**Statement of**

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# Nuclear Waste Program

## Draft Hanford Site Solid (Radioactive and Hazardous) Waste Program Environmental Impact Statement

**August 6, 2002**

Everyone here is concerned about how the Draft EIS fits into the overall picture of Hanford cleanup, and the long-term effects on the Columbia Basin and the region. The Department of Ecology wants to be confident that Hanford's own legacy of waste and contamination is and will be managed safely. Only then can we consider adding to the burden. We need the same confidence that any additional wastes brought to Hanford will also be managed safely, both day-to-day and for the long term. Unfortunately, this EIS falls short on all counts.

On several fronts, we have increasing confidence in how Hanford's existing wastes and contamination are being managed:

- USDOE has started Construction on a large plant to treat Hanford's tank wastes, after a decade of false starts;
- Cleanup of contaminated soils and buildings all along the Columbia River corridor is progressing well, including spent nuclear fuel being removed from water basins near the river;
- Recent discussions between USDOE and its regulators have led to support in Washington, D.C., for increased funding to accelerate retrieval of tank wastes and buried transuranic wastes, and for increased focus on groundwater protection.

Washington State recognizes that the legacy of nuclear weapons production is a national, indeed an international, problem. We expect to send high-level and transuranic wastes *from* Hanford *to* other states for disposal. We have borne, and will continue to bear, the responsibility to dispose of wastes *at* Hanford. But we need to understand the consequences of all of these actions in a comprehensive way.

We had hoped that the Hanford Solid Waste EIS would contribute to our confidence both in how Hanford's waste is managed and in the safety and importance of Hanford's role in the overall cleanup of nuclear sites in the country. We are very disappointed, therefore, that the Draft EIS falls far short of the mark. It does not provide adequate information, clearly presented, to help us or the public address major issues. For example:

- What is the net benefit or harm of importing additional wastes for storage, treatment or disposal at Hanford?
- Are there much better alternatives to burying minimally-treated waste in shallow, unlined trenches?
- What are the long-term costs and requirements for monitoring, maintaining, and preventing failures at, and radioactive releases from, waste sites, and how can we be confident that these activities will be effectively and accountably managed?
- What is the rationale for continuing self-regulation by USDOE when the issue is not national defense but environmental protection?

Here are some areas where we find the Draft EIS so deficient as to warrant a major revision, followed by another round of public review.

## Scope is too narrow

The Draft EIS essentially evaluates a limited range of near-term, alternative means to add some treatment capability and to dig waste-disposal trenches.

- The Draft EIS assumes that the 1997 Waste Management Programmatic EIS adequately compared the effects of treatment and disposal facilities at various sites, but it did not. The Programmatic EIS relied on data now several years old and did not have available even the limited information about Hanford contained in the Draft Hanford Solid Waste EIS.
- The Draft EIS assumes continued or increased off-site low-level waste and mixed low-level waste disposal at Hanford. It does not separately assess needs for disposing Hanford waste, in spite of widespread requests for such analysis during the scoping comment period.
- The Draft EIS evaluates only the management of wastes owned by or coming to the existing Waste Management Program, touching only lightly on previously buried wastes, environmental restoration wastes, naval reactors, and other wastes disposed near the surface at Hanford.
- The Draft EIS does not evaluate other options currently under active discussion, such as the lined, RCRA-compliant mega-trench for disposing of low-level waste, expanded use of the Environmental Restoration Disposal Facility (ERDF), or storing and treating transuranic wastes from other sites.

## Impact analysis is too limited

The Draft EIS reaches conclusions without adequate data and analysis. It often fails to disclose what information is not known in arriving at conclusions.

- The Draft EIS does not include sufficient data about groundwater contamination and movement at Hanford.
- The Draft EIS does not include sufficient data about the extent and characteristics of wastes and contamination already in the ground at Hanford.
- The analysis of cumulative impacts from the proposed treatment and disposal activities, in conjunction with other reasonably foreseeable actions at Hanford, is extremely limited and not credible based on the material presented.
- The Draft EIS does not include data about the effects on the full range of plant and animal species, *n*or does it recognize USDOE's obligation to protect and restore priority habitat, even if it has been degraded by fire or pesticides.

## Regulatory analysis is insufficient

The Draft EIS tends to ignore a number of regulatory issues.

- The Draft EIS does not adequately address the challenges USDOE presently faces in complying with RCRA and state dangerous-waste regulations. The Tri-Party Agreement is designed to bring USDOE into compliance, but there is still a long way to go. The Department of Ecology does not support compounding compliance problems that already exist at Hanford.
- The Draft EIS assumes a point-of-compliance/impact assessment that has no basis in regulations (1 km down gradient from burial ground).
- The Draft EIS does not adequately address the requirement under Washington and federal laws that mixed waste be treated to the maximum reasonable extent.
- The Draft EIS assumes continuation of USDOE's self-regulation for radioactive wastes without any discussion of alternatives or implications.
- The Draft EIS reflects insufficient attention to consultation requirements under the Endangered Species Act.

## Consideration of closure, long-term care and costs is very limited

The Draft EIS does not deal with such long-term activities as site closure, corrective action, monitoring, maintenance, and post-closure institutional controls. It also does not assess nor compare disposal alternatives or low and high volumes according to the long-term care requirements imposed by each, and the costs of meeting the requirements.

## Transportation concerns are not addressed

The draft EIS addresses only on-site transportation of wastes, relying upon the generic and very dated Waste Management Programmatic EIS to cover how waste is transported to Hanford. Anyone who has driven along I-182 or SR-240 in the Tri-Cities area knows that land use along those routes has changed dramatically since the 1990 census used in the generic assessment of the proposed EIS. The Draft Solid Waste EIS also does not analyze rail transport on or off-site, even though rail transport is under active consideration.

## Summary

The EIS represents a missed opportunity for moving the discussion of Hanford and nationwide nuclear cleanup to a more productive level. The Department of Ecology encourages the Department of Energy to provide a comprehensive vision that assures the safe treatment, storage and disposal of Hanford's waste, and evaluates new alternatives and options for Hanford's role in supporting cleanup nationally. As it is now, the Draft Solid Waste -EIS continues doing business the old way and takes the narrowest possible view. Based on this draft, neither the public nor the state of Washington can address these issues with any confidence.

The state of Washington will submit detailed written comments, including specific suggestions for improvements in data, methods of analysis and presentation of information. Following guidelines for the National Environmental Policy Act, we will also point out where it is appropriate to acknowledge what is unknown. We thank you for this opportunity to give an overview of our findings.