From: Gregory deBruler [mailto:cruwa@gorge.net]
Sent: Wednesday, June 11, 2003 12:23 PM
To: michael_s_collins@rl.gov
Subject: CRK's HSWEIS Comments 6/10/03

Mr. Michael S. Collins 6/10/03
HSW EIS Document Manager
U.S. Department of Energy, A6-38
P.O. Box 550
Richland, WA 99352-0550
michael_s_collins@rl.gov

Dear Mr. Collins,

I am writing on behalf of Columbia Riverkeeper (CRK) to comment on the revised Draft Hanford Hazardous and Solid Waste Environmental Impact Statement (EIS). While we appreciate that the Department of Energy (DOE) took the effort to revise its initial draft, the current draft still falls far short **1** of the requirements under both the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA) and fails to cure many of the deficiencies identified by numerous reviewers including the EPA. The serious inadequacies require that DOE re-issue a new Draft EIS that fully meets the requirements of NEPA and SEPA. CRK recognizes that compliance with these statutes is not an easy task, but in adopting these measures Congress set a high standard for agencies so that both the public and agency decision makers would be fully informed about the actions of federal agencies.

38 Given the massive environmental contamination that has already exists at Hanford and proposals that would ship even more radioactive and mixed waste to Hanford, the need for this type of disclosure is especially great.

We have reviewed the comments of the Hanford Advisory Board (HAB) and those of Heart of America Northwest, Oregon Office of Energy, Ecology, and EPA, CRK supports and incorporates these deficiencies by reference.

We request that all citizen comments, questions and presentations at public hearings be responded to, and individuals who gave comments receives a written response. Both the question and answer sessions **39** and alternative public interest viewpoint presentations were transcribed, and we request that they be included in the record, and responded to as comments. Where questions were not responded to accurately, or when USDOE was not able to respond to a question, USDOE should fully respond in writing.

General evaluation

2 The EIS generally fails to provide the type of site-specific and high quality analysis required by NEPA. The EIS fails to adequately disclose and describe the direct, indirect and cumulative effects of the proposed alternatives. The EIS fails to properly disclose the effects of existing contamination at Hanford or clearly identify the magnitude of uncertainties or potential effects that may occur under the proposed alternatives.

3 The apparent assumption in the EIS that the WM PEIS provides adequate analysis for a decision to select Hanford as a national disposal site for LLW and MLLW is in error. The WM PEIS lacked the necessary detail and site-specific analysis to provide a basis for such a decision. The WM PEIS, for example, admittedly failed to consider the effects of waste generated during environmental cleanup actions which are certain to pose potential cumulative effects in relation to the proposed management of LLW and MLLW.

Scope of analysis

CRK believes that given the existing contamination and impacts on ecological receptors, including salmonids and other aquatic species in the Columbia River, that DOE should not move forward with additional waste shipments to Hanford. Accordingly, DOE should revise the draft EIS to reflect a decision that DOE will direct its limited resources at cleaning up existing contamination at Hanford and not the treatment of additional off-site waste.

4 While including a limited recognition about the shipment of additional TRU waste to Hanford from off-site, the draft EIS fails to provide an adequate review of the site-specific effects of transporting, storing, treating, and managing additional off-site TRU waste to Hanford. If DOE plans to rely on the Solid Waste EIS to support such shipments it needs to closely consider in a detailed fashion consistent with NEPA such effects.

Question # 1- Does DOE plan to use the analysis in the draft EIS as a basis for allowing additional off-site TRU waste shipments to Hanford absent additional environmental review?

Although this is not clearly apparent in the draft EIS, the assessment of transportation impacts related to such shipments is wholly inadequate. The general non-site-specific analysis relied on ignores the requirements of NEPA and the unique conditions of waste transportation to Hanford that must be assessed.

Characterization and assessment of waste

The EIS is not based on adequate data regarding both on-site and off-site waste. For example, DOE lacks accurate data on the character of LLW, MLLW and ILAW despite the fact the EIS purports to assess the effects of managing these waste types at Hanford.

5 **Question # 2**- Does DOE acknowledge that it lacks accurate data about the characterization of the host of waste types covered by the EIS? If not, please explain. If so, please explain how absent accurate characterization data DOE can accurately assess the potential effects of managing this waste?

The EIS similarly fails to adequately consider the nature and character of the waste that would be generated from cleanup actions at Hanford.

Question # 3 Does DOE recognize that it lacks significant information about the nature and character of waste that will be generated from proposed and ongoing cleanup actions at Hanford?

5

As specifically recognized by the HAB, the EIS does not adequately consider the effects of managing numerous wastes that should be considered in the EIS including:

1. Residual waste DOE proposes to leave in tanks,
2. Leaked tank wastes,
3. Wastes in related ancillary equipment and piping,
4. Hazardous or mixed wastes buried in the low-level burial grounds, and releases from the burial grounds;
5. Transuranic wastes in burial grounds,
6. Waste currently uncharacterized and stored in the PUREX tunnels, and
7. K-Basins sludges.

The draft EIS cannot ignore the potential cumulative effects from past, present and reasonably foreseeable actions that may and in fact are being cause caused by these waste types as required by NEPA and its implementing regulations. 40 C.F.R § 1508.25.

The draft EIS also appears inconsistent with DOE¹s previous commitment to treat all TRU waste as potentially mixed waste unless characterization supports that such waste is not mixed.

Question #4- On what basis does the EIS deviate from DOE¹s previous recognition that it is prudent to assume TRU waste is mixed unless actual characterization supports otherwise?

Question # 5- Absent assuming that all uncharacterized TRU waste is mixed waste, does DOE acknowledge that it could be failing to consider the potential effects of TRU waste that has a high likelihood of being mixed with hazardous waste?

Groundwater and surface water

6

Washington State law clearly requires that DOE protect groundwater and existing contamination resulting from past DOE actions hardly excuses from state law requiring cleanup of groundwater at Hanford to protect the most sensitive uses. The draft EIS fails to acknowledge or disclose the potential violations of state law that would result from the different management actions being considered and must to comply with NEPA.

Question # 6 - Is it DOE¹s position that the Hanford site is currently in compliance with State standards related to ground water and surface water? Please explain.

Question #7- Is existing contamination at Hanford causing any exceedances of state or federal water quality standards for ground water or surface water? If so where?

Question # 8 What is DOE¹s position on the legal requirements that it must meet in order to comply with Washington State law relating to the protection of groundwater?

The analysis in the draft EIS fails to recognize the serious lack of information and uncertainties that DOE has regarding the effect and fate of existing and potential future groundwater contamination at Hanford.

Question # 9- What is DOE¹s current position regarding the mobility of Uranium in ground water? Does DOE recognize that its previous assertions that Uranium is not mobile in groundwater as articulated in various 300 area cleanup decisions incorrect in light of current data contradicting this

assertion? If not please explain. If so, please explain how this new information is reflected in the draft EIS.

6 The analysis in the draft EIS is also flawed because it fails to assess the effects of proposed actions on groundwater directly below planned management areas or disposal sites. Consistent with NEPA, DOE must consider all of the effects to ground water not merely the potential effects a kilometer or more away. Specifically, DOE must disclose whether there is the potential for various management options to violate state or federal law as a result of potential contamination.

Question # 10- What would the effects of various alternatives be on the groundwater immediately below and surrounding proposed waste disposal and management sites? Why is this information not considered or disclosed in the draft EIS?

Risk assessment

DOE¹s reliance on a 25 millirem dose standard is inconsistent with EPA¹s guidelines that recognize that this level of exposure is not protective of human health.

7 **Question # 11**- What is the maximum radioactive exposure that DOE assumes will be protective of human health and the environment?

Question # 12- Does DOE recognize that under State law (MTCA) contamination that is not protective of human health and the environment would be illegal and thus DOE must consider the level at which such an impact would occur? Please explain.

DOE is legally obligated to consider the MTCA and EPA carcinogen-risk standards for radionuclides and should revise the draft EIS with these standards as the applicable benchmark for considering effects.

DOE¹s commitment to the borosilicate glass waste form.

8 **Question # 13**- Does DOE continue to take the position that alternatives pursued for tank closure should continue to have a performance standard equal to borosilicate glass treatment and that any such tank disposals be retrievable?

Ecosystem analysis

DOE has failed to gather the baseline data necessary to understand the existing effects on ecological receptors and systems from past and continuing contamination at Hanford. NEPA in some instances requires the collection of original data and information where such information is critical for the public and/or decision makers to understand the effects of a given action. DOE has continuously failed to gather data about how existing contamination is affecting key ecological receptors. The lack of such information fundamentally undermines the required cumulative effects analysis since the effects of past and present actions on ecological receptors and processes are unknown.

9

Question # 14 What data has DOE gathered on the effects to salmonids of contamination caused by existing plumes in the Columbia River? Has DOE taken any samples of salmonids to test for concentrations of all known contaminants? If not, why not?

Question # 15- Does DOE acknowledge that MTCA requires these types of studies to assess the effects of existing contamination on ecological receptors? Please explain.

Environmental Restoration and Disposal Facility

10 During the siting process for the Environmental Restoration Disposal Facility DOE and EPA made a commitment to the public that this facility would not be used for the treatment of or disposal of off-site waste and CRK feels strongly that DOE should continue to honor this commitment.

Question # 16- Does DOE and EPA have any plans to back out of its earlier commitment that the Environmental Restoration Disposal Facility would not be used for the treatment or storage of off-site waste?

Specific Deficiencies of the HSWEIS - Fails to Assess

11 Related waste disposal activities outside the Project Hanford Management Contractor (e.g., ERDF)
Tank Farms releases and waste remaining in Single Shell Tanks
Wastes in related ancillary equipment and piping
Cribs with significant inventories of radionuclides that must be
Pre-1970 potential Transuranic (TRU) wastes
12 Hazardous or mixed wastes buried in the Low-Level Burial Grounds, and releases from the burial grounds
Waste currently uncharacterized and stored in the PUREX tunnels
Wastes from dismantling and disposing of various facilities
Wastes from dismantling the vitrification and treatment plants.
Plans by ORP to treat up to 750,000 gallons of tank waste as TRU mixed waste, eventually generating 20,000 drums (3,000 m3) of mixed TRU waste
The *Draft West Valley Waste Management Demonstration Project EIS* Alternative B that proposes sending 21,000 m3 total of LLW and MLLW for disposal, and TRU and High Level Waste (HLW) to Hanford for interim storage, are not included.
13 Total cumulative impacts for current and future wastes under the various alternatives
14 The condition of TRU containers in the LLBG
15 The inventories and associated impacts from chemicals known to be already land disposed (nitrates, carbon tetrachloride)
16 Failure to include all waste streams inventories and its associated impact from the huge amount of chemical known to be disposed at solid waste burial grounds (e.g. 6.2 tons of nitrate at solid waste burial grounds).
17 The analyses do not address dangerous waste in Low Level Waste (LLW)
18 Assumes ILAW will be disposed as silicate glass; however, the Office of River Protections (ORP) has decided on a different waste form
19 DOE declares Irreversible and Irretrievable Commitments of Resources violates State, Federal and the Trust Responsibility
20 Washington Administrative Code 173-340 requires groundwater be restored to the highest beneficial standards, which it defines as meeting drinking water standards. It further clarifies an aquifer is considered a drinking water source unless it meets a set of criteria which the Hanford aquifer does not meet.
21 Groundwater and the vadose zone under the Hanford Site are declared irretrievably and irreversibly committed due to long-lived radionuclides in existing disposal areas at Hanford.
22 Mitigation measures for vadose zone and groundwater protection from the effects of long-term disposal impacts are not addressed
23 EIS does not discuss the area or volume of groundwater that will be made unusable by the alternatives

23 proposed, only that it will exceed acceptable risk values in the future.

24 Point of compliance for groundwater is directly under waste site, EIS can not use any arbitrary point away form waste site and fails to assess and disclose the short and long-term impacts to groundwater directly under the waste site which is the legal point of compliance.

25 The impacts of treating non-standard TRU and RH TRU are not assessed

26 Should acknowledge that the Nevada Test Site has also been designated to receive low-level waste (LLW) and mixed low-level waste (MLLW) from across the complex. The ROD should outline a process for determining which site has the least environmental and public health impact from waste disposal.

27 Fails to consider waste minimization, like compaction etc.

28 The EIS states it uses the CRCIA (Columbia River Comprehensive Impact Assessment) requirements. It does not, as it is not in alignment with the minimum requirements of CRCIA.

29 The EIS also fails to assess and disclose the long-term impacts from waste buried prior to 1970.

30 Fails to assess and disclose the short and long-term ecological impacts. Complete ecosystems must be assessed not just a few selected species.

31 SAC - SWEIS must include all the potential COCs of radionuclides and chemicals. The current approach is limited to uranium and technetium. Contaminants such as I-129, Pu, Cs, etc.

32 SAC can not be used to assess cumulative risk because SAC is still in its early stages of development

33 Uranium is scheduled to be regulated as a toxic metal rather than as a radioactive element and should be assessed as such

34 Fails to assess and disclose the risks to the public on all transportation routes including detours off major highways from the point of shipment to Hanford. Since 9/11 the possibility of a terrorist attack is even more of a possibility that has not been adequately disclosed or assessed.

Analysis is based on 1990 census data and must be based on current data and along all shipping routes

Does not fully evaluate rail transport or diversion of nuclear material.

35 An alternative that does not import new waste and only treats and disposes of Hanford only waste.

36 An alternative that assumes all TRU waste will be shipped from the generator site directly to WIPP for treatment and disposal and not Hanford.

Public Involvement

37 NEPA requires adequate time for the public to read and assimilate the information in an Environmental Impact Statement. Although at the last moment USDOE granted an extension two days after the Hood River public meeting, USDOE did not allow sufficient public or even other agencies time to do the proper evaluation. CRK believes because of this failure this EIS does not comply with the intent of NEPA.

Conclusion

40 For the reasons above and those articulated in a host of comments by other parties that we have reviewed, we believe DOE needs to issue yet another draft EIS. We recommend a Record of Decision for the disposal of radioactive waste at Hanford not be issued until the Tanks Retrieval and Closure EIS and its impacts are incorporated and all other deficiencies are incorporated.

While CRK does not make this request lightly, given DOE's efforts to adopt an aggressive program to ship additional waste to Hanford, failure to comply with NEPA and SEPA will only result in further delay and possible litigation.

Sincerely,

Greg deBruler
Riverkeeper
Columbia Riverkeeper
P.O. Box 912
Bingen, WA 98605

^Solid Waste EIS - DOE
From: BethorDave Meshke [davebethmesh@yahoo.com]
Sent: Wednesday, June 11, 2003 2:26 PM
To: hsweis@RL.gov
Subject: Hanford Site Solid Waste Program EIS

Mr. Michael S. Collins
HSW EIS Document Manager
Richland Operations Office
U.S. Department of Energy, A6-38
P.O. Box 550
Richland, WA 99352-050

Re: Comments on Revised Draft Hanford Site Solid

(Radioactive and Hazardous) Waste Program EIS.

Dear Mr. Collins,

1 Thank you for extending the comment period so more members of the public, including me, could participate.

2 I do not think the Hanford Site Waste Program EIS describes a safe operation and I urge the Dept. of Energy to finish cleaning up Hanford without importing any new toxins. My concerns include the following.

3 1. Soil and groundwater contamination will increase, not decrease, under the proposed plan of importing more toxic waste to Hanford. The EIS proposes to test water at the Columbia River. However, the groundwater will certainly be poisoned at Hanford sooner than all the way at the River. This means a) Hanford will have contaminated soil and groundwater, making it unusable by people and animals, and b) by the time the toxins are measurable at the Columbia River, it will be too late to stop the river from being poisoned.

4 2. When disposal trenches will be lined and monitored is not clearly specified. No more radioactive waste should be put into unlined trenches. The current EIS would allow unlined trenches to continue.

5 3. The EIS does not adequately explain and provide solutions to the risks inherent in transporting dangerous waste cross-country. I think the EIS incorrectly assumes the transports will always or almost always arrive without accident. The probability of accidents and terrorism/sabotage have been understated. I also think the damage that could be caused by spills and inadvertent releases have been seriously underplayed. Some of the proposed waste could contaminate a large area for an immensely long time. It is much safer to store and decontaminate hazardous waste at the site of its creations and/or use. It is a poor use of resources and puts communities and the environment at unnecessary risk to transport waste across long distances.

6 4. The EIS assumes hazardous and radioactive waste can be adequately buried at Hanford. This encourages increased production of such waste. However, since there really is no safe way to dispose of toxic materials with half lives longer than humans will probably be around, the sensible thing to do would be to not produce toxic wastes in the first place. Revving up our nuclear weapons programs and transporting radioactive waste across the country to Hanford, an already highly polluted place that is supposed to be being cleaned up, which is near a major river, is really not a good idea.

7 5. The EIS does not provide an adequate alternative to importing more toxic waste. There should be an option in the plan to clean up existing hazardous waste at Hanford without importing more waste. It appears that the EIS currently just considers stopping all cleanup if no more waste is imported.

Sincerely,

Beth Meshke
27310 112th Street East
Buckley, Washington 98321

This document was submitted twice.
See L-0048 for the original letter that was submitted.

^Solid Waste EIS - DOE
From: hippert@lclark.edu
Sent: Wednesday, June 11, 2003 3:21 PM
To: Michael Collins
Subject: HSW EIS Comment

Revised Hanford HSW EIS commen...

Dear Mr. Collins,

Attached is my comment on the Revised Draft Environmental Impact Statement.

Thank you,
Dona

11723 SW 47th Ave.
Portland, OR 97219

June 11, 2003

Mr. Michael Collins
NEPA Document Manager
U.S. Department of Energy
Richland Operations Office
P.O.Box 550 MSIN A6-38
Richland, WA 99532

Dear Mr. Collins,

1 As a concerned citizen, I am submitting a comment on the Revised Draft Hanford Solid Waste EIS (HSW EIS or EIS). Although the Department of Energy (DOE) addressed many of my concerns about shortcomings in the original EIS, there are many problems remaining in the current version, and it fails to meet National Environmental Policy Act (NEPA) requirements. Primarily, I am interested in seeing that the current radioactive waste problem at Hanford is remedied. The current proposal, by bringing in more waste from off-site and doubling the amount of waste to be buried at Hanford, makes it likely that the current mess at Hanford will be aggravated rather than alleviated. Specifically, the revised HSW EIS is inadequate in the following ways:

2

3

Public Involvement

4 Although the 15-day extension for submitting these comments is appreciated, it is still inadequate for reviewing a document of the length and complexity of the HSW EIS. Additional time is needed to comply with NEPA's requirement that adequate time be provided for the public to read and assimilate the information.

Cumulative Impacts

5 The HSW EIS lacks an analysis of cumulative risk that takes into account all of the existing waste at the site and how the importation of new waste would impact the treatment and storage of waste at Hanford. A cumulative risk analysis needs to be performed that considers long-term impacts to groundwater, the ecosystem, public health, and the Columbia River.

Point of Compliance

6 The EIS fails to assess and disclose the short and long-term impacts to groundwater directly under the waste site, which is the legal point of compliance. Instead, the EIS looks at a point 1 km down-gradient, which is a change in policy beyond the purview of an environmental impact statement.

Transport Risks

7 The EIS fails to assess and disclose the risks to the public on transportation routes, including detours off major highways, from the point of shipment to Hanford. The possibility of a terrorist attack has not been adequately disclosed or assessed along the shipping routes.

8 Many of these transportation risks are unnecessary, particularly those involving shipment of transuranic waste (TRU). The EIS discusses plans for shipping TRU for temporary storage, repackaging, and certification prior to sending the TRU to the Waste Isolation Pilot Plant (WIPP) for permanent disposal/storage. The EIS speaks of using both Hanford facilities and mobile processing units to ready this waste for reshipment to WIPP. It would make more sense to send the mobile processing units to the point of origin of the TRU, process the waste into the TRUPACT, HalfPACT, or RH-72B containers there, and then send it directly from the point of origin to WIPP. The TRUPACT containers are designed to minimize risks due to radiation exposures or traffic accidents during shipment of TRU waste. Therefore, it makes no sense to ship these wastes to Hanford before they have been packaged so as to minimize risks of an accident or exposure. Only wastes generated at Hanford should be packaged at Hanford for shipment to WIPP.

Lack of Timeline for Ending Burial in Unlined Trenches

9 Although the EIS contains alternatives that provide for lining and monitoring burial trenches, it provides no timeline for implementing these actions. Burial of waste in unlined trenches should be stopped as soon as possible, by the end of 2003 at the very latest.

Inadequate "No Action" Alternative

10 The "no action" alternative provided in the EIS stops import of offsite waste, but it also halts all clean-up work at Hanford. A legitimate "no action" alternative would prohibit importation of offsite waste, yet continue the ongoing efforts to clean up existing waste.

Thank you for the opportunity to comment on these issues. I would appreciate a response to my comments.

Sincerely,

Dona Hippert

E-0051

^Solid Waste EIS - DOE
From: David M. Braun [dbraun@charter.net]
Sent: Wednesday, June 11, 2003 5:48 PM
To: hsweis@rl.gov
Subject: comment on HSW EIS

DOE &

Mr. Collins:

My comment on the HSW EIS:

1 First of all, the EIS should have described and discussed the implications of an alternative WITHOUT outside waste shipments to the area. Such an alternative is warranted because this action would contravene earlier stakeholder agreements, and frankly, its omission raises suspicions about the ultimate fate of such waste. About a year ago, an alternative cleanup was proposed which would have cost less but also would have done much less than the public (and myself) want done. The main issues then, as now, are the continued cuts in funding and a lack of
2 emphasis on cleaning up Hanford's contaminated soil and water, and safely packaging and storing existing waste. Any waste "temporarily" held here that is brought from elsewhere would
3 probably stay a long time and probably leak as well (it will be in unlined ditches!). Any money
4 used to handle/treat outside waste takes away from on-site clean-up. I believe that the Bush administration wants to make Hanford a permanent, national nuclear and other toxic waste dump, and clean it up as little as possible. The signs are clear, and the DOE is losing credibility by proposing plans that amount to Bush administration propaganda.

I live in Hood River, where I own a house; this makes me a very interested stakeholder. I have attended several public meetings in the past several years and made comments. Recent proposals have lead me to believe that contamination in the Columbia may soon be acknowledged as dangerous to the public health; if this happens, my home value will most likely plunge. Worse still would be the irreparable harm done to the environment in a time with even
6 less money to clean it up. It's time to get back on track, and the preferred alternative of the HSW EIS isn't it.

7 Given the recent proposal to shut down the clean-up long before it actually is completed, coupled with Hanford clean-up budget cuts and the rapidly increasing federal deficit, I don't presently trust the Bush administration and by extension the DOE to do the right thing at Hanford. I understand that as a key government agency, the DOE is pressured to carry out the current administration's policies. In my opinion, recent proposals from DOE reflect a policy direction that is unsupportable.
8 Pushing the preferred alternative of the HSW EIS will further erode the public trust and damage the environment. People at DOE, such as yourself, need to take a stand at some point and blow the whistle on bad policy, such as has occurred at the Forest Service.

Sincerely,

David M. Braun, Ph.D., Forest Ecology

E-0052

^Solid Waste EIS - DOE
From: Susan Torngren [susanetorngren@hotmail.com]
Sent: Wednesday, June 11, 2003 5:45 PM
To: hsweis@rl.gov
Subject: Hanford

1 Please do not allow more radioactive waste to be imported to this state.
2 Please abide by the Tri-Party agreement and clean up the mess!!!
Sincerely,
Susan torngren
