STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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July 14, 2009

Dr. Inés R. Triay, Assistant Secretary
Office of Environmental Management
EM-1/Forrestal Building
United States Department of Energy
1000 Independence Avenue
Washington, D.C. 20585

Ms. Shirley J. Olinger, Manager
Office of River Protection
United States Department of Energy
P.O. Box 450, MSIN: H6-60
Richland, Washington 99352

Mr. David A. Brockman, Manager
Richland Operations Office
United States Department of Energy
P.O. Box 550, MSIN: A7-50
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Re: United States Department of Energy (USDOE) Federal Fiscal Year 2011 Budget Impacts at Hanford

Dear Dr. Triay, Ms. Olinger, and Mr. Brockman:

The Washington State Department of Ecology (Ecology) has reviewed your plans to use Federal Fiscal Year (FFY) 2009 supplemental funds (American Recovery and Reinvestment Act or ARRA), FFY 2010 funds, and FFY 2011 funds to achieve progress in Hanford Site cleanup.

We appreciate your briefing fellow Tri-Party Agreement agencies, the tribes, and the Hanford Advisory Board on the budget proposals for 2009 through 2011 and the ARRA stimulus funding as your plans developed during the past several months. We appreciate both USDOE offices' efforts to comply with the budget briefing and coordination requirements of the Tri-Party Agreement (TPA) as the new federal administration worked out the budget process and schedule for FFY 2010 and 2011.

The ARRA stimulus funds create a major opportunity for Hanford to make additional cleanup progress beyond what would have been accomplished with the planned budget funding levels. Ecology is pleased that you are using the combination of base budget funding and ARRA funding to restore priority funding to work that you stopped in late 2008 because of the funding constraints in the 2009 continuing resolution. We support the effort to use both fund sources to achieve tangible progress during the 2009, 2010, and 2011 for the following cleanup activities:

- Accelerate the containment and treatment of contaminated groundwater along the Columbia River and on the Central Plateau.
- Continue construction of the Waste Treatment Plant (WTP) to treat tank waste.
- Continue retrieval of the tank waste from the single-shell tanks.
- Fund critical upgrades to the tank farms to ensure that tank waste can be transferred to the WTP and that the plant can operate at full capacity.
- Complete soil and building cleanup on the River Corridor by 2015 – shrinking the area of active cleanup at Hanford to 75 square miles in the Central Plateau.
- Start active soil and building cleanup in the Central Plateau.

Overall, Ecology's priorities for the Hanford cleanup budget for the next several years continue to be:

Richland Operations Office (RL)

1. Accelerate groundwater containment and remediation along the Columbia River and on the Central Plateau.
2. Finish the river corridor cleanup (including K Basins) of contaminated buildings, soil, and groundwater to reduce the risk to the river and to the users of the Hanford Reach National Monument.
3. Finish the Plutonium Finishing Plant remediation to reduce environmental and worker risk and to minimize safeguards and security costs.
4. Start full-scale remediation of soil and decommissioning & demolition of buildings in the Central Plateau. Complete regulatory documents on the near-term TPA schedule to enable work to proceed as rapidly as funding allows.
5. Finish transuranic (TRU) and mixed waste backlog retrieval, packaging, certification, and off-site shipment as soon as funding allows.

Office of River Protection (ORP)

1. Construct the WTP on the most rapid achievable schedule and identify, communicate, and address technical and scheduling problems early.
2. Maintain safe tank farm storage and drive down the cost of base operations at the tank farms, making more funds available for cleanup.
3. Retrieve waste from the single-shell tanks and make full use of the 242-A evaporator (and other potential technologies) to make maximum progress prior to start of tank waste treatment at the WTP.
4. Complete upgrades to tank systems and facilities required to support timely retrieval and WTP operations.
5. Construct new facilities necessary to support or maintain WTP operations (for example, second low activity waste treatment facility and immobilized high-level waste canister shipping/storage facility).
6. Complete studies having potential to improve WTP operating efficiency (for example, sodium management, increased waste loading in glass, Phase 2 testing at the Pretreatment Engineering Platform).

At both the USDOE Headquarters and Hanford Site levels, Ecology reiterates its position that the USDOE is legally obligated to meet all TPA milestones and is responsible for submitting a budget sufficient to attain these milestones. Ecology offers the above list of priorities without waiving this position, and without excusing the USDOE from any non-compliance. For those matters addressed by current TPA milestones that are now unachievable due to the USDOE's delays (namely, tank waste retrieval and treatment), the USDOE should develop project baselines that allow for such work to move forward as quickly as possible. In this way, the USDOE's delays beyond the milestone dates will be minimized to the maximum extent possible.

Looking ahead for the next few months, Ecology is very interested in working closely with the United States Environmental Protection Agency, RL, and ORP to complete the following key cleanup planning activities:

- Review the contractor baselines for the cleanup work for the single-shell tanks and the Central Plateau.
- Review the detailed plans for spending the ARRA stimulus funds in combination with the base budget funds.
- Develop the draft TPA change packages for the schedule to:
  - Complete the cleanup decisions for the soil and buildings on the Central Plateau.
  - Complete the retrieval and shipment to the Waste Isolation Pilot Plant of the retrievably stored TRU waste.
  - Treat the backlog of mixed waste in storage at the Central Waste Complex.

The above list does not include any matters within the scope of the *Washington v. Chu* case, or under discussion in relation to that case.

We look forward to continuing discussions with you about your plans. If you have any questions about our comments, please contact John Price at 509-372-7921 or Ron Skinnarland at 509-327-7924.

Sincerely,

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