

**Hanford Natural Resource Trustee Council
Regular Meeting**

Tuesday-Thursday, May 17-19, 2011
State Department Building, HAMMER, Richland, Washington

MEETING SUMMARY, v2 - FINAL

Meeting Participants:

Primary Trustees	Alternate Trustees	Others
Barbara Harper, Confederated Tribes of the Umatilla Indian Reservation (CTUIR)	Janis Ward, DOE (Tues & Wed) Joe Bartoszek, FWS John Carleton, State of Washington (Department of Fish and Wildlife)	Paula Call, DOE (Tues) Jim Hansen, DOE (Tues) Barbara K. Wise (DOE contractor) via phone (Thurs) Steve Wisness, YAHS GS (contract support to DOE) Rico Cruz, CTUIR Matt Johnson, CTUIR - via phone (Tues) Steve Link, CTUIR - via phone (Tues & Wed) Ann Bailey, EcoChem/IEc (DOE NRDA contractor) via phone (Thurs) Leslie Genova, IEC (DOE NRDA contractor) via phone (Thurs) Jen Kassakian, IEC (DOE NRDA contractor), Wed and Thurs Bob Unsworth, IEC (DOE NRDA contractor) via phone (Wed) Alix Van Geel, IEC (DOE NRDA contractor) via phone (Thurs) Daniel Dietrich, NOAA via telephone (Wed) Gabriel Bohnee, Nez Perce Tribe (Tues) Jonathan Matthews, Nez Perce Tribe (Wed) Dale Engstrom, State of Oregon via phone (Wed) Jean Hays, State of Washington (Department of Ecology), (Tues & Wed) Leah Sue Aleck, Yakama Nation (Thurs) Michael Calac, Yakama Nation (Thurs) Natalie Swan, Yakama Nation via phone (Wed) Kristin Callahan, Ridolfi, Inc (contractor to Yakama Nation) via phone (Wed) Sherrie Duncan, Ridolfi, Inc (contractor to Yakama Nation) - via phone (Wed) Colin Wagoner, Ridolfi, Inc (contractor to Yakama Nation) - via phone (Wed) Ruth Nicholson, Nicholson Facilitation & Associates, LLC (contractor)
Dana Ward, U.S. Department of Energy (DOE)		
Russ MacRae, U.S. Fish and Wildlife Service (FWS)		
Charlene Andrade, National Oceanic and Atmospheric Administration (NOAA), Wed & Thurs		
Jack Bell, Nez Perce Tribe		
Paul Shaffer, State of Oregon		
Larry Goldstein, State of Washington (Department of Ecology), Tues & Wed		
Jay McConnaughey, Yakama Nation		



Tuesday, May 17, 2001

Russ MacRae, HNRTC chair, opened the meeting at 1:15 pm. The Council adopted the agenda for the meeting.

Meeting Summaries

Larry Goldstein made a motion to approve the March Council meeting summary as amended. Paul Shaffer seconded the motion. The motion passed unanimously.

Paul made a motion to approve the April 6 Council conference call summary with no revisions. Barbara Harper seconded the motion. The motion passed with one abstention from the Yakama Nation.

Paul made a motion to approve the April 18 Council conference call summary as revised. Dana Ward seconded the motion. The motion passed unanimously.

DOE Draft NRDA Policy and Integration Approaches at Hanford

The thrust of the letter Russ is drafting is particular focus on test cases at Hanford in which NRDA issues can feed into cleanup decisions. The group discussion was around clarifying what the Council was looking for in terms of a site on which to work together. If the letter is sent, then both "sides" (cleanup and NRDA) will need to commit to engage and bridge gaps in a timely manner. It will take time to address coordination and how to address barriers on both sides. The group decided to identify one site in the River Corridor and one in the Central Plateau. Larry will talk with staff at the Washington State Department of Ecology to get ideas then will take the discussion to DOE and the U.S. Environmental Protection Agency (EPA). Dana will help.

Guiding Principles for the Protection of Natural Resources paper

The group discussed revisions in response to the draft presented by John Carleton. Ruth Nicholson agreed to revise and reprint the document so that the group could discuss it on Thursday for final approval.

Budget

For Fiscal Year 2011 (FY11), the request for the Council was \$4.5 million. It has received \$4.3 million, plus some carryover in the about of \$1.685 million. The Council needs to spend or obligate the money prior to the end of the federal fiscal year (September 30, 2011) and minimize carryover into FY12. In addition, there is a May 11, 2011 memorandum on Support Service Contracts that appears to limit how funds may be obligated and used. The IEc Phase II contract, YAHS GS contract (Steve Wisness and Ruth), and agreements with FWS and NOAA all fall under the limitations. DOE was not sure if the cooperative agreements between DOE and the states and tribes are included or not.

The Council decided to wait on drafting and sending a letter concerning consistency of funding and the FY12 budget.

Public Involvement Plan

The group decided to postpone this discussion until Thursday.

Proposed DOE Large Sturgeon Sampling

Russ informed the Council that FWS has received comments back from DOE. The study will not take place as planned. Jim Hansen explained that there were a number of issues leading to DOE's decision. In short, DOE expected to find little differences with the juveniles that have already been sampled. The case was not made that large sturgeon sampling would provide the information needed for the risk assessment. FWS is now finalizing the document.

A request was made for members of the expert panel to talk to the Aquatic Technical Working Group (TWG) so that the TWG can make recommendations for the future. The Council discussed multiple concerns that the TWGs and trustees had not been included in the expert panel process.

Project Coordinator Position

The advertisement for the position was issued today and will be open for three (3) weeks. Russ encouraged people to share the announcement.

The meeting adjourned at 5:10 pm.

Wednesday, May 18, 2001

Russ opened the meeting at 8:15 am. The focus of today's work and discussions will be on TWGs and their work. The general questions for all the TWGS are:

- What strategies and concepts are the TWGs using to move forward?
- From a NRDA standpoint, how far do we want to go with future predictions and discounting issues?
- How do uses and services - past, present, and future - play into negotiations and settlement?

Groundwater

Dale Engstrom gave an update on TWG activities. The group is working to satisfy both a study approach and a settlement approach. White Paper #GW-4 was distributed on the Status of Groundwater at Hanford Nuclear Site. It contains the DOE vision, although there is not agreement concerning the use of information from the tanks environmental impact statement (EIS).

The TWG is also working on a new white paper on uncertainty. Maps of groundwater plumes were distributed at the last Council meeting, and the TWG is looking at how the plumes are patterned, what is the confidence in the data, and what may happen to the plumes in the future.

Discussion included:

- Interactions between the Groundwater TGW, Source and Pathway TWG, and other TWGs
- Resource issues with work on the vadose zone
- Modeling and predictions for the future, including the effects of pump and treat activities
- Interface with terrestrial ponds, some of which are very contaminated
- Quantification of contamination
- The movement and flux of groundwater
- The need for a Council opinion about groundwater in light of differing opinions held in DOE-Richland, DOE-Office of River Protection, and DOE-Environmental Management
- How much uncertainty is the Council willing to take on?
- Quantity/volume, location, and drinking water standards issues

The group discussed the possibility of asking a third party, expert panel to look at groundwater data and models. A concern was raised about the validity of such panels depending on who picks the members of the panel. Dana asked if DOE cleans up all the groundwater on site, it is a damage or liability?

Aquatic

This TWG needs to find a more efficient way to understand the data, specifically the river and the contaminants in the river. It requested Council help to get data and presenters. An important data access issue is the fact that people can look at the data but cannot get copies of the data. There are also data integrity questions. It is a laborious and inefficient method of accessing data from DOE. Dana indicated that DOE hopes to have new procedures by the end of summer. He also noted that the TWGs and Council need to coordinate data requests, especially for large amounts of data. The Council discussed the possible need to hire a “data jockey”.

The TWG is also refining questions for investigation, including data gaps. A specific high priority is understanding species in relation to the river. If there is not adequate characterization of the river, then these issues need to be included in studies.

Terrestrial

Joe Bartoszek shared meeting notes and a summary from the most recent TWG meeting. The TWG is doing some additional species profiles to balance the ones done by IEC which were heavily weighted towards aquatic species. It has also had a joint meeting with the Source and Pathway TWG.

The key questions from the TWG for the Council are regarding prioritization of work and resources, both within individual TWGs and between TWGs. There are also questions of time and money with regards to accessing data and GIS information. At some point, there will be a need for a cost code for staff time.

The TWG requested Council approval of the Species and Study Selection Criteria. The key discussion point for the group was whether or not the criteria would help the Council prioritize and make decisions. Paul made a motion to defer the Council decision on approving the Species and Study Selection Criteria to the July Council meeting. Dana seconded the

motion. Oregon, CTUIR, and DOE were in favor of the motion. Nez Perce, Yakama Nation, Washington, and FWS were opposed. There were no abstentions. The motion failed to pass.

Jay McConnaughey made a motion to approve the Study Selection Criteria. Russ seconded the motion. FWS, Yakama Nation, Washington, and FWS were in favor. Oregon was opposed. DOE and CTUIR abstained. The motion passed.

Jay made a motion to approve the Species Selection Criteria. Jack Bell seconded the motion. FWS, Yakama Nation, Washington, and FWS were in favor. Oregon was opposed. DOE and CTUIR abstained. The motion passed.

Russ encouraged the TWGs to continue to refine the criteria as work progresses.

Source and Pathway

The TWG met in April with the Terrestrial TWG. It has also had a conference call. It has four (4) eco-tox profiles under development for lead, arsenic, cadmium, and vanadium. The TWG is short on people to do work. The TWG is looking at soil and geologic trenches, including contamination in ponds. With regards to carbon tetrachloride inventories on site, the TWG is looking into old records, including purchase orders, to identify how much was brought on site. The TWG will look at uranium next. The TWG wants to talk with other TWGS, particularly Groundwater, Aquatic, and Human Use next.

Data acquisition and staffing is also a concern. Work needs to be done to supplement the inventory data to understand what was used and where it was used. The inventory numbers are not the same as concentration numbers. The question is: what was the fate of the material?

Human Use

Jean Hays presented the Council with an updated action plan. Several work products are under development, and a decision needs to be made whether to keep them open or finalize them. Many factors go into the human use of the site, but not all these factors are linked to NRDA. There are concerns about the breadth of the workload and about defensibility.

The Council agreed that it was good business practice for it to approve TWG action plans. John made a motion to approve the Human Use TWG action plan as guidance for the TWG. Jack seconded the motion. The motion passed unanimously.

Restoration

Joe distributed two handouts: notes from the last TWG meeting and a request for Council action.

The group discussed the possible state purchase of a 13,400 acre ranch adjacent to the Hanford site. It is uncertain whether it will happen in light of current state budget uncertainties. If the state could not purchase the property, it would be a potential opportunity to get natural resource damage credit. Land acquisition for early restoration purposes is a big policy decision. The group identified three action items from the discussion:

1. The Restoration TWG will get more information about the property.

2. DOE will look into possible purchasing mechanisms that could support NRDA.
3. John will track developments with the possible state purchase of the property.

The TWG also asked the Council for project ideas. This discussion was deferred to the June Council conference call.

Data Management

Jack reported that there is not much activity going on with this TWG. Jack has a spreadsheet identifying what data he has and will share that with the group. Individual TWGs are looking at various data sets. The draft Data Management Plan is due from IEC on June 23rd; the final is due on August 23rd. There is a need for guidance on how to disperse data to other trustees when a single trustee has acquired some. IEC has similar issues.

There is no single inventory of environmental data at Hanford. The biggest problem to date is lack of communication. The Council decided to send a letter to DOE requesting a meeting and asking DOE to authorize staff and contractors to distribute data to Council members. Jack and Janis will get the meeting scheduled. The Council will discuss this letter at its June conference call.

The group also needs to make a decision about whether or not to schedule VSP training.

IEC Update

There will be an update on the Public Involvement Plan on Thursday. The “final” plan has one placeholder item that is awaiting a decision.

IEC will be producing a final version of the Services memo shortly.

The Information Management Conceptual Framework and Data Management Plan is due to be delivered on June 23rd.

The Quality Assurance Management Plan is now out in draft.

The workshop summary for the Thresholds and Tests deliverable came out last week.

IEC is requesting a change in the deliverable due date for the Data Gaps Report from June 23rd to August 23rd. The Council took a vote on this and all parties agreed to recommend this change to DOE. Russ will draft a formal resolution for this decision. He asked that trustees sign and scan or fax their formal votes to him by June 3rd, then send a hard copy with original signatures to Dana for the administrative record.

General Discussion

The Council concluded the day’s meeting with a general discussion of issues raised during the day. Key items included:

- The current level of IEC participation in Council meetings and activities is not sustainable. If the Council is to recommend a change, it will need something in writing concerning participation and budget needs in order to take action at its July meeting.

- CTUIR and Yakama Nation continue to have concerns regarding the Contaminants of Concern (COC) and Species of Concern (SOC) profiles as they relate to the Thresholds and Toxicity deliverable. The concerns are about the level of details.
- The River Corridor risk assessment is expected to be out soon. This could be helpful and informative for the Thresholds and Toxicity deliverable. IEC's recommendation is that the Council and DOE wait to ask for the Thresholds and Toxicity deliverable for another month or so. IEC is assuming that the deliverable would not include human health thresholds.
- There is not a review cycle built into the IEC contract for the Thresholds and Toxicity deliverable. The Council will discuss expectations for this deliverable on its June conference call.

The meeting adjourned at 5:05 pm.

Thursday, May 19, 2001

Russ opened the meeting at 8:15 am.

COC and SOC Profiles

Paul made a motion to accept all of the profiles in their current versions, specifically the following profiles:

Species:	COCs:
White Sturgeon	Chromium
Western pearlshell mussel	PCBs
Caddis fly	Plutonium
Bulrush	Carbon Tetrachloride
Chinook salmon	Uranium
Sculpin	Mercury
Great Blue Heron	Tech 99
Pacific lamprey	Strontium 90
Bull frog	Cesium 137
Pacific tree frog	Iodine 129
Jack rabbit	Tritium
Cottontail rabbit	

Jack seconded the motion. The motion passed unanimously.

Public Involvement Plan

The one issue that needs resolution concerns public meetings related to the Injury Assessment Plan (IAP). IEC would like to gauge the interest in public meetings (or not) before scheduling them. Injury assessment may not be well known. There appears to be more interest in restoration. There are 682 individuals on the Hanford listserv. In addition there is a Public Involvement Calendar and information on the Hanford web site.

Paul indicated that his senior, Ken Niles, is not embracing public meetings due to two major concerns: the amount of effort put into planning meetings that have low attendance and the

people who come to such meetings often have different agendas than the purpose of the meeting. Ken suggests focus groups, not traditional public meetings.

The regulations require public notice for the IAP, not public meetings. The group discussed the need to have public meetings as an option. Barb Wise suggested that a good, clear fact sheet be developed and that clear identification of the purpose and what is wanted out of a public meeting be made. The Hanford Advisory Board, particularly the River and Plateau Committee, would be interested in the IAP. Briefings with stakeholders should occur before the draft is out. The Yakama Nation would like public meetings on the reservation.

IEc will send out a revised version of the Public Involvement Plan. The Plan is intended to be a working document to inform the trustees and is not for public distribution. However, it is a part of the administrative record. Given that the Plan contains some elements that could be considered private, such as contact information, does a redacted version need to be posted or made publicly available in the event of an inquiry? Specific concerns include privacy issues (such as listing of cell phone numbers), the media list, and security issues regarding the sharing of individual e-mail addresses. DOE will research the public release process.

The Public Involvement Plan is focused on the IAP but would not be significantly different if it were to be focused on the larger NRDA effort. The Tri-Party Agreement (TPA) Community Relations Plan is on the Hanford web site. It will soon be revised and out for public comment in the fall.

The Council deferred voting on approval of the Public Involvement Plan because Larry, the Council lead on the project, was unavailable to participate in this discussion. The group asked that the specific dates for activities listed in the Plan be moved to an appendix that can be easily updated. In addition, there was a request to review Figures 2 and 4 to ensure they overlap properly. Russ will review the Plan to make sure it contains enough detail for the new Project Coordinator.

Guiding Principles for the Protection of Natural Resources paper

John made a motion to adopt Draft #6 of the paper without the word "preliminary" on page 1 and page 2. Paul seconded the motion. Trustees voting to approve the motion were FWS, Nez Perce, CTUIR, Oregon, Washington, and DOE. The Yakama Nation opposed the motion. There were no abstentions. The motion passed. Ruth will revise and finalize the document.

The group then discussed distribution of the principles paper, including the Tri-City Herald, DOE-Richland, DOE-Office of River Protection, and DOE headquarters offices. Dana will send a list of key DOE staff people to Russ. The Yakama Nation requested a footnote be included in the cover letter noting its opposition. The cover letter and distribution list for the principles paper will be discussed on the June Council conference call.

Quality Assurance Management Plan (QAMP)

Final comments are due to Paul on the Plan by June 15th. The final plan is due from IEc on August 1st. Paul distributed a handout to help guide discussion on feedback and comments on the draft QAMP.

There are three levels of data and data quality: historical data with unknown QA, new data that we collect in which we want good QA, and the quality of data we would want if we were to end up in court. IEC distributed a handout containing four (4) proposed QA categories for historical data sets for the Council's consideration.

There are three options for delegation of decision authority under the plan: Council-level, recommendations made by the TWGs to the Council with deadlines for action, and delegation for some decisions to a database manager or TWG. The discussion around this topic included:

- Delegating could be a good thing, but we don't have a QA manager
- Keep it at the contract or study manager level rather than creating a QA institution
- Keep the day-to-day stuff at the technical level. Council review will take too long. It would be nice to have a Data Manager to be responsible for what is going on.
- Once we have an approved study plan, will DOE accept Council-generated data and study results? What is the liability of the Data Manager and Council for the data?
- We are not yet wedded to a QA Manager or consultant
- Suggest we delegate to the lowest level possible due to the Council's workload
- Data interpretation and data quality are not necessarily the same thing
- The Council cannot meet every two (2) months and keep up with the decisions. Right now, the Council is the only one with decision authority. Delegating sounds nice. It will be hard to move forward without delegating.
- We need to create an accountability structure. QA doesn't lend itself to operating under consensus and voting.

There will be an update on the QAMP on the June Council conference call.

FY11 Spending and Budget Obligation

Given the time pressure in which to spend or obligate the Council's FY11 budget, the group developed the following timeline:

- 20 May (Friday): Ruth sends out sample project concept form and timeline to Council (this e-mail)
- 24 May (Tuesday): Russ sends out "RFP" format for potential funding opportunities
- 25-31 May: Council members identify funding opportunities, especially ones that do not have an obvious TWG sponsor, and send their lists to Ruth
- 1 June (Wednesday): Lists of potential funding opportunities and brief descriptions due to Ruth by COB
- 3 June (Friday): Ruth compiles potential funding opportunity list and distributes to Council so that duplications and overlaps can be identified prior to TWG meetings, and so lead people for funding opportunities for non-TWG-sponsored projects can be identified
- 6-13 June: TWG meetings and other conversations to develop funding opportunity project concepts and proposals
- 14 June (Tuesday): ALL project concepts and proposals for funding opportunities due to Ruth by COB
- 15 June (Wednesday): Agenda and funding opportunity information distributed to Council in preparation for meeting on 20-21 June
- 20 June (Monday): Council and TWG member meeting to clarify and understand proposed funding opportunities. Meeting starts at 12:00 noon. Location TBD.

- 21 June (Tuesday): Council decision making meeting to select funding opportunities and clarify procurement issues given FY11 budget and 11 May moratorium memo. Meeting ends at 12:00 noon. Location TBD.

Meeting Wrap Up

Ruth asked Council members to remind their seniors that the next face-to-face senior trustee meeting will be the afternoon of July 21st at the end of the regular July Council meeting. The Council will be selecting a new vice chair at its July meeting who will be installed at the September meeting.

Dana will reserve a time for VSP training in August or September depending on instructor and HAMMER classroom availability. Russ will develop a written resolution for trustees to use to vote on this because it is considered a formal action related to the obligation of funds.

The group brainstormed a list of possible venues for the September Council meeting, including:

- Hanford (including extra-curricular activities in the area)
- Clarkston and the Hells Canyon National Recreation Area
- Silver Falls State Park near Salem, Oregon
- Deschutes, Oregon
- Hood River, Oregon
- Timberline Lodge, Oregon
- Three Rivers Resort, Idaho
- Nisqually Wildlife Refuge, Washington
- Port of Morrow and River Lodge, Boardman
- Sleeping Lady, Leavenworth
- Alderbrook near Hood Canal, Washington
- Something on the coast like Pacific Beach, Washington
- Lake Chelan, Washington
- Skamania Lodge, Washington

Ruth will work with Steve on researching venues. There may also be a need to check on travel restrictions that may apply to state employees in Oregon and Washington.

The meeting was adjourned at 12:12 pm.