



Oregon

John A. Kitzhaber, M.D., Governor



OREGON OFFICE
OF ENERGY

625 Marion St. NE, Suite 1
Salem, OR 97301-3742
Phone: (503) 378-4040
Toll Free: 1-800-221-8035
FAX: (503) 373-7806
www.energy.state.or.us

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Jeff Lyon
TWS Project Manager
Washington State Department of Ecology
1315 West 4th Avenue
Kennewick, WA 99336

Woody Russell
U.S. Department of Energy, Office of River Protection
PO Box 450, Mail Stop H6-60
Richland, WA 99352

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Dear Mr. Lyon and Mr. Russell:

Thank you for the opportunity to provide comments on proposed schedule changes related to the retrieval of waste and interim closure of several of Hanford's single shell tanks (TPA Change Package M-45-02-03).

The Oregon Office of Energy strongly supports accelerating both the process of removing waste from Hanford's single shell tanks and demonstrations of new retrieval technologies. At the same time, we continue to have strong concerns about proposals to "close" Hanford tanks within the next several years. Although our comments are specific to the current changes proposed in the M-45 Milestones, we cannot completely disassociate these comments and our concerns from activities identified by the U.S. Department of Energy (DOE) and its contractors to close up to 40 tanks by 2006.

There are simply too many uncertainties to proceed at this time with tank closure. Before considering closure, we need to know:

- how much waste can be retrieved from the tanks;
- whether retrieval activities will severely degrade the condition of the tanks;
- the extent of vadose zone contamination from past tank leaks and from retrieval activities.

Until we know the answers to the above questions, it will not be possible to make an informed decision about closing any specific tank – let alone an entire tank farm. Clearly, environmental regulations require that the tank farms be closed as a unit, and the tanks, associated piping, and contaminated soils all be considered as part of the closure decision.

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We believe there is great danger that at some point in the future, whatever caveats have been placed on the closure work as being "interim" or "preliminary" will be lost, and that some at DOE Headquarters or in Congress will consider the tanks permanently closed. If that occurs, there likely would be no additional funding available to do the final work that would be needed to safely close the tanks farms.

The documents accompanying the Change Package describe an SST System Closure Plan. We believe that such a plan must be developed prior to initiating closure activities, and that the plan must be developed in an open process with considerable opportunities for stakeholder involvement.

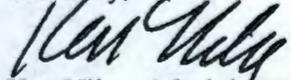
We also challenge whether DOE can move forward with tank closure – even on a demonstration basis – until the litigation currently pending regarding DOE Order 435.1 is resolved. DOE cannot currently leave waste in a Hanford tank without incorporating elements of that order.

At some point Hanford's tanks will need to be closed. That is a process we believe should best occur after the vitrification facilities are operating, after waste is being removed from the tanks (rather than just being moved from tank to tank), and at a point where we have a better understanding – through the tank retrieval demonstrations and through actual retrieval from many tanks – of just how much waste is left in the tanks and the adjacent soil.

In summary, the Oregon Office of Energy strongly supports the proposed new milestones related to the retrieval of tank waste, but opposes proposed new milestones which accelerate tank closure activities.

If you have any questions about these comments, please contact myself at 503-378-4906 or Mr. Douglas Huston of my staff at 503-378-4456.

Sincerely,



Ken Niles, Administrator
Nuclear Safety Division

Cc: Shelley Cimon, Chair, Oregon Hanford Waste Board
Armand Minthorne, Confederated Tribes of the Umatilla Indian Reservation
Russell Jim, Yakama Nation
Patrick Sobotta, Nez Perce Tribe
Nicholas Ceto, U.S. Environmental Protection Agency
Todd Martin, Chair, Hanford Advisory Board