

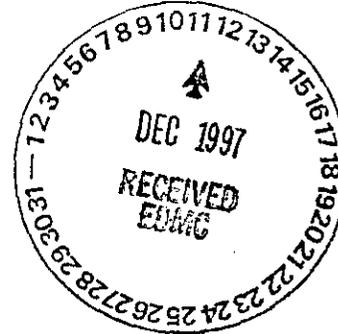


Confederated Tribes and Bands of the Yakama Indian Nation

Established by the Treaty of June 9, 1855
053348

November 12, 1997

Mr. John D. Wagoner, Manager
U. S. Department of Energy
Richland Operations Office
P. O. Box 550, M/S A-750
Richland, Washington 99352



CRCIA ISSUES

Dear Mr. Wagoner

In the closing minutes of our Quarterly Meeting with you this morning, two issues came up for which you requested a few bullets of background information.

DOE-RL text changes in the tribal/stakeholder section of the CRCIA report: RL staff members are insisting on changes to Part II of the CRCIA report (Part I is the report of the Screening Assessment, Part II defines the analysis requirements for an acceptably comprehensive assessment). The text changes in question are in addition to DOE's disclaimer on the flyleaf of Part II that DOE neither prepared nor endorses Part II. The Team's position is that, in view of this disclaimer, DOE has no basis for unilaterally changing the text; changes and/or expansion of the disclaimer must suffice.

In spite of the Team's sincere efforts over the past two-plus years to piece together a common ground which all organizations could support(including DOE), RL's role in the Team's work on Part II has been confusing. On the one hand, RL and contractor staff participation in the Team's working sessions has been extensive; on the other, RL has rejected any ownership of the work to such an extreme, in fact, that one senior staff member publicly stated to the HAB ER Committee that RL is not, and never has been, a member of the CRCIA Team. While the RL proposed changes to Part II purport to do nothing except clarify ambiguity in DOE's role in the CRCIA Team, the revised language destructively changes position statements on other matters the Team has held to be very important if not pivotal. The proposed revisions also strongly infer an absence of unanimity among the Team's organizations as to the document's credibility in reflecting "an acceptably comprehensive" assessment.

To the best of our knowledge, the Team is unanimous in the view that DOE's actions in this matter are manipulative and a shameful breach of the mutual trust that had been so painstakingly built in the last two years. The Team's position is that the matter is not open for negotiation: the text in Part II and in the Team's disclaimer of Part I is not to be changed.

Facilitated workshops agenda: A workshop, facilitated by TriAngle Associates, has been proposed by RL as a means of overcoming the differences which have developed between

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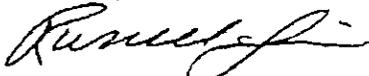
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RL and the Team regarding the acceptability requirements for assessing the river.. While this concept is laudable, the Team has become very concerned that the workshop agenda has expanded into other topics to the point that focus will be lost on the real issue, that is, identification and resolution of those analysis requirements in Part II which preclude RL's support and endorsement, and, secondly, the management concept described in Part II, Appendix D.

The Team insists that other matters proposed for the workshop be deferred until these primary issues are settled. The Team feels that structuring the workshop agenda should be the first agenda item. There should be no time spent on other subjects.

We thank you for taking time to look into this matter Please let us know if there are further questions.

Sincerely,



Russell Jim, Manager
Environmental Restoration and
Waste Management Program