Panel Discussion (contd)

future actions.

And it's been very difficult to try to get Congress to authorize something like that.

MR. GERRY POLLET: Have you asked?

MR. MICHAEL COLLINS: I have not, no. It's my understand DOE has, but I'm not positive.

MR. GERRY POLLET: It would be reasonable, then, for this EIS to consider as an alternative that every generator shipping waste to the site, pay into a fund for the long-term monitoring and capping and remediation of its burial grounds.

And your own EIS shows how much more expansion you have to have for the offsite waste?

MR. DEE WILLIS: We have another DOE --

MR. MICHAEL COLLINS: I'll just respond one more time. DOE does not believe that's appropriate for a site-specific document. It would be appropriate for a complex-wide/nation-wide type of document.

MR. GERRY POLLET: So you're telling the public that when we made that comment in 1997 and you blew us off, now, we should have made it again in 1997; you should have considered it then.

Because we sure did make that comment then. And the Hanford Advisory Board did. And you said "Come back later."

MR. DEE WILLIS: We have another DOE employee here that works with Mike. He wants to respond to Gerry, so with your permission, I'm going to let him response just once.

MR. GEORGE SANDERS: Just once. Thank you, Dee. I'm George Sanders. Just a couple of comments, but the first one is with respect to long-term setting aside funds for closure and that sort of thing.

The Congress operates on an annual budget basis. And DOE does try to do long-term life-cycle planning.

It's my understanding that the Congress and the Senate authorize and earmark funds for the country on an annual basis. And they get to take another shot at that.

Panel Discussion (contd)

Right now we are not allowed to set up long-term accounts that are not subject to the Congress's approval.

And so that's just a fact of life. And so we do long-term planning, but it's still subject to an annual review.

One of the comments Gerry made about Parks Township, the large volume, that was a result of a court action that directed DOE to do that. Thank you.

MR. GERRY POLLET: Now, you actually authored the document. It was a court-approved settlement between the parties; you submitted it, you offered it, you wrote it.

MR. DEE WILLIS: Gerry, let's move on. Let's move on, okay.

MS. MAXINE HINES: Can I ask, what are the criteria?

MR. GEORGE SANDERS: Absolutely.

MS. MAXINE HINES: Okay. Sorry to delay this, but this is really important. If everybody feels like -- I mean, everybody here and most people around Hanford feel like it's full and we haven't taken care of

business, why are we sending more stuff here?

And when, at the last public hearing, there was several people brought up criteria, "Is it unsafe where it is? Let's not move it unless it's a worse hazard there than it is coming to Hanford." And no one has addressed that.

MR. MICHAEL COLLINS: Are you talking about the criteria for sending it here?

MS. MAXINE HINES: Yes. Why move something that's safe where it is? Why do we need to move something that is safe where it is, to a place through trucks, through valleys, through people, all that stuff, to get it to Hanford where things are already draining into the river?

MR. MICHAEL COLLINS: It's not necessarily safer there.

MS. MAXINE HINES: That's my question: Is that, in that large document, is that addressed?

MR. MICHAEL COLLINS: It's not in there, no.

MS. MAXINE HINES: So is that addressed anywhere?

Panel Discussion (contd)

MR. MICHAEL COLLINS: It's addressed in the Waste Management Programmatic EIS that was completed in 1997, which led to this decision to send low-level and mixed low-level waste here.

It led in part of the decision to send transuranic waste to New Mexico, and in part to send the high-level waste to --

MS. MAXINE HINES: Based on economics? Or safety, immediate safety?

MR. MICHAEL COLLINS: Yes. Well, long-term safety, immediate safety, economics.

MS. MAXINE HINES: In which order?

MR. MICHAEL COLLINS: I don't know.

MS. MAXINE HINES: That's important.

MR. DEE WILLIS: Can you answer that?

MR. GEORGE SANDERS: I can see that there's a broader and general sense of why waste comes here; and that is, that there are consent orders, there are consent agreements,

there are regulatory agreements in a lot of states around the country where DOE is located. And in many cases, those agreements do not allow local disposal and local disposition.

And in Mike's case, there's NEPA. And we were just talking about there's NEPA in these consent agreements at each facility and site around the country.

And so that's where a lot of these decisions about disposal and treatment and sending waste offsite from those locations that will come to us, and Nevada test site, are made.

So it's a national collection of drivers that bring it here.

MR. GERRY POLLET: But, George, hold on a second.

MR. GEORGE SANDERS: Yeah.

MR. GERRY POLLET: All cleanup waste, that's called the environmental restoration, those consent decrees, not any of it, none of it, was addressed in the waste management PEIS, correct?

MR. GEORGE SANDERS: No. The only thing that we're dealing with here are

Panel Discussion (contd)

low-level and mixed low-level wastes. That's the subject of this EIS.

MR. GERRY POLLET: So all the cleanup wastes from the consent decrees that you're just citing, none of that was in the waste management 1997 programmatic EIS?

MR. GEORGE SANDERS: No. I'm referring to consent agreements and agreements between DOE and the local states where they reside.

MR. GERRY POLLET: But this woman's questions isn't answered yet then, because she asked what was the criteria.

And you said, "Well, we made a national decision in '97 to ship it here," and you're saying based on these consent decrees.

But that '97 document didn't consider any of that waste from the cleanup of other weapon sites.

MR. DEE WILLIS: So what's your comment, Gerry?

MR. GERRY POLLET: It's excluded. So what is the criteria for making a decision now, if you're shipping waste from a cleanup site over somewhere else to here?

Panel Discussion (contd)

What is the criteria for not shipping it to a private disposal site in Utah, which it has liners and is regulated, for instance? How do you make that decision? Why does it come here? Is it economics?

MR. DEE WILLIS: Any other people on the panel?

Mr. Cimon?

MR. NORM CIMON: Yeah, just a quick point. Unfortunately, the inability to really get a true cost associated with long-term site-specific waste brings up the same problem I mentioned at hearings before; and that is, there's no way to get any kind of decent economic analysis ever put together about the true cost of this.

It just comes out of one big giant pile of money and gets lost. There is no way that any of the economic analysis can possibly make sense.

There is no allocation of costs. None whatsoever. No long-term allocation of costs. It gives me real doubt about how much credibility I can assign to any of the economic analyses I see.

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If, in fact, none of the true allocations of costs on a site-specific basis can ever really be done.

MR. DEE WILLIS: Anybody want to respond to that? So we'll take that as a comment.

Ms. Julie Farnam.

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MS. JULIE FARNAM: I think that the whole process feels like something that's being shoved down our throats. And I think that's a problem, because we're not here just because we're worried about something little. We're here because we're concerned about generations beyond even our comprehension.

And I think that this is an important question. Really, really an important question.

And it makes much more sense to me to come at it from asking us what it would take for us to be okay, to feel that we have a place to dump and store this stuff. It has to be dumped and stored.

And the people who live here, to be able to respond with what it would take for us to be okay with it. And I think that you're

2

going at it backwards, and it's not going to work and we're not going to buy it.

And I just want to know how to donate to the causes that Gerry is describing in terms of blocking things through the courts until Department of Energy gets that figured out. Thank you.

MR. MICHAEL COLLINS: Would that be a comment for you or a question?

MS. JULIE FARNAM: Yeah, that's a comment. But if you want to say something, you can.

MR. MICHAEL COLLINS: You can talk to Gerry.

MR. DEE WILLIS: Does the panel have any response to that, to that comment?

MR. KEN NILES: I think that's a great comment and a great suggestion. Let me just kind of tie this back to something we did in 1988 at the state level.

A lot of you have heard about certain shipments called transuranic waste shipments and they've talked about them a little bit tonight.

In 1988 the state was told that we

Panel Discussion (contd)

1 were expecting, by the Federal Government,
2 those shipments are going start at any time.
3 And there's going to be 16,000 of them over
4 30 years.
5 And the state came out through
6 people like Shelley, with the Oregon Hanford
7 Waste Board.
8 And we basically held meetings up
9 and down this transportation corridor in
10 Eastern Oregon and we said "The Federal
11 Government is going to do this, what can we do
12 to make the transportation element of this a
13 little bit more acceptable?"
14 "What types of safety precautions
15 can be put in place, for these shipments, to at
16 least give you a little bit of comfort that
17 people are taking this seriously?"
18 And eventually what we did is we
19 took those recommendations, Oregon took them to
20 the western states, and we did develop a
21 comprehensive transportation safety program.
22 And that type of public involvement
23 and participation has just -- we thought it was
24 marvelous. We thought we ended up with a great
25 result that had some public buy-in, that had

good, sound common sense behind it.

Unfortunately, we're dealing with the Federal Government, which, you know, the states have asked for -- and it's a hard concept to really fully explain, but the simple main part has been a national dialogue, to talk about, in detail, these national issues that affect everybody and to try to come up with some fair equity within these.

The states would always push the name as the national equity dialogue and people didn't like the idea of equity because they didn't think that was going to be the end result.

And we didn't get anywhere with that idea. We had a couple of workshops that didn't really pan out.

But I just think that's such a terrific idea and a terrific comment to look at it from the other way. If you've got to do this, what are the kinds of things we can do. And some of those elements, actually, are in there.

Some of them are. They're not told to you that way. And they're beginning to say,

Panel Discussion (contd)

they're talking about "Hey, we're shifting to lined trenches. At least is our proposal." And they're beginning to get that far. But I just think that was a great comment.

MR. DEE WILLIS: Anybody else?

MS. SANDRA ROTH: I have a real quick question. I guess my feeling is you said, Ken, that said that you feel the transportation is safe.

My question is: Why should I be subject to feel that it's safe to live here when it could happen?

I mean, it's my right to live in a safe environment, and why do I have to question that?

MR. KEN NILES: Absolutely. And from a state level, we're not happy with all the ideas the Department of Energy, the U.S. Department of Energy has about transportation.

We would just as soon not see shipments during the winter, because we recognize the weather. Weather conditions out here run a long time and are very unpredictable.

Panel Discussion (contd)

These shipments do represent a risk, there's no doubt about it. I don't believe it's as great a risk as other people might say so.

And I guess the best answer I would give you is go to a professional that you might have some trust with, go to your local fire department and talk to the HAZ-MAT team members and say, "Are you okay with this risk? Is this something that you believe is -- you know, does it worry you as a professional who understand the risk of these shipments?"

And talk to them and see if they can give you either a level of comfort or if they can't, then I guess you have to take some other step and say "How can I stop this risk from recurring?"

I don't know if that answers your question very well.

MR. DEE WILLIS: Anybody else on the panel?

MR. KEN NILES: Let me, just one extra thing and then Gerry. From the state's standpoint, we cannot stop these shipments.

Panel Discussion (contd)

We cannot say "You will not ship radioactive materials through the state of Oregon if they're complying with regulations." We just simply can't do it from a legal standpoint.

So we do what we can from a political standpoint to negotiate with them to try and get some concessions, we can.

MR. GERRY POLLET: And I think that goes to what I was going to say is that Oregon has done a model job from the '80's. And that dialogue process around the state was an incredible public involvement process to build a consensus about how do you respond and mitigate the risks.

And I'm glad you said what you said, Ken, because the point of these shipments is that they're inherently dangerous. And we can make them safer. And this state has done so.

And after this state adopted a very strong program, we tried to take it north to Washington to do so.

Unfortunately there are two real realities here: One is, the state only has a limited amount of money, which is to say really

limited amount of money these days, right, any state; and, two, the state has to negotiate then with the Department of Energy or sue for these things.

And at times, the Department of Energy is more amenable than at other times. And that is a hell of a problem to be reliant on that for safety.

So the emergency responders may be well equipped this year, but they may not be in three years.

The shipments out from WIPP, I think it's important to note I have a lot greater confidence in because of what's been negotiated than the shipments in from out of state to Hanford.

MR. DEE WILLIS: WIPP?

MR. GERRY POLLET: WIPP, being the New Mexico, underground --

MR. MICHAEL COLLINS: Waste Isolation Pilot Plant.

MR. GERRY POLLET: So where the transuranic waste is supposed to eventually be permanently disposed underground.

And the western governors led by

Panel Discussion (contd)

Oregon over 20 years have negotiated, or 15 years, whatever it is, a very strong program. That means that the risk is reduced, but it's not inherently safe.

And the second and the last point is: Unfortunately, when DOE doesn't consider those risks, and they haven't in this case, that's when states can go to court, citizen groups go to court, and we can stop them at least for the time being. And that's what we've done.

MR. MICHAEL COLLINS: Just a statement here. I haven't said it a lot, but DOE and Gerry and Shelley and other folks are going to disagree on a lot of things, and this is one of them, so --

MR. DEE WILLIS: Ms. Roth, did you get your question answered?

MS. SANDRA ROTH: Uh-huh.

MR. DEE WILLIS: Who's next? Next question or comment.

MR. KEN NILES: Can I ask a question of Mike from Oregon Department of Transportation, if you would.

Do you have any plans for total