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Department of Ecology
NWP - Richland

Washington State Department of Ecology
3100 Port of Benton Boulevard
Richland, WA 99354

Dear Department of Ecology:

Comments below are for the proposed new TPA milestones that collectively address the cleanup of soil, groundwater, and facilities at the Hanford Site. The proposed new cleanup milestones begin in 2026 and apply to all areas of the Hanford Site except the tank farms. The comment period is from December 10, 2025, through February 8, 2026.

1. According to the TENTATIVE AGREEMENT ON THE NEGOTIATION OF HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER REVISIONS FOR THE M-015, M-016, AND M-085 MILESTONES, the proposed Adaptive Milestone approach will focus on near term (within 5 years) for enforceable milestones, while being flexible on items that are farther out. This approach was piloted in 2021 according to the INTERAGENCY MANAGEMENT INTEGRATION TEAM (IAMIT) DETERMINATION Number 2021-002. It would help to have any reports or lessons learned from the pilot program(s). How much money was saved? Was more work accomplished? A procedure for the adaptive process would be helpful, especially if based on lessons learned after the 2021 experience. A more formal approach could help avoid repetitions of prior problems. I noticed that the adaptive approach has been implemented in the Appendix D Action Plan Work Schedule for previous milestones. In the Appendix D current as of December 29, 2025, multiple M-037 milestones call out the same adaptive approach. How is it working out?
2. *The Department of Energy's Fiscal Year 2025 Consolidated Financial Statements*, DOE OIG-26-03, concluded that "insufficient audit evidence exists to support liability and cost estimates for the Hanford Site." Until the audit evidence improves, focus on near term items is a pragmatic approach that could avoid churning milestones. However, Ecology and DOE should not lose sight of fundamental good practices, the value of integrated flow sheets to improve safety and avoid rework, and the need to improve liability and cost estimates.

3. Enforceable milestones may need to be specifically called out as ENFORCEABLE in Appendix D. A general or conditional “due date” may not be specific enough. Note that the ‘National Defense Authorization Act for Fiscal Year 2026’, § 6174 (3) requires reporting of enforceable agreement data for Hanford. The NDAA requires the DOE Environmental Cleanup Plan to contain:

(A) A statement of each milestone included in an enforceable agreement governing cleanup and waste remediation for that site for each fiscal year covered by the plan. (Are Adaptable Milestones, actual milestones? Or just goals?)

(B) For each such milestone, a statement with respect to whether each such milestone will be met in each such fiscal year.

(C) For any milestone that will not be met, an explanation of why the milestone will not be met and the date by which the milestone is expected to be met.

(D) For any milestone that has been missed, renegotiated, or postponed, a statement of the current milestone, the original milestone, and any interim milestones.

It would help to have clearly defined milestones that comprise valid scope for the NDAA Environmental Cleanup Plan. How is the adaptive approach handled in the NDAA reporting?

4. Among the near-term focus topics is startup of transuranic/transuranic mixed waste (TRU/TRUM) certification and shipping per the existing M-091 milestone series. Integration with M-091 milestones for off-site shipping of TRUM needs to include preference for on-site treatment, not off-site at PFNW, which is close to the public and 10 ft above the water table. M-091-00 calls for transferring waste to “a permitted and compliant” treatment unit. “Permitted and compliant” does not address the least-risk, most responsible approach of treating the waste on-site, far away from the Richland City limits, and well above the water table. For example, TRU retrievable drums are increasingly deteriorated and hazardous to handle. It is best to treat this waste on-site.

Thank you for considering these comments.