

John T. Conway, Chairman
A.J. Eggenberger, Vice Chairman
John W. Crawford, Jr.
Joseph J. DiNunno
Herbert John Cecil Kouts

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

625 Indiana Avenue, NW, Suite 700, Washington, D.C. 20004
(202) 208-6400



February 23, 1995

The Honorable Hazel R. O'Leary
Secretary of Energy
Washington, D.C. 20585

Dear Secretary O'Leary:

The Defense Nuclear Facilities Safety Board (Board) has been gathering information concerning recent changes in measures previously planned in connection with characterization of high level nuclear waste in buried tanks at the Hanford Site. This program of characterization responded to the Implementation Plan for the Board's safety Recommendation 93-5.

Although the program of characterization of the waste is well behind schedule as the result of numerous problems that have plagued both sampling and the analysis of samples, the Board is informed that recent deferrals of a number of actions threaten to cause even further delays. The Board is further informed that steps are contemplated to abandon the original plan for characterizing the tanks, and to adopt a new methodology based generally on collecting samples only of the cover gas and of limited regions of the waste near the surface. Justification of reduction in requirements is planned in briefings to the Board in the near future. The Board wishes to point out that acceptance of reduction of the program as contemplated would be equivalent to requiring the Board to modify the original recommendation, which was specific as to the characterization needed. To institute the revised program as response to the original recommendation would really amount to a delayed rejection of that safety recommendation, triggering notification of Congress by the Secretary in accordance with Section 315(d) of P.L. 100-456, as amended.

It is the Board's view that the principal source of difficulty in meeting the provisions of the Implementation Plan for Recommendation 93-5 is found in the loose and ineffective structure of the technical and administrative organizations assigned to characterization of the waste tanks. That has caused numerous delays for relatively trivial reasons, that could have been readily overcome by a strong and determined manager with sufficient authority to unite actions by mutually supporting groups and to cut through red tape. Slowing down the schedule for characterization through deferrals at this time can only increase both the near term cost of characterization and the end cost of remediation if special effort is then needed to catch up on scheduling.

The Board believes that characterization of the waste in the Hanford tanks is important to nuclear safety at the site. Furthermore, in 1990 Department of Energy's Advisory Committee on Nuclear Facility Safety (the Ahearne Committee) identified characterization of this waste as an important safety issue for the Hanford Site.

The Board will attend carefully to any arguments advanced for program modifications based on scientific grounds. However, at this point we remain skeptical that a lesser program would provide adequate near-term evidence of safety of storage of high level waste in watch list tanks, or the information needed for long-term treatment and disposal of waste.

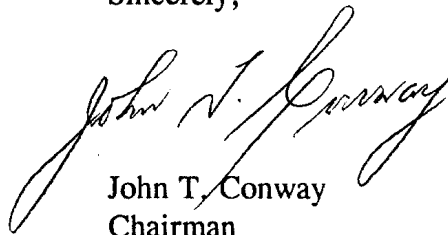
The deferrals and the planned reduction in sampling of tanks are apparently linked to budgetary considerations, as is evident from the letter of December 29, 1994, from John D. Wagoner (Manager, Richland Operations Office) to Thomas P. Grumbly (Assistant Secretary for Environmental Management, EM-1), subject FY 1996 EM Budget Reductions, (Revision 1). That letter proposed to eliminate completely any financial support of the program responding to DNFSB Recommendation 93-5.

The Board draws attention to Section 315(f)(2) of P.L. 100-456, as amended, which provides that

"If the Secretary of Energy determines that the implementation of a Board recommendation (or part thereof) is impractical because of budgetary considerations, . . . , the Secretary shall submit to the President, to the Committees on Armed Services of the Senate, and to the Speaker of the House of Representatives a report containing the recommendation and the Secretary's determination."

Further action by the Board in connection with Recommendation 93-5 will await the planned briefing of the Board by staff members of the Richland Operations Office and the Westinghouse Hanford Company.

Sincerely,



John T. Conway
Chairman