



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

September 25, 2024

The Honorable Lisa Brown
City of Spokane
Office of the Mayor
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Dear Mayor Brown:

I write, on behalf of Governor Inslee, to formally respond to your letter dated September 18, 2024 (reference 1), concerning the transportation of treated waste from the Hanford Site near the Tri-Cities. As you know, this letter follows direct correspondence from the Governor's Office and is intended to provide further background and clarity.

First, I understand and share your concern for the health and safety of the communities we all serve in the City of Spokane and the State of Washington. The Department of Ecology's mission, as one of the Hanford site regulators, is to support a safe, robust, and lasting cleanup for the people of our state and nation. Much progress has been made in the last 35 years, and today, we face some of the most difficult work: treating 56 million gallons of hazardous and radioactive waste housed near the Columbia River. In this work, Ecology remains steadfastly committed to the protection of communities and environment from the legacy of nuclear and chemical contamination at Hanford.

Given the importance of this matter, I request that we meet at your earliest convenience to discuss the issue.

There has been a misunderstanding about the shipment of treated waste and a conflation between a research and development project and long-term cleanup plans, which have yet to be determined. Both projects are outlined below for your information. Please note, the U.S. Department of Energy is the site owner and operator and determines treatment and disposal sites. As you will see below, the research project, otherwise known as the Test Bed Initiative, went through a robust public process. Unfortunately, we were not afforded the opportunity to correct the misunderstanding before receiving your letter.

Test Bed Initiative:

The first project is the 2,000-gallon Test Bed Initiative Demonstration. This demonstration entails the separation and pretreatment of 2,000 gallons of low-activity waste at the Hanford Site. Once separation and pretreatment are done, Energy will ship the liquid waste to permitted facilities in containers approved by the United States Department of Transportation, outside Washington for grouting and permanent disposal. Energy is shipping this waste through Spokane. A fact sheet about the treated waste that will be transported was published by Energy and is referenced for further information (reference 2).

Before finalizing this project, federal and state law required Energy undertake several analyses and obtain permits. Specifically, for the 2,000-gallon Test Bed Initiative Demonstration, Energy was required to evaluate environmental impacts and adhere to regulations including completing a National Environmental Policy Act (NEPA) Environmental Analysis and a Waste Incidental to Reprocessing Evaluation. Energy obtained a research, development, and demonstration (RD&D) permit from Ecology and a treatability variance from the Environmental Protection Agency

Public comment was taken on the Waste Incidental to Reprocessing Evaluation in 2021, EPA's treatability variance in 2023, and on Ecology's RD&D permit earlier this year. Energy provided the NEPA Environmental Analysis to Tribes and the states of Washington, Oregon, Texas, and Utah for review and comment.

Holistic Agreement:

The second project is part of the Holistic Agreement reached by the Tri Parties (Energy, Ecology, and the EPA) earlier this year. According to the agreement, Energy will retrieve and treat low-activity waste from 22 underground tanks at the Hanford Site. This work will start no earlier than 2028. This treated waste will be grouted, either at the Hanford Site or another location, and then ultimately disposed of offsite. The decision on where to grout and transportation routes for waste disposal falls under Energy's authority. **At this time, Energy has not made a decision on where to grout the waste from the 22 tanks, nor has Energy determined potential routes to transport the waste from Washington to disposal sites in Texas and/or Utah.**

The Holistic Agreement requires Energy to comply with applicable regulatory processes such as NEPA prior to making its determination on where to grout the waste and selecting transportation routes for the waste. Ecology will review any environmental analysis that Energy prepares and provide comment. While the decision of what type of analysis to conduct under NEPA is Energy's to make, Ecology has communicated to Energy the importance of public comment on any environmental analysis for this action. Energy has also communicated it values public involvement and has informed Ecology that it will conduct public engagement on this decision (reference 3).

If Energy pursues constructing a grouting facility and conducting that activity at the Hanford Site, Ecology would need to issue state permits for the project and invite public comment on



Mayor Lisa Brown
September 25, 2024
Page 3

those permits. Ecology would review the Energy NEPA evaluation for any project requiring a state action such as a permit, under Washington's State Environmental Policy Act, and could carry out additional analysis if required.

We are concerned that information shared by the City of Spokane does not accurately reflect the Holistic Negotiations agreement reached by the Tri-Parties.

As stated above, I am requesting a meeting to discuss this issue in more detail. For scheduling, please contact my Executive Assistant, Teri North, at teri.north@ecy.wa.gov.

Yours Truly,

A handwritten signature in black ink, appearing to read 'Laura Watson', with a stylized flourish at the end.

Laura Watson
Director

Enclosures

cc: The Honorable Senator Patty Murray
 The Honorable Senator Maria Cantwell
 The Honorable Representative Cathy McMorris Rodgers
 Spokane County Board of Commissioners
 Spokane City Council

