

Letter/Attachment for GTCC EIS Scoping Comment #99

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Re: Greater-Than-Class C Low-Level Radioactive Waste EIS Scoping

Mr. James Joyce
Office of Regulatory Compliance (EM-10)
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-0119

Dear Mr. Joyce,

In addition to my oral testimony at the Troutdale Greater-Than-Class C Low-Level Radioactive Waste (GTCC) hearing, I submit these written scoping comments on behalf of the Northwest Environmental Defense Center and the Oregon Toxics Alliance (Commenters).

First and foremost, because of the multitude of problems that have occurred and continue to occur in connection with the cleanup of the Hanford facility, no more waste of any kind should be brought to Hanford by the Department of Energy (DOE). Hanford currently stores more high-level nuclear waste than any other site in the United States and is not safely managing the waste it has on site today. The 53 million gallons of highly radioactive and toxic wastes that are stored in the Hanford tank farms are not expected to be cleaned up until 2032 by conservative estimates.

The planned vitrification plant for treating high-level nuclear wastes prior to their long-term storage is plagued by cost overruns and delays, therefore completion of cleanup will likely be much later than 2032. This past May, DOE's own Inspector General issued a report indicating that the vitrification plant "does not meet the stringent procedures, plans specifications, or work practices associated with nuclear quality standards." In March of this year, the U.S. Environmental Protection Agency issued a fine of more than \$1 million for the failure of DOE's contractor to properly manage the existing low-level nuclear waste disposal facility - the Environmental Restoration Disposal Facility. Additionally, just two months ago, Hanford experienced a spill of high-level waste while retrieving it from the tanks. Bringing more radioactive waste to Hanford, as is currently being contemplated, would simply exacerbate the problems at the site and further endanger the workers there. Therefore, the DOE should deem the Hanford site unsuitable for disposal of this GTCC waste.

In connection with all of the sites being considered for disposal of GTCC waste, the DOE should thoroughly consider the following issues:

- **Cumulative Impacts** Projections for GTCC waste go only to the year 2062, but DOE is currently promoting programs that would generate vast amounts of this waste far beyond that year with its Global Nuclear Energy Partnership (GNEP) and weapons programs. DOE should consider the cumulative impacts of all potential waste sources as mandated by the National Environmental Policy Act (NEPA) and its implementing regulations. The GNEP, weapons programs, and waste disposal options should be considered in a single overarching Environmental Impact Statement (EIS).
- **Public Health** DOE should consider any potential impacts to public health from natural disasters, accidental releases, or sabotage of this waste during transport or after disposal.
- **Endangered Species** The EIS should examine potential impacts to any endangered species that exist in the vicinity of the sites and consult with the appropriate partner federal agencies, as mandated by Section 7 of the Endangered Species Act (ESA).
- **Public Participation**
 - Notice should be given to all interested parties who have commented on or participated in other related waste activities at the potential sites. The notice for this public scoping period was sadly lacking.
 - As these disposal activities and the GNEP program mentioned above are of utmost concern to all the citizens of the United States, DOE should hold public hearings in all major population centers. Currently, DOE practice is to hold hearings in the small communities adjacent to the sites, where the local economy dictates a favorable response. If DOE truly wants a representation of broad sector public opinion, as it has previously stated, it should make it easier for a broad sector of the public to participate.
- **Hardened On-Site Storage (HOSS)** The EIS should thoroughly examine the potential for HOSS as a method of disposal of GTCC waste.
- **Security**
 - DOE should thoroughly assess the potential environmental impacts of terrorist threats during transport and after disposal of this waste.
 - In light of the DOE Inspector General's report of March, 2007, detailing the loss of 14 computers containing classified and highly sensitive nuclear information, the 'extraordinary means' required to locate an additional 125 computers, and the abysmal state of DOE recordkeeping in general, the EIS should outline corrective measures the DOE is taking to safeguard all its nuclear facilities.
- **Accuracy of Information**
 - In its Troutdale presentation, DOE showed a slide of an enhanced near surface vault, a proposed alternative method of disposal, and stated that this was a proven

- effective method of disposal. In reality, the pictured vault was a Hanford vault that has been deemed unacceptable for disposal because of an existing ground fault in the area. Nowhere has this method of disposal been 'proven effective'. None of DOE's information is trustworthy when errors of this sort exist.
- o DOE should refine its definitions of GTCC waste and 'GTCC-like' waste. Although it is currently deemed to be 'low-level' waste, federal officials admit that some of it is as radioactive as high-level waste and the GTCC inventory may also include transuranic waste, contaminated with plutonium.

Commenters thank you for the opportunity to provide these scoping comments and look forward to further commenting on the Draft EIS.

Respectfully,

Dona Hippert
Public Interest Attorney