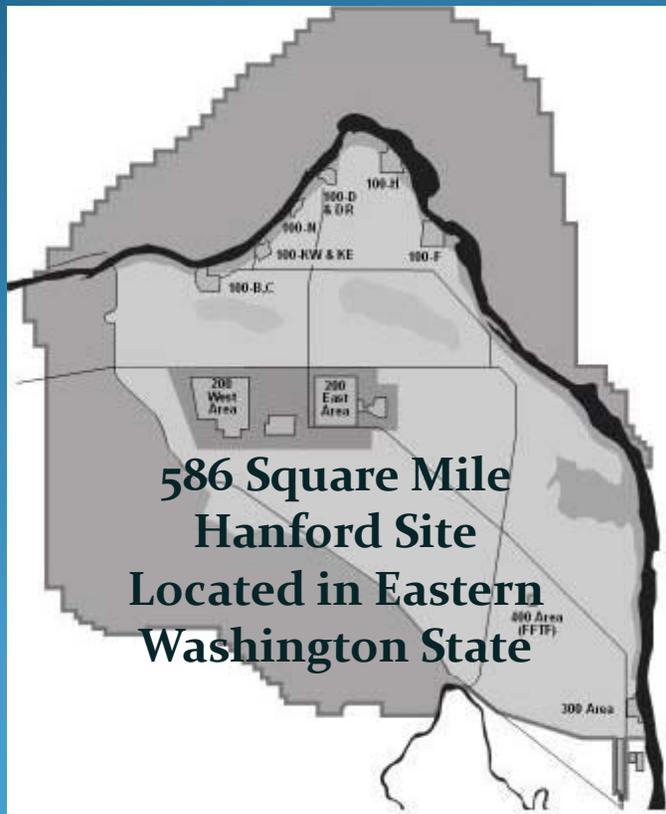


# Proposed Settlement for Hanford Cleanup

October-November 2009





# Tri-Party Agreement Negotiations

- Tri-Party Agreement (TPA) Agencies initiated negotiations in 2007.
- Proposals were developed for:
  - Construction and commissioning of the Waste Treatment Plant
  - Retrieval of waste from single-shell tanks (SSTs)
  - Groundwater cleanup
  - Development of a lifecycle scope, schedule and cost report
- Agencies consulted and received feedback from the Tribal Nations and state of Oregon. Met and received feedback from stakeholders and the public on the proposals late 2007.



# Tri-Party Agreement Negotiations

- Additional changes were negotiated after consideration of feedback:
  - System plan provisions of Milestone M-62
  - Off-site waste language to be included in the Tank Closure and Waste Management Environmental Impact Statement (TC&WM EIS)
  - Inclusion of requirements of a judicial Consent Decree

# Tri-Party Agreement Negotiations

- The Tri-Party Agencies were unable to reach complete agreement and Washington State filed a lawsuit in November 2008 (later joined by the state of Oregon).
- The agencies returned to negotiations, resolved remaining issues and reached agreement on the terms of a proposed Consent Decree and modifications to the Tri-Party Agreement.
- Groundwater milestones were separated from these Tri-Party Agreement negotiations and were added to the Tri-Party Agreement in August 2009.



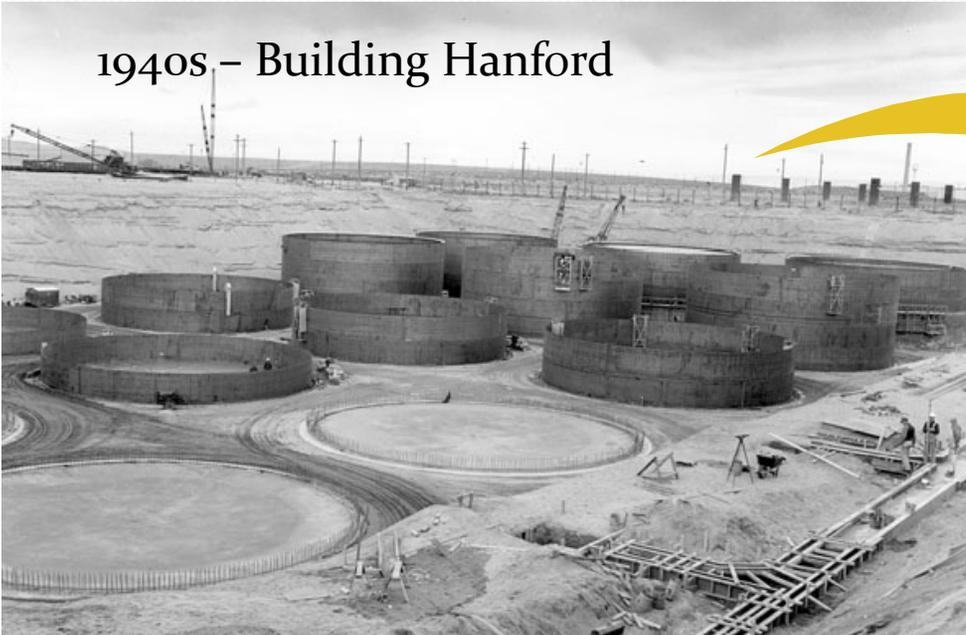


# Proposed Settlement Agreement Structure

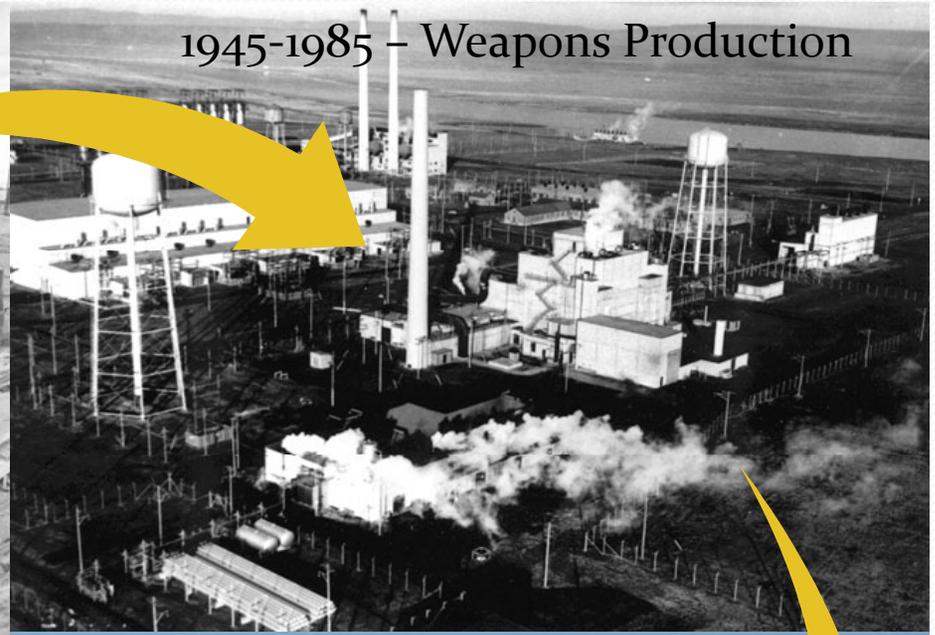
- A Consent Decree is a settlement agreement between parties that resolves a case, and once approved by the court, it is also an order of the court.
  - Covers next phase of retrieval and treatment mission
  - 19 single-shell tanks emptied
  - Waste Treatment Plant moves to initial operation phase
- The Tri-Party Agreement is an agreement and an order issued under state authority and the federal facility agreement.
  - Address remainder of tanks to be emptied
  - All waste treatment completed
- Other components of package:
  - Commitments for a moratorium on off-site waste to Hanford until at least when the Waste Treatment Plant is operational
  - Annual submittal of detailed lifecycle cost report

# Historical Overview of the Hanford Site

1940s – Building Hanford



1945-1985 – Weapons Production



Present – Waste Treatment Plant Construction Site



1990s – Decommissioning



# Hanford's Greatest Cleanup Challenge: the Tank Farms

53 million gallons radioactive and chemical waste

149 single-shell tanks built from 1943-1964  
28 double-shell tanks built from 1968-1986  
(67 presumed to have leaked)



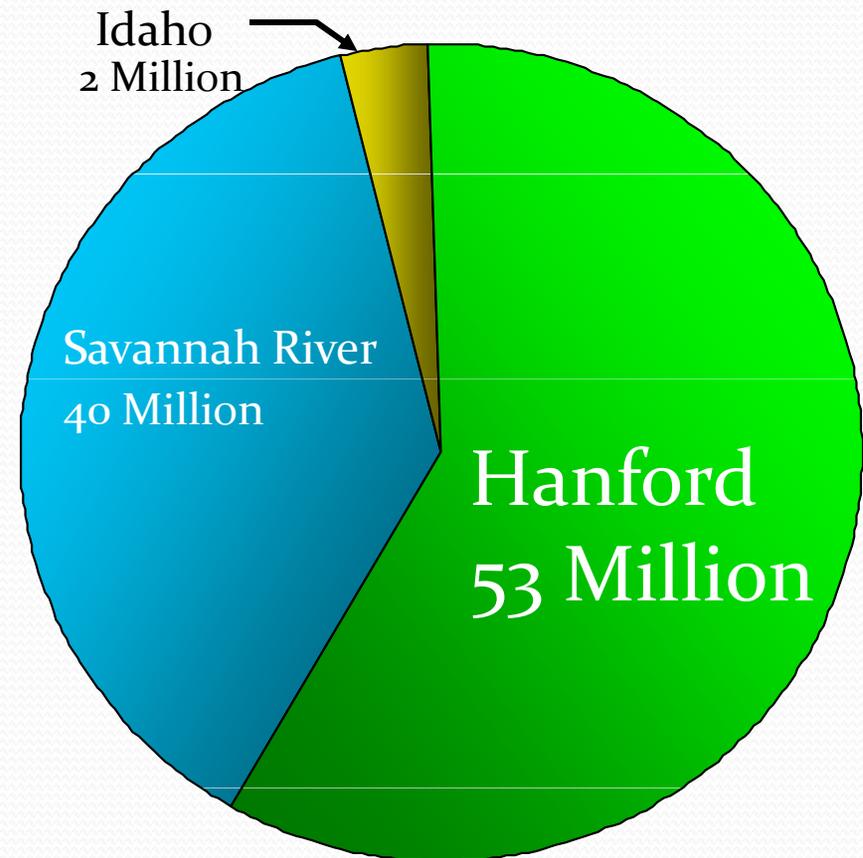
# Hanford's Tank Farms compared to other sites



Hanford has:

- 177 underground storage tanks
- ~194 million curies of radioactivity in tanks
- ~240,000 tons of chemicals

*Total Number of Gallons in Waste Tanks at DOE Sites:*



# Proposed Consent Decree and Tri-Party Agreement Tank Waste Retrieval Milestones

	<u>Current Milestone Date</u>	<u>New Proposed Date</u>
Retrieve C Farm Single-Shell Tanks (SSTs)	9/30/2006	09/30/2014 (CD)
Complete Retrieval of Waste from Additional Nine SSTs	New Milestone	09/30/2022 (CD)
Complete Retrieval from all Remaining SSTs	9/30/2018	12/31/2040 or earlier (TPA) (M-045-70)

# Proposed Consent Decree and Tri-Party Agreement Tank Waste Treatment Milestones

## Tri-Party Agreement:

- Treat all tank waste by 2047 (old date 2028)
- Provisions for requiring certain treatment rates
- Provisions for requiring Supplemental Vitrification Treatment

## Consent Decree:

- Hot-start the Waste Treatment Plant (WTP) by 2019 (old date 2011)
- Achieve initial WTP operations by 2022 (New Milestone)
- 17 Construction “pacing” milestones for WTP facilities



# Proposed Changes to Tri-Party Agreement for Closing Tanks

	<u>Current Milestone Date</u>	<u>New Proposed Date</u>
Complete Closure of all SSTs	9/30/2024	1/31/2043 (TPA) (M-045-00)
Complete Closure of all Double-Shell Tanks	New Milestone	No Later Than 9/30/2052 (TPA) (M-045-00A)



Hanford Site has 177 single- and double-shelled tanks containing high level chemical and radioactive waste.



# System Plan

- M-062-40: Every three years beginning in 2011
  - System Plan will describe tank waste retrieval actions, treatment actions and the completion of the treatment mission.
- M-062-45: Every six years beginning 2015 USDOE and Ecology will negotiate:
  - Completion of SST retrievals as expeditiously as possible – improve 2040
  - Completion of tank waste treatment as expeditiously as possible – improve 2047



# System Plan

- M-062-45 Milestones (continued):
  - Target milestones beginning in 2015 and enforceable milestones in 2021 for tank waste retrieval sequencing – including double-shell tank infrastructure needs
  - Contingency milestones, for providing new, compliant tanks with sufficient capacity and in sufficient time to complete retrievals
  - Supplemental vitrification treatment selection (a one time selection made not later than April 30, 2015)
  - Provision of immobilized high-level waste canister storage capacity for Waste Treatment Plant (WTP) operation
  - Facilities for WTP secondary waste management

# “Off-Site Waste” Currently Identified in the Waste Management Programmatic EIS

- Hanford is one of two national repositories identified for potential disposal of low-level radioactive waste (LLW) and “mixed” (chemical/radioactive) low-level waste (MLLW) in the Waste Management Programmatic EIS.
- Hanford had been identified as a site available for “interim storage” of certain transuranic (TRU) and TRU mixed (TRUM) waste from other USDOE sites, before eventual disposal at a facility in New Mexico.
- Site-Specific National Environmental Policy Act evaluation upcoming.





## “Off-Site Waste” — Current Situation

- Washington v. Bodman settlement: moratorium on off-site LLW/MLLW and TRU/TRUM until USDOE finalizes the TC&WM EIS and publishes a record of decision.
- There are certain exceptions, such as reactor compartments from the Puget Sound and Pearl Harbor Naval Shipyards.



## Commitment with Settlement Agreement

- Letter between State of Washington, U.S. Department of Justice hinges Consent Decree entry on inclusion by USDOE of “no off-site waste” preferred alternative in the draft TC&WM EIS.
- Preferred alternative would continue current moratorium covering LLW and MLLW disposal, TRU and TRUM storage (w/ same limitations and exceptions) until at least when the Waste Treatment Plant is operational (i.e., ~2022).



## What's not covered by Waste Moratorium?

- New moratorium would not apply to wastes/materials for which there is no current USDOE decision.
- Greater than Class C waste
- Elemental Mercury

# Lifecycle Report



The White Bluffs located on the Columbia River are a portion of the Hanford Reach National Monument just north of Richland, Washington.

- USDOE prepares an annual report which shall:
  - Set out the Lifecycle scope, schedule and cost report for completion of Hanford Site cleanup mission.
  - Reflect all actions necessary for USDOE to meet all applicable environmental obligations, including those under the Tri-Party Agreement.