

START

9 13317.0123

0039520

DRAFT

DRAFT

USDOE, EPA and Washington State Dept. of Ecology

Summary of Public Meetings

on

**Environmental Restoration Refocusing and
Environmental Restoration Disposal Facility**

November 14-30, 1994

The signatories to the Tri-Party Agreement sponsored four public meetings between November 14 and November 30, 1994 to receive public comment on the Environmental Restoration (ER) Refocusing Tentative Agreement and on a proposed Environmental Restoration Disposal Facility (ERDF). Two meetings were held in Washington State (Seattle and Richland) and two in Oregon (Hood River and Portland); they began at 7:00 pm and concluded by 10:30 pm.

Meeting Purpose

The November series of open houses/public meetings had two purposes:

- o To provide opportunities for citizens to gather information and ask questions about the Tentative ER Refocusing Agreement and about the proposed ERDF, and
- o To provide the public with an opportunity to make comments about the tentative Agreement, the proposed facility, and .

Meeting Format

The format for all five meetings was similar. They began with a welcome, an agenda review, and a brief overview of the key features of the tentative ER Refocusing Agreement and the proposed ERDF. The overview of the tentative Agreement was provided by Doug Sherwood, US EPA. Pam Innis, (US EPA and Project Manager for ERDF) and Norm Hepner (Washington State Dept. of Ecology) described the planning process and features of the ERDF. Roger Stanley, (Hanford Project Manager for Washington State's Dept. of Ecology), Mike Thompson (USDOE's lead negotiator for ER Refocusing), and Owen Robertson (ERDF Project Manager for USDOE) were also available to provide information and respond to questions.

Following this overview (described briefly below), representatives of public interest groups were given an opportunity to present a brief commentary on the tentative Agreement and the proposed ERDF. In several cases, this spokesperson or other resource people joined the six agency representatives to comprise a panel to respond to questions and comments from meeting participants. These question/answer and comment sessions alternated with opportunities for formal public comment. (For purposes of this summary, the formal comments and questions/answer/comments from each meeting have been grouped together.)

During the formal comment period, those representing organizations were given up to 10 minutes to comment; individuals, up to 5 minutes. After all those wanting to comment



had been heard and there were no additional questions or comments, the meetings adjourned.

Key Points from the Agency Presentation on the Environmental Restoration Refocusing Tentative Agreement

Mr. Sherwood said that the ER Refocusing negotiations grew out of feedback about cleanup priorities the agencies received from tribes and other stakeholders during the tank waste remediation system negotiations of 1993. He said the agencies wanted to scope the cleanup program to match stakeholder values and to put the focus on priorities identified by the public. The ER Refocusing negotiations began in the summer of 1994 and were conducted with input from local tribes, the Hanford Advisory Board, the State of Oregon and other stakeholders.

He then reviewed the regulatory processes that govern cleanup -- Resource Conservation and Recovery Act or RCRA and Comprehensive Environmental Response, Compensation, and Liability Act or CERCLA. Steps in the process include investigating a site, determining alternatives for cleaning up the site, choosing a preferred cleanup alternative, seeking public comment on the alternative, selecting a final alternative (in a Record of Decision), then setting a schedule for the cleanup work. The agencies were conducting these two processes concurrently, to streamline the regulatory processes.

Two areas that would be affected by the tentative Agreement are the 100 Area (along the Columbia River where the reactors and their ancillary buildings are located) and the 200 Area or Central Plateau (where the tank farms and many former processing facilities are located). The intent of the changes in the 100 Area, according to Mr. Sherwood, is to speed up investigations along the River which should, in turn, result in an accelerated cleanup schedule for the area. The tentative Agreement includes destruction and removal of ancillary buildings near the Reactors, which were not included in earlier agreements, with the exception of some uncontaminated fresh water ponds that are being used to rear fish. He said that no date has been set for removing the Reactors themselves. The tentative Agreement calls for groundwater around the N Reactor to be pumped and treated and a hydraulic barrier to be installed at N Springs to prevent pollutants from reaching the River.

Given budget constraints, Mr. Sherwood pointed out that the decision to accelerate investigative and cleanup work along the River would result in some delays in clean up of the 200 Area. From the agencies' perspective, this shift in priority makes sense because 1) technologies do not yet exist for some of the cleanup that is needed in the 200 Area and 2) treatment facilities, such as a vitrification plant, will not be available until 2005.

Key Points from the Agency Presentation on the Proposed Environmental Restoration Disposal Facility

Pam Innis, EPA, said that the ERDF is needed to dispose of contaminated soils that are to be dug up in the cleanup of the 100 Area. From the agencies' perspective, the ERDF,

which would be a CERCLA facility, would protect human health and the environment, would provide for timely cleanup, would move wastes away from the Columbia River, would dispose of Hanford-only cleanup waste and would be sized for initial cleanup activities. The ERDF would be located in the 200 Area, between 200 East and 200 West, on land formerly leased by the State of Washington.

Of four designs considered, the preferred alternative is a double-liner trench which would be a RCRA compliant landfill. Fully built out, the landfill would occupy 1.6 square miles; the size planned for the first five years is 162 acres.

Norm Hepner, Ecology, said that soil is expected to be 75% of what would go to the landfill; the remaining 25% would be garbage (bags, clothing, pipes, etc.). Non-retrievable and outside waste would be excluded as would TRU and high-activity waste. He said that final acceptance criteria have not yet been determined but that they would be developed in consultation with stakeholders.

Summaries of Each Meeting

The summary for each of the four meetings indicates the date and location of the meeting, the negotiators who attended, the names of those offering commentary on the tentative Agreement and the proposed ERDF, and the names of those who participated in the question and answer panel. The two meetings in Oregon also indicate who from the Oregon Hanford Waste Board welcomed participants. This information is followed by summaries of

- o Commentaries that were offered on the tentative ER Refocusing Agreement and the proposed ERDF.
- o Formal comments, and
- o Questions, responses, and comments from the question and answer period.

Where individuals offered their names, they have been included. Names have been checked against the sign-in sheets for each meeting; in a few cases, the spelling could not be verified because the names did not appear on the sign-in sheets.

Official Meeting Transcripts

The purpose of these summaries is to provide highlights of the public meetings. Because they are summaries, not everything that was said is included. In addition to these meeting summaries, there will be official transcripts of each meeting.

WASHINGTON STATE

SEATTLE

Date and Location: Tuesday, November 13, 1994, Seattle Center Conference Center, Room A, 7:00 pm - 10:30 pm

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

Commentary: Gerald Pollet (Heart of America Northwest)

Panelists for the Question and Answer Session: Mike Thompson, Roger Stanley, Doug Sherwood; Pam Innis, Owen Robertson, Norm Hepner and Gerald Pollet (Heart of America Northwest)

Meeting Facilitator: Alinda Page

Approximate attendance:

Commentary

Gerald Pollet (for Heart of America Northwest) focused his remarks about the tentative ER Refocusing Agreement on the following points from a "Citizen's Guide," produced by public interest groups:

- o **Columbia River:** The tentative Agreement does not accelerate the cleanup and therefore does not reduce the risk of exposure to contaminants along the River or on the islands: the Milestone remains 2018. He said there should be a new Milestone for the year 2000 which would mean that no one using the Columbia River would be exposed to chemicals and radiation above regulatory standards.
- o **Reactors along the River:** The tentative Agreement actually weakens cleanup because the 9 reactors are no longer within the 2018 deadline. An integrated cleanup is needed, not one that will have the area around the reactors cleaned up by 2018 and then torn up again, after 2018, to remove the reactor cores.
- o **200 Area:** TPA Milestones for investigations in the 200 Area have been delayed because of the supposed speedup along the River, but there is no real acceleration.
- o **Reports about cleanup** are still in the hands of Pacific Northwest Laboratories (PNL), which has been saying there is no problem for 30 years. PNL is a polluter and there is therefore a conflict of interest. An independent contractor is needed.
- o **N reactor:** Trenches near N reactor are highly radioactive and those using the River could be exposed. A Milestone is needed that provides for real risk reduction and real progress.
- o **Budgets:** Budgets do not reflect accelerated cleanup; studies are being paid for, not real cleanup. Only 13% of the budget is allocated to ER and an internal cap has been imposed on that amount so that it will stay flat. The Hanford Advisory Board (HAB) expressed outrage that the Milestones are again underfunded and won't be met because of the underfunding.

Formal Comments

Comment: Given the results of the last election and the resulting Congress, Hanford's cleanup should be called the "cleanup of the most poisonous, toxic substance known to man." It is scary; this stuff can kill for 100s of years.

Isaac Standin: Only 10-12% of Hanford's cleanup budget is spent on actual restoration. All the money should be spent on the real cleanup.

Pat Herbert, Coho Coalition: Something unfair has happened. USDOE is not talking about cleanup but rather about a more effective way to dispose of wastes. He expressed concern about the expense, taking money that could be spent on the homeless. Money is going to monitoring and reports, not to actual cleanup. While decommissioning buildings is generally a positive step, he said he opposed tearing down the buildings that could be used to store drums. He said the River had been used as a dump for years. He urged that nothing dangerous be put near underground streams. He also said he felt restoration of the area was probably a waste of time and money because it would never be available for unrestricted use. Finally, he expressed concern that no environmental impact statement (EIS) was to be prepared for an environmental bacteriological laboratory that the public knows little about.

Chloe Harris: She said that animals, streams and wildlife are being hurt. She urged that the agencies get going on the cleanup.

Barbara Zapeta: She said the Washington Democratic Council was requesting an independent audit of Hanford's budgets. She said the Department of Defense and Hanford have been on "corporate welfare," without independent audits and that an accounting system with objective books is needed.

Kara Ceriello: The Hanford Reach of the Columbia River is beautiful and a natural spawning ground for salmon. It is used by the public for recreational purposes. She said that a friend had had a clump of hair fall out after windsurfing on the River and she had heard a child found a piece of an old reactor. A deer killed near INEL had suffered numerous mutations. She asked why there have there been no comprehensive animal studies. She wondered what is happening to children. She urged that actual cleanup occur soon.

David Anderson: Please state risk reductions in understandable units. What is the cost per life saved?

Comment: ER is listed as last priority. Of USDOE's \$1.6 billion budget, only 12% goes to ER. Citizens are saying they want actual cleanup of soil and groundwater, not new buildings, chauffeurs, etc. The public has also said it wants radiation exposure reduced by the year 2000. No proposal is acceptable that does not include this.

Edgar Ulbricht (on behalf of the River Hermit project): The new human vocation is to heal the earth. He recommended that dollars could be saved if contractor "suit types" got out and did the clean up, which would give them a sense of what needs to be done.

Phyllis Beegee: Having assumed cleanup dollars were for cleaning up Hanford and the environment, she said she was frustrated when she read recent *Spokesman Review* articles about how dollars were actually being wasted. She felt it was unforgivable that the contamination was still a threat. She urged that signs be put up warning against the dangers on the islands in the Columbia.

Fred Miller: He said he felt that the way D island was being treated was symptomatic of the lackadaisical attitudes toward Hanford's cleanup. He urged that fences be put up until the islands are all cleaned up and that they be removed only after the islands are clean. Signs should also be put up at boat launch areas, with maps indicating areas of contamination. These would be obvious symbols that the agencies have not done their job yet. He also complained that a lot of data that are needed have not yet been made available to the public. For example, he said, it is very hard to get budget data and when it is made available, it is almost too late to impact Congress. The emphatic "not open to non-Hanford waste" is welcome as an acceptance criterion for the ERDF.

Kerry Canfield: Quoting Betty Tabbutt of the Washington Environmental Council, the commenter urged that Ecology use the provisions of the Model Toxics Control Act (MTCA) which requires cleanup to occur if it is technically feasible, not if it is affordable. Phased cleanup is needed. It makes no sense to bog down in a definition of "how clean is clean?" before the cleanup even begins. She complimented the agencies' presentation for its clarity. However, she said, agency written materials were very difficult to follow. She noted that the milestones appear to consist mainly of reports and plans, with few relating to real physical actions of cleanup. She expressed concern that the agencies might be biding time, waiting to go back into production. She asked why Hanford was not moving forward with real cleanup.

Cindy Sarthou, staff attorney for Heart of America: Agreeing with the previous speaker, she said the written information was not in a readable form, and this was an area the agencies needed to work on. She expressed concern about the lack of integration of the decontamination and decommissioning (D & D) program with the overall cleanup, so that all of it would be completed by 2018. She agreed with comments attributed to Betty Tabbutt about getting bogged down in defining "clean." She expressed concern about compromising cleanup standards at the outset, before cleanup work had seriously begun. In contrast to a previous commenter, she felt the focus should not be on the cost of saving a life, but rather on getting cleanup work accomplished. She said Heart of America is not opposed to the ERDF provided it is limited to Hanford waste, but she expressed concern about a potential scenario which might allow non-Hanford waste into ERDF in

the future. She urged that strict acceptance criteria be adopted, and that there should be ample monitoring around the facility itself.

Felice Davis: She expressed the hope that the agencies would take corrective action about signs on the islands, to protect small children who otherwise might be exposed.

Catherine Crandall: She agreed with the comments of the two preceding speakers. She said she was very disappointed because accelerated cleanup was promised but it appeared that what was coming was *less* cleanup at a *slower* pace. She felt the regulating agencies were accepting a lower cleanup. She asked that limits be set that make it safe to use the River. She said she approved of the commitment to "no non-Hanford waste" in the ERDF and asked for that commitment in writing. She urged air monitoring around the facility.

Hillary Harding: She said she found the agency's informational materials hard to decipher. The so-called "acceleration" appeared to her to be a "relaxation," which, in her mind, equates to failure. She said the "tentative" Agreement is not acceptable and that the parties should go back and create an Agreement that responds to what the public says it wants.

Loretta Ahouse: She agreed that the agency written materials were hard to read and said that the lack of warning signs on the islands was unconscionable, given the fact that the public uses it.

Gerald Poller, Heart of America: He requested that not only the formal comments but also the panel discussion and informal comments should be considered "on the record." Concerning the ERDF, he said that Heart of America urged that the waste acceptance criteria accept Washington State's waste management priorities: that is, only those materials would go to the landfill that proved to be untreatable. In addition, he said, ERDF should not accept extremely hazardous waste or TRU waste. He expressed concern that there was an attempt underway to accept Hanford and non-Hanford low-level waste. He understood that Westinghouse Hanford Company (WHC) was lobbying to change standards which would let low-level waste go to a landfill.

Scott Stumbaugh: He said he was sad to hear WHC was lobbying for such a change and said he hoped it would not happen. In his opinion, MTCA standards are the ones that ought to be used for ER overall. He said that reductions in strontium in groundwater are needed because they pose a health and safety threat. He said it is important that accelerated groundwater cleanup (pump and treat) and preventative steps (an underground wall) for N Springs are needed immediately. He said that because of sky shine (reflection of radiation back to the earth), N Spring should be capped. He agreed that fences should be placed along the shorelines if there were high levels of gamma rays on the islands. He said that exposure along the islands from heavy metals and chemicals from outfall pipes are potentially lethal,

especially to those under 18 years of age. He felt that USDOE's total budget of \$1.6 billion should go to cleanup, not to paperwork. He said he expected a commitment from USDOE to respond to citizen comments before finalizing an agreement.

Tim Takaro: In light of interest by the agricultural community to develop the area for agricultural use, he said that estimates by the Dept. of Health concerning sky shine should be kept in mind.

Edgar Ulbrich: He said meetings like this one are important. He appreciated the format which cut the agencies' presentations short and did not wear the audience out. He said he appreciated the agency representatives efforts and interest; his frustration, he said, is primarily with the "system." He said that some anger at the old military production has been redirected at current staff and again expressed appreciation for staff willingness to serve as a lightning rod. He predicted that in the future the USA could fall apart as the USSR has done if it does not deal with nuclear waste. More birth defects are being seen. It is hard to compile accurate statistics because the population is so mobile. He said he felt that environmental cleanup was a sham. He said the public was counting on the agencies to get it right.

Question, Answer, and Comment Session

Question to G. Pollet: Where are your data (about radiation exposure on islands) from?

Response (Mr. Pollet): They came from the TPA Response to Comments to the 1993 renegotiated TPA.

Response (M. Thompson): The most recent data indicates that if a person stayed on the islands 24 hours per day for a year, they would receive 200 millirems, 100 of which is background.

Question: What about the limits in the Clean Air Act?

Response (D. Sherwood): The issue is whether or not we are planning to do anything about it. While a schedule has not yet been set, the agencies are going to address this. The N area is the worst -- it is a significant problem. There is not yet data on the other areas but data are starting to be gathered. Cleanup plans are to be made in the next 6 - 9 months: the plan for D island will be out for review in January; the plan for K area will be about 3 months after that.

Question: What has been done about pipe removal and cleanup of D island? Have other islands been sampled? What system is being used to warn people to stay off the islands?

Response (M Thompson): Vent pipes have been removed. All of D island was surveyed and 147 particles of radioactive material (pieces of metal, not fuel) were found. Discussions are underway with the regulators about next steps. Because these radionuclides are short-lived, in 10 years the island will be safe. No warning signs have been placed on the islands.

Comment: Right now it's open, and it is not safe. A sign is needed to alert potential users. What sampling is underway on other islands and on the far shores?

Response (M. Thompson): Surveys are continuing up and down the River. This is a prime consideration of the agencies.

Comment: The TPA Response to Comments indicates that people should stay off the islands because they are environmentally fragile; they don't talk about the contamination. Signs are too far back from the shores. They do not warn against drinking the water or digging. It seems criminal not to warn people about the hazards.

Question: Is ERDF at the same site or near the site for the incinerator proposed by Waste Management, Inc.?

Response (D. Sherwood): It was proposed for a site about 1/4 mile from the proposed site for the ERDF facility.

Comment (G. Pollet): There is a line item for a thermal treatment facility for non-Hanford waste. The incinerator may not be dead. It is clear there are some who want to bring non-Hanford waste to Hanford.

Comment (R. Stanley): Waste Management Inc.'s proposal is dead from Ecology's point of view.

Question: A number of milestones were to be have been completed recently as well as some that are due this month. Have they been met?

Response (D. Sherwood): Deadlines are considered to be the end of the month. It is clear there is a lot of work to be done this month. The other milestones have been met.

Question: At what point in the ER Refocusing negotiations did it become clear that USDOE's budget was underfunded and did this show good faith by USDOE?

Response (R. Stanley): The ER program is in a state of flux. Keep in mind ER relates to cleanup of past practices — about 10-12% of the budget. It is not the same as cleaning up Hanford. We knew USDOE's budget was under lots of pressure. It does not seem to be a question of good faith as much as trying to focus cleanup dollars where they will do the most good.

Response (D. Sherwood): USDOE told us they had serious budget concerns. As regulators, we told USDOE it would have to prove that Hanford could not afford the best programs. Recently we have heard Hanford is \$69 million shy of the amount needed for good cleanup. We examined assumptions and have found ones that appear to be overestimates. The regulators are requiring USDOE to justify costs.

Response (M. Thompson): During the recent negotiations the regulators and USDOE did not look at costs until a tentative package was negotiated. Rather, the negotiators talked about what would meet the objectives. The first quick cost estimate was for \$300 million. USDOE balked. After reviewing the scope and cost estimates, we expect the cost is closer to \$230 million, but funding is \$201. This has created a "productivity challenge" and the contractors and USDOE know it must be met. The milestones have not changed.

Question: When did the budget drop from \$203 million to \$201?

Response (M. Thompson): \$2 million went to Idaho (INEL) to fund a cleanup action in progress. That decision was made by Headquarters.

Comment (G. Pollet): The news about greater productivity is good, but the problem is that 1995 work is mostly studies. ER needs to be a higher priority than new highways, etc. TPA agencies should respond to comments made during the question and comment period as well as to formal comments.

Question (David Wilson): What is the real exposure on D island? Heart of America and USDOE tell different stories.

Response (M. Thompson): The half-life of the radionuclides is 5 years. The probability of encounter is low. Therefore, USDOE believes the exposure is low. "High" exposure is a relative term. Some accept no exposure and want it cleaned up. Sky shine is the issue at N reactor.

Comment (D. Sherwood): The data have just come in and have not yet been reviewed. From EPA's perspective, he said, it was still an open question.

Comment (G. Pollet): He said the commenter might have been confusing the N and D areas where the exposures are quite different, with N a significant public exposure hazard. Given the work that has been undertaken on D island, he said an immediate effort may not be needed. However, a survey should be done on D as on the other islands.

Question: Since no one has refuted the claims about cleanup dollars going to paper studies, can you say that the cleanup budget will go for cleanup?

Response (M. Thompson): The written materials are difficult to read and understand but, since ours is a litigious society, it has to be clear in a court of law. He gave his perspective that over the past 2 years of negotiations, there had been some accomplishments. However, until ERDF is developed (due Sept. 1996), he pointed out that there is no place to put debris from cleanup actions. The ERDF, he said, will get the agencies past study. Once there is a record of decision, engineering will follow and real cleanup can get underway.

Question: How much of the \$201 million is for cleanup?

Response (D. Sherwood): He estimated that about 65% went to paperwork, investigations, plan preparation and permit applications; 15% was spent tearing down buildings (D & D), with the rest going to North Slope, 1100 Area and expedited response actions. So about 25-30% went to cleanup. He said the balance is changing. He estimated 50% in 1995 would go to groundwater remediation and other actions. He said he expected the percentage going to cleanup to continue to rise.

Question: Can someone respond to the charge that WHC's overhead exceeds the cleanup budget?

Response (G. Pollet): Financial data just released show that 22% of every \$ for ER or waste management went into WHC's overhead; this comes to \$170+ million or more than was spent on ER, which he found shocking. He cautioned that cleanup will be more expensive than studies, so without priority changes, there will not be enough money. He disagreed with Mr. Sherwood about the changing balance, saying the tentative Agreement had not accelerated the movement toward cleanup.

Question: What can concerned citizens do?

Response (G. Pollet): He urged concerned citizens to write Washington's Governor Lowry and the Director of the Dept. of Ecology and oppose an artificial cap on the ER budget. Citizens could also write to Senator Mark Hatfield on the Senate Appropriations Committee.

Comment (R. Stanley): He indicated that the regulators are getting more timely information on budget development which lets pressure be exerted.

Question: When the reactor cores are removed, won't this recontaminate soils?

Response (D. Sherwood): It is a timing issue. Dates were not set for removing the reactor cores. We would like to do the cleanup at the same time so soil won't be recontaminated. Right now, it would take a huge amount of money to design a reactor block system, and the agencies would prefer to spend that money on cleanup. He said the regulators have not given up on 2018.

Question: Will ERDF be addressed in a full EIS?

Response (M. Thompson): The agencies have tried to incorporate the values from the National Environmental Policy Act (NEPA) into the Remedial Investigation/Feasibility Study to avoid duplicative processes. Washington's Nuclear Waste Advisory Council and the Oregon Hanford Waste Board encouraged integration of NEPA/CERCLA.

Question: What will the ERDF cost, and where will the money come from?

Response (N. Hepner): ERDF will cost \$65 million for the first five years. If it continues, it will cost \$750 million through 2018. The money would come from the ER budget.

Question: Is N Springs an actual spring?

Response (M. Thompson): When the reactor was in operation, it was a spring. Now, it is mainly a seep. However, there is an aquifer below, with a number of plumes. It flows back and forth to the Columbia. He said he was not sure what quantity of water was involved.

Question: Has there been any estimate of the cost of appropriate signage on the islands?

Response (M. Thompson): He said he knew of no estimate.

Comment: Twenty years ago, a leader of the River Hermit project was looking for arrowheads on one of the islands and he got a little wound on his arm. That wound has never healed. Is there any place to report such occurrences?

Question: How many of you are familiar with the picu effect? The commenter said he understood that when there is low-level radiation exposure, it can cause cell mutation and genetic changes. He speculated that people at Hanford may be more liable to true genetic effects.

Comment: The cleanup budget has money for a highway. How much is this amount?

Response (G. Pollet): Because of public pressure, the highway funding has been deferred. \$18-20 million had been planned; construction was scheduled to begin in 1996. Funds were to have come from the ER budget, in overhead or waste management landlord money.

Comment: This seems to be illustrative of priorities. There is a mess out there. If 65% goes to paperwork, improvement is needed.

Response (G. Pollet): A new highway would not be needed if there were not also a brand new office building out there.

TRI-CITIES

Date and Location: Wednesday, November 16, 1993, Hanford House, Richland, WA,
7:00 pm - 8:30 pm

Agency Representatives/Lead Negotiators: Mike Thompson (USDOE), Doug Sherwood, (US EPA), Roger Stanley (Washington Dept. of Ecology)

Commentary: None

Panelists for the Question and Answer Session: Doug Sherwood, Roger Stanley, Mike Thompson, Pam Innis, Norm Hepner, Owen Robertson

Meeting Facilitator: Alinda Page

Approximate Attendance:

Formal Comments

Patrice Kent (Yakama Indian Nation): The Yakama have been involved in on-going consultations since January 1994. They recognize the difficulty of finding a site for the ERDF and appreciate the reduction in the proposed size from 6 square miles to 1.6. However, the Yakama remain concerned about the potential for intrusion in the distant future and urge that a solution be found. The Yakama are not convinced the proposed ERDF is sufficiently protective of human and environmental health. They think it would be preferable not to bury dangerous waste. In addition, the ERDF will result in disturbance of 2 square miles of mature shrub steppe habitat that should not be disturbed.

Former site worker: There are 2 big tunnels between 200 East and 200 West and there are also holes in Gable Mountain. Perhaps dry waste could be placed in these. He indicated there is a record of which of 352 wells are dry and which are not. This could indicate which dry wells might also be appropriate for burying waste.

Rick Leaumont (Lower Columbia Basin Audubon Society): He began by noting his participation on both the Hanford Future Site Uses Working Group, and on the Hanford Advisory Board. He said his group was fearful that the cleanup process will destroy splendid habitat and that this destruction will not be mitigated. He said 48 rare, threatened and endangered species live on the Hanford site. They are there as an accidental by-product of the tight security during military production years. With security measures going away, he said he was afraid that the habitat would also be at risk. He said that USDOE was off to a bad start. During the North Slope expedited response action there had been needless destruction of habitat. The National Marine, Fish and Wildlife Service and the Washington St. Dept. of Fish and Wildlife were not used as they should have been. He said he was assured at the October HAB meeting that the cleanup of the North Slope would not be considered complete until restoration occurred. But restoration did not take place. Reseeding should have occurred this fall. Since it did not, weeds will seed themselves in the spring and there will be a cost to remove them. He spoke of two candidate species which make their home on land very similar to the 1.6 square miles proposed for the ERDF: the loggerhead shrike and sage sparrow. He urged that the ERDF be kept to a minimum size and that restoration occur as quickly as possible. He further urged that mitigation begin now for the fully-built size, so the birds have a place to move to. He pointed out that it takes time for shrub steppe habitat to mature.

Question , Answer, and Comment Session

Question (Bernice Mitchell): Who has read all of this paperwork? Why have we not learned to condense all of this? Was the feasibility study done before or after the models were developed? After hearing that non-Hanford waste might come in, she asked if Hanford had become the national's nuclear waste graveyard.

Response (N. Hepner): ERDF would accept Hanford waste and only Hanford waste.

Response (M. Thompson): Hanford does accept some waste from other parts of the country. It is to take up to 100 submarine reactor cores. If additional waste comes, it would have to meet Washington State and US laws.

Response (R. Stanley): Noting that he himself has not read all of the paper, he did volunteer that he has seen efforts to shrink the flood of paperwork over the last couple of years.

Response (P. Innis): A copy of the RI/FS on a table in the back of the room describes the ERDF planning process. She said it was a milestone from the TPA signed in 1989.

Question: Have you evaluated the RI/FS?

Response (D. Sherwood): The Feasibility Study has technical details for the 4 alternatives investigated. The agencies tried to condense this information into a short document.

Question (R. Leaumont): Were other locations considered for the ERDF, and, if so, why were they not chosen over this one?

Response (N. Hepner): Four sites were considered. ERDF is proposed to be in Washington State's former leased site. Some planning considerations were that it is difficult to construct in a contaminated area; sites needed to be protective of groundwater, and there is less infrastructure to be moved in an area not formerly built up.

Question: Is there priority habitat in the other sites?

Response (N. Hepner): Yes, in several cases it is fractionated. One had less priority habitat but a lot of existing infrastructure. The agencies made an effort to abide by the work of the Future Site Uses Working Group, keeping waste management between 200 East and 200 West.

Questions (Jim Neighbor): What is the predicted life of the double liner? Is there any monitoring to catch a break in its integrity? What would prevent radioactively contaminated materials from being placed in the landfill? Where does soil being dug for the hole go? What would prevent higher radioactive contamination in the future?

Response (N. Hepner): Within the time frame proposed, no buildings are anticipated to be torn down. Low-level rubble and garbage will be accepted. The predicted life of the facility is 30 years. If the first liner leaks, leachate can be collected from the second which will enable us to see if groundwater is being protected.

Response (M. Thompson): The real protection does not come from the liner. Instead it comes from the cap over the waste which prevents water from getting in. The liner's primary use is for the time when it is being filled. There is a leachate monitoring system as well as a groundwater and air monitoring systems. The design would be cut and fill. That is, what is removed would be used to build the rest and serve as a daily cover.

Question: What prevents mixing higher-level waste with clean material so it can be accepted in future?

Response: It would not meet acceptance criteria.

Question (Alan Carlson): He asked if a treatment facility would be needed and if there had been an assessment of the amount of waste that would need to be treated.

Response: It is beyond the scope of the ERDF.

Response (N. Hepner): He said in the near term the agencies do not anticipate a lot of waste that will not meet the landfill requirements.

Response (D. Sherwood): Treatment analysis is done for each operable unit. He said he expected reports on 3 operable units in the 100 Area in January and on the 300 Area soon after that.

Comment (Van Bill): Earlier workers made dry wells. Hot waste from the 300 Area went into a dry well near REDOX.

Question (Gene Weiskopf): He asked what percentage of undocumented sites did the agencies anticipate were on site.

Response (D. Sherwood): He indicated that the site referred to in the 300 Area was documented. However, he noted that more waste sites were found all the time and that many tools are used to look for them. He said he did not think there were many major sites the agencies were unaware of.

Comment (R. Stanley): Experience in some of the early cleanup has been that the cleanup has been simpler than projected.

Comment (Bernice Mitchell): Information from former workers should be used rather than instruments for finding contaminants.

Question (Lisa Fitzner): How is habitat mitigation done and what is the projected cost? It could cost in the \$millions.

Response (P. Innis): She said she did not know the costs. Mitigation measures could include transplanting, collecting seeds and starting a nursery for the finished ERDF.

Response (N. Hepner): The initial area is small -- 165 acres.

Response (D. Sherwood): He said that the agencies did not know how well some of this would work and would not have a good idea until they get information from a project that the tribes have underway along the River. He said the agencies would work with the Natural Resource Trustees to develop plans.

Question (Gene Weiskopf): How can someone get more information? Is anything available in digital format?

Response (M. Thompson): One can go to the Administrative Record. All documentation used for decisions is kept there.

Question (Bernice Mitchell): Will informal comments not be in the official record of the meeting?

Response: There will be a "response to comments" for formal comments.

Comment (Bernice Mitchell): She said she would not like for agriculture to be considered for any of this land. Agricultural land is currently being sold for housing development so there is no shortage of agricultural land.

Question (Charlie Sneider): How high is ERDF relative to the flood plain?

Response (N. Hepner): It is above. (He volunteered to point out the relevant section in the study.)

OREGON

HOOD RIVER

Date and Location: Monday, November 14, 1994, Hood River Inn, 7:00 pm - 9:10 pm

Welcome: Ralph Patt, Oregon Dept. of Water Resources, on behalf of the Oregon Dept. of Energy and the Oregon Hanford Waste Board

Agency Representatives/Lead Negotiators: Mike Thompson (USDOE), Doug Sherwood (EPA), Roger Stanley (Washington Dept. of Ecology)

Commentary: Greg de Bruler (Columbia River United)

Panelists for the Question and Answer Session: Doug Sherwood, Roger Stanley, Mike Thompson, Pam Innis, Owen Robertson, Norm Hepner, and Dirk Dunning (Oregon Dept. of Energy)

Meeting Facilitator: Alinda Page

Approximate Attendance:

Commentary

Greg de Bruler, commenting on ER Refocusing, said the tentative Agreement appeared to accelerate feasibility studies, but he questioned whether it accelerated actual cleanup work. He worried that interim actions and expedited response actions might not be just first steps but would, in fact, constitute the cleanup. He expressed concern that, because of a funding shortage, ER Refocusing would mean the tanks would close in 2024, not 2018 as earlier scheduled. He urged USDOE not to delay work related to tank characterization and safety, but to allocate more money for cleanup work. Public pressure on Congress is needed, he said, to keep cleanup money flowing. He suggested that the agencies provide the public with a list of dates for actual cleanup work that the public can track, so that they will see that the ER effort is only a first step.

Concerning the ERDF, he spoke of the importance of the waste selection criteria which will determine what goes into the facility. He asked if the intent was to dig and remove the waste or to reduce it, using best available technology, and clean the site up. He expressed concern about dust that the removal action might generate; he was also concerned that the landfill might grow in size. He urged that the footprint of the ERDF be kept as small as possible.

Formal Comments

Chief Johnny Jackson, a Columbia River Chief and member of the National Indigenous Environmental Council, expressed opposition to rearing fish in the fresh-water cooling ponds at Hanford and about the health of the Columbia River which has provided a livelihood and food for Native Americans for generations. He said he has caught fish that have suffered serious mutations and damage. He suggested that many other areas were preferable to the Hanford's cooling ponds for raising fish. He also said he has seen many on Reservations around the country,

including children, develop cancers and other problems because of exposure to dangerous waste — exposures they were unaware of.

Greg de Bruler, on behalf of Columbia River United, said that the USDOE budget for ER is too small for effective cleanup and too small to meet TPA milestones. He suggested that pressure should be exerted to require the US Dept. of Defense (DOD) to earmark 10% of its budget (\$33 billion) for cleanup of USDOE sites that produced materials for the use of DOD. He said he had heard that DOD resistance was also one of the reasons it was difficult to get documents declassified; he requested that the agencies explain why it was hard to get documents released. He said he doubted Congress would be impressed by the tentative Agreement and suggested instead that the agencies create specific agreements with dates locked in that show cleanup remains a priority. Concerning ERDF, he spoke of the importance of public involvement in establishing waste selection criteria and of the need to use all available technologies to ensure that the volume of waste that goes to the ERDF is as low as possible. He pointed out the need for dust mitigation in high winds and the use of continuous air monitors (CAMs) at waste sites generally, not just at the ERDF, to provide adequate worker and public protection. Mr. de Bruler concluded by noting that Hanford, in many respects, is far ahead of some other USDOE sites in terms of public involvement, and he urged that progress at Hanford continue.

Question , Answer, and Comment Session

Question (Greg de Bruler): What other locations were looked at besides the site proposed and was the northwest corner of the 200 Area considered? Is Hanford still being considered for a national low-level-mixed waste facility? What is planned for dust mitigation?

Response (Hepner): The proposed site appears to be the most protective of groundwater. If the agencies redo the site selection process, it could result in 1-2 year delay in cleanup. He indicated that an operational restriction would come into effect when winds exceed 10 mph. He also said that they were experimenting with new surfactants that also might help.

Response (Al Conklin, Wash. St. Dept. of Health): Because of a concern about the spread of contaminated dust, he said that the Dept. of Health wanted continuous air monitors or CAMs to be installed rather than air samplers. CAMs give instant feedback, whereas it can take a week to get results from air samplers.

Comment (Greg de Bruler): He expressed opposition to having Battelle's Pacific Northwest Laboratories conduct a proposed Columbia River Impact Assessment. He said he considered Battelle a polluter and therefore its participation would constitute a conflict of interest. He urged that an independent contractor conduct the study. He expressed frustration that all the relevant studies on releases have not yet been made available. He also suggested that the agencies take a look at the law concerning Natural Resource Damage Assessments because it could impact the study. In any case, he said, relevant documents need to be declassified if a credible study is to be done.

Response (Mike Thompson): He invited Native American tribes to participate in the Columbia River Impact Assessment. He said USDOE had put out a bibliography of studies on the River and is in the process of declassifying the studies. He indicated that an ecosystem-based approach to a similar study had been tried several years ago. While it led to inadequate data, he said it did gather a lot of the data together. He said the Department hoped Hood River and the tribes would work with USDOE to produce a study that meets all needs.

Comment (Dirk Dunning): He pointed out that the Natural Resources Damage Assessment provisions of Superfund assess costs for damages done to date but that they also allow for future costs if damage is done. This would relate to damage done to the high quality shrub-steppe habitat in the area where ERDF is proposed. He felt the RI/FS process was not a good substitute for an EIS in terms of assessing the damage the proposed facility would cause to this habitat, which is some of the last remaining in Washington. Concerning the fresh-water ponds in the K area for fish rearing, he noted that the project is based on a cooperative agreement between the Yakama and USDOE. The water in the ponds comes directly from the River and has never been contaminated. He said that the first batch of fish reared in the ponds were released at Priest Rapids. He recommended contacting the Yakama Indian Nation directly for more information.

Comment (Chief Johnny Jackson): He said he believed that the whole area had been subject to releases. He asked if there were anyone who could assure him that none of the water had been contaminated. He felt there were better places than the Hanford area for fish rearing. He favored downriver, in particular, where the fish would have to pass only one dam. He then noted members within his family who had died from cancers and spoke of the damage he had seen because something had been overlooked or people had not been told of the risks. He urged that studies be conducted behind every dam to make sure the water is clean. This care is needed, he said, to protect future generations.

Comment (Roger Stanley, responding to Mr. de Bruler's concerns): He noted that Hanford's budgets get tighter and tighter as time passes and there is a strong focus on performance. He agreed with Mr. de Bruler's concern that it will not be clear for a time whether the tentative Agreement will result in accelerated cleanup. His recent work with Bechtel, he said, gave him hope for the future.

Response (Bob Holdt, USDOE): When Congress passed the Federal Facility Compliance Act, it required sites to assess waste and to create a national inventory of high-level waste, low-level waste and mixed waste. This inventory is still being created. USDOE was instructed to identify possible sites for disposal; Hanford is one of the sites under consideration. He said that States, including Washington and Idaho, have been participants in reviewing documents. He indicated that the low-level and mixed-waste repository had been authorized by Congress in 1992 and that no conclusions have been reached yet. Hanford is being looked at as one of the options.

Comment (Roger Stanley): Neither Washington State nor EPA has received a proposal for this facility.

Comment (Dirk Dunning): When the Nuclear Facilities Safety Board met at Hanford recently, he said he had heard that only two sites are under active consideration, Hanford and Nevada.

Comment (Mike Thompson): He said he wanted to clarify a point about the schedule for tank waste remediation. Milestones for the tanks were set during the 1993 negotiations; they have not changed. During the present negotiations, an administrative decision was made to move the soil around the tanks out of the ER program into the tank waste remediation system. That was the only change made this year concerning the tanks.

Comment (Dirk Dunning): He said a recent issue of *Nature* magazine quoted Thomas Grumbly, USDOE Headquarters, as saying he did not believe any of USDOE's sites could be cleaned up within the timeframes agreed to because of the state of technological development. Therefore, to him it made sense to slow down until the technologies were in place. In Mr. Dunning's mind, this indicates there should be a focus on technology development in the areas that are needed.

Comment (Mike Thompson): There is a separate, nationwide program for technology development. At Hanford there is a choice: the focus can be on emerging technologies or on showing progress, "getting on with it." With Congress saying it will quit funding Hanford if it does not see progress, USDOE RL is trying to get on with the cleanup. This means getting the records of decision in place, going through the remedial design, setting milestones for cleanup, and then carrying out the work. He said that USDOE believes that is the path that must be taken to retain credibility with Congress and Hanford's stakeholders.

Comment (Dirk Dunning): He said he agreed with Mr. Thompson completely about Hanford and that his remarks about technology development related to the Headquarters technology development program.

PORTLAND: TO BE ADDED AFTER NOV. 30

Date and Location: Wednesday, November 30, Portland, Red Lion at Lloyd Center

Welcome: _____, Oregon Hanford Waste Board

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

Commentators:

Panelists for the Question and Answer Session:

Meeting Facilitator: Alinda Page

Approximate attendance:

Formal Comments