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94-ERB-012

Mr. Douglas R. Sherwood
Hanford Project Manager
U.S. Environmental Protection Agency
712 Swift Boulevard, Suite 5
Richland, Washington 99352

Mr. Roger F. Stanley, Director
Tri-Party Agreement Implementation
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504-7600



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Dear Messrs. Sherwood and Stanley:

SUBMITTAL OF THE PUBLIC INVOLVEMENT PLAN FOR THE ENVIRONMENTAL RESTORATION DISPOSAL FACILITY (ERDF), REV. 0

Enclosed please find the subject document submitted by the U.S. Department of Energy (DOE), Richland Operations Office (RL), to the U.S. Environmental Protection Agency (EPA) and the State of Washington Department of Ecology (Ecology) for review. Submittal of the public involvement plan in October 1993 completes the tentatively agreed upon Hanford Federal Facility Agreement and Consent Order Negotiations Target Milestone M-07-00-T01. RL requests comments by November 15, 1993.

At Hanford, DOE has demonstrated proven and consistent commitment to the public outreach process. We agree that implementation of a public involvement plan is critical to ensure public awareness and participation in the development of the facility needed to dispose of Hanford-generated remediation waste.

Please address any comments or questions regarding this correspondence or the ERDF to Mr. Bryan L. Foley on (509) 376-7087.

Sincerely,

Steven H. Wisness
Hanford Project Manager

ERD:BLF

Enclosure

cc: See Page 2

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Messrs. Sherwood and Stanley
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cc w/encl:

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Project file

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PUBLIC INVOLVEMENT PLAN
Revision 0

October 1993

BACKGROUND

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Hanford has large amounts of contaminated material under and near old burial and discharge sites. The Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) calls for remediation of these sites. Removal actions resulting from 100 and 300 Area operable unit Record of Decisions (RODs) are expected to produce large volumes of hazardous, radioactive, and mixed waste beginning approximately September 1996. A disposal facility capable of receiving large quantities of these wastes is needed at Hanford at that time. Technology does not exist to effectively treat or destroy the majority of these wastes and offsite disposal is not cost effective or acceptable for many reasons (e.g., transportation of massive quantities of waste on public highways).

The Hanford Future Site Uses Working Group in the report "The Future for Hanford; Uses and Cleanup," December 1992, recommends that waste management activities at the Hanford Site be concentrated in the interior portion of the Central Plateau. The State of Washington Department of Ecology (Ecology), the U.S. Environmental Protection Agency (EPA), and the U.S. Department of Energy (DOE) agree to proceed with the steps necessary to design, approve, construct and operate such a disposal facility, known as the Environmental Restoration Disposal Facility (ERDF). Take note that an ROD specific to the ERDF will be issued by EPA, the lead regulatory agency.

In recent negotiations for the Tri-Party Agreement, milestones were set for this facility. This public involvement plan meets a milestone agreed to in the negotiations.

Public involvement for the ERDF will be coordinated with activities for other Tri-Party Agreement activities and other programs affecting the Environmental Restoration program as much as possible. The ERDF will be kept within the context of the whole remediation program rather than a separate activity.

DECISION MAKERS

The DOE, Ecology, and EPA will be the final decision makers.

Currently, an integrated management organization is being developed to look at the facility's requirements and implement activities needed to put the facility in place. This organization will include participation from EPA, Ecology, DOE, the Westinghouse Hanford Company, the U.S. Army Corps of Engineers, and they will consider and use input from the public.

DECISION-MAKING PROCESS

The final decision, to be made at the end of this public involvement process is what kind of storage disposal facility is needed for low-level and mixed wastes, how the facility will be designed, what wastes will be sent to the facility, and where the facility will be located. Each of these are components for the successful design, siting, and operation of the ERDF.

Formally, these decisions will be made using the National Environmental Policy Act (NEPA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Resource Conservation and Recovery Act (RCRA) assembled in a "regulatory package" to fulfill all requirements. This regulatory package will consist of: (a) a CERCLA Proposed Plan; (b) a Corrective Action Management Unit (CAMU) Permit Application; (c) a draft Environmental Impact Statement (EIS); and (d) an appendix of technical documentation to support all three of the main component documents.

The following information describes the scope of the facility as DOE, EPA, and Ecology discussed in the recent Tri-Party Agreement negotiations.

The scope and design of the facility: This facility is intended to accommodate radioactive and mixed wastes (including contaminated, decontamination, and decommissioning waste) from past-practice site remediation activities performed by the Environmental Restoration program. Newly generated waste will not be accepted in the ERDF.

The parties agree that a phased approach for construction of the disposal facility is appropriate. Design and construction of the initial phase shall be adequate for disposal of waste volumes projected to result from 100 and 300 Area RODs for operable units presently under investigation. Incremental future expansion of the facility shall be maintained such that remedial action schedules are not adversely impacted by inadequate Hanford waste disposal capacity. Since the facility will require significant resources, a phased approach should minimize impacts on other operations such as remediation. A phased approach will minimize the land use requirement since disposal units will be brought on line on an "as needed basis."

The facility liner and leachate system will be RCRA compliant. The facility will be designed so the waste can be retrieved if necessary.

Siting of the facility: In recognition of the Future Site Uses Working Group, only sites on the Central Plateau are being considered in the ERDF siting study. An initial draft of the siting study has been reviewed by DOE, Ecology, and EPA and comments resolved. A preferred site will be identified in the conceptual design report.

Regulatory approach: On May 14, EPA and Ecology issued a letter to DOE detailing the preferred regulatory approach for a waste management unit. The preferred approach is the application of the Hazardous and Solid Waste Amendment using the CAMU rule which was promulgated by EPA in April. Generally, this rule allows the facility owner/operator to meet performance based standards for the design and construction of the disposal units tailored

to site specific circumstances. However, since the CAMU is currently being challenged, approval under the CERCLA ROD will also be part of the regulatory approach.

The DOE shall prepare a comprehensive "package" for EPA and Ecology to consider in evaluating a disposal facility. The package shall address the criteria listed in 40 CRC 264.552(c) for CAMU designation and a CERCLA ROD. Each individual source operable unit ROD will specify how wastes from that operable unit will be treated and will reference a disposal facility, as appropriate.

Schedule: Timing for the construction and operation of the facility is critical. The proposed plans for the operable units are due beginning in October 1994. Delay in construction of the facility would impact remediation of the waste sites. The three parties are committed to working together to resolve issues affecting the design, construction, and operation of the facility and to maintain the schedule to support the remediation program.

The four steps in the decision-making process are as follows:

1. Define the scope of the ERDF and generate alternative approaches for consideration. During this step, DOE will issue a Notice of Intent (NOI) to prepare an EIS on construction of the ERDF. Timeframe: Completed by February 15, 1994.

Public Involvement Objectives:

- Ensure that the public understands and agrees to the need for finding a suitable disposal facility for large volumes of low-level waste, like soil, in accomplishing Tri-Party Agreement remediation actions.
- Identify concerns and issues about the facility.
- Generate a full range of alternative approaches to the design, regulatory approach, waste acceptance, and siting of the ERDF.
- Assess the participation needs of the stakeholders.

Targeted Stakeholders:

The stakeholders are defined as DOE (Richland Operations Office and Headquarters), EPA, Ecology, contractor program managers, members of the former Future Site Uses Working Group and the constituencies they represent, and people who are highly interested in Hanford issues and participate in the Tri-Party Agreement public meetings.

Information to be Communicated to Stakeholders:

- The need to build an ERDF to dispose of low-level and mixed wastes.

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- The types of wastes that could be included in the facility.
- The parallel regulatory decision-making processes used to accomplish the successful siting, construction, and operation of the ERDF.
- How the stakeholders will be involved in the decision.

What We Need to Learn from Stakeholders:

- Do they understand the need for such a facility? What additional information do they need to help with this decision?
- What are the problems they perceive regarding this facility?
- What should EPA, Ecology, and DOE include in the scope of their study for this facility?
- What alternatives should be considered concerning waste to be disposed of in the facility, regulatory approach, siting, and design of this facility?
- Does the public involvement process appear adequate?

Public Involvement Activities:

Some information has already been shared with stakeholders concerning this project. The issue was included in a break-out group at the February Tri-Party Agreement public meeting held in Pasco. Articles about the ERDF were published in the April and August issues of the "Hanford Update." Discussion of the ERDF was included in the May and August Hanford cleanup meetings concerning all negotiation items. Ecology held a meeting September 10, 1993, with stakeholders to discuss the ERDF and invited EPA and DOE.

The following additional activities will be conducted:

- Develop and distribute background material on the remediation wastes at Hanford, information on the facility, issues around the construction of such a facility, and options for siting of the facility. This focus sheet should outline the conclusions reached during the Tri-Party Agreement negotiations including target schedule and parallel path for coordinating NEPA, CERCLA, and RCRA requirements.
- Hold a minimum of one scoping meeting (in the Tri-Cities) to solicit comments on the scope of the facility.
- Issue a press release to regional news media concerning the publication/issuance of the NOI and public comment period.

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- Inform DOE and regulatory agency employees via employee newsletters or other internal employee information mechanisms.
- Place appropriate articles in the "Hanford Update" to status stakeholders on the public involvement process and progress of this activity. Ideally, the meeting(s) and public comment period notification will be printed in the "Hanford Update." If the schedule does not allow, the results of the public comment period and subsequent public involvement opportunities will be highlighted.
- As requested and as they fit into the appropriate schedule, provide informational briefings to groups like the Nuclear Waste Advisory Council, Hanford Waste Board, New Hanford Citizen Group, special interest groups, and civic organizations.

Estimated Timeframe:

Activities will be coordinated around the NOI publication scheduled for January 15, 1994.

2. Define alternatives for the facility including waste to be received by the facility, regulatory approach for designing and monitoring, and siting locations. During this step, DOE will issue the draft EIS, proposed plan, and the draft CAMU permit application for review and comment. Timeframe: Completed by August 15, 1994.

Public Involvement Objectives:

- Reach agreement that we have looked at an adequate range of options concerning the scope of the facility, the regulatory approach for the facility, and the siting of the facility.
- Ensure that all public values, issues, and concerns have been addressed and incorporated as appropriate in the planning process and documents.

Targeted Stakeholders:

The public will broaden, but will still encompass the same as in Step 1.

Information to be Communicated to the Stakeholders:

- A summary of public input received in the activities listed in Step 1, including relevant recommendations from the Future Site Uses Working Group and Tank Waste Task Force.
- The alternatives will be presented in the draft EIS, proposed plan, and draft permit application with supporting technical documentation (including any response to comment documentation).

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What We Need to Learn from the Stakeholders:

- What facility design is appropriate for storage and disposal of radioactive and mixed wastes?
- If the options laid out are not appropriate for siting of the facility, what other options should be considered?
- What would be the best placement for the facility? Are there tradeoffs between values regarding the siting of this facility that need to be considered?
- What are other concerns regarding progression of plans for this facility? Are there other issues with this facility?

Public Involvement Activities:

- Summarize the alternatives in a focus sheet or executive summary that is short and easy to understand. Distribute to the mailing list.
- Conduct hearing(s) to receive comments on the documents.
- Issue a press release concerning the alternatives and opportunity for public comment. As requested, respond to questions from the media and participate in additional media activities, i.e., tour of the site, radio talk shows, etc.
- Inform DOE and regulatory agency employees via employee newsletters or other internal employee information mechanisms.
- Place appropriate articles in the "Hanford Update" to status stakeholders on the public involvement process and progress of this activity.
- As requested and as appropriate to the schedule, provide informational briefings to groups like the Nuclear Waste Advisory Council, Hanford Waste Board, New Hanford Citizen Group, special interest groups, and civic organizations.

Estimated Timeframe:

Activities will be coordinated around the issuance of the draft EIS, proposed plan, draft application, and technical package scheduled for public availability by June 15, 1994.

3. Select the preferred facility solution. During this step, the final EIS and CERCLA ROD will be issued for the ERDF. Timeframe: Completed by September 30, 1994.

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Public Involvement Objective:

- Reach agreement with the stakeholders that their input was used in reaching the preferred facility solution.

Targeted Stakeholders:

The targeted stakeholders are the same as in Step 2.

Information to be Communicated to the Stakeholders:

- Summary information concerning the design of the facility, preferred site, and regulatory approach will be included. The final EIS, Records of Decision, and supporting technical documents will be available to interested members of the public.

What We Need to Learn from the Stakeholders:

- Did we incorporate their values adequately so that this design and location of the facility are acceptable?

Public Involvement Activities:

- Summarize the final plans in a focus sheet. Distribute to all stakeholders.
- Issue a press release concerning the final facility plans.
- Inform DOE and regulatory agency employees via employee newsletters or other internal employee information mechanisms.
- Place appropriate articles in the "Hanford Update" to status stakeholders on the public involvement process and progress of this activity.
- As requested, provide informational briefings to groups like the Nuclear Waste Advisory Council, Hanford Waste Board, New Hanford Citizen Group, special interest groups, and civic organizations.
- Discuss the facility plans at Tri-Party Agreement public meetings.

Estimated Timeframe:

The final EIS and CERCLA ROD are scheduled for completion by September 1994.

4. Implement the preferred solution. Timeframe: Facility construction to commence October 1994 with operations to begin September 1996.

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Public Involvement Objectives:

- Keep the stakeholders informed of progress on the construction and operation of the ERDF.

Estimated Timeframe:

- Construction is scheduled to begin October 1994 with operations to begin in September 1996.

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