

DOE Sues Washington Over Hanford Nuke Cleanup

State Set Waste Removal Deadlines

BY LINDA ASHTON
The Associated Press

YAKIMA, Wash. — The U.S. Department of Energy has sued the state Department of Ecology in a continuing dispute over the import and export of radioactive trash at the Hanford nuclear reservation.

The state has repeatedly fought written guarantees from the federal government that it will clean up and remove 78,000 barrels of plutonium-contaminated trash — called transuranic waste — along with barrels sent to Hanford from Energy Department facilities in other states.

Hanford has accepted about 40 barrels of transuranic waste from Ohio and California since December. Additional shipments have been suspended at least until an April 18 hearing in U.S. District Court in Yakima.

The state had planned to allow the Energy Department to import 170 barrels total as long as progress was made on dealing with Hanford's own 78,000 barrels.

The federal government refused to provide such written guarantees, saying its progress was obvious and the state would just have to trust the Energy Department.

When negotiations broke down last month, the state sued the Energy Department, accusing it of wanting to turn Hanford — already the most-contaminated nuclear site in the

U.S. District Court in Richland and Benton County Superior Court in Kennewick, essentially is an appeal of Fitzsimmons' order.

"Recent actions by the state of Washington could have a chilling effect on cleanup operations at Hanford and elsewhere," said Jessie Roberson, the Energy Department's assistant secretary for environmental management.

"The Department of Energy has fundamentally changed the cleanup program for every site

in the country," Roberson said. "Our balanced and integrated cleanup approach is making progress. Washington's recent action runs counter to our accelerated cleanup goals."

Christine Gregoire, the state's attorney general, responded:

"The only chilling effect on Hanford cleanup efforts was the Department of Energy's decision to walk away from a negotiated settlement to dispose of 78,000 barrels of transuranic waste at Hanford.

"The Department of Energy's legal action today will not chill the state's efforts to protect citizens and the environment from the dangers posed by the nuclear waste at Hanford."

Both Fitzsimmons' unilateral order and the Energy Department appeal are allowed under the 1989 Tri-Party Agreement, the legal pact among the Energy Department, the U.S. Environmental Protection Agency and the state, that governs cleanup at Hanford.

The Energy Department

wants to send all the transuranic waste — typically plutonium-contaminated items such as protective clothing, tools and pipes — from its sites to the Waste Isolation Pilot Plant in New Mexico. But some of the waste has been sent to Hanford in the interim because it has one of the country's few facilities that can check and repack barrels of radioactive trash to make sure they meet WIPP storage standards.

The Energy Department said that since 2000, it has shipped

more than 550 drums of transuranic waste from Washington state to WIPP, and "the department is making good on its intention that for every drum of waste brought into Hanford, two would leave," the agency said.

The 586-square-mile Hanford reservation was established to make plutonium as part of the top-secret Manhattan Project to build an atomic bomb during World War II and continued as a plutonium production site until the end of the Cold War.



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