deBruler asked Bob Alvarez at what point does he see the assessment and review process involving stakeholders and tribes? Bob replied that it will be an ongoing and iterative process. Greg then expressed concern with the Project Hanford Summary Baseline, because there are no references to treaty rights. Mike Hughes noted they have asked for project subteams to come together with all stakeholders, including tribes, and regulators beginning in January. There has already been representation at the project meetings from Barbara Harper and Wade Riggsbee of the Yakama Indian Nation.

Greg deBruler then asked about the national labs helping to address inventory issues. Linda Bauer responded that the labs are there to do work, and are not there in a review function. Linda added that they are also talking to the National Academy of Science to see if there is an appropriate role for them in looking at this project periodically over the years.

Greg deBruler is very concerned that the long range plan will not adequately address serious policy issues that have been put on the back burner.

Ralph Patt, former Board alternate, actually provided an overview of the work of the two expert panels. The SX Farm Panel was formed to look at the cesium travel time issue. They made several recommendations. Then a new expert panel was formed to look at groundwater/vadose zone issues. One of the weaknesses in this panel was that there was no expert on soils and groundwater. The new panel has had two meetings. The panel feels strongly that one of the clients is stakeholders, and that stakeholders input is critical to the group. There are 22 areas of focus for the subgroups, and they defined four areas to tackle immediately. The first subgroup is interaction with stakeholders and tribal nations. He said that he and Jim Karr, expert panel member from the University of Washington, came to get the HAB's input on who should be involved to deal with specific issues such as risk assessment.

Jim Karr made four points. First, he recognizes that it is unwise for the panel to begin with a conception of risk that is framed within their own minds. Second, the panel wants to incorporate all areas of what is at risk. One must define what is at risk properly, or risk assessment efforts are vacuous. Third, the end point is one that wants to resolve existing legacies of the past at Hanford. It is profoundly important to do that in a way that does not create new legacies for future generations. Fourth, they want to avoid narrow, simplistic conceptions of risk. The subpanel is committed to working with everyone that is interested to define clearly what is at risk and how to assess risks.

Board discussion

Madeleine Brown asked if the data they will be analyzing is already available to them. Jim Karr replied that he is amazed at how little data there is. Ralph Patt added that when the river issue came up in 1991, there were two camps. The first said there was going to be no damage to the river, and the second said the sky is falling. He has never taken one side or the other because the data does not exist to make these judgements. It is important that they get the data. There are huge data gaps in this project. Groundwater data is probably the best, but very little is known about the vadose zone.

Pam Brown asked about the data related to tank characterization and asked how his project will help with cleanup. Ralph Patt replied that the panel wants to look at the early-on issues and is not ready to talk about issues of 2018. From his perspective, in order to do retrieval, you need to know what the environmental damage is now before you can make a decision on sluicing. Mike Hughes added that this panel is involved with the long-range plan. They have asked the expert panel to help figure out what data is necessary to make these decisions.

Norm Buske noted that he was asked to look at groundwater issues in 1983 and that at that time Hanford had the best data anyplace in the world. In examining the data, there was nothing and everything. They undertook the effort of getting private labs to analyze samples for them, but

they all had government contracts and declined. So they built their own gamma lab. He noted that it is an incredible challenge that the expert panel is undertaking, but that he will call them to task to deal with reality.

Gerry Pollett noted that the Defense Nuclear Facilities Safety Board (DNFSB) has issued a binding deadline for an integrated assessment of all burial grounds on the site. He asked if the panel would be looking at this. Ralph Patt responded that it is on his radar screen. He views himself as an advocate for stakeholders. He is also seeing the CRCIA being incorporated. Jim Karr thinks the panel is different, because it is trying to integrate across the whole project.

Greg deBruler asked about the relationship of the Center for Risk Excellence (CRE) and the Consortium for Risk Evaluation with Stakeholder Participation (CRESP) with the groundwater vadose zone project. He asked for clarification on how DOE brings in outside experts. Marilyn Reeves responded that she would like a committee to look at this, because it is germane to their discussions. She suggested that the ER committee do it. Ralph Patt added a philosophical comment, and said that being a part of the Hanford Advisory Board is one of the most important things he was ever involved with. Greg asked again how CRE got involved with the groundwater/vadose zone program and whether there was an interface with CRESP. Linda Bauer replied that CRE is one of the national centers of excellence, and that DOE-HQ asked that they become involved with the project, in part so that they can transfer what is done at Hanford across the complex. Russell Jim remarked that he felt that CRESP missed the whole point of including tribes in the risk assessment model.

AGENDA ITEM #12: POSSIBLE UPDATES

Max Power added that negotiations regarding groundwater and vadose zone milestones are scheduled to finish that day. Assuming these are successful, there will be some TPA milestone additions to deal with this issue, and there will be a public comment period. Negotiations are ongoing on the technical side of the consent decree that should be finalized by the middle of December.

Doug Sherwood added that the comment period has ended for the 100 Area Remaining Sites Proposed Plan. EPA has agreed to do workshops in February. The approach of these workshops is to see how well they are cleaning up the sites.

ATTACHMENTS

1. Attendance lists
2. Summary of Waste Management Information Information Session, December 2, 1998
3. Tank Waste Ad Hoc Committee Timeline
4. Yakama Tribal Council November 4th, 1998 Resolution
5. John Wagoner Remarks to the Hanford Advisory Board, December 4, 1998
6. Randy Smith Remarks to the Hanford Advisory Board, December 4, 1998
7. Dan Silver Remarks to the Hanford Advisory Board, December 4, 1998