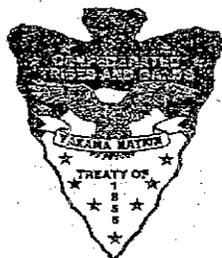


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Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

November 9, 2004

Mr. Keith Klein
Hanford Site Manager
U.S. Department of Energy
Richland Operations Office
P.O. Box 550 MSIN: A7-50
Richland, WA 99352

Matthew McCormick
U.S. Department of Energy
Richland Operations Office
P.O. Box 550, MSIN A5-11
Richland, WA 99352

Mr. Michael Wilson
Nuclear Waste Program Manager
Washington Department of Ecology
1315 W. Fourth Avenue
Kennewick, WA 99336

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FEB 23 2005

EDMC

Subject: Review of the Engineering Evaluation / Cost Analysis (EE/CA) for the U
Plant Ancillary Facilities (DOE/RL-2004-40, Predecisional Draft Revision
0)

Dear Messrs, Klein, McCormick and Wilson:

The Yakama Nation appreciate the opportunity to review and provide comments on the
proposed actions for the Ancillary Facilities at U Plant.

The Confederated Tribes and Bands of the Yakama Nation is a federally recognized
sovereign pursuant of the Treaty of June 9, 1855 made with the United States of America
(12 Stat. 951). The U.S. Department of Energy's Hanford site was constructed on ceded
land of the Yakama Nation. The Yakama Nation retains reserved rights to this land
under the Treaty.

The Yakama Nation supports efforts by USDOE to remediate the U Plant Ancillary
Facilities that will allow full exercise of Tribal Treaty rights. Unfortunately, the selected
Alternative 3 fails to achieve this objective. Alternative 3 consists of: D&D (to grade,
excluding building foundations and underlying soils/structures), which addresses

removing the non-radiological and radiological hazardous substances from the facilities, removing equipment and associated piping, demolishing the structure to slab and stabilizing the area.

The Yakama Nation recommends that USDOE perform an analysis of a new alternative that combine Alternatives 3 and 4. The YN support USDOE in implementing Alternative 3 for structures/areas that are not radiologically contaminated, and support Alternative 4 for radiologically contaminated structures/areas. Alternative 4 involves removal of all contamination, equipment, structures (including the foundation and footings) down to 1 meter. This action needs to be followed by soil sampling to determine if additional cleanup planning is required.

The Yakama Nation cannot and will not support cleanup activities that create small radiologically and chemically contaminated waste sites throughout the 200 Areas making the entire area a sacrifice zone. Leaving contamination at these sites does not meet regulatory requirements for a radiologically LLW or MLLW burial ground.

If you have any questions regarding our comment on these EE/CAs, please contact me at (509) 452-2502.

Sincerely,



Russell Jim, Manager, Environmental Restoration
and Waste Management Program

bcc:

Jay McCommaughey
Wade Riggsbee
Dave Rowland

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DOE-RL/RLCC