



Confederated Tribes and Bands
of the Yakama Indian Nation

Established by the
Treaty of June 9, 1855

062026

RECEIVED

SEP 15 1998

DOE-RL/DIS

MANAGER'S ACTION

D198172323

DUPLICATE: 9/18

*RP
MGR
AME
AMW
BUD
CFO
EAP
ESH
MET
OCC
OEA
PRO
RPS
SAS
SID

September 8, 1998

Mr. John Wagoner, Manager
U. S. DOE, Richland Operations Office
P. O. Box 550
Richland, WA 99352



SUBJECT: SECRETARY OWENDOFF REVIEW OF UNSATISFACTORY PROGRESS ON DOE-RL COMMITMENTS TO FUND AND PERFORM GROUNDWATER/VADOSE ZONE (GW/VZ) EFFECTS ASSESSMENTS.

Dear Mr. Wagoner,

We understand Assistant Secretary Owendoff plans to visit the Site on September 21st and 22nd. This is to request that Yakama Nation officials and technical staff be permitted to attend any GW/VZ discussions for Mr. Owendoff. By copy of this letter, we are also suggesting all other member organizations of the CRCIA Team request the opportunity to participate in this review as well.

We strongly suggest that a central topic addressed throughout the GW/VZ Project Review be the layout and schedule for the Project, especially as relates to funding needs for FY 99. Several recent instances of inaction suggest an attempt to avoid funding the assessment activities in the Project by missing current opportunities. Those speaking for the U. S. Department of Energy on this matter seem to be restricted by higher authority from discussing funding options other than the funding available from DOE-RL's Environmental Restoration (ER) organization, i.e., \$2.0 M as shown on the current ER FY 99 funding priority list. Incredulously, no proposal has been made by ER to higher authority -- as we understand it -- for comparable pro rata funding from other Site organizations, from DOE-HQ, or from new appropriations. This is because, we are told, the stakeholders' and regulators' position on funding the assessment is unknown to DOE. This is a difficult position to accept.

- The stakeholders and regulators have been emphatically clear in their demands for a cumulative Site-wide effects assessment for at least five years. The history of instances of formal requests and demands are far too numerous to recount here. Still DOE-RL personnel continue to blatantly stonewall the effort.
- The window of opportunity for funding this assessment in FY99 is closing rapidly. Delaying yet another year is unacceptable. Given the pace of Site cleanup decision-making and the work which is proceeding without a credible basis, this assessment absolutely must be funded at a level sufficient to achieve the following:
 - Complete the first assessment three years from now in time to provide effects-based prioritization information for the FY 02 budget allocation and major TPA upgrades.
 - Preliminary results must be available two years from now in time to provide effects information with which to make adjustments in the President's FY 02 budget to be submitted to Congress in January 2001. These preliminary assessment results must also be available to guide replanning the Site's cleanup technical strategies so that the FY 03 budget submittal can be rebaselined to reflect the assessment's results.

- Funding must also be sufficient to enable proof-of-concept results to be available one year from now. Assessment methods and modeling approaches must be finalized at that time though not as yet verified or validated. Models must be successfully interfaced and operable. New field data to close gaps may not yet be available but field characterization work should be well advanced. All necessary science and technology development efforts essential to the assessment should be well underway with completion expected in six to eight months (18 - 20 months from now).

Based upon cost estimates developed by DOE and Bechtel personnel, both for the CRCIA in April 1997 as well as recently for the GW/VZ assessment, minimum funding levels must be on the order of \$6M for FY 99, \$6M for FY 20, and \$9M for FY 21. This funding level is for assessment work only and does not include acquisition of characterization data, S&T development work (except for assessment work performed by the national labs), or Site integration work (nominally \$30M).

On-going work and pending decisions easily justify even higher assessment funding than that outlined above. Tank retrieval engineering work, for example, is proceeding on an untested assumption that site-wide cumulative impacts from retrieval by sluicing will be acceptable (current indications are that several hundred thousand to a million curries per tank would be lost to the vadose). Similarly, tank closure work is proceeding on equally insupportable assumptions. Funds also continue to be spent on activities dependent on leaving pre-1970 and pre-1988 TRU in place. Many, many examples exist across the cleanup program. Additional assessment funding, within reasonable limits, would hasten the day that cleanup decisions would be defensible. The funding profile described above only enables on-going cleanup work to move in parallel with the assessment for the next two to three years.

If adequate assessment funding is not made available, measures may have to be considered to stop questionable work until assessment results are available, excepting work that is related to avoiding imminent hazards.

We believe it to be important to Mr. Owendoff and to future Hanford cleanup actions that Tribal and stakeholder representatives be able to reflect our perceptions of the Project's progress along with your staff's presentations of what you may truly believe to be responsible and responsive actions on DOE commitments on GW/VZ work. Often the message your staff's actions send to us is one of insincerity and obfuscation seemingly contrived to delay and avoid fulfilling your earlier promises.

Sincerely,



Russell Jim, Manager
Environmental Restoration and
Waste Management Program

**RL COMMITMENT
CONTROL**

SEP 14 1998

**RICHLAND
OPERATIONS OFFICE**

cc: Under Secretary Moniz
Assistant Secretary Owendoff
CRCIA Team