



Confederated Tribes and Bands  
of the Yakama Indian Nation

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Established by the  
Treaty of June 9, 1855

October 3, 1997

Mr. John D. Wagoner, Manager  
U. S. Department of Energy  
Richland Operations Office  
P. O. Box 550  
Richland, Washington 99352

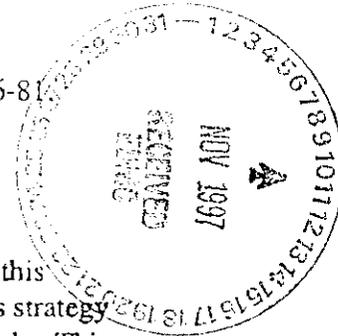
200 AREA SOIL REMEDIATION STRATEGY - ER PROGRAM (DOE/RL-96-81, Rev. 0), and WASTE SITE GROUPING (DOE/RL-96-81, Rev. 0).

Dear Mr. Wagoner,

Thank you for the opportunity to comment on the 200 Area Soil Strategy. Since this strategy covers characterization, remediation, and closure, we cannot endorse this strategy at this time without more comprehensive information about the 200 Area as a whole. This we have described below. In brief, there must be a single 200 Area combined ER and WM strategy document with clearly defined endstates. An open dialog is sorely needed on these strategies and endstates as a prerequisite to planning and concurring in individual programs or projects. For instance, we note that there is reference to a 200 Area Plateau Waste Management Plan. Please provide us with a copy of that plan and a chance to comment on it. If the 200 Area Soil Strategy is intended to address all other activities and all of the rest of the hazardous and radioactive materials/contamination in the 200 Area, we will need to comment on both Strategies as a single package. Please confirm that there will be a comment period during which all 200 Area strategies (soil, groundwater, and waste management - to include TWRS) will be reopened for combined comments.

At the beginning of that comment period, please convene an all-day meeting between tribal staff, regulators, and DOE-RL staff to discuss the overall 200 Area Multiprogram strategy, the groundwater strategy, the RODs and permits that are applicable to the various hazards and materials, the regulatory standards and points of compliance, the integration of source terms both within permits and within an analytical framework, remedy selection and performance requirements, closure criteria, the RARA Program, relevant EISs, long-term risk/health profiles of the 200 Area as an element of the entire Site, and summaries of other integration activities.

Additionally, the approach of obtaining an initial Record of Decision and then adding an indefinite number of additional waste sites through an amendment cannot be endorsed because the combined source term (and therefore risks and impacts) would keep accumulating without an upper limit. We need an open forum to discuss whether the remediation strategy should be based on concentration, dose, or risk. If they are dose or



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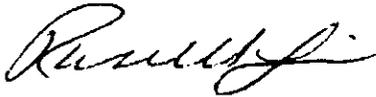
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risk-based, what pathways and exposure scenarios are used and where is the point of compliance?

We also request that you set up a one-day sitewide meeting on barriers to discuss remedy selection, barrier performance requirements, the current barriers that are in use or proposed to be used at Hanford (the RCRA barrier, the Hanford barrier), testing plans, and a summary of Complex wide barrier work. This would be a fairly technical meeting, but with a focus on integrating barrier work and establishing general principles, issues, and performance requirements on a sitewide basis.

If you have any questions, please feel free to contact me.

Sincerely,



Russell Jim, Manager  
Environmental Restoration and  
Waste Management Program

cc: Doug Sherwood, EPA  
Mike Wilson, WA Ecology  
Stuart Harris, CTUIR,  
Donna Powaukee, NPT  
Kevin Clarke, DOE-RL  
Merilyn Reeves, HAB

## ATTACHMENT

Clustering the waste sites into 23 groups seems logical and efficient, and the plug-in or analogous site approach is reasonable for initial estimations and planning purposes.

The Soil Strategy says that it will allow DOE to characterize and clean up the waste sites, but it will not be possible to develop work plans or establish cleanup levels without knowledge of the entire 200 Area source term. Because of the proximity of waste sites to each other and to tanks, canyon facilities, LLW burial grounds, US Ecology, and so on, the 15 mrem annual exposure limit can only apply to the aggregate source, not to individual waste sites. Individual soil sites can be characterized under this Strategy, but work plans cannot be developed under this Strategy until all the excluded sources (tank farms, facilities, groundwater, and stored or disposed waste) are included. Such an overall 200 Area Aggregate Strategy is not visible in the Soil Strategy.

In fact, closure of the entire 200 Area, perhaps under a combination of RCRA and CERCLA, remains an unresolved and (publicly) undiscussed issue. We cannot approve the Soil Strategy as pertaining to remediation and closure until a forum in which closure requirements can be publicly discussed is established. Closure of pieces of the 200 Area aggregate source term in isolation from other pieces will be unacceptable, and this serious issue needs open discussion.

The scope of the Soil Strategy is confusing and unclear on what is included and what is excluded. For instance, page 1 implies that all CERCLA past practice, RCRA past practice, and all RCRA TSD sites are covered, yet tank farms, groundwater, D&D, and LLW/HW/LLMW disposal facilities are not included in the Strategy. However, Section 4.1 says that RCRA TSDs are included. If this inclusion is intended to happen later in the process, then this will hinder the development of work plans because TSDs are part of the 200 Area aggregate source term that will affect how well individual waste sites must be cleaned up.

The approach of obtaining an initial Record of Decision and then adding an indefinite number of additional waste sites through an amendment cannot be endorsed. The premise behind the ROD amendment approach is that it does matter how many waste sites are included as long as no single site exceeds some concentration or annual dose limit. This approach is flawed because the dose comes from the sum total of all waste sites, and the groundwater impacts are the result of migration from all sources. Thus, the more waste sites are included in the ROD, the lower the limit must be for individual sites. This applies

to the entire 200 Area source term, which is the combination of soil sites plus tanks plus facilities plus burial grounds plus any waste accepted from off-site plus any other source in the 200 Area, in combination with 100/300/400/600 Area sources. It must also apply to the combination of soil plus groundwater plus any other pathway of exposure.

Page 3 of the Soil Strategy mentions a "Long-Range Plan" - what is this and may we have a copy?

If natural attenuation or natural decay is considered as a remedy, this needs to be discussed with us because our cultural use and treaty rights would remain suspended until safe levels are reached .

We agree that funding constraints apply to schedules, not to endstate goals (page 4).

In Figure 1 and several places in the text, the Soil Strategy is referred to as the 200 Area Strategy. Actually, this is not an all-inclusive 200 Area strategy, so that wording is misleading.

Section 4.1.6. Again, the FFS/CMS cannot evaluate alternatives until we know what the combined impact of all 200 Area sources will be over time so that risk can be allocated among all the 200 Area sources.

Section 4.1.10. The difference between removal actions and remedial actions is not clear + do the same cleanup standards apply, and what are they for the 200 Area?

Section 5.0 indicates that individual "sites that pose and unacceptable risk will have the highest priority..." Again, the risk-based and health-based criteria for individual sites must be a fraction of the aggregate 200 Area risk total. How will this be determined? Will we be involved in all of the discussions?

Section 5.1. Criteria for prioritizing individual sites based on groundwater impacts and ease of remediation are suitable for the initial work, but not for eliminating sites from consideration. Prioritization always carries the potential for establishing a "bright line" below which action is not taken, so a sentence might be added that clarifies that low priority sites will not be dropped until a complete 200 Area aggregate source term is established and total risks are analyzed. There should not be any "no action" or "closed" sites until the full picture is known (Section 4.1.2) and discussed with us, and until sampling verifies that individual sites are indeed suitable for no action. Similarly, RCRA closure requirements must be discussed with us early in the process.

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Section 5.1. There does not appear to be a reference for RARA. Please provide us with a copy of this program's plan or strategy. RARA is the process by which institutional controls can be implemented in lieu of remediation for sites with surface contamination + the consequences of this to the Hanford source term and to the ability to exercise treaty-reserved rights needs to be discussed with us.

Section 5.2. The situations in which capping is selected as the remedy need to be reviewed with us during the meetings requested in the cover letter..

Section 5.3. The schedule allows for 5 RODs + what do you anticipate that these will be for?

Section 6 (Integration) correctly identifies the integration that is needed, and identifies a Tri-party 200 Areas Source Strategy development team that will serve an interface function, but does not identify where a 200 Area multiprogram strategy or policy will actually be developed, or whether Tribes will be involved. Such a strategy must take the comprehensive long-term view as we have said previously. This section also makes reference to an "ER Project Long-Range Plan" + is this a document, and if so, may we have a copy?

Please provide copies of any ROD or ERA/IRM pertaining to soil or groundwater in the 200 Area.

If the Mission Direction Document has been finalized, please provide us with a copy. If it has not, please provide us with a copy of the draft.

Appendix A (Waste Site Groupings): The Analogous Site approach is logical for constructing an estimated source term, but we would not accept it for making a no action decision. No Actions should be verified with some actual sampling data.

Waste Site Grouping for 200 Areas Soil Investigations (DOE/RL-96-81, Rev. 0). The conceptual models look good for rough order of magnitude estimates. The geologic profile may be a little generic, but I presume would be refined as more information from TWRS core samples and the vadose model become available.