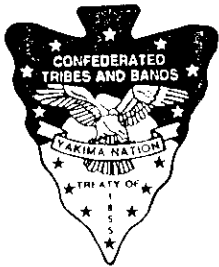


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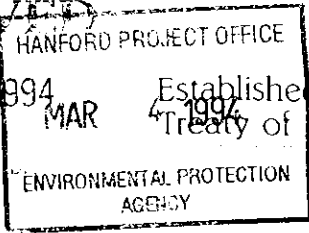
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Public Comment



Confederated Tribes and Bands  
of the Yakima Indian Nation

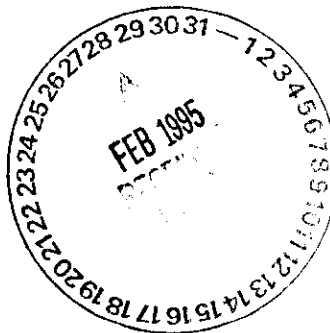
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HAZARDOUS WASTE

February 22, 1994



Mr. John Wagoner, Manager  
Richland Operations Office  
Department of Energy  
P.O. Box 550  
Richland, WA 99352

Subject: HANFORD ENVIRONMENTAL RESTORATION DISPOSAL FACILITY;  
NOTICE OF INTENT TO CONSTRUCT AND OPERATE (DOE/RL-93-101);  
DISAGREEMENT WITH BECAUSE OF INADEQUATE DESIGN CRITERIA FOR LONG-  
TERM PERFORMANCE--

Dear Mr. Wagoner:

In conjunction with the parties of the Hanford Tri-Party Agreement the Department of Energy (DOE) in DOE/RL-93-101 of January 1994 indicated an intent to construct and operate a large new disposal facility on land that is not currently contaminated over most of its area. Plans identified call for the facility to accept wastes from environmental restoration sites being remediated under CERCLA and RCRA waste management activities, as well as non-RCRA waste management of radioactive wastes. The Size of the landfill-like facility would be about 6 square miles.

The subject notice identified many environmental issues associated with the facility, however, it did not address the issues associated with the long-term adequacy of the facility with respect to environmental risks and values consistent with sustainability and health risks to future generations using the area in culturally traditional ways, including those uses provided for in the Treaty of 1855.

We note that such environmental issues should be addressed in a normal National Environmental Protection Act process such as an Environmental Impact Statement (EIS). Such a process would consider alternative projects to the subject landfill that could provide long-term, quality environmental conditions, consistent with eco-sustainability and unrestricted use of the land.

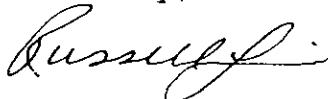
We recommend, consistent with previous statements and recommendations, that design criteria be established for the facility that shall allow unrestricted usage of the land over and around the facility at 100 years past the closure, approximately 130 years hence. The assumption of "no institutional control" at the facility after the 100-year period should be a required assumption. (We note that this criterion is consistent with the disposal criteria for low-level radioactive wastes in the US Ecology commercial facility, adjacent to the subject facility

proposed location, regulated under Nuclear Regulatory Commission rules at 10 CFR 61.)

DISAGREEMENT WITH PROPOSAL TO CONSTRUCT AND OPERATE FACILITY

In light of the inadequate commitment and statement of intent with respect to the subject facility, to design a facility which allows unrestricted future usage, the Yakama Nation disagrees with the project.

Sincerely,



Russell Jim, Manager  
Environmental Restoration/Waste Management Program  
Yakama Indian Nation

(cc: K. Clarke, DOE/RL  
M. Riveland, WA Ecol.  
G. Emison, U.S. EPA Reg. 10  
T. Grumbly, DOE/EM  
Washington Gov., M. Lowry  
U. S. Congressman, J. Inslee  
U. S. Senator, P. Murray  
H.E.A.L.  
H.O.A.