Panel Discussion (contd)

With regard to chemicals in wastes that would be coming here, our assumption is they come treated to meet land disposal restrictions already, so they are ready to dispose.

So the chemical hazards are already mitigated in accordance with RCRA and, in our case, state requirements.

MR. DEE WILLIS: Anybody else?

MR. GERRY POLLET: I just love that answer. That's going to be written up in our comments pretty well.

MR. DEE WILLIS: All right.

MR. GERRY POLLET: In Federal Court on Friday the Department of Energy claimed that it is exempt from the land disposal restrictions and treatment requirements for all transuranic waste.

And yet you do your analysis as if it's treated, and we know you're going to store it there for 20 years, so you've got to consider it untreated.

MR. MICHAEL COLLINS: Well, you can go ahead and use the statement, but what I was talking about was mixed low-level

Panel Discussion (contd)

waste, not TRU waste.

MR. GERRY POLLET: But you are going to store the waste in the burial grounds.

MR. MICHAEL COLLINS: Not mixed waste, not mixed TRU.

MR. GERRY POLLET: Well, you are storing mixed TRU and you can't analyze it to definitively characterize it that it is not, and the Battelle characterization proved definitively that it is, and we will see if the Federal Court agrees or not.

MR. MICHAEL COLLINS: I will just say, the mixed TRU waste that is coming from off site sources is not being stored in the low-level burial grounds, it is being stored at T Plant.

MR. GERRY POLLET: The small amount of it that you have acknowledged has PCB contamination is being illegally stored at T plant where it can be inspected.

MS. AMBER WALDREF: I have pictures of that one, Gerry.

MR. GERRY POLLET: Great. That would be a good one to put up. And we know that the characterization of the process

Panel Discussion (contd)

lines that created this waste had a dozen characterization wastes that were not identified and it's in the Battelle waste that's in the burial grounds, or is planned to go into the burial grounds, and let's put up the picture --

MS. AMBER WALDREF: This is a picture we got from Ecology.

MR. MICHAEL COLLINS: Yeah. And that's not mixed waste.

MR. GERRY POLLET: Well, you can't prove it's not mixed waste, because it's too radioactive for you to characterize, right?

MR. DEE WILLIS: Let's go back to the facilitator.

George Sanders quickly.

MR. GEORGE SANDERS: Jerry's making being some references to the court filings and everything.

Obviously the Department takes some differing views of that. Mike cannot and will not answer questions regarding that litigation. Okay? Thank you.

MR. GERRY POLLET: Well, that's fine. But, you know, those of us suing

Panel Discussion (contd)

you are under no restraint from talking about why we are suing and the fact that you cannot even characterize the remote handled waste that's coming to Hanford, and you don't know what's in it, and it is being illegally and improperly stored.

And it's not Heart of America Northwest saying that, it is the state of Washington which took a hard look before they filed that suit.

MR. GEORGE SANDERS: I understand that, Gerry. I just wanted everybody to know they are getting one half of the story.

MR. GERRY POLLET: They know I am not giving your half, George.

MR. GEORGE SANDERS: Point taken. Thank you.

MR. DEE WILLIS: Mrs. Cohen has been waiting patiently. It is your turn.

MS. JUDY COHEN: When the waste energy plant was coming into Spokane, there were, quote, hearings about it. And we were told if we spoke, that basically we were too early in the speech process. And then we

Panel Discussion (contd)

were told we were too late.

And the end result is the energy plant went up, and everybody knows that was the last waste energy incinerator put up in the state of Washington.

And when we tried to get information about how much it was polluting, we were given all sorts of vague data or no data at all.

And I remember at one meeting several years after it had been running, the question was asked, what is the level of dioxin being emitted from the waste incinerator in Spokane, and we were given the answer that it did not violate any state standards.

So, when pressed then, well, what are the state standards, then it came up that the Department of Ecology and the state of Washington had no standards for dioxin.

So here is this great big hoax that's been perpetrated on people, and you have to do something to prevent this from continually happening in government's relationship to people.

So the answers to these hard questions have to be answered now, beforehand.

Panel Discussion (contd)

You have to have the savvy to anticipate what the problems could be. You have to take the expertise of what you know about your specific area and anticipate what problems will be and solve them before they happen, not after the fact, and then not try to be evasive and delude people that, don't worry, grandpa government is going to take care of everybody, and nobody has to worry about anything. The process has to be different.

MR. DEE WILLIS: Any response to that?

MR. DENNIS FAULK: I have one, actually. Certainly I won't defend DOE here, but the process I believe is really working, and you didn't have a hearing here last year.

But the first EIS they put out was not good at all. And they heard that. They heard that from 3800 people. They heard it from the agencies.

And they could have been a typical government agency and bull forward and went ahead and did their Record of Decision. It probably would have ended up in court.

But they didn't. They revised it.

Panel Discussion (contd)

And I don't think anyone who saw the original draft, and what it is today, could not say it is not a much better product. It has aways to go.

But again I think the process is really working pretty well for government. The proof will be in the pudding when we actually see the final analysis and what they build. But I guess I am semi encouraged.

MR. GERRY POLLET: You know, it's a mighty weak standard to say it's better than the last one, which was so grossly inadequate. Sorry, Mike, but it was.

And you had every regional stakeholder group, every level of government saying it was inadequate. You had a grade given that it was inadequate from EPA. The same administration, I will just point out. You can't say anything about that, I know, Dennis. And you had I believe nine members of Congress threatening to take action if they went forward with it. It's a pretty slim thing to say, oh, it's better than the last one.

The question today is, is it adequate, and I think what we have talked about

Panel Discussion (contd)

tonight is that there are scores of major inadequacies.

And the reason is two fold.

One, because the decision's already been made. Let's face it. The decision is made already. The Department of Energy has said, we want to use Hanford for a national radioactive waste dump. They didn't even wait for this EIS to be out before they started sending truck loads of transuranic waste. And that said it all.

Secondly, now that they are faced with court suits and litigation, they are hell bent on getting this out as fast as possible so that they can say we dotted that "i", crossed that "t", did the EIS, and have told Mr. Collins that he has to have his EIS done and a Record of Decision out this summer, which is an inadequate period of time for anyone to give a thorough review of it, the agencies to thoroughly review it, or for him to revise it and respond.

So, I'm not optimistic about us not being in court, you know. The problem is systemic, what is driving the decisions.

Panel Discussion (contd)

MR. GENE COHEN: Gene Cohen. I want to get a little more information. We spend 300 billion dollars on a war machine and two trillion dollars on a budget a year at the federal level, to say anything to the state and counties.

How complicated would it be to pour concrete trenches with machines that are made to do that, versus liners which are certainly going to be less adequate, where you can go back in at some future date, and you could do all kinds of things to the concrete trench.

If you are really trying to cap this thing and collect this thing, wouldn't it be more adequate, do concrete trench of some sort and a concrete cover which you can go back in future generations? Could it be that expensive?

MR. MICHAEL COLLINS: It would be certainly a lot more expensive. And you gain some time, but in the long run you still have to rely on a cap over it, because what you would do is you would estimate the life of that concrete liner, 200, 300 years.

MR. GENE COHEN: We have dams

Panel Discussion (contd)

running over a hundred years, and the technology, I haven't heard anybody tell me we are going to lose Hoover Dam or Grand Coulee. I think those are built to last 10,000 years.

MR. MICHAEL COLLINS: But they are maintained constantly. That's the difference.

In order for you to maintain these underground liners, you would have to take everything out all the time, redo the liner, or you would have to create a whole new one.

MR. GENE COHEN: I have never seen reservoir emptied to look at the back side. So I don't know that they are doing any maintenance on dams.

MR. DEE WILLIS: Other panel members?

MR. GERRY POLLET: Well, I will say, I happen to live next to a city of Seattle water reservoir, and you sure, you know, you sure do empty it to repair the liner several times a year.

And I think the concrete liner is an interesting, or concrete cap perhaps even better, an interesting idea. I don't know if

Panel Discussion (contd)

it is -- what it means in terms of the interaction with the chemicals and the radionuclides.

The advantage of concrete is that if it is breathable, you can allow the radon and other gases to escape, which is important in some of these wastes.

So I don't know if concrete is a reasonable alternative. But it's worth getting in the record to ask them to respond to that.

MR. DEE WILLIS: Anybody else? Ma'am?

MS. MARY MACKAY: This goes back to the repository in New Mexico and its certification. It has limited certification?

MR. MICHAEL COLLINS: What it has right now is New Mexico Environmental Department, which is the equivalent of Washington's Department of Ecology, a permit for the disposal, what's called contact handled TRU waste and TRU mixed waste, that's TRU waste with chemical constituents in it.

MR. GERRY POLLET: It has no permit for mixed waste, Mike. It does not have a permit for mixed waste.

Panel Discussion (contd)

MS. MARY MACKAY: So it's transuranic?

MR. MICHAEL COLLINS: It's all transuranic, though.

MS. MARY MACKAY: Does it have to be vitrified?

MR. MICHAEL COLLINS: No.

MS. MARY MACKAY: So they could take transuranic waste?

MR. MICHAEL COLLINS: Yeah. The plans are to send all the transuranic -- what's called the retrievably stored transuranic waste that's in the low-level burial grounds there. We are going to dig up 10,000, 11,000 cubic meters of transuranic waste from the burial grounds called the 618, 1011 burial grounds, stuff that's in storage right now, and newly generated transuranic waste is slated to go there.

MS. MARY MACKAY: But it's not going to take all the waste that was originally slated to go there? Why is that?

MR. MICHAEL COLLINS: Well, what Gerry was referring to it was Yucca Mountain, which is the high-lever waste, spent

Panel Discussion (contd)

1 nuclear fuel repository.
2 MR. GERRY POLLET: Although, I
3 mean, WIPP isn't, the waste isolation plant in
4 New Mexico, is not large enough to take all of
5 the Department of Energy's transuranic wastes
6 either. Not by a long stretch. Nor is it
7 licensed under the land withdrawal act of
8 Congress. It is limited in size and it can't
9 take nearly enough.
10 There is a huge controversy about
11 the transuranic waste that's in soil at
12 Hanford, Idaho, and other places that was put
13 there before 1970, and whether it will ever get
14 dug up and go to WIPP.
15 This EIS doesn't analyze that.
16 That's one of its flaws.
17 Secondly, the remote -- 90 percent
18 of what is being imported to Hanford now is
19 called remote handled, not contact handled.
20 MS. MARY MACKAY: Is what?
21 MR. GERRY POLLET: Remote
22 handled is much more radioactive, and WIPP is
23 not licensed to take this remote handled
24 transuranic waste.
25 MR. DEE WILLIS: What is

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Panel Discussion (contd)

WIPP?

MR. GERRY POLLET: New Mexico repository.

MR. MICHAEL COLLINS: Waste Isolation Pilot Plant.

MR. GERRY POLLET: It is not licensed currently, and it is not expected to be licensed for several more years, and DOE's own Hanford performance management plan says we don't expect to be able to ship that highly radioactive transuranic waste out of Hanford before 2013. And that's probably being very optimistic.

The mixed waste permit is not in place and it is on a slower timeline than the remote handled permit.

MR. GEORGE SANDERS: Are you talking about WIPP? We are shipping TRU there now. We have shipped it in the past as part of our shipping schedule.

MR. DEE WILLIS: The person that just asked those questions Mary Mackay.

MR. MICHAEL COLLINS: Can I follow up? Gerry is correct. The remote handled permit, if you will, is scheduled

Panel Discussion (contd)

around 2005, I believe the number is.

MS. MARY MACKAY: Why so long?

MR. MICHAEL COLLINS: Because they have to work through their state and DOE. The same way we have to do whenever we permit a mixed waste facility. And that can take years.

MR. DEE WILLIS: Mary Mackay, the previous woman.

All right. A question here. Name, please.

MS. MARY MACKAY: Now, where are you putting the -- where did you put the -- the transuranic waste at Hanford?

MR. MICHAEL COLLINS: Since 1988, and I will explain before later -- or in a minute. But after 1988 all transuranic waste, except for what's called remote handled, nonmixed transuranic waste, was put in above ground storage in either the Central Waste Complex, T Plant or a few other places.

The remote handled nonmixed stuff was put in the burial grounds, but it was put in big concrete encasements, and I think that that was that picture that Amber showed earlier. With the cap on it so it could be

Panel Discussion (contd)

retrieved later.

Before 1988, from 1970 to 1988, a lot of it was place underground with the intention of digging it up later. That's the remote handled transuranic waste, which we do have slated and going. This is a picture of it right now. From the 1970 to 1988.

MS. MARY MACKAY: And then the waste that's mixed waste, is put in the trenches?

MR. MICHAEL COLLINS: It hasn't been since 1988, no.

MS. MARY MACKAY: What has gone in the trenches? All these things are a little bit confusing.

MR. MICHAEL COLLINS: I understand. It is confusing to DOE people, too. Before 19 -- Before 1970 there was no TRU waste category.

MS. MARY MACKAY: I don't care about that.

MR. MICHAEL COLLINS: You just care about the mixed?

MS. MARY MACKAY: I care about the waste that has recently been brought

in.

MR. MICHAEL COLLINS: The shipments from Battelle Columbus and a place called E-TEK in California, that is either stored above ground in the Central Waste Complex, or above ground at T Plant, or if it's remote handled, nonmixed, it is in those underground vaults in the low-level burial grounds.

MR. GERALD POLLET: That is the picture Amber passed around. They are like cement culverts with a cap on it in the lined burial ground.

MS. JANE CUNNINGHAM: You in the very beginning, you were talking about building buildings to separate wastes, or separate something. I heard that. You talk quite fast.

MR. MICHAEL COLLINS: I know. I am caffeine induced.

MS. JANE CUNNINGHAM: I really just don't understand why you started bringing in more waste before these things were built and ready for it.

MR. MICHAEL COLLINS: We have

Panel Discussion (contd)

to build these new facilities anyway, or get this capacity to treat waste, like mixed low-level waste, or certify transuranic waste to get it down to the Waste Isolation Pilot Plant, even if we receive no waste from off-site. We have to do it anyway.

And the thought is, well, in the case of the transuranic waste, why go, why should a very small site go to the expense of spending millions of dollars to get the same kind of facility if we already have one here?

MS. JANE CUNNINGHAM: But that doesn't answer my question.

MR. MICHAEL COLLINS: Okay. I didn't understand, then.

MS. JANE CUNNINGHAM: You haven't built these facilities yet.

MR. MICHAEL COLLINS: Correct.

MS. JANE CUNNINGHAM: But you have brought in some of the waste.

MR. MICHAEL COLLINS: Uh-huh.

MR. GERRY POLLET: Jane, you sound exactly like the State of Washington's Attorney General, Christine Gregoire, said the same thing, which is there's no guaranty you

Panel Discussion (contd)

ever will build this facility to treat remote handled waste, but yet here it sits. Right.

Given the track record, her point is we don't know that they're going to build it, we're being forced to sue them to build it, at the same time we are suing to stop them from shipping this waste in.

MR. DEE WILLIS: Ms. Cunningham, did you get your questions answered?

MS. JANE CUNNINGHAM: I think I did. There is a great trust problem here.

MR. DEE WILLIS: I want to stop for just a minute with the questions and ask, because I am really obligated to ask this, given the information you have heard in the last hour, is there anybody that wants to give DOE again formal comment before we go on with questions?

Okay. Next question. Anybody?

MR. GERRY POLLET: Are you ready to say thank you?

MR. DEE WILLIS: I must say from my point of view, this is one of the best public meetings in terms of information

Panel Discussion (contd)

exchange that I have ever seen.

MR. GERRY POLLET: It's a fabulous honor to participate in this. I want to thank you for doing it. I want to thank all of you, and Mike, and George and Dennis. Thank you very much.

I think it is a great help to public participation to be able to sit here and go through this, and it's above and beyond for the agency people. This is not typical of an agency effort. So thank them.

MR. DEE WILLIS: Just a minute, please.

Ms. Cohen?

MS. JUDY COHN: I want to say that I think it is important to remember that there are far more people who have strong feelings about this than are present at this meeting.

I think most people are just overwhelmed with their lives and how hard they are struggling to try to make them work, and they read an article similar to that in the newspaper the other day and they just go, oh, my God, another thing, another front, another

battle. And they don't have the energy to fight all the battles because they are worried how they are going to pay their bills.

But, you know, you magnify the people in this room times so many other people that care, and just feel sort of hopeless about these issues, it's not out of apathy, I think it's just out of resignation and weariness with how our lives have been in the last few years.

MR. MICHAEL COLLINS: I just want to say, you are right. I mean, this room is not representative of the number of people that are actually involved. We received 3800 comments on the last one. People were very energized about it. We expect the same thing on this one.

MR. DEE WILLIS: One final comment here. You rarely get an opportunity to speak directly to somebody with a face of the Environmental Protection Agency, the face of DOE.

Is there anything else you want to say to these people before we leave tonight?

MS. JUDY CUNNINGHAM: Try

Panel Discussion (contd)

harder.

MR. DEE WILLIS: Okay. This meeting is closed. Thank you very much.

(10:20 p.m.)

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I, William J. Bridges, do hereby certify that at the time and place heretofore mentioned in the caption of the foregoing matter, I was a Certified Shorthand Reporter for the State of Oregon; that at said time and place I reported in stenotype all testimony adduced and proceedings had in the foregoing matter; that thereafter my notes were reduced to typewriting and that the foregoing transcript consisting, of 111 typewritten pages is a TRU and correct transcript of all such testimony adduced and proceedings had and of the whole thereof.

Witness my hand at Pendleton, Oregon, on this 12th day of May, 2003.

William J. Bridges
Certified Shorthand Reporter
Certificate No. 91-0244
My certificate expires: 10-31-03