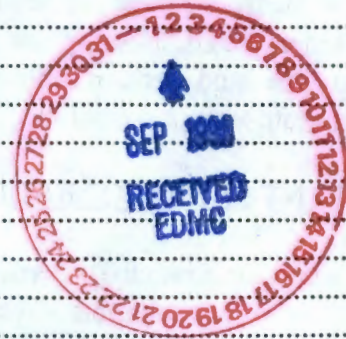


**HANFORD ADVISORY BOARD**  
**REVISED Meeting Summary**  
**April 2-3, 1998**  
**Kennewick, Washington**

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

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

## Executive Summary

### FY2000 BUDGET AND 2006 PLAN

The funding target for FY2000 has been established at \$961 million by the Office of Management and Budget. This results in a compliance gap of \$124 million. While the U.S. Department of Energy - Richland Operations (DOE-RL) will be requesting funding to meet its legal requirements, John Wagoner suggested that DOE, its regulators, stakeholders, and the public need to begin reviewing the items that are currently being funded and determine what absolutely must be funded. Items which are not must-dos might fall below the funding line. The Washington Department of Ecology (Ecology) and the U.S. Environmental Protection Agency (EPA) continue to be concerned about the compliance gap and do not consider lack of funding a reason to miss milestones.

The Board adopted advice on the FY2000 Integrated Priority List which included two major themes: DOE is obligated to request full funding for all legally required cleanup and safety activities and cleanup funds should not be used for non-cleanup activities. Advice on the specific programs was also included.

### SPENT FUEL WORKSHOP

Twenty-one hundred metric tons of spent fuel are stored in the K Basins at Hanford, near the banks of the Columbia River. The fuel in the basins is corroding, sludge containing plutonium is located on the bottom of the basins, and the basins pose enormous risks in the event of an earthquake. The Board has offered repeated advice that this project receive the highest priority and be adequately funded. Currently, the program is facing schedule delays and cost overruns. EPA and Ecology have been attempting to negotiate enforceable milestones with DOE for the past two and a half years and have been unable to do so. DOE has been unable to establish a cost estimate and schedule in which there is enough confidence to establish milestones. Ecology and EPA have set a deadline of the end of July 1998 to have a milestone in place.

The Board approved a letter to John Wagoner asking for information on the corrective actions being taken to establish a firm baseline, correct management programs, and have a firm estimate of the cost.

### ADMINISTRATIVE MATTERS

The Board agreed to maintain its current committee structure and suggested that the Health, Safety, and Waste Management Committee review its workscope and determine if there are ways to eliminate some topics from its agenda. The Executive Committee will now consist of the Board's chair and vice chair, and the chairs of each of the committees. The Board also agreed to co-sponsor the second Health of the Site meeting in November 1998.

## **INTERSITE WASTE TRANSFER WORKSHOPS**

DOE is holding two workshop in June on intersite waste transfers. The Board expressed its disappointment in the continuing lack of a National Dialogue on intersite waste transfer. The Board also approved a letter to be sent to Secretary Pena and the League of Women Voters, coordinators of the workshop, describing components to assist in making the workshops successful and emphasizing that these workshops do not take the place of a National Dialogue.

## **ACCELERATING CLEANUP: PATHS TO CLOSURE**

The Board was briefed on the Accelerating Cleanup: Paths to Closure, which is now considered a strategy document. It summarizes the baseline for all the sites in DOE's complex. The comment period for the current draft ends May 1, but it will be a continuing process and if extensive comments are received, they will be folded into the document. If DOE does decide to use this as a decision document, some environmental impact statements might have to be revised.

## **UPDATES**

DOE updated the Board on the current status of the FY97 and FY98 performance agreements. Twenty-seven of the FY97 performance agreements are still being evaluated to determine the amount of fee award. DOE-Headquarters has approved the FY98 performance agreements so the contract will remain as it is currently written.

A public meeting was held on April 2 on the proposed strategy for 100-N Area remediation. The current approach is to clean up the area to residential standards.

The Board will not be participating in review of the Tank Waste Remediation System (TWRS) privatization proposals because of the restrictive confidentiality agreements. The Board will continue to be involved in the process through the Health, Safety, and Waste Management Committee.

The public meetings held on a Tri-Party Agreement (TPA) change package to address standby of the Fast Flux Test Facility were well attended. The TPA agencies are in the process of preparing a comment response document and a decision that should be finalized within four to six weeks.

## **HANFORD ADVISORY BOARD**

### **Revised Meeting Summary**

**April 2-3, 1998**

**Kennewick, Washington**

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#### **Thursday, April 2, 1998**

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

Members present are listed in *Attachment I*, as are members of the public and others attending. Board seats not represented were: Richard Berglund, Central Washington Building Trades (Hanford Work Force), Tom Carpenter, Government Accountability Project (Hanford Work Force), Paige Knight, Hanford Watch & Hanford Action of Oregon (Regional Citizen, Environmental, and Public Interest Organizations), Dan Landeen, Nez Perce Tribe (Tribal Government), Betty Tabbutt, Washington League of Women Voters (Regional Citizen, Environmental, and Public Interest Organizations), and Donald Worden (Public-at-Large).

#### **Announcements Made Throughout the Meeting**

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

- A public meeting on Thursday evening, April 2, at the Ecology building in Kennewick, to receive comment on the remediation strategy for 100-N Area was announced.
- The September Board meeting will be held on September 10<sup>th</sup> and 11<sup>th</sup> to accommodate the Labor Day weekend.
- Norma Jean Germond, Oregon League of Women Voters (Public-at-Large), was elected chair of the Public Involvement Committee. Shelley Cimon, Oregon Hanford Waste Board (State of Oregon), will serve as the vice chair.
- Jeff Luke, Non-Union, Non-Management Employees (Hanford Work Force), was not able to attend the meeting due to emergency back surgery. A get well card was circulated for Board members to sign.

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

Merilyn Reeves welcomed and introduced James Hallmark and Jennifer Kunz, co-facilitators of the Pantex Site-Specific Advisory Board. Jim Watts, Hanford Atomic Metal Trades Council (Hanford Work Force), announced that Tom Schaffer, president of the Hanford Atomic Metal Trades Council, will be replacing Gary Muth as his alternate.

The agenda focused on two issues, including draft advice on the FY2000 Integrated Priority List and the removal of spent nuclear fuel from the K Basins.

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

On page 7 of the February meeting summary, the reference to Government Accountability Office should be changed to Government Accountability Project. On page 29 of the meeting summary, the reference to Government Accountability Office should be changed to General Accounting Office. On page 16 of the public comment discussion, Tom Machines name should be correctly written as Tom Leschine.

## **AGENDA ITEM #3A: FY2000 BUDGET AND 2006 PLAN**

Lloyd Piper, DOE, presented the current budget targets appropriated to DOE-Richland for FY2000 (*Attachment 2*). Subsequent to the public meetings held on the FY2000 budget, the Office of Management and Budget (OMB) gave targets to DOE which were in turn divided between the field offices. DOE-Richland received a target number of \$961 million, compared to the \$1.5 billion estimate used during the public meeting presentations. This will make the FY2000 Integrated Priority List (IPL) submittal to DOE-Headquarters very difficult, as constantly declining budgets detrimentally impact compliance. Based on the new target number of \$961 million, the compliance gap is \$124 million. DOE-Richland will be requesting funding to meet compliance as well as work with the contractors to achieve results for less money in order to narrow the compliance gap. It is important to note that the target budgets for FY2001 and FY2002 continue to decrease.

This decreasing budget for cleanup is causing DOE to look at what activities directly support compliance as well as what might need to be deferred or stretched out. An open dialogue with regulators and stakeholders must be maintained in order that priority decisions can be made and funding for full compliance can be defended and supported. Lloyd outlined some of the activities that are planned, based on a higher funding level, rather than what will not be accomplished if the target funding is appropriated. FY2000 will include extensive work with the privatization contractor(s) including pumping liquid from at least five tanks. Spent nuclear fuel removal will continue in FY2000, taking into consideration some of the technical and cost issues now facing the program. There will be a greater focus on reducing the risks posed at the Plutonium Finishing Plant as some of the present liquids and chemicals are treated and stabilized. Work will continue on the 324B Cell close out. For waste management activities, activity at the Waste Receiving and Processing facility will continue. In the FY2000 environmental restoration

program, 75 to 80 percent of the dollars will be spent on field work, compared to 70 percent previously spent on planning and engineering studies. The only technology development effort to be funded in FY2000 will be the Hanford Tanks Initiative.

Over 90 percent of the baselines in the IPL have activity-based cost estimates in the process or fully developed. Eighty-six percent have been independently reviewed. There is continued effort to reduce indirect costs. In FY97, indirect costs were \$351 million; FY2000 indirect costs are anticipated to be reduced to \$285 million. There is work in progress that may cause some changes to the FY2000 IPL, such as the award of the privatization contracts for TWRS and the outstanding technical and cost issues facing the Spent Nuclear Fuel program. Also, the vadose zone integration project might require additional work as the planning moves forward. There remain a lot of uncertainties in the FY2000 budget and the final execution will not be made until October 1999. DOE-Richland is compiling a package to justify the compliance budget. Visible progress will be made in FY2000 and the most urgent projects will be given consideration. However, there needs to careful management of the budget and priorities.

Lloyd provided a summary of the comments heard during the public meetings. These included DOE must request for and receive compliance-level funding. Insufficient funding is not an excuse for non-compliance. There were detailed comments on how and what programs are being funded. The comments are being compiled and will be sent to the individual programs as well as to DOE-Headquarters. They will then be considered and responses developed.

John Wagoner, DOE, provided an overview of the funding of cleanup at Hanford from a national perspective. DOE is hearing a message from a variety of sources about the importance of maintaining a steady focus on compliance with the TPA and the Defense Nuclear Facilities Safety Board (DNFSB) in the face of a limited funding scenario. If funding is not available, DOE must make this clear to both Congress and the Administration. Both Washington Governor Locke and the Attorney General stressed the importance of complying with the TPA when they met with Secretary Peña recently. The focus of DOE must be on meeting compliance and it is the agency's responsibility to cut anything that is not absolutely essential to compliance.

Facing funding targets and compliance requirements are not just Hanford issues, they apply to all of the DOE complex. The Chief Financial Officer for DOE is taking responsibility for looking at the Balanced Budget Act and determining whether DOE can still convince OMB that the funding targets must be raised. DOE cannot sustain the commitments it has made and address the risks on the sites with the funding levels that are currently being forecasted. It is important to remember that the Balanced Budget Act is imposing equally on the Administration and Congress. If Congress appropriates more money than is in the cap, it must be taken from somewhere else in the budget.

It is important to note that when, through effective lobbying by various groups Hanford received additional FY97 funding, the appropriations committees took that increase from the total DOE appropriation. Unless there is a fundamental change in the way the Balanced Budget Act is implemented, DOE will continue to be faced with a limited amount of funding. Items such as disaster relief also continue to take funds away from DOE cleanup.

For FY99, the President's budget shows level funding, but the Department of Defense (DOD), which is in the same account as DOE, is requesting additional funds, which will be taken away from DOE. For FY2000, the OMB target decreases another \$46 million. John Wagoner suggested that the Board needs to be looking at the IPL, even this early in the process, and determine what are the most important activities. Some activities are discretionary and subject to availability of funds, but they are very important. DOE-Richland will not be leaving compliance requirements off the IPL arbitrarily, but it has to show to OMB what will happen if only the funding target is made available. Last year, OMB was ready to approve only the detriment level of the budget, but lobbying from the Secretary and management restored the level funding request. He said we have to continue to make that same kind of effort for FY99 and FY2000.

Alice Murphy, DOE, noted that the discretionary portion of the federal budget is only one-third of the total budget and one-half of that is appropriated to DOD. It is hard to justify funding for cleanup when it is competing with highways, defense, disaster relief, and water projects. DOE-Richland is compiling information on the budget to clearly define what is required for compliance and OMB has committed to review it.

Harold Heacock, Tri-Cities Industrial Development Council (Local Business Interests), reviewed the presentations made by Dollars & Sense Committee members at the public meetings on the FY2000 IPL (*Attachment 3*). There were two overarching themes: DOE is required to request full funding from Congress for legally required activities and level funding is inadequate. DOE has indicated that there will be a \$76 million funding shortfall in FY99 which will increase in FY2000. Last year's Board advice on the FY99 IPL addressed the need to increase funding with inflation and this is repeated again for this year's budget process. Without accounting for inflation, programs may experience a \$1 billion shortfall over the next several years. Other issues to be concerned about include funding for cost overruns on the Spent Nuclear Fuel program, TWRS, vadose zone, and interim safe storage of reactors. Also of concern to the Dollars & Sense Committee are the use of cleanup funds for non-cleanup activities (i.e., plutonium storage, maintenance of the Fast Flux Test Facility on standby, and legal costs for the defense of contractors against downwinders). If these funds were used for cleanup activities, the FY99 shortfall would be eliminated.

Max Power, Ecology, summarized the agency's perspective on the FY2000 IPL. In a letter from Tom Fitzsimmons, Ecology, and Chuck Clarke, EPA, to John Wagoner, the regulators are still saying that lack of funding is not an excuse for not meeting compliance requirements. There needs to be a case made for funding those requirements; level funding is probably not adequate and the new targets that diverge from level funding will not meet compliance requirements. There is still not a full commitment to the Spent Nuclear Fuel project's cost estimates. That is of concern to Ecology when decisions are being made without knowing the full costs of the program. Whatever the cost overruns are, that money must come from somewhere. Ecology is also expecting that contracts for the vitrification plants will be awarded on time and activities that must be completed for readiness to proceed will continue.

Doug Sherwood, EPA, provided the agency's perspective on the FY2000 IPL. EPA continues to be concerned about the schedule and cost overruns in the Spent Nuclear Fuel program; those must be brought under control. Environmental restoration at Hanford is continuing, but FY2000 will be the year that the least is accomplished. There will be less contaminated soil moved and almost no decontamination and decommissioning work accomplished. Although there has been a long-standing goal to maintain momentum on the environmental restoration work, it appears to be slowing down and perhaps detracting from the progress along the Columbia River. Doug has been an outspoken critic of the technology development program for not being involved in the budget process. It is becoming involved in the FY2000 budget process and a lot of that credit goes to the Board involvement in opening up the technology development program. This will help bring more technologies into the cleanup program.

Max Power added that for the TWRS program in FY2000, there are two issues standing out for Ecology: there is not adequate support for completing interim stabilization and pumping liquids out of the tanks to the levels originally required by FY97 and now extended to FY2000. DOE-Richland is not receiving the funding that is needed to meet the FY2000 schedule, much less accelerate progress. Also, the double-shell tank design life integrity assessment needs to be completed because those tanks are being relied on heavily during the treatment process. Continued progress in cleaning up groundwater is dependent on the Effluent Treatment Facility being funded, which now seems to be in jeopardy. Also of importance is the continued retrieval, packaging, and moving of the buried transuranic waste. Ecology is reluctant to say that this is not a priority.

Ecology remains concerned about the Plutonium Finishing Plant stabilization, including knowing what the baseline and costs are for the project. This project has short term concerns which may prevent the evaluation of the long-term implications and life cycle costs that will be incurred. At the end of the letter sent from EPA and Ecology to DOE, the point is made that stakeholders, regulators, tribes, and the public in general have to understand the trade-offs for the long term and what options are being precluded.

### Board Discussion

Pam Brown, City of Richland (Local Government Interests), remarked on the staggering reality being faced by Hanford and those who want cleanup to proceed and the TPA to be enforced. The reality in Congress is that its members do not care very much about compliance agreements; DOE signed them and they, not Congress, have to cope with the commitments they made. Everyone must be prepared to articulate their funding concerns to both the Administration and OMB. The Hanford Communities met with Governor Locke a couple of weeks ago and he is definitely committed to seeing the cleanup progress and working with OMB. John Wagoner should share the messages DOE is sending to OMB with Governor Locke so there is a consistent message to OMB. From a regulatory perspective, holding firm and enforcing the TPA is good, but what can be done in the face of declining budgets? What involvement has EPA had at the national level and what kind of flexibility might the agency be willing to consider when priority choices have to be made and DOE is not in compliance with the TPA?

Doug Sherwood responded that EPA does not take a national position on cleanup activities because not all the regions are facing the same issues. There is not a standard response for whether enforcement is the right answer when TPA milestones are not being met. At some point all milestones may not be equal, but EPA is not ready to take that position yet. Most of the cure lies within DOE. The agency must look at what they consider compliance and make it consistent across the site. Cleanup along the River is a "must do"; however, expectations are probably higher than what is actually going to happen.

Max Power added that from Ecology's viewpoint, until the agency is convinced that non-compliance is not resulting from cost overruns and an inability to manage, it is not interested in hearing excuses at this point and will lean very hard on forcing some kind of change. The agency wants results; the highest priority is to get some capacity to get those wastes out of the tanks and the spent fuel away from the River. Ecology will use whatever means necessary to focus on those two issues, develop momentum, and not let excuses stop progress. He said we must continue to work together to make a convincing case to Congress, other states, and OMB, that the commitments that DOE made to the Northwest on behalf of the federal government must be lived up to.

George Kyriazis, City of Kennewick (Local Government Interests), questioned how the federal Department of Transportation is able to get a 50 percent increase in its budget over the next six years, but DOE has to fight for a level budget every year. John Wagoner responded that that increase was not at the request of the President and will have to be found in other agencies' budgets. George stated his belief that Hanford was a military mission and should continue to be a military mission until it is cleaned up. When the United States goes to war, it takes away and buries the dead; it is time the United States buries the dead waste at Hanford.

Chuck Potter, Benton-Franklin Regional Council (Local Government Interests), told the Board that it is not just DOE-Richland that must submit a compliance budget, but also the Administration and OMB are required to go to Congress with a compliance budget. John Wagoner added that no federal agency submits its budget request directly to Congress, rather OMB assembles the budget requests for the President. An Executive Order from the President tells the agencies how to submit their budgets. Alice Murphy stated that the agency budgets must be in full compliance, but that requirement does not apply to the President.

Chuck also questioned whether Lloyd Piper's presentation remark that 90 percent of the baseline has fully-developed, or is in the process of getting, activity-based cost estimates and 86 percent of the baseline has been independently reviewed means that the compliance gap bowwave could be getting larger if new costs are discovered. Lloyd responded that all of the cost estimates that have been completed are included in the FY2000 IPL. Chuck remarked that the \$1.005 billion level funding target was used to develop the compliance gap. However, a number of programs on the site do not have validated cost estimates, which may result in a larger compliance gap. Lloyd added that DOE is working on getting a baseline for the Spent Nuclear Fuel program complete within the next two months. Once the TWRS privatization contract(s) are awarded, then there will be clearer picture of what funding is required for that program as well.

Norma Jean Germond questioned whether defense spending is decreasing. John Wagoner responded that defense spending cannot go above a spending cap; DOD and DOE are included together in the defense appropriation for maintaining the stockpile and cleaning up the past production of nuclear waste. DOD did receive a spending increase within that cap and is making a case for why that increase is now not enough.

Jim Trombold, Physicians for Social Responsibility (Local and Regional Public Health), suggested characterizing the cleanup at Hanford as "disaster prevention" and making clear that it is protecting public health and safety in order to convince Congress that enough money must be appropriated. Also, it is important to remember that the TPA does not say DOE will meet the milestones if it receives enough money; it is incumbent on DOE to get the cleanup done. Gordon Rogers (Public-at-Large) suggested that it is going to become necessary to prioritize the TPA and DNFSB milestones. The effort needs to change from just asking for more money to determining what are the must-dos and urgent items.

Todd Martin, Hanford Education Action League (Regional Citizen, Environmental, & Public Interest Organizations), stated that the focus on compliance implies that those items not attached to compliance, such as the Board, are more likely to be cut. Are there ongoing discussions about non-compliance items and are they are going to receive more scrutiny? John Wagoner responded that public advice and regulatory actions are requiring DOE to give very careful scrutiny to anything that is not compliance-driven. The site-specific advisory boards and grants provided to other groups are not required by law. They are currently listed in the must-do category of the IPL, but that will be reevaluated. The Board should take the same look at what should be done with the non-compliance items in the must-do category.

Tim Takaro, University of Washington (University), questioned whether EPA has quantified what the impact will be in the outyears for the environmental restoration work reduction in FY2000. Randy Smith, EPA, responded that while he does not know the exact numbers, the buildup of payments in the outyears is a big concern to him and, hopefully, the Board. Tim suggested that it might be a tangible example of the bowwave that might have more influence on the Board's and DOE-Richland's audience in Congress.

Greg deBruler, Columbia River United (Regional Citizen, Environmental, and Public Interest Organizations), questioned what is the estimate for the shortfall in funds set aside for privatization in FY99 and FY2000 and how is it going to be accounted for. Lloyd Piper responded that the set-aside calls for a larger amount so more money will not be needed later. So at this moment, DOE is not short of funds. However, once the privatization contract(s) are awarded this summer, the needed amount of funding will be known and a better case can be made to Congress for increasing that set-aside. John Wagoner added that DOE-Richland requested that Congress appropriate the budget for the entire project rather than parceling it out year by year. However, Congress was not interested in changing the way it appropriates funding to DOE, so DOE is now requesting only enough funds to cover each year's work and Congress has agreed to take on the challenge of appropriating large amounts of money in the outyears. It will have to fit within the cap placed on the defense authorization spending. Greg expressed concern that the Board might be cut when it is part of the public participation and openness

initiative promised by DOE. The Board should figure out what it needs to do to send a message to DOE that it cannot stop funding public participation.

### **AGENDA ITEM #3B: FY2000 BUDGET AND 2006 PLAN**

Gerry Pollet, Heart of America Northwest (Regional Citizen, Environmental, and Public Interest Organizations), provided the Board with an overview of the input heard at the public meetings on the budget. The planned break out into small groups was rejected by the public in Portland and attendees at the Seattle meeting said it did not work. The Tri-Cities had a disappointing turnout of members of the public. Heart of America Northwest handed out surveys at the meetings and the following information summarizes the 49 public responses. Fifty-nine percent of the responders did not come because of notice from DOE and 41 percent said that DOE did not provide enough information in the mailing notice. Eighty-two percent of the responders said that the information provided at the meeting was not sufficient. One hundred percent said that they do not believe DOE's plan to request only level funding reflects the public's budgets and priorities and that DOE should not be excused from meeting milestones if not enough funding is allocated. The most mentioned topic was the use of cleanup funds to maintain the Fast Flux Test Facility on standby. The public said that the regulators should enforce the TPA and not allow sliding on milestones unless DOE has repaid the cleanup funds used to maintain the reactor.

Louise Dressen, EnviroIssues, noted that the Dollars & Sense Committee spent a lot of time discussing and struggling with the issues surrounding the funding of the second phase of the Columbia River Comprehensive Impact Assessment (CRCIA). Alternative perspectives are being presented to the Board to help clarify the issues and determine if the Board can reach agreement on advice to include in the FY2000 IPL draft advice.

Tom Woods, Yakama Indian Nation (Tribal Governments), noted that CRCIA and the Integrated Vadose Zone project are now the same thing (*Attachment 4*). DOE has made a commitment in writing that the Integrated Vadose Zone project will include the scope of the CRCIA. It is important to remember that CRCIA is disaster prevention and looks at how the region has been impacted by the activities at Hanford. He said if the information was available on the regional impacts of Hanford, we would be in a stronger position to get the attention of Congress and more funding. CRCIA was reviewed by an expert panel formed by Assistant Secretary Moniz which rejected DOE/Bechtel's vadose zone plan and recommended that DOE conduct the scope of CRCIA. CRCIA will look at how the waste is moving through the vadose zone and what will be the impact if it gets into the groundwater, Columbia River, or municipal water supplies. If there must be a prioritization scheme for work to be completed at Hanford, then this will help identify what are the most urgent actions to prevent the entire region from being affected.

Linda Bauer, DOE, provided an overview of what will be funded and where the project is heading for vadose zone studies (*Attachment 5*). There have been several meetings with all of the interested parties and they are coming to agreement on what activities should occur. The goals of the CRCIA and the groundwater vadose zone have become one and the same. Activities to be funded over the next three years to support the development of a cumulative impact assessment include development of groundwater modeling tools for cumulative risk assessments,

near-River piezometer installation in areas of known groundwater contamination, salmon chromium toxicity studies, groundwater monitoring, and groundwater/vadose zone/Columbia River integration. Other program activities which will support the cumulative impact assessment include TWRS vadose zone characterization, Hanford Tanks Initiative, immobilized low activity waste characterization and performance assessment, solid waste performance maintenance, and environmental monitoring. Activities that are not currently funded include addressing potential elevated risks identified as a result of the Phase I screening assessment, groundwater/pore water quality and distribution, and chemical form and bio-availability of selected metals that affect toxicity.

Tim Ewers, Consortium for Risk Evaluation with Stakeholder Participation, provided a brief presentation to the Board on how risk information was used in the formulation of the FY2000 IPL (*Attachment 6*). The preliminary findings showed that the risk guidance was not followed and it is not clear how risks were evaluated and summarized. There were several inconsistencies in the risk documentation and units bundled risks together, which eliminates the use of risk. Also, the risk values reported in the IPL were not supported by background documentation. This has been a missed opportunity to express and use health risk information in project development and prioritization.

Gerry Pollet summarized the draft advice prepared by the Dollars & Sense Committee on the FY2000 IPL. The overarching themes are that DOE is obligated to request full funding for all legally required cleanup and safety activities and that cleanup funds should not be used for non-cleanup activities. If the second theme had been adhered to in FY98, there would not be a compliance gap. Also, level funding is not adequate, especially considering the cost increases in the Spent Nuclear Fuel program, discovery of the tank outside the Plutonium Finishing Plant with plutonium sludge, and inflation rates. The draft advice also focuses on continuing to increase contractor efficiencies, contractor reform, and reducing overhead/indirects, committing to fund health monitoring studies, charging full cost for acceptance of off-site waste, needing full funding to have readiness to proceed with TWRS, and the criticality of the pumpout of single-shell tanks.

### Board Discussion

Gerry Pollet questioned whether there is a bigger gap in the funding requirements for the vadose zone program. The current funding for vadose zone characterization is \$4 million and some have said that \$18 million is required. Linda Bauer responded that her presentation just identified the items in the Environmental Restoration program. Gerry also questioned why CRCIA and the vadose zone studies are not viewed as compliance requirements. Tom Woods answered that he has been told by experts that if the first page of the TPA is read, it requires this kind of assessment; however, if the exact compliance items are examined, it is not included as a milestone. Tom also expressed appreciation for the hard work being done by Linda Bauer and the substantial progress that has been made on reaching an agreement on this topic. Linda Bauer added that risk assessments are required under the regulations, but there is a difference between CRCIA and those risk assessments.

Randy Smith stated that CERCLA does not require a specific amount of funding or amount of technical data to make a decision. It requires that risk assessments be used as the basis for making regulatory decisions. In any project, there is a tension between how much investigation will reduce how much certainty and risk and how much is studied to reduce the risks. Usually, there will never be enough certainty to be completely comfortable, but there is a balance and responsibility in determining the long-term consequences of the contamination and what remedy is truly protective. EPA does not just clean up and walk away and a comprehensive assessment is important to that cleanup.

Doug Sherwood added that EPA's approach to cleanup along the Columbia River has been to achieve the cleanup standard under the residential scenarios or unrestricted use. However, the risks of the overall area and the contamination sources that are there are not known. Where the groundwater is contaminated, there is enough known to say that action is required, but not enough to take action. CERCLA does require a final assessment, which was completed for the 1100 Area and will have to occur in the 100 and 300 Areas. There is not a question that more information is needed on the cumulative risk of Hanford, however, there remain questions about how much information is enough.

Gordon Rogers expressed his opinion that there is no disagreement that a comprehensive sitewide analysis is needed. The real question is when is the information needed and what is enough information. The impact assessment must look at the region as a whole and not just focus on the Hanford area and be held to the same standards as all other cleanup programs. Tom Woods added that if an assessment is not done until closure, then it will not be known if the work that was done was enough to prevent further damage. George Kyriazis noted that based on Tim Ewer's earlier presentation, it appears that risk is not considered in setting priorities, rather politics make the decisions on what should and should not be funded.

Board members offered specific comments on the draft advice proposed by the Dollars & Sense Committee. Those comments were incorporated into the advice.

#### Action on Agenda Item 3 - FY2000 Budget and 2006 Plan

After further discussion on specific wording changes, the advice, as revised, was adopted. It is Consensus Advice #84. It was agreed that a draft transmittal letter for the advice would be reviewed by the Board, comments sent to Louise Dressen, and be finalized next week.

#### PUBLIC COMMENT

Paul Gubanc, DNFSB, introduced himself as the site representative of the DNFSB since June 1994. At the end of May he will be transferred to Oak Ridge to establish a new office and Ralph Oterra will be replacing him. Mr. Gubanc thanked the Board for its continued interest in the DNFSB and the work being accomplished by himself. Marilyn Reeves thanked Mr. Gubanc for his hard work and noted that this would be a loss for Hanford and a gain for Oak Ridge.

## **AGENDA ITEM 4A: SPENT FUEL WORKSHOP - BACKGROUND AND OVERVIEW**

Louise Dressen introduced the workshop on the Spent Nuclear Fuel project. She said the Board will be hearing about some of the issues surrounding the program including the history and background of the project, the regulatory process, technical issues, and cost and schedule issues.

Dirk Dunning, Oregon Department of Energy (State of Oregon), provided an overview of the Spent Nuclear Fuel program. The K Reactor shut down in approximately 1970. In 1975, with the N Reactor still running, a place was needed to store the fuel. It was put in the K East Basin where the basin is unlined and not physically joined to the building. In an earthquake, the basin could become separated from the building and water contaminated by the fuel could run into the ground. The K East Basin had problems with radioactivity in the water and contaminants in the wall, so fuel was then put into the K West Basin. The fuel rods in the K East Basin are damaged and corroding; aluminum caskets full of fuel in the K West Basin are not corroding, for the most part.

Originally the fuel in the basins was planned to be reprocessed, but the PUREX facility was shut down because of operational problems and non-proliferation treaties signed by the United States, and as a result, the fuel has been slowly corroding in water in the K Basins. In 1993, an unusual occurrence report found that there were 18 inches of solids in the K East Basin with excessive amounts of plutonium. The original approach was to move the fuel rods from the K East Basin and rerack them in K West. However, studies showed that both basins had urgent risks associated with them and the best course of action would be to remove fuel rods from both basins.

Todd Martin provided a summary of the Board's past advice on the Spent Nuclear Fuel program. In November 1994, the Board told DOE to remove fuel as quickly as possible, fund the program, and resolve the technical issues to meet the schedule of fuel removal by December 2002. DOE's response was that the project was on schedule and fuel removal would begin in December 1997. In January 1995, the Board stated that the program should maintain its high priority and continue to receive funding. At that point, there were questions about the efficiencies of the program. The Board added to its advice that there should be near-term victories and progress made so that by the middle of 1995 the Spent Nuclear Fuel program would be in a sound and confident position. At this same time, EPA and Ecology said that DOE-Richland must demonstrate that its path forward was based on sound planning, achievable workscope baseline, and accurate cost estimates and that DOE-Headquarters should do a complete cost validation of the program. DOE responded to this advice by saying that the program would be held fully accountable for expenditures and achieving success.

In May 1995, the Board issued more specific advice when it endorsed the use of the Canister Storage Building to store the fuel rods in the 200 Area. The Board also said that the sludge should be classified as waste and, if regulations allow, send it to the TWRS program for treatment. The Spent Nuclear Fuel program should not be privatized, overhead costs should be reduced, and there should be an adequate transportation infrastructure. In February 1996, the Board opposed a reduction of funding in the project and DOE responded that the program was

still on time to begin removal of fuel in December 1997 and complete removal by December 1999. All of the Board's advice and DOE's responses can be summarized in one way: The Board said get on with it and DOE responded it was doing so.

Charlie Hansen, DOE-Richland, provided an overview of the project, including schedules and plans for addressing some of the issues currently being faced (*Attachment 7*). Twenty one hundred metric tons of spent nuclear fuel is located on the banks of the Columbia River. DOE will be moving the fuel ten miles south to the Canister Storage Building and placing it in dry storage. The 2,100 metric tons of fuel represent nearly 80 percent of DOE's total inventory. There are 210,000 fuel elements in the basins; half have minor to severe corrosion and there have been past leaks of over 15 million gallons. Currently, there is no absolute way to measure leaks because of natural evaporation, but wells are monitored to satisfy DOE that there are no leaks.

The fuel in the K East Basin is in open canisters; consequently, the water is contaminated with uranium. There are 7 tons of uranium reacting with the oxygen in the water, resulting in more fuel corrosion. Six percent of the fuel is highly corroded; 40 percent is in fair condition. There are approximately 70 cubic meters of sludge in the bottom of the Basin that escapes from the canisters and into the water as the rods were picked up. The current schedule is to have the spent fuel removed and placed in dry storage by 2006. There is spent fuel located at the Idaho and Savannah River sites plus smaller amounts at three other locations. Hanford is following commercial experience and using dry storage, which will require approximately \$1 million/year in maintenance costs, rather than wet storage, which would cost \$25 million/year for maintenance.

When the canisters are removed from the basins, the fuel and sludge will be separated. The Canister Storage Building has three vaults, but only two will be needed for fuel storage. The fuel will be laid out on a table and picked up with a manipulator arm, put in baskets, and placed in a strong stainless steel container. Five baskets will fit in each container. The containers will then be sealed, put in a shielded cask, placed on a transport, and put in a fuel drying facility. As much water will be removed as possible and then the unit will be sealed and moved to the Canister Storage Building. All of the fuel cleaning and loading takes place under water. There is space on the floor of the Canister Storage Building to place a fuel retrieval table and racking system. At this point, there is no Nuclear Regulatory Commission (NRC) involvement in the project; DOE chose not to do actual relicensing in order to expedite the process. NRC requirements have been invoked on the project and are the standards for establishing the project requirements.

The Cold Vacuum Drying facility has been the critical path for the last year and caused the delays announced in December. It is approximately 40 percent complete now. A major delay was finishing the safety basis work to prepare the equipment for vacuum drying. The third vault in the Canister Storage Building will be used as storage because it is not needed for the spent fuel. The air intake for the vaults will be through a chimney and will be passively cooled. There is relatively low heat load on the spent fuel, but when the high-level waste vitrification logs are put in the building as well, the chimney will be helpful in alleviating the heat. The Canister Storage Building has been built to NRC tornado standards. Several incidents have caused delay, including a worker who walked between two beams when they were in motion and fractured his

hip and a crane running into a power line. These problems have been resolved and corrective actions taken.

In 1994, a timeline was established for aggressively pursuing dry storage. Westinghouse Hanford Company proposed waiting to decide how to dry the fuel out and install a wet storage facility instead. Experts instead recommended a proposal to go ahead and move towards dry storage, including a two phase program that would be completed in April 2006 and require temporary staging in a wet or damp condition. In 1994, that plan was reviewed and the current Canister Storage Building approach was identified. This approach established an accelerated schedule and a new baseline that was at a much lower cost than originally projected. The Spent Nuclear Fuel program was then fast-tracked, meaning that construction is done in parallel with design and analysis of the work.

### Board Discussion

Ken Niles, Oregon Department of Energy (State of Oregon), questioned whether the transportation casks are existing or under development. Charlie Hansen responded that two casks have been delivered and the rest will be at Hanford by the end of the month. The trailers are 50 percent complete. Wayne Martin, Non-Union, Non-Management Employees (Hanford Work Force), questioned whether or not hydrogen generation in the containers might lead to high pressurization if the canisters are sealed. Charlie responded that there is expected to be hydrogen generation. The safety basis has been extensively reviewed by project personnel, the DNFSB, and peer reviewers, and it has been shown that sealed storage is acceptable for the anticipated pressures and will reduce the potential for a flammable mixture within the canisters. There will be cause for concern if there is ever a puncture in the canister or one has to be opened up.

Wayne Martin questioned what would occur if there is a breach of the containers when they are in storage; there is a possibility one will rupture due to pressure. Charlie stated that there will be a 5 foot thick shield deck over the containers and extensive drop analysis has been done to ensure that the container integrity is sound. DOE does not expect any breach of the containers in any reasonable situation. The multi-canister overpack can handle 460 pounds per square inch (psi) and there will be less than 10 psi in the canisters over time. No rupture would occur until 2000 psi.

Wayne Martin also asked why DOE is not using hot conditioning. Charlie responded that the program wanted to avoid a run-away uranium reaction in case of an accident. In a hot conditioning system, there is more likelihood of having a material failure over time than not going through the process. When fuel is heated to 300 degrees centigrade and a problem occurs, there could be a significant release of radioactivity. Cold vacuum drying greatly reduces the risk of exposure to radioactivity.

Chuck Potter questioned why TWRS or sites sending waste to Hanford for treatment are not paying for the two vaults that will be used to store its waste once it is vitrified. Charlie responded that vaults 2 and 3 are not being completed at this time other than insulation and concrete work. TWRS will be providing funding for the additional construction as well as any

design work. Also, there is no discussion with external groups about bringing off-site fuel to Hanford for storage. Beth Sellers, DOE, added that some organizations have called, asking about the possibility of sending spent fuel to Hanford, but the program continues to tell them that it is not an option.

Jim Watts noted that there are workers who are trained to run the equipment needed to move the Spent Nuclear Fuel program forward, but they are being laid off. When these workers are laid off and then rehired once there is funding, they will have to be retrained, which becomes very costly. Charlie agreed with Jim's comment but said he has not been advised there is a problem with turnover. Nancy Williams, Fluor Daniel Hanford, stated that schedules are being developed with adequate time for training.

Pam Brown noted that the problems with the Spent Nuclear Fuel program are the same the Board was hearing about six months ago. DOE said that the new management and integration team would bring world-class contractors to Hanford and if it did not, the site would be allowed to bring in new contractors. If DOE had replaced the contractor for the spent nuclear fuel removal project six months ago, they would be up to speed today and moving the project forward. Why has DOE not done this? Charlie responded that bringing in a new contractor will require another learning process. The management change in the current contractor is like a turnover because the new managers have to learn the project. DOE is at the point where it would have expected better performance, but it is encouraged by the interest at the CEO level of both contractors to solve the problem. DOE is satisfied that it is seeing sufficient action towards correcting the problems.

Jim Cochran, Washington State University (University), questioned why a project review was not initiated until September 1997 and when did the monthly/weekly project meetings begin. Charlie Hansen responded that both the review and monthly/weekly meetings were initiated in March 1995. It became clear in the latter part of 1997 that the monthly/weekly meetings would require Charlie's attendance and attention; he began chairing the meetings in September 1997.

Harold Heacock noted that the problems with the Spent Nuclear Fuel program are seriously damaging the credibility of DOE in Congress. Also, a letter from DOE to the contractors asking for corrective actions was sent six months ago and nothing has happened. Charlie responded that in the months since that first letter was sent, DOE and the contractors have spent a large amount of time discussing how the program would be improved. It was quite clear that sufficient financial control was not instigated early on. However, the benefits of changing contractors did not outweigh the steep learning curve a new team would have to climb.

George Kyriazis questioned how DOE can say it has a firm baseline and established cost control where there is less than 20 percent confidence in the baseline. Also, how much performance fee were the contractors awarded for FY97? Charlie responded that the contractors achieved \$.30 on every dollar by making real progress on significant items.

Jim Watts expressed his concern that DOE is trying to send the construction of the baskets outside the Tri-Cities area after signing an agreement with the labor groups to not do that. Also, the basket construction is taking place nine months late. Charlie said that DOE is not interfering

with any of the construction that is taking place. Delays were at the request of Fluor Daniel Hanford so it could finish the design of the multi-canister overpacks.

#### **AGENDA ITEM 4B: SPENT FUEL WORKSHOP - REGULATORY PROCESS AND ISSUES**

Roger Stanley, Ecology, reported that there are no enforceable milestones for the Spent Nuclear Fuel project. EPA and Ecology have been working with DOE for two and a half years to establish a schedule for the program. Five words now describe Ecology's position: "extreme patience wearing very thin." In the summer of 1997, a public comment period was held on a proposed change package which would have had the regulatory pathway designated as CERCLA and the fuel removal beginning in May 1998 and completed in July 2000. Following the public comment period, DOE was unable to finalize the agreement because there was low confidence in the proposed schedule. After further review, a new schedule was proposed by DOE which would have fuel removal beginning in July 1999. At the beginning of 1998, it was expected that an agreement would be reached on a new proposed change package by February 24; however, at the end of February, the agencies could not agree on a proposed package. Ecology and EPA have notified DOE that they are still concerned about the schedule, lack of near-term drivers, and the overall extent of delays being proposed by DOE. The regulators have agreed to negotiate one last time with an absolute deadline of the end of July 1998 for an agreed-to change package.

Doug Sherwood added that there have been a number of questions about the regulatory pathway for the Spent Nuclear Fuel project. Previously, the program was a removal action under CERCLA, which requires an engineering evaluation and cost analysis to receive an action memorandum, the CERCLA removal document. The next step would have been to start fuel removal in May 1998. The new approach for the project will be to produce a proposed plan for the actions at the K Basins and address it as a remedial action under CERCLA in late summer and fall of 1998. The activities in the proposed plan will include cleaning up the sludge, removing the fuel, removing and disposing of debris, and water treatment at the Effluent Treatment Facility. The difference in the approach would be that the activities would be accomplished concurrently and the fuel removal project would have to be executed before the sites around the basins are cleaned up. This is a better fit with the 100 Area remediation activities. With this regulatory change, EPA will not be taking over activities, such as air monitoring, which the Washington Department of Health (WDOH) is more qualified to handle. More regulators will be involved in the Spent Fuel Removal project as a result of this change, but the process will not be slowed down.

Al Conklin, WDOH, explained the agency's role on the Spent Nuclear Fuel project. It has had an active involvement with permitting since 1992; the purpose of the permits is to protect the air from radionuclides. There are many challenges associated with this project, such as the fact that it is an essentially an outdoor facility so negative pressure cannot be maintained and daylight can be seen throughout the building. Permitting the air pathways has proven to be a challenge. The water in the tanks is also part of the potential pathway so water action limits had to be established to ensure that the air pathways were protected. Eighteen different activities have been permitted or licensed for the project. The aluminum hydroxide challenge mentioned

previously by DOE will also challenge WDOH. WDOH greatly respects the expertise of DOE and its contractors, but its job is to look at the project from a public perspective and ensure that if there is something undiscovered, the public is going to be protected.

Dan Ogg, DNFSB, provided the Board with an overview of the DNFSB's issues and concerns relating to the Spent Nuclear Fuel program (*Attachment 8*). The DNFSB is an independent agency in the Executive Branch of the government and was established in 1988 by law. The Board consists of five members who are recognized experts in the area of nuclear safety and provides independent oversight of the defense nuclear facilities. Its interest is in the protection of the health and safety of the workers and the public. The Plutonium Finishing Plant, tank farms, and spent fuel removal are all programs that are within the DNFSB's interest.

The DNFSB issued Recommendation 94-1 which addressed the expedited remediation of legacy materials, plutonium, and spent fuel materials throughout the complex; specific milestones were established for Hanford. However, the spent fuel removal program is falling further and further behind schedule. The DNFSB has the commitment of the Secretary of DOE to meet the milestones established in Recommendation 94-1. If the milestones are not going to be met, the Secretary is required to explain to the Board how the schedule is going to be recovered and where the funds will come from. If there is a budget shortage causing the delay, then DOE must go to Congress and explain what is happening. DNFSB recently issued a technical report on the issues facing the Spent Nuclear Fuel program and recent staff review and trip reports have been issued as well.

### Board Discussion

Merilyn Reeves asked Al Conklin whether WDOH will be permitting the canisters in the Canister Storage Building for air emissions when they are sealed. Al responded that originally the fuel was not going to be sealed so a range of controls were put in place. Because they are now sealed, most of the controls have been eliminated; however, there will be requirements for negative pressure on the building and filtration systems in the case of a failure.

Merilyn Reeves questioned whether the DNFSB would still make the same harsh criticism of Duke Engineering Services Hanford's (DESH) performance on the Spent Nuclear Fuel program as it wrote in its November 18, 1997, letter to former Assistant Secretary Alm. Dan Ogg responded that the DNFSB revisited that issue in a meeting held at Hanford on April 1. Four DNFSB representatives were able to review the spent fuel program; one issue arising from that review was identification of root causes and corrective actions for those causes. Dan's perception is that the DNFSB is not very satisfied with what has been identified as the root causes of the troubles and identification of appropriate action. The DNFSB has reviewed the corrective action plans and comments on the plans by DESH, Fluor Daniel Hanford, and DOE. However, some additional root cause analysis might be necessary to really understand the problems. The DNFSB's primary concern is the continued deterioration of the spent fuel along the Columbia River and the apparent lack of urgency within DOE, Fluor Daniel Hanford, and DESH to continue to make progress. DOE has continued to say that the contractors be

accountable, but there have been no strict penalties against the contractor or incentives to expedite the project.

Merilyn noted that another issue in DNFSB documents is that there is no technical reason for the work not to proceed and asked if that has changed. Dan Ogg answered that there are no major technical issues that would pose a major barrier to proceeding. Aluminum hydroxide coating and other emerging issues are not difficult technical barriers and there is a lot of conservatism in the analysis being done. DNFSB has continued to push for, and the project has not committed to, establishing a multi-canister overpack monitoring program to monitor the spent fuel for pressure and temperature prior to welding the sealed caps on the canisters.

Merilyn questioned whether the DNFSB has expressed a view on whether the cost estimates are too conservative when compared to the commercial spent fuel industry. Dan Ogg said the DNFSB tries not to become involved with budget issues; it is primarily focused on safety issues. If there is a safety problem, then cost becomes an issue. The DNFSB has looked at the analysis and characterization data and is aware of the various reviews. The DNFSB believes that the current path forward is sufficiently technically conservative to proceed.

Wayne Martin questioned whether the drying process has been done before. Charlie Hansen responded that French companies have done drying processes and there is literature available on the technology. Wayne also asked how DNFSB receives its funding. Dan Ogg responded that the DNFSB receives funding directly from Congress and has an annual budget of \$17 million.

Gerry Pollet questioned what DNFSB's position was on DOE's choice to not have NRC oversight of the project, based on budgetary concerns. Dan Ogg responded that DNFSB agrees that it is not cost effective to upgrade old facilities so they are NRC compliant because their short lifetime makes it cost prohibitive. Upgrading the facilities would also cause a safety threat as the fuel continues to degrade. There remain questions about whether the Canister Storage Building and the container should be NRC compliant. There could be problems when the fuel goes to Yucca Mountain for long-term storage. Gerry asked whether there is adequate quality assurance on the canisters. Dan answered that the Office of Civilian Radioactive Waste Management has requirements that will be met. DOE has a quality assurance plan to ensure that the requirements are being met, documented, tested, and training occurs. There are outstanding issues on whether there is redundancy in the cranes and handling equipment when material is being loaded and unloaded.

Gerry questioned what has to happen for better management of the Spent Nuclear Fuel project to occur. Dan Ogg responded that in his personal opinion, there needs to be accountability and DOE must make not being accountable painful for the contractors, such as financial penalties. Performance agreements are a tool for DOE to bring pressure on the contractors, however, those performance agreements must be tied to milestones in order for them to be effective. There must be enforceable interim milestones and more data points towards progress. Gerry questioned whether or not performance agreements could be passed on to the contractors' vendors. Dan stated that Duke is fully responsible for how managing its contracts with the vendors. DNFSB has been critical that the sense of urgency was not put into vendors' contracts. Gerry's concern

is that for the management and integration contract to be successful, DOE-Richland has to be much more aggressive in using the contract and ensuring that performance agreements do not undermine progress and incentives. Beth Sellers noted that the FY98 performance agreements are very difficult and include negative fees.

Merilyn Reeves questioned whether the safety analysis staff is being augmented with additional experienced personnel. Dan Ogg responded that new people have been brought to Hanford, including engineering and safety analysis managers. There is concern with DOE and contractor integration, however, and DOE has assigned Mike Humphreys as a manager for integration.

Emmett Moore, Washington State University (University), questioned what permits would be required for the Spent Nuclear Fuel program. Doug Sherwood responded that the sludges will require RCRA permits; debris might fall under mixed waste regulations; and liquid waste would require a state discharge permit and be treated at the Effluent Treatment Facility. Randy Smith noted that when a Superfund Record of Decision is issued, it includes the requirements for air, water, waste and is a functional equivalent of a permit. Emmett asked whether Ecology or EPA have direct regulatory authority over spent nuclear fuel under RCRA or CERCLA. Randy responded that CERCLA gives EPA authority over the release of hazardous substances, including radionuclides. If there are releases, EPA can control the source, even going into the factory to control the releases.

Chuck Potter expressed concern that as the cost of the project grows, more fee becomes available with the larger project estimates so that contractors are being awarded for non-performance. Alice Murphy responded that when the agency and contractor go through the budget process, fee is usually allotted by budget size. However, when the actual execution of the budget occurs, DOE looks at milestones, how significant progress is, and how critical the project is before making the final decision on fee allocation. Chuck questioned whether not finalizing the performance agreements for several months after the beginning of the fiscal year allowed the contractors an advantage in seeing where the riskier projects are and negotiating accordingly. Alice answered that the performance agreements were finalized by December and none were agreed to that had a deadline due within 30 days or a deadline that had already passed.

Jim Trombold asked whether water quality for the Spent Nuclear Fuel program is being regulated. Roger Stanley responded that a state water permit is required.

#### **AGENDA ITEM #4C: SPENT FUEL WORKSHOP - TECHNICAL ISSUES**

Jack Devine, Technical Advisory Group (TAG), provided the Board with the TAG's perspective on the Spent Nuclear Fuel program (*Attachment 9*). The changes to the baseline, including elimination of the relief valves, strengthening the multi-canister overpack, and eliminating hot conditioning, will not compromise the safety of the program. Although it does not mean the TAG is comfortable with the program, these changes make it safer than it was. The TAG has been in existence for two and a half years and includes independent experts. Its task is to assist DOE-Richland and its contractors; three of the TAG's members were involved in the independent technical assessment. The group meets monthly for one week and its focus is on

technical and safety. The changed baseline is essentially consistent with the original spent nuclear fuel safety concept and offers excellent opportunities for simplification with cost, schedule, and safety benefits.

#### Board Discussion

Wayne Martin questioned where the TAG gets its funding. Charlie Hansen responded that the contractors pay for the expenses of the TAG. Wayne read from a recent letter from the TAG to Hank Hatch, president of Fluor Daniel Hanford, in which it said that the program "needs improved technical direction and leadership." Because improved technical direction and leadership have not been seen, Fluor Daniel Hanford appears to not be heeding the TAG's advice. Dan Ogg added that the DNFSB is very familiar with the TAG and is confident that they are providing good oversight. He mentioned that the quote read by Wayne is directed more towards Duke and how its managers need to provide greater management and technical direction.

Pam Brown thanked Jack Devine for his time and presentation to the Board. She asked for his advice on where the Board should focus its attention and what sort of advice would be useful in assisting the program in getting back on schedule. Jack responded that the Board can help by maintaining awareness on the central safety factors and pursuing the central goal of the project.

#### PUBLIC COMMENT

Tony McConnell, DESH, discussed the role of Duke on the Spent Nuclear Fuel program. Duke has a passionate commitment and sense of urgency for moving the fuel away from the Columbia River. The company is not at Hanford just to make money, but to continue to build on its reputation for quality engineering. When Duke began working at Hanford, it understood the aggressive schedule and put in the management and effort needed to meet that schedule. It did not stop the project and review the total process, including quality of engineering, procurement structure, etc. In December of 1997, a comprehensive review was done of the program as well as an assessment of the management team. As a result, changes were made to the management team. It is now the clear desire of Duke to get the project done on cost and on schedule and there is a sense of urgency to finish the project.

#### AGENDA ITEM #4D: SPENT FUEL WORKSHOP - COST/SCHEDULE/ MANAGEMENT ISSUES

Pam Brown asked that the Board discuss some of the issues and concerns relating to the Spent Nuclear Fuel program and help provide a framing of issues for the Health, Safety, and Waste Management Committee to address.

#### Board Discussion

Randy Smith reemphasized the critical nature of the upcoming negotiations between the TPA agencies. There is a large gulf between where the regulators would like to be on a schedule and what is being proposed by DOE. There is a lot of work that must be done and getting agreement

on a schedule will be difficult for everyone involved. Charlie Hansen noted that work on the conditioning facilities will stop within the next month because that portion of the budget has run out of money due to cost overruns last year. There is \$20 million appropriated to the conditioning facility in FY99, but it cannot be used until the beginning of the next fiscal year and DOE has not identified any other funds that could be used. This is just one issue that is causing problems in establishing a project schedule and committing to a TPA milestone.

Pam Brown questioned how the TPA agencies will be dealing with the uncertainty of funding for the program during the negotiation process. Randy Smith responded that his opinion is that a combination of cumulative affects of budgets combined with an urgency of a number of projects makes DOE's responsibility to find money to fix some of these problems much higher than in past years. He would like to continue to put pressure on DOE as a whole to look within itself to find solutions to the problems and not assume that if there is a cost overrun, either work is stopped or money is found within the cleanup program. In terms of the negotiations, the regulators do not negotiate based on the budget picture. EPA wants to know that DOE is confident they can meet the schedule; DOE has to look at the funding picture and tell the regulators what can be accomplished. Marilyn Reeves noted that in the second workout session held with former Assistant Secretary Al Alm, Randy stated that it is not the responsibility of the regulators to deal with funding shortfalls. Randy added that the regulators cannot ignore the funding shortfall, but in these negotiations, it is up to DOE to determine how the money issues will be dealt with.

Dirk Dunning noted that the regulators should remember that while the risk of catastrophe is a driver and the fuel is corroding, the equipment is also corroding and there are no replacement parts available.

Gerry Pollet questioned what is the shortfall of funds causing the halt of work on the conditioning facilities. Charlie responded that there is a \$14.5 million shortfall which is not included in the \$42 million compliance gap. DOE has known about this for approximately a week, but has been watching it for awhile. In any given fiscal year, contractors are going to run variances against their baselines. Mitigation for this has not been established and there will be an impact on the schedule. Schedule delays could be recovered by how startup of the Canister Storage Building is approached.

Gerry expressed concern that EPA is now the lead regulator for the Spent Nuclear Fuel program, but it cannot take DOE to court if it does not comply with the regulations. Randy Smith responded that the way EPA approaches enforcement on any cleanup site is to ensure that there are requirements in place with a sound statutory basis. With both mechanisms of the TPA and CERCLA in place, someone will be able to sue DOE to enforce those requirements. Gerry questioned whether the DNFSB recommendations could be incorporated into the TPA change package as interim milestones. Roger Stanley responded that the regulators are encouraging that the new milestone package will be a unified schedule, including TPA, DNFSB, internal DOE, and contractor milestones. Dan Ogg added that the DNFSB is not likely to be involved in TPA negotiations. If the TPA milestones were the same as the DNFSB milestones in

Recommendation 94-1, then the DNFSB would be acting in its oversight capacity as it enforced those same milestones.

Madeleine Brown, Non-Union, Non-Management Employees (Hanford Work Force), questioned what DOE needs to see from the contractors to know that the problems with the Spent Nuclear Fuel program are solved. Charlie Hansen responded that in regard to nuclear safety, DOE has asked the contractors to issue safety analysis reports and documents that are reviewed and approved by DOE. An independent review panel of three nuclear experts who report to John Wagoner will have to issue an independent approval of the safety documents. DNFSB, EPA, and Ecology are constantly reviewing the program, attending program meetings, and have on-site visit privileges.

Andy Griffith, DOE-Headquarter's Office of Nuclear Material Facilities Stabilization, expressed his appreciation for being able to attending the Board's meeting and listen to its discussion. He has heard a lot of views and he is constantly reminded that the "real work" is accomplished in the field. DOE is under a lot of pressure to perform and the agency recognizes that it needs to do that. He will be taking the views expressed by the Board and incorporating them into his oversight and advocacy role for the Spent Nuclear Fuel program at Hanford.

George Kyriazis asked if the TPA milestones for the Spent Nuclear Fuel program are changed, will the performance fees change accordingly. Alice Murphy responded that the performance agreements were established in the Summer of 1997, so that schedule will remain until the end of the fiscal year. Charlie added that there are no immediate plans to change the performance agreements; however, if there are reasons through government action to change the performance agreements, it would be done.

#### **AGENDA ITEM #4E: SPENT FUEL WORKSHOP**

Pam Brown introduced a draft letter to be sent to John Wagoner from the Board concerning the Spent Nuclear Fuel program. She said that while the representative of Duke said that things are turning around on the program, there remain concerns that the contractors are not addressing the problems and time is running out. This proposed letter asks DOE and Fluor Daniel Hanford to define what they have asked the contractor to do in order to resolve the management problems that have been documented since last Fall and if they have been resolved. The letter also identifies some of the Board's concerns and asks that specific corrections be identified, suggesting that presentations be made to the Dollars & Sense and Health, Safety, and Waste Management Committees as soon as possible. If corrective actions have not been taken, then a new contractor should be hired.

Gerry Pollet objected to sending a letter which is not advice. If it remains a letter, then the last paragraph should be eliminated because it advises DOE to hire a new contractor. The letter should also address concerns with DOE's management and oversight responsibilities. Pam suggested that this letter should focus on making a request for information due to the urgency of the situation and there would be an opportunity to address more critical comments at the June

Board meeting. Gerry added that concerns with DOE's management should be included in the letter to ensure that information is included in the presentations.

Todd Martin questioned why only Duke is being recommended for firing when there have been problems with both DOE and Fluor Daniel Hanford. Pam reported that she has been told that Fluor Daniel Hanford could be removed from this project and remain the management and integration contractor for the site. Harold Heacock expressed support for addressing DOE's and Fluor Daniel Hanford's management and oversight responsibilities in the letter. Madeleine Brown suggested that while the cost overruns and management are the source of much of the problems experienced in the Spent Nuclear Fuel program, some of the legitimate technical issues should also be acknowledged.

Charlie Hansen addressed the proposed letter by saying that while there have been problems, DOE's current assessment is that the contractors are improving and it is not time to change. If there is a lack of progress, then DOE will make a change. Also, if there continue to be management changes, more and more of the skilled workers will leave because of job instability.

Merilyn Reeves expressed her opinion that on-the-job training is not an option for the contractors. Gordon Rogers expressed his concern that this letter could be used to delay the project even longer than it already has been.

#### Action on Agenda Item 4 - Spent Fuel Workshop

After further discussion on specific wording changes, the letter, as revised, was approved for transmittal to John Wagoner.

#### AGENDA ITEM #5: ADMINISTRATIVE MATTERS

Merilyn Reeves reminded the Board that at its last meeting, a small group of members were appointed to determine if the current committee structure should be changed to form a separate health and safety committee. Based on discussions (*Attachment 10*), the small group has agreed on a recommendation that there not be a separate committee. Jim Trombold expressed his thought that health and safety is the overall theme of the Hanford cleanup so that it pervades all the committees; each committee should have a member who focuses on health and safety.

George Kyriazis noted that as a member of the small group, he was in the minority believing that there should be a separate health and safety committee. While health and safety does permeate everything, if an accident happens, it is not the accident that people are concerned about but the health and safety of the workers. A separate committee would be able to hone in on health and safety issues and allow an interface with the Board and public. Wayne Martin noted that budget and funding issues cross-cut everything, but there is a separate committee for them. If there is not a separate committee for health and safety, the Board must ensure that the message does not come across that the Board does not care about the topic.

Pam Brown noted her concern that the Health, Safety, and Waste Management Committee has too many topics that it is addressing and that those members who want to address health and safety in detail should be given that opportunity. Perhaps the Dollars & Sense Committee could take on another cross-cutting issue. Gordon agreed with the idea that health and safety permeates everything and strongly favored having a separate committee focusing on the topic.

Merilyn noted that a second Health of the Site meeting will be held in the Tri-Cities this year and asked members for thoughts on whether the Board should be a co-sponsor. It requires no fiscal contribution. Also, she asked for Board deliberation on whether one of the Board's two-day meetings should be decreased to a day and a half to allow more time for the Health of the Site meeting.

John Erickson, WDOH, expressed his opinion that while the record of the site on health and safety is good, it does get lost in the shuffle of issues. In addition, the Health, Safety, and Waste Management Committee has too many issues and does not have the time to commit the needed resources to the topic. WDOH will be co-sponsoring the Health of the Site meeting this year and feels that it is an excellent opportunity to discuss health and safety issues.

Gerry Pollet noted that the current committee structure allows for those Board members who are interested in being issue managers developing advice on health and safety to do so. Health and safety cannot be divorced from the programs on the site, such as spent fuel and tank waste remediation, and creating a separate committee might do that. Also, there is a resource problem on the Board and unless there are resources added to the facilitation contract or other ways to support an additional committee, a new committee cannot be formed. The Public Involvement Committee needs more support and should be allowed to meet at times other than right before the Board meetings. The Health of the Site meeting needs to more clearly identify who its audience is and what is its goal. Because it is not targeting the general public nor the issues on which the Board develops advice, it does not make sense for the Board to give up meeting time. However, it should be coordinated during the same week of a Board meeting and the Board could co-sponsor it.

Chuck Potter noted that a method for ensuring that health and safety remains high on the Board agenda is to make a permanent spot for it on the Board agenda. Madeleine Brown seconded the idea for dedicating a portion of the agenda to address health and safety issues. Her concern with creating another committee is taxing the time and commitment of the Board members; many times very few people come to the existing committee meetings. Health and safety will be addressed in the current committees.

Doug Sherwood expressed his concern that the Health, Safety, and Waste Management Committee has too much work load. Right now it has on its agenda tank wastes, privatization, facility transition, waste management, and spent fuel. Even if health and safety is removed from its agenda, it still has 80 percent of Hanford's budget as its focus. Todd Martin shared Doug's concerns and stated his opinion that TWRS and spent fuel should not be in the same committee.

Merilyn polled Board members and it was agreed that there was not consensus to create another committee at this time. The Board also agreed to co-sponsor the Health of the Site meeting. She suggested that the Health, Safety, and Waste Management Committee take a hard look at its workscope and determine how the workload could be spread out. It does not need to be discussed at the Board level.

Greg deBruler noted that the Board identified at its December workshop decision-making on the site, including management decisions, as one of the biggest problems on the site. However, it is not being addressed in the existing committee structure, which is stovepiped just like DOE. Merilyn suggested that the committees look at Greg's concern and see where it can be picked up.

Merilyn asked the Board for input on the structure of the Executive Committee. Historically, it has consisted of herself, the vice chair, committee chairs, and one additional individual for regional balance as required. Harold Heacock has been serving in that additional seat and Merilyn would like to keep him on the Committee. The Executive Committee does not make unilateral decisions, but rather deals with procedures or administrative matters. If Harold remains on the Committee and there are concerns about regional balance, an additional person could be appointed.

Gerry Pollet expressed his opinion that the Executive Committee be limited to the chairs of the committee, Merilyn, and the Board's vice chair. There is no rationale for adding a seventh slot which will then require an eighth slot for regional balance and will add too many people to the committee. Shelley Cimon and Pam Brown expressed support for Merilyn's request. Gordon Rogers expressed support for not having the seventh and eighth individuals be voting members. Merilyn agreed to keep the Executive Committee membership at six individuals.

Louise Dressen passed on a request from DOE to the Board that when requests are made for information, they should go through Barb Wise, PNNL, or Gail McClure, DOE-Richland, so that they can track the action items. Gerry Pollet expressed concern that sometimes it might not be appropriate to work through a third person rather than just the liaison that has been appointed to the Board or a committee. It is the role of the facilitators to take note of action items and ensure that they are being completed.

Merilyn Reeves noted that many of the Board members work on many different topics, many different advisory boards, and wear many different hats. Sometimes it is difficult to know which hat a person is wearing at the time of a discussion, so it is important for Board members to always make a distinction as to what organization they are representing. Paul Davis, DOE, briefed the Board on conflict of interest requirements as they apply to the Board. These are not significant requirements, but they do reflect on the credibility of the Board. When Board members are in doubt about what constitutes a conflict of interest, call Paul or someone else within DOE and ask. Members should refrain from using their Board membership as a reason for personal gain. For example, a member could put the Hanford Advisory Board on his or her resume, but not use it as a reason for hiring them. Members are also not to use their positions to coerce someone into providing financial benefit for the member or anyone else with whom he or

she has personal or financial ties. Members should not use their positions to improperly obtain gifts from someone who might benefit from the Board's advice.

Merilyn noted that questions regarding conflict of interest arose during recent trips by Board members to France and England to look at vitrification facilities. It was Merilyn's interpretation that the Board is a group of interests and those members were traveling because of the interests they represent, not because they were Board members. Pam Brown questioned whether when a Board member does have a conflict of interest with an agenda item, is there a distinction between times when they should not vote and when they should not even be part of the discussion. Paul responded that there were distinctions between how and when a member should participate in Board discussion. Chuck Potter questioned if a Board member would be allowed to consult with DOE on an issue that was not part of the Board's agenda. Paul said that this would not be a conflict of interest. Alice Murphy added that in that example, the Board member should be clear that they are not representing the Board.

Gerry Pollet questioned if a Board member is part of the management of a Hanford contractor and the Board is discussing that company's work, contract, or funding, that member would be barred from discussion. Paul responded that member could not be part of the discussion if the Board is talking about funding for his or her specific company. For example, when discussing TWRS privatization, no representative from the two privatization contractors should be at the table and voting on a decision. Gerry also asked if the Board was discussing payment to a state or local government agency and there were representatives of the agency at the table, would there be a conflict of interest. Paul said that just because a member might work for a state agency, that member will not benefit personally from funds going to the state. In that case, it would probably not be a conflict of interest.

### **PUBLIC COMMENT**

Gai Oglesbee expressed concern with exposure to radiation by both workers and the public. This will continue to be a problem partly due to lack of funding. Also, there should still be concern about the retaliation being experienced by Plutonium Reclamation Facility workers; jobs are still at risk if workers speak out about safety concerns. In addition to retaliation, the workers who were exposed at the Plutonium Reclamation Facility accident are not being properly medically monitored.

### **INTERSITE WASTE TRANSFER**

Norma Jean Germond reported to the Board that DOE and the League of Women Voters are hosting two workshops to discuss intersite waste transfer issues. This is not the National Dialogue. The Board has issued advice in the past which stated that the sites have to be communicating with each other, not divided between two meetings, and reach a consensus on the intersite transfer of waste. A draft letter prepared by the Public Involvement Committee to address some of the issues relating to these two workshops was introduced for Board review and approval.

George Kyriazis questioned what will be the representation of the site-specific advisory boards at the two workshops. Norma Jean responded that certain representatives from certain groups are being invited; however the goal of the workshop is very vague so it is difficult to know who should attend. George noted that DOE-Headquarters said that it expects some site-specific advisory boards to be at both workshops. A package on the workshops has been promised to the site-specific advisory boards by mid-April and the boards will provide recommendations back to DOE-Headquarters. The major concerns of the advisory boards have been getting the information packets out and what would be in the packets.

Merilyn Reeves noted that at this point in time, it is undecided how attendance will be determined. The proposed letter makes a very strong case for what the Board considers to be elements of the decision-making process. The messages in the letter should be clear: the two workshops are not the National Dialogue and it should define the components of a successful National Dialogue. Jim Trombold cautioned against completely discouraging the two workshops. If stakeholders do not come, DOE can portray the interest as low and use it as a reason not to do anything more. Todd Martin suggested that the letter mention that if DOE had conducted the National Dialogue the way the Board had advised, it would be complete by now.

#### Action on Intersite Waste Transfer

After further discussion on specific wording changes, the letter, as revised, was approved for transmittal to the League of Women Voters and the Secretary of Energy.

#### AGENDA ITEM #7: ACCELERATING CLEANUP: PATHS TO CLOSURE

Alice Murphy updated the Board on the Accelerating Cleanup: Paths to Closure document. It is no longer a plan, but is now being referred to as a strategy. The Environmental Management program has backed away from providing an integration plan and is using it as a compilation of all the sites' baselines. This will help ensure that the assumptions used for making shipments to the Waste Isolation Pilot Plant are consistent across the site and will serve as a basis for starting the integration discussions. The comment period on the current draft will end May 1.

George Kyriazis stated that he had been told that the end of the comment period is May 1, but it will be a continuing process and if extensive comments are received, they will be folded into the document. Tom Woods questioned whether or not the plans for the strategy document are being shared with Congress. Alice responded that the sites and Congress have gotten little information on the strategy. OMB has been interested in the integration issues and whether integration could meet some of the established funding targets. However, the agency has not received information on that issue. Tom noted that there was a line item in the Congressional appropriations structured to fund items pre-2006 and post-2006. If Congress has not accepted the strategy, why is the line item structured this way? Alice said that even before the 2006 Plan, the funding structure was changed to allow for more flexibility in moving funding across the site. This allows one funding control point for each site. Currently, the strategy has no impact on the way Hanford is doing business. No path forward has been defined. Tom expressed concern that the

strategy document might invalidate existing environmental impact statements and records of decision.

Max Power shared Tom's concern and stated that Ecology has been asking DOE-Headquarters how this integration effort relates to where projects are in the NEPA process. Ecology is still reviewing both the site and national strategy document and will share any comments it has with the Board. There are several disconnects between the national and site documents, including different funding levels to meet compliance. DOE has taken several steps to address stakeholder concerns, such as identifying the critical paths. Dennis Faulk, EPA, also expressed concern that if the strategy document ever evolves into a planning document, it might revise some of the current environmental impact statements. However, it will not impact CERCLA decisions. The name of the title "Accelerating Cleanup" has nothing to do with Hanford if the concept of a level budget is extended. "Paths to Closure" better identifies the intent of the document.

Alice Murphy noted that this strategy document is very similar to the Baseline Environmental Management Report. Dennis added that EPA will not be submitting comments on the document at this time; many of the comments from the public have been incorporated in the current version. Louise Dressen noted that there is information available to the Board on a presentation made to the National Governor's Association that discusses developing disposal options for low-level and mixed-level waste.

Merilyn Reeves questioned whether the Board wants to review and comment on the strategy document. Todd Martin expressed his opinion that the Board should not spend time reviewing the document. Merilyn Reeves and Tom Woods seconded Todd's view.

#### **AGENDA ITEM #8: POSSIBLE UPDATES**

Sally Sieracki, DOE, provided an update on the FY97 and FY98 performance agreements (*Attachment 11*). Twenty-seven of the FY97 performance agreements are still being evaluated to determine the amount of the fee award. DOE-Headquarters has approved the FY98 performance agreements so the contract will remain as it is currently written. Chuck Potter questioned whether the FY97 performance agreements were allowed to change and be renegotiated during the middle of the year. Sally responded that some of them were changed due to budget impacts, but DOE was the deciding factor on what needed to be negotiated. Chuck asked whether there have been any monetary or other impacts due to the fact that the FY97 fee awards are still not complete and the FY98 performance agreements were not finalized until half way through the fiscal year. Sally responded that there was a baseline in place before the negotiations began and the performance agreements were set against that baseline. There should be no detrimental impact from putting the performance agreements in place later.

Sally clarified the descriptions of the FY98 performance agreements that were distributed to Board members. In order to meet the objective in the string, the measures and expectations have to be met. If a contractor misses one of the measures and expectations, the entire objective could be lost. Where there are three expectations and a percentage of the fee tied to each one of the

expectations, two of the expectations are tied to the measures. When the expectation is missed, that will affect the fee at the measure level as well.

Madeleine Brown gave an update to the Board on the N Area Remediation Strategy. A little more than a year ago, the Environmental Restoration Committee and regulators were struggling with how to clean up the N Area, partly because the shoreline was behaving as a waste site. The Committee drafted advice saying that the approach at the time was correct and that the worst sites should be looked at first. The approach at the time also continued pump and treat for River protection. The draft advice was not adopted, but the regulators incorporated the concepts into a revised approach. Once a new strategy was agreed to, the draft advice was no longer needed. In this example, the Committee was able to act as a sounding board and did not have to issue advice.

Tom Woods expressed concern that the N Area remediation strategy is in conflict with the method of calculating risk in the CRCIA screening assessment. For example, the types of scenarios that are being used for different groups of people are wrong, and the levels of cleanup that have been proposed and targeted are industrial. It appeared that at the workshop that was held on the Integrated Technology Remediation Demonstration to look at ways to clean up the shoreline, the facilitator and sponsor of the workshop already had a predetermined solution. Madeleine noted that Barbara Harper, Yakama Indian Nation (Tribal Governments), and Dirk Dunning were active participants in that workshop and helped put the effort in a wider context. Dennis Faulk noted that the preferred alternative is to now cleanup the area to residential standards.

Todd Martin updated the Board on a proposal at the last meeting concerning Board involvement in the review of the TWRS privatization proposals. Six weeks after the Board meeting, DOE offered participation to Todd and George Kyriazis if a confidentiality agreement was signed that was so restrictive that they could not have discussed anything with the Board. Peter Bengtson, PNNL, has been working with the Health, Safety, and Waste Management Committee to address some of their concerns and the idea that the Board might be part of the proposal review made stakeholder values have a greater influence over the process.

Roger Stanley updated the Board on the public meetings held regarding the proposed milestone change for putting the Fast Flux Test Facility (FFTF) on standby. The comment period ended on February 20. There were four meetings and each one had a full audience; more comments have been received on this topic than any other. The agencies have been working on transcribing, collating, and preparing a response document. Roger will be reviewing a draft of the document next week and will be making a recommendation to Ecology management at some point after that. A final document should be prepared within four to six weeks.

Pam Brown expressed concern with how the public meetings were structured. Instead of the meetings being conducted by the TPA agencies, groups with strong interests were allowed to sit at the front of the room and not only give presentations, but also critique public comments. The City of Richland was invited to make a presentation, but declined, believing it was inappropriate. Gordon Rogers also objected to the way the meeting was structured. It was inappropriate for the

TPA agencies to expand the hearings into a question of whether or not the reactor should be restarted. The time for public input on that issue will be when the Secretary makes the decision. The cost and time and commitment of transcribing the comments is not acceptable.

Todd Martin questioned whether the FFTF has an air operating permit. Ernie Hughes, DOE, responded that as far as he knows, an air operating permit is inclusive of any operating facility. However, FFTF is not currently operating. Technical and environmental studies on the reactor were conducted and completed in November and forwarded to DOE-Headquarters. Secretary Peña will make a decision in 1998 about whether FFTF is an alternative for tritium production. Dennis Faulk noted that the TPA agencies are reviewing the way public meetings were conducted and will come to the Public Involvement Committee with recommendations. Ernie Hughes added that at all four meetings, the TPA agencies were at the front of the room giving presentations, as well as interest groups from the area where the meeting was being held.

## Attachments

1. Attendees List
2. Making Visible Progress: Hanford's FY2000 Budget Development
3. Dollars & Sense Committee: Views on Hanford's Cleanup Budget Priorities from Draft Advice to be Presented to the Board in April
4. Hanford Effects Regional Assessment
5. Environmental Restoration Activities Supporting Development of Cumulative Impact Assessment
6. Overview of the Review of the Risk Information in the DOE-RL FY2000 2/26/98 Draft Budget
7. Hanford's Progress Toward Dry Interim Storage of K Basins Spent Fuel
8. SNF Project Safety - TAG's View
9. DNFSB - Overview and SNFP Observations
10. Hanford Advisory Board - Draft Conference Call Summary
11. FY98 Performance Agreements - 3/10/98

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