



# Oregon

Theodore R. Kulongoski, Governor

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November 22, 2006

Joe Franco  
Assistant Manager for River Corridor  
U.S. Department of Energy  
PO Box 550, MSIN A3-04  
Richland, WA 99352

Dear Mr. Franco:

A draft version of the *Columbia River Component (CRC) Summary Level Schedule* was provided to the Hanford Natural Resources Trustee Council and others earlier this month. Washington Closure Hanford (WCH) requested that comments be limited to issues related to ensuring adequate time and opportunities for external involvement, such as review cycles and workshops.

However, our review suggests that WCH's proposed schedule does not reflect the stated commitment to involve Trustees and stakeholders for technical assistance in scoping the CRC work plan. Additionally, the tasks identified to complete this investigation do not follow the CERCLA remedial investigation/feasibility study (RI/FS) process. As a result, the proposed work will not likely result in an adequate understanding of the extent to which Hanford Site contaminants have come to reside within downstream locations of the Columbia River.

At the August 30 Senior Trustee meeting, DOE senior managers agreed that the Trustees' technical staff would be valuable contributors in the scoping and development of work plans for the CRC. DOE project staff was directed to be in contact with the technical Trustees so as to involve them in the process early, prior to contractor involvement. DOE indicated that a meeting to define Trustees' roles and responsibilities could be initiated next year without getting behind the as yet undefined timeline. In addition, DOE staff assured us during monthly Trustee/stakeholder conference calls and workshops that WCH has only been tasked to provide initial scope and schedule for the CRC and that WCH would seek early input.

However, WCH's proposed schedule does not allow for early and frequent involvement in scoping and subsequent development of the work plan by the technical Trustees. Instead, one day has been set aside at the end of the scoping period for DOE to inform the Trustees on how the CRC was scoped. This suggests that WCH is taking charge of the work without honoring DOE's commitment.

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Reviewing the tasks outlined in the schedule indicates that DOE is not following the RI/FS process. Oregon expects DOE to follow a process similar to that provided in the RI/FS guidance, Chapter 2 (see *Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA, Interim Final*). If this process is followed, then the following tasks must be completed in sequence before an RI/FS work plan can be developed (which should include a risk assessment):

- evaluate existing data
- develop a conceptual site model
- identify initial remedial action objectives
- identify federal and state applicable or relevant and appropriate requirements (ARARs), and
- identify initial data quality objectives

The tasks listed in the proposed WCH schedule indicate a draft work plan will be written prior to conducting the data quality objectives (DQO) process. If this is the case, the work plan will not have preliminary study boundaries defined and will not answer primary study questions.

Oregon requests the following activities be conducted prior to writing the CRC work plan in order for DOE to 1) meet their commitments to Trustees and stakeholders, 2) scope an investigation that adequately characterizes the contribution of Hanford site-related contaminants in the Columbia River, and 3) assess the protectiveness to human health and the environment from exposure to these contaminants:

- Conduct a workshop of sufficient length to thoroughly discuss the outcome of the existing data evaluation task of the CRC with Tri-Parties, tribes, stakeholders, and Trustees. This workshop would be conducted before DOE initiates the data quality objectives process or scoping for the remedial investigation. This workshop would detail what is currently known about the nature and extent of contamination contributed by Hanford Site related contaminants. It would also describe how DOE plans to use this information to define the initial study boundaries of the CRC, identify data gaps, and determine the type of information needed. This workshop would provide a reliable starting point for initiating the DQO process and create a collaborative process for scoping the CRC work plan.
- Form a technical working group comprised of technical staff from the Tri-Party agencies, WCH, Trustees, stakeholders, and other interested parties who could provide technical assistance. This group would meet on a regular basis to address technical issues associated with the CRC RI/FS (scoping to completion of the project).
- Define a schedule for conducting the DQO process including the frequency of subsequent DQO workshops.

- Upon completion of the DQO, define a schedule for the work plan and sampling and analysis plan including adequate review cycles.

Oregon encourages DOE to re-evaluate the schedule and tasks proposed by WCH and develop a process for involving Trustees prior to allowing the contractor to develop scope for this project. Oregon looks forward to being involved in the development of scope for the CRC to assure protection of the Columbia River and its natural resources.

If you have questions or would like further discussion, please contact Donna Morgans of my staff at (503) 378-5584, or myself at (503) 378-4906.

Sincerely,



Ken Niles  
Assistant Director

c.c. Nick Ceto, U.S. Environmental Protection Agency  
Jane Hedges, Washington Department of Ecology