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Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

03-ERD-0114

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EDMC

Ms. Shelley Cimon, Chair
Oregon Hanford Waste Board
625 Marion Street, NE, Suite 1
Salem, Oregon 97301-3742

Dear Ms. Cimon:

EXPLANATION OF SIGNIFICANT DIFFERENCE FOR THE 100-NR-1 OPERABLE UNIT TREATMENT, STORAGE AND DISPOSAL INTERIM ACTION RECORD OF DECISION AND 100-NR-1/100-NR-2 OPERABLE UNIT INTERIM ACTION RECORD OF DECISION

Thank you for submitting comments on the above-referenced document in your letter dated March 26, 2003 to the U.S. Department of Energy, Richland Operations Office (DOE). We appreciate your input on Hanford Site cleanup decisions. Responses to your comments are included below.

Comment 1: "We believe that the separation of soils and groundwater leads to segmented decision making that is not comprehensive or protective of human health and the environment. We understand the U.S. Department of Energy (DOE) established Operable Units to facilitate management of contaminated sites, but disconnecting the contaminated soils and underlying groundwater is disturbing since it does not foster a holistic and comprehensive approach to restoration. This is especially worrisome due to the purpose of this ESD, which is to formally change existing cleanup decisions, and will leave highly contaminated soils and groundwater in place."

Response to Comment 1:

The DOE, Washington State Department of Ecology (Ecology), and U.S. Environmental Protection Agency (EPA), also known as the Tri-Parties, recognize your concern on separating operable units. However, the cleanup actions at the 116-N-1 waste site continue to be protective, including protection of groundwater. Also, a pump and treat system continues to operate in the 100-N groundwater as required by the Record of Decision (ROD).

Comment 2: "The range of options presented in support of the remedial change was too limited and inadequately developed. The Oregon Hanford Waste Board expects DOE to prepare a more comprehensive analysis regarding this change in remedial strategy. The analysis should evaluate the long-term impacts of leaving contamination in place that will continue to leach into the Columbia River, yield unknown harm and may preclude future beneficial uses of the area, such as the National Monument."

Response to Comment 2:

Use of existing excavation equipment and practices continue to meet the goals and objectives of the selected remedy in the interim action ROD. Evaluation of these other alternatives was provided against the use of the current excavation equipment in the Explanation of Significant Difference (ESD) to compare the balancing factors. The Tri-Parties recognize this effort was not a feasibility study for changing the remedy in the ROD. As identified in the *Record of Decision: Hanford Comprehensive Land-Use Plan Environmental Impact Statement (HCP EIS)* (CLUP ROD), the 100-N location is identified as a preservation area and also states that it may be necessary to restrict certain activities to prevent the mobilization of contaminants, the most likely example of which is the restriction of activities that discharge water to the soil (e.g., prohibiting irrigation). Also, preserving the *Mooli-Mooli* cultural resource is also consistent with the Executive Order for the Hanford Reach National Monument (Monument). A Comprehensive Conservation Plan (CPP) is under development by the U.S. Fish and Wildlife Service for managing lands in the Monument.

Comment 3: "DOE should include an evaluation of the necessary institutional controls to stabilize the site for 300 or more years to allow the buried radioactive elements to decay. Establishing a National Monument that contains restricted use areas and unusable groundwater is a confusing strategy that we do not support. The N-Area is just one out of many sites at Hanford where DOE's actions continue to allow contamination to enter our drinking water. We do not find this strategy acceptable."

Response to Comment 3:

The Tri-Parties recognize your concerns on the long-term viability of institutional controls (ICs). However, the RODs requires that DOE submit a report to EPA and Ecology by July 31 of each year, or as required by the *Sitewide Institutional Controls Plan for Hanford CERCLA Response Action*, summarizing the results of the evaluation for the preceding calendar year, including improvements. This annual review of ICs is the primary mechanism to assure irrigation is not applied. EPA's recent revision of the IC guidance was developed to improve the viability of ICs based on past failures, and improvements were made to minimize IC failures. Future ICs will likely be elements on final RODs, and will be developed based on experiences gained through the implementation of interim action RODs. Impacts to the groundwater from the 116-N-1 waste site, with prohibiting irrigation, are protective. A Comprehensive Conservation Plan (CPP) is under development by the U.S. Fish and Wildlife Service for managing lands in the Hanford Reach National Monument.

Comment 4: "The Oregon Hanford Waste Board compels DOE to revise this analysis and any other analysis that would lead to decisions leaving readily accessible contamination in-place. This strategy undervalues the Columbia River and groundwater beneath the Hanford Site."

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Response to Comment 4:

The Tri-Parties conducted the balancing factors analysis in this ESD as required by the ROD. The balancing factors analysis demonstrates that the use of institutional controls to prohibit irrigation rather than excavating additional contaminated soil below 4.6 meters (15 feet) is protective of human health and the environment, including protection to the groundwater.

If you need further information or assistance, please contact me at (509) 372-1544.

Sincerely,



Douglas C. Smith
Project Manager

ERD:DCS

cc: N. Ceto, EPA
S. Cimon, Oregon
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Task Detail Report

05/06/2003 02:05 PM

Task #: DOE-ERD-2003-0114**Parent Task #:****Subject:** CONCUR: ESD FOR THE 100-NR OPERABLE UNIT
TREATMENT, STORAGE AND DISPO**Reference #:****Deliverable:** None**Category:** None**Status:** Open**Due Date:****Priority:** High**Originator:** Gloria, Ofella T**Originator Phone:** (509)376-5441**Assigned By:** Self
Assigned Role: Originator**Assigned Date:** 05/06/2003
Assigned Due Date:**Routing Lists:** **Route List - Active** Smith, Chris - Approve - Approve - 05/06/2003 13:30**Instructions:**bcc: ERD OFF FILE
ERD RDG FILE
DC SMITH, ERD
HE BILSON, AMRC
KD BAZZELL, ERD
KV CLARKE, COM
EB DAGAN, RCA
DT EVANS, FTD
MH SCHLENDER, DEP
BD WILLIAMSON, OCC

RECORD NOTE: Responding to comments of Oregon Hanford Waste Board regarding ESD for the 100-NR Operable Treatment, Storage and Disposal interim action ROD.

Attachments: 1. 03-ERD-0114.doc**Comments****Task Due Date History:**

Date Modified

Task Due Date

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-- End of Report --

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