HANFORD ADVISORY BOARD

A Site Specific Advisory Board, Chartered under the Federal Advisory Committee Act

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US Environmental Protection Agency
Washington State Dept of Ecology

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June 2, 2006

Keith Klein, Manager
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Michael Bogert, Regional Administrator
U.S. Environmental Protection Agency, Region 10
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EDMC

Re: CERCLA Five-Year Review

Dear Mssrs. Klein and Bogert,

The Hanford Advisory Board (Board) recognizes the time and effort Department of Energy (DOE) staff spent preparing the draft Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Five-Year Review Report for the Hanford Site. The Board believes DOE's review misses critical parts of the intent of a Five-Year Review, including the failure to incorporate new information.

The Five-Year Review misses part of the intent of a Five-Year Review

The Five-Year Review does not provide the insights the Board hoped to see in such a review. While the Five-Year Review requirement provides room for interpretation, the Board believes a Hanford Five-Year Review would be more useful if it assessed the ongoing protectiveness of remedies *beyond the institutional control period*. This point is where the Board disagrees with the current Five-Year Review, as it bases its protectiveness statements primarily on exposures being limited by institutional controls.

For example, the Review states that groundwater remedies are effective because institutional controls prevent use of the groundwater. This statement ignores the spread of contamination and human/ecological exposures due to shoreline contamination, upwelling in the river and the loss of institutional controls.

Because of these omissions, the Board is unable to assess whether Hanford cleanup is on track to meet the Board's cleanup goals in the long-term. For example, the current Review does not provide an analysis of whether cleanup is on track to meet the "unrestricted use" goal in the River Corridor. The review also asserts for the River Corridor that the current cleanup is protective of the environment. Until the

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risk assessments for the River Corridor are completed, there is not enough data to make that conclusion.

The Five-Year Review should incorporate new information

The draft Five-Year Review states that it will answer the question, "Has any other information come to light that could call into question the protectiveness of the remedy?" The Review appears to have overlooked several new pieces of information. If this new information impacts protectiveness, it may trigger a reconsideration of Record of Decision (ROD) requirements as well as discussion in the Five-Year Review.

Examples of new information that should be assessed include:

- The City of Richland's industrial re-use study, which addresses assumptions for potential land use in the 300 Area;
- Biological Effects of Ionizing Radiation Study Number VII (BEIR VII) Report of the National Academy of Science relative to new risk data;
- Protectiveness as defined by the Yakama Nation and the Nez Perce Nation (Seattle State of the Site meeting September 2005) to fulfill Natural Resource Trustee responsibility per 40 CFR 300.615;
- Recent studies and negotiations with Priest Rapids dam operators addressing river fluctuations and resultant effect on contaminant levels;
- New data on chromium risks based on the report "Chromium Toxicity Test for Fall Chinook Salmon Using Hanford Site Groundwater" (PNNL-13471). The U.S. Geological Survey has additional findings/data that show genetic damage; DOE should be assessing the ramifications of this.

Advice

The Board advises DOE that the draft CERCLA Five-Year Review Report should address the following items:

- Expand the review of protectiveness of current remedial actions beyond reliance on current or near-term institutional controls that limit exposure. This extended analysis would help assess and determine whether or not the current cleanup remediation strategy will meet the long-term cleanup goals expressed by the Board.

- Formally consider and respond to public input, and show how public values for use of resources are incorporated into evaluations of reasonable maximum exposure scenarios – for both the near- and long-term time periods.

- Update the review using available new information.

- Evaluate the breadth of the review to identify shortfalls that should trigger amendments to Interim and/or Final RODs.

Finally, the Environmental Protection Agency (EPA) should give serious consideration to Board advice in determining whether the cleanup remedies under review are, in fact, protective of human health and the environment.

Sincerely,

Todd Martin, Chair
Hanford Advisory Board

This advice represents HAB consensus for this specific topic. It should not be taken out of context to extrapolate Board agreement on other subject matters.

cc: Cliff Clark, U.S. Department of Energy, Richland Operations
Jay Manning, Director, Washington State Department of Ecology
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