HANFORD ADVISORY BOARD, PORTLAND, OR, MERILYN B. REEVES
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HANFORD ADVISORY BOARD

A Site Specific Advisory Board, Chartered under the Federal Advisory Committee Act

Advising:
US Dept of Energy
US Environmental Protection Agency
Washington Dept of Ecology

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Washington Health Department

David Nulton
Director, NEPA Compliance and Outreach
Office of Fissile Materials Disposition
Department of Energy
PO Box 23786
Washington, DC 20026-3786

Sent by Facsimile to 1-800-820-5156 and by US Mail

May 3, 1996

Dear Mr. Nulton:

Re: Storage and Disposition of Excess Weapons Useable Plutonium and Special Nuclear Materials (SNM) (HAB Advice #46)

The draft Plutonium Programmatic Environmental Impact Statement (PEIS) indirectly considers Hanford as a potential site for certain activities within the scope of the plutonium safe storage and disposition program by the virtue of the site's current capability and plutonium possession. The Hanford Advisory Board is opposed to the piecemeal approach to nuclear material storage and disposition like that taken in the PEIS on plutonium disposition. We have on three previous occasions adopted advice to USDOE urging an integrated public discussion on these issues. (Board Advice #13, 34 and 38) We have a commitment from USDOE leadership to initiate such a process. Therefore, a ROD on the narrow choices presented in this EIS is premature pending the National Equity Dialogue. The Board is opposed to the use of the bore hole option at Hanford. At this time, the Board has not expressed a preference for one of the other disposal options. However, the Board does have a number of values/issues which relate to a plutonium (Pu) and spent nuclear material (SNM) program. Many of these values/issues have been previously provided to you as advice or recommendations for other Hanford programs. These values are: 1/08.02.00 2/08.03.01

1. Any plutonium or SNM storage or disposal program must be compatible and integrated with the TPA commitments and milestones and should not affect the rate or funding of cleanup. The program would have the safe disposition of Hanford plutonium as a priority. 3/11.00.01

Contact: Confluence Northwest, Facilitation Team
800 NW Sixth Avenue, Suite 342, Portland OR 97209-3715 Phone (503) 243-2583 Fax (503) 243-3883

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08 02 00 Comment Number 1

The Department of Energy acknowledges the commentor's support for coordination and increased understanding of decisions to be made concerning the storage and disposition of weapons-usable fissile materials. However, the National Dialogue Project is beyond the scope of this PEIS.

08 03 01 Comment Number 2

The Department of Energy recognizes the commentor's concern with the Borehole Alternatives. Decisions on the disposition alternatives will be based upon environmental analyses, technical and economic studies, national policy considerations, and public input.

11 00 01 Comment Number 3

Comment noted. DOE's Fissile Materials Disposition Program is an integrated effort that will require the participation of a number of DOE sites that have weapons material experience. DOE acknowledges the commentor's concern about the potential effect that selection of Hanford for new missions could have on the Hanford cleanup program. It is DOE's intent that the implementation of Fissile Materials Disposition Program decisions will have little or no impact to ongoing cleanup programs. Decisions on storage and disposition of weapons-usable fissile materials will be based on environmental analyses, technical and economic studies, national policy considerations, and public input. The decision process will also give consideration to existing agreements between DOE, the State of Washington, and the Environmental Protection Agency (EPA).

2.	Any plutonium program assigned to Hanford must be fully funded from new funding sources. This funding should include appropriate site infrastructure and overhead costs. Funding should fully cover the cost of treatment, storage and disposal of any new waste streams.	4/07.00.00
3.	The acceptance of plutonium at Hanford should not delay, defer, or negatively impact Hanford cleanup.	5/11.00.01
4.	Appropriate local and regional public information and involvement programs must be conducted by the agencies to ensure that the public is fully informed of the risks, hazards and impacts of such a program. This would be part of the national dialogue on all nuclear materials (noted above) prior to assignment of nuclear materials to a specific site.	6/08.02.00
5.	Any permit or plan approval for new Hanford programs/activities must be fully integrated and must comply with all State of Washington public health and safety rules and regulations.	7/08.03.00
6.	Equity impacts must be addressed in the assignment of new nuclear materials (including plutonium) to Hanford.	8/01.00.00
7.	The transportation of plutonium and special nuclear materials to Hanford storage will require careful planning of routes and consideration of weather emergencies to minimize the likelihood of an accident. Emergency preparedness for minimizing the impacts from an accident will require financial support from DOE for state, tribal, and local involvement, including adequate equipment and training. When materials are shipped, timely notification should be provided to transportation agencies.	9/10.01.00
8.	The choice of disposal options re: Pu will be a determinant for sites such as Hanford. Prior to the choice of a disposal option, complete characterization of the material and the impacts of short and long-term disposition technologies must be reviewed by the public and regulatory agencies.	10/08.02.00
9.	Acceptable processing techniques including waste processing must be developed as an integrated part of any new Hanford storage and disposal program. Permanent disposal of waste plutonium at Hanford is not acceptable.	11/09.11.01

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07 00 00 **Comment Number 4**

Funding for all alternatives will be through the Government's budget process. It is not a part of the environmental analysis.

11 00 01 **Comment Number 5**

The Department of Energy will not begin implementation of the Proposed Action at any site without having given full consideration to the environmental, cost, schedule and policy analyses, public comments, and agreements with various states regarding the clean-up activities on the sites. Therefore, implementation of the Proposed Action is not expected to cause adverse impacts to ongoing programs at the selected site(s).

08 02 00 **Comment Number 6**

The Department of Energy uses a wide variety of methods to communicate with the public on these important issues. These methods include public meetings, as part of the NEPA process, and meetings outside of the process, such as the Plutonium Round Table. Numerous fact sheets and displays are made available at the meetings as well as by mail. All of this information is available on the Program's electronic bulletin board.

08 03 00 **Comment Number 7**

It is recognized that the decision to locate any of the alternatives at a site would require coordination with State and local officials on a variety of areas including the mission of the site.

01 00 00 **Comment Number 8**

Comment noted. Equity will be considered in DOE's decisionmaking process along with all other factors.

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10. A "systems" analysis approach should be utilized to select the most effective method for processing and interim storage. This analysis should adequately address public and worker health and safety and environmental issues. | 12/08.03.00

11. If a plutonium disposition mission is assigned to Hanford, every effort should be made to use existing workforce, facilities, technologies, and other resources. | 13/09.00.01

Finally, we note that this PEIS does not address cumulative impacts of nuclear material movement and disposition as required by NEPA. | 14/08.00.00

The Health, Safety and Waste Management Committee of the HAB looks forward to further discussions and working with you on this issue. The Board looks forward to your written response, as called for in our charter.

Very truly yours,

Merilyn B. Reeves, Chair
Hanford Advisory Board

attachments: Board Advice #13, 34 and 38

cc: Thomas Grumbly, DOE
John Wagoner, DOE
Alice Murphy, DOE
Chuck Clarke, EPA
Mary Riveland, Ecology
Cindy Kelly, Designated Federal Official
Linda Lingle, Site Representative
Jim Mecca, DOE (by fax)
The Oregon and Washington Congressional Delegations

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10 01 00 Comment Number 9

Logistical planning and meteorological surveillance are standard concerns which normally receive a great deal of attention during transportation operations such as this; transfer of materials to Hanford would hold no exceptions. Emergency preparedness personnel (that is, Emergency Response Teams) will be supplied with the necessary equipment and training commensurate with Department of Transportation (DOT), DOE, and NRC regulations. Sufficient funding for these concerns will be available to satisfactorily ensure that potential contingencies be dealt with in an effective and timely manner. DOE provides liaison with appropriate agencies for special nuclear material shipments. However, due to their classified nature, specific information on times and dates cannot be provided.

08 02 00 Comment Number 10

Before and after decisions are made on a disposition technology or technologies, DOE will conduct studies and technical demonstrations to fully understand the full impact of disposition actions. This information will be made available to the public, as appropriate.

09 11 01 Comment Number 11

The conceptual designs for the storage and disposition facilities have, as part of their design, waste management facilities that would treat and package all waste generated into forms that enable long-term storage and/or disposal in accordance with RCRA and other applicable Federal and State statutes and DOE Orders. As noted in Section 4.1.10 of the PEIS, waste management activities that would support the long-term storage or disposition of weapons-usable fissile materials were assumed to be per current site practice. Thus, only low-level waste (LLW) and possibly some solid nonhazardous waste was assumed to be disposed of onsite. Any future waste management facilities that may be required to support the long-term storage or disposition of weapons-usable material would be coordinated with any decisions in the waste-type-specific RODs resulting from the Waste Management PEIS and respective site-specific NEPA documentation.

HANFORD ADVISORY BOARD

Chuck Clarke, Regional Administrator
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue
Seattle, WA 98101

Mary Riveland, Director
Washington Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

John Wagoner, Manager
Department of Energy, Richland Operations
PO Box 550 (A7-50)
Richland, WA 99352

February 8, 1995

RE: Off-site Mixed Waste Acceptance

Dear Messrs. Clarke and Wagoner, and Ms. Riveland:

The following advice was adopted by the Hanford Advisory Board on February 3, 1995.

The State of Washington and U.S. EPA should not allow the U.S. Department of Energy or U.S. Department of Defense to transfer to the Hanford site any "Mixed (hazardous and radioactive) Waste" unless the following criteria are met:

1. A general condition of permit and plan approval and subsequent off-site waste acceptance in Washington State should be on-going substantive compliance with Washington Dangerous Waste laws and the terms, conditions, and schedules of permits, consent orders and clean-up agreements (e.g. the Tri-Party Agreement) between the DOE and the State. 15/15.00.00

2. Acceptance of off-site waste must be contingent on existing facility capacity and on availability of funding to handle processing and storage needs, while having a neutral or positive impact on Hanford clean-up.

3. In all instances where DOE proposed to treat off-site wastes at Hanford, a written reciprocal agreement should be required between the State of Washington, the state of origin of the off-site waste and the Department of Energy.

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08 03 00 **Comment Number 12**

Comment noted.

09 00 01 **Comment Number 13**

Comment noted and will be taken into consideration when DOE is ready to select sites to implement Pu disposition technologies.

08 00 00 **Comment Number 14**

The Department of Energy has determined that, based on historical trends and regulatory constraints, impacts associated with transportation of nuclear materials are unlikely and not otherwise significant. Therefore, no cumulative analysis of transportation impacts is performed. The cumulative impacts analysis is located in Section 4.7 of the PEIS.

15 00 00 **Comment Number 15**

The PEIS analyzes the storage of nonsurplus weapons-usable fissile materials and surplus Pu pending disposition. All materials are assumed to have been stabilized and packaged according to recommendations made by the Defense Nuclear Facilities Safety Board (DNFSB) prior to storage, and are not considered waste until disposition actions have been completed.

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4. In deciding whether to approve storage, technical, economic and equity concerns should be addressed. Prolonged storage of off-site wastes prior to treatment, or of post-treatment residuals, generally should not be approved.

5. No pretreatment storage should be allowed at the receiving site unless it has been approved in the written reciprocal agreement between the shipping and receiving states.

6. Plans and schedules to treat off-site wastes should be approved only in instances where there is a binding legal obligation on the part of DOE for primary and secondary off-site storage facilities designed to receive post-treatment residuals before wastes are allowed to be shipped to Hanford. Plans and schedules should specify that generally no residuals will be stored or disposed of at Hanford . In the event of substantial noncompliance with Washington Dangerous Waste Law requirements, or failure to have off-site facilities available for return of post-treatment residuals, off-site waste will not be accepted at Hanford. Lacking specific agreement between the state, DOE and state of origin, waste residuals should be returned to the site of origin or other compliant facilities to be specified in plans and schedules.

15/15.00.00 cont.

7 When reviewing requests from other sites/states to accept mixed wastes for treatment at Hanford, the sending sites's treatment plan should be scrutinized to determining whether there has been thorough consideration of on site treatment and pre-shipment storage. Off-site wastes should not be accepted for treatment where such analysis is lacking or not compelling, unless it is otherwise approved in the reciprocal agreement between the sending and receiving states.

8. Receipt of any off-site wastes for treatment should require submission by shipping state of a schedule for shipment, treatment, and post-treatment residuals management, and prior written approval by the State of Washington.

9. Transport of off-site waste to Hanford for treatment will require careful planning of routes and consideration of weather emergencies to minimize the likelihood of an accident. Emergency preparedness for minimizing the impacts from an accident will require financial support from DOE to state, tribal and local involvement, including adequate equipment and training. When materials are shipped, timely notification should be provided to transportation agencies.

10. Cumulative impacts (e.g. of other wastes types) must be analyzed and considered in decisions concerning the movement and treatment of DOE mixed wastes. DOE

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must fully disclose all projected waste types and quantities that maybe shipped to Hanford prior to any consideration by Washington of TSD permits for mixed wastes generated at other facilities. This information must be part of the PEIS and Draft Site Treatment Plan public comment/public participation process, and of an inter-regional and inter-site advisory board dialogue, prior to development of final Site Treatment Plans and any agreement by Washington State to accept off-site wastes.

11. Hanford off-site waste acceptance criteria must include provision for inspection and payment of appropriate permit fees to cover all state costs, including inspection of pre-shipping procedures. Existing Mixed Waste facilities at Hanford must be in substantial compliance with the Tri-Party Agreement milestones, other orders or agreements and RCRA or state law requirements in order for permits to be issued or amended to allow off-site Mixed Wastes to be treated, stored or disposed of at Hanford.

15/15.00.00 cont.

The Board and its Health, Safety & Waste Management Committee will consider both additional information that has not been presented to date as well as agencies' responses to this advice. Based on that additional information and agency responses, it is expected that the Board will offer additional advice and recommendations to the U.S. Department of Energy, USEPA and the Department of Ecology.

The Board would like the State of Washington to explore options to control other materials (including low level waste, plutonium or transuranic (TRU) contaminated waste) intended for transport by DOE to Hanford for storage, treatment and/or disposition.

Very truly yours,

Merilyn B. Reeves

Merilyn B. Reeves, Chair
Hanford Advisory Board

cc: Thomas Grumbly, Department of Energy

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HANFORD ADVISORY BOARD

A Site Specific Advisory Board, Chartered under the Federal Advisory Committee Act

Thomas Grumbly
Assistant Secretary for Environmental Management
Department of Energy
1000 Independence Avenue SW
Washington D.C. 20585

November 3, 1995

Re: Waste Management PEIS and Public Involvement, HAB Consensus Advice #34

Dear Mr. Grumbly:

At its November 2-3 meeting, the Hanford Advisory Board adopted the following advice relating to the Waste Management PEIS and public involvement.

Advice

The Hanford Advisory Board is concerned by USDOE Headquarters' inadequate planning and decisions for public involvement and information for the Waste Management PEIS. Publicity to promote public involvement has not met the standard expected. There is a need for timely and meaningful disclosure to the public in the Northwest of all relevant waste and nuclear materials movement actions, impacts and alternatives for the Waste Management Programmatic EIS.

This Board expressed strong reservations about USDOE's plans to hold one single multisite videoteleconference hearing for public comment from 6 cities. Those concerns were not heeded nor mitigated.

The Board is upset that DOE-HQ refused to place any notice advertising in major newspapers for 5 of the 6 cities where the hearing will be held, other than in the legal notices.

Northwest stakeholders and the Hanford Advisory Board have urged USDOE to disclose, and integrate impact and alternative analyses into one public document and process, all wastes and nuclear materials which USDOE is considering treating, storing and disposing at Hanford and throughout the complex. You personally committed at the Plutonium Roundtable in Seattle to such integration and disclosure. We remain concerned that such an integrated approach disclosing all interrelated and cumulative impacts should be available in time for public input to this major WM Programmatic EIS. 16/08.00.00

Therefore, the HAB urges USDOE to utilize an independently facilitated inter-site

HAB Consensus Advice #34 Page 1
Subject: Waste Management PEIS and Public Involvement
Adopted: November 2-3, 1995

Contact: Confluence Northwest, Facilitation Team
[illegible] SW Sixth Avenue, Suite 142, Portland OR 97209-3795 Phone (503) 243-2653 Fax (503) 243-1653

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08 00 00 Comment Number 16

This comment is outside the scope of the PEIS and, therefore, has been referred to EM for response.

stakeholder planning process to: cooperatively develop a meaningful integrated public participation process on the Department's proposed actions to ship for storage, treatment or disposal of DOE's nuclear and hazardous wastes and nuclear materials. The HAB requests DOE to keep the WMPEIS comment period open to implement any process resulting from the November 29th intersite meeting. 16/08.00.00 cont.

The Board looks forward to your written response, as called for in our charter.

Very truly yours,

Merilyn B. Reeves, Chair
Hanford Advisory Board

cc: Chuck Clarke, EPA
Mary Riveland, Ecology
John D. Wagoner, Manager
Cindy Kelly, Designated Federal Official
Linda Lingle, Site Representative
The Oregon and Washington Congressional Delegations

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HANFORD ADVISORY BOARD

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Ex-Officio
Confederated Tribes of the Umatilla
Washington Health Department
Yakama Indian Nation

Thomas P. Grumbly
Assistant Secretary for Environmental Management
Department of Energy
1000 Independence Avenue SW
Washington DC 20585

December 8, 1995

RE: Draft Waste Management Programmatic Environmental Impact Statement (DOE/EIS-0200-D)

Dear Mr. Grumbly:

The Hanford Advisory Board believes the following advice reflects the criteria DOE, EPA, WDOE, should use in selecting and negotiating alternatives. This advice is identical to HAB consensus advice #13 on "Off Site Mixed Waste Acceptance" adopted on February 3, 1995, and forms the basis for this additional advice and recommendations.

The State of Washington and U.S. EPA should not allow the U.S. Department of Energy or U.S. Department of Defense to transfer to the Hanford site any hazardous and radioactive waste unless the following criteria are met:

1. A general condition of permit and plan approval and subsequent off-site waste acceptance in Washington State should be on-going substantive compliance with Washington Dangerous Waste laws and the terms, conditions, and schedules of permits, consent orders and clean-up agreements (e.g. the Tri-Party Agreement) between the DOE and the State.

2. Acceptance of off-site waste must be contingent on existing facility capacity and on availability of funding to handle processing and storage needs, while having a neutral or positive impact on Hanford clean-up.

3. In all instances where DOE proposed to treat off-site wastes at Hanford, a written reciprocal agreement should be required between the State of Washington, the state of origin of the off-site waste and the Department of Energy.

4. Technical, economic and equity concerns should be addressed in deciding whether to approve storage. Prolonged storage of off-site wastes prior to treatment, or of post-treatment residuals, generally should not be approved.

HAB Consensus Advice #31
Subject: Draft Waste Mgmt Programmatic EIS (DOE/EIS-0200-D)
Adopted: December 7-8, 1995

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This advice represents HAB consensus for this specific topic. It should not be taken out of context to extrapolate Board agreement to other subjects matters.

Contact: Confluence Northwest, Facilitation Team
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Phone (503) 243-1643 Fax (503) 243-1683

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5. No pretreatment storage should be allowed at the receiving site unless it has been approved in the written reciprocal agreement between the shipping and receiving states.

6. Plans and schedules to treat off-site wastes should be approved only in instances where there is a binding legal obligation on the part of DOE for primary and secondary off-site storage facilities designed to receive post-treatment residuals before wastes are allowed to be shipped to Hanford. Plans and schedules should specify that generally no residuals will be stored or disposed of at Hanford. In the event of substantial noncompliance with Washington Dangerous Waste Law requirements, or failure to have off-site facilities available for return of post-treatment residuals, off-site waste will not be accepted at Hanford. Lacking specific agreement between the state, DOE and state of origin, waste residuals should be returned to the site of origin or other compliant facilities to be specified in plans and schedules.

7. When reviewing requests from other sites/states to accept wastes for treatment at Hanford, the sending site's treatment plan should be scrutinized to determine whether there has been thorough consideration of on site treatment and pre-shipment storage. Off-site wastes should not be accepted for treatment where such analysis is lacking or not compelling, unless it is otherwise approved in the reciprocal agreement between the sending and receiving states.

8. Receipt of any off-site wastes for treatment should require submission by shipping state of a schedule for shipment, treatment, and post-treatment residuals management, and prior written approval by the State of Washington.

9. Transport of off-site waste to Hanford for treatment will require careful planning of routes and consideration of weather emergencies to minimize the likelihood of an accident. Emergency preparedness for minimizing the impacts from an accident will require financial support from DOE to state, tribal and local involvement, including adequate equipment and training. When materials are shipped, timely notification should be provided to transportation agencies.

10. Cumulative impacts (e.g. of other wastes types) must be analyzed and considered in decisions concerning the movement and treatment of DOE wastes. DOE must fully disclose all projected waste types and quantities that may be shipped to Hanford prior to any consideration by Washington of TSD permits for wastes generated at other facilities. This information must be part of the PEIS and Draft Site Treatment Plan public comment/public participation process, and of an inter-regional and inter-site advisory board dialogue, prior to development of final Site Treatment Plans and any agreement by Washington State to accept off-site wastes.

11. Hanford off-site waste acceptance criteria must include provision for inspection and payment of appropriate permit fees to cover all state costs, including inspection of pre-

HANFORD ADVISORY BOARD, PORTLAND, OR, MERILYN B. REEVES PAGE 11 OF 11

shipping procedures. Existing Waste facilities at Hanford must be in substantial compliance with the Tri-Party Agreement milestones, other orders or agreements and RCRA or state law requirements in order for permits to be issued or amended to allow off-site wastes to be treated, stored or disposed of at Hanford.

The HAB is concerned that the WMPEIS has used the Baseline Environmental Management Report (BEMR) as its source for estimated waste volumes. We urge USDOE to work with individual sites to verify and validate these estimates, as well as other identified assumptions.

USDOE should develop an effective decision-making process to integrate those EISs dealing with waste storage, treatment and disposal from USDOE's facilities. This process must be designed in a way that will earn the agreement of the affected states and Indian nations, and the support of SSABs and other affected stakeholders; this process must also contain a strong public involvement element. Please refer to HAB Advice #34, requesting an integrated public participation process. The SSABs can play a key role in public involvement, but it must be augmented by a broader outreach program. USDOE should work with stakeholders to ensure that their values are factored into alternatives being considered in the WMPEIS. We have attached two documents ("The Future for Hanford: Uses & Cleanup" from the Future Site Uses Working Group and the Final Report of the Hanford Tank Waste Task Force) which identify the values of Hanford stakeholders.

The Hanford Advisory Board urges the Washington State Department of Ecology and the U.S. Environmental Protection Agency be fully involved in decisions that would impact the Hanford site, particularly in decisions that could compete with or detract from the site's cleanup mission and the resources it requires.

We look forward to your written response as is called for in our charter.

Very truly yours,

Merilyn B. Reeves

Merilyn B. Reeves, Chair
Hanford Advisory Board

cc: Chuck Clarke, U.S. Environmental Protection Agency, Region 10
Cindy Kelly, Designated Federal Official
Linda Lingle, Site Representative
Mary Riveland, Washington Department of Ecology
John Wagoner, Department of Energy - Richland Operations
The Oregon and Washington Congressional Delegations

HAB Consensus Advice #38
Subject: Draft Waste Mgmt Programmatic EIS (DOE/EIS-0200-D)
Adopted: December 7-8, 1993

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This advice represents HAB consensus for this specific topic. It should not be taken out of context to extrapolate Board agreement on other subjects matters.

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