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DEPARTMENT of
NATURAL RESOURCES

Administration

CONFEDERATED TRIBES
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8 February 1995

R. Doug Hildebrand
U.S. Department of Energy
P.O. Box 550, M/S A5-55
Richland, Washington 99352



Subject: GENERAL CTUIR COMMENTS CONCERNING HANFORD SITEWIDE
GROUNDWATER PROTECTION MANAGEMENT PLAN

Dear Doug:

Technical staff of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) offer the following general comments on the Hanford Sitewide Groundwater Protection Management Plan (GPMP), DOE/RL-89-12, Rev. 2, Draft A. In the interest of shortness and avoiding duplication of concerns shared but already well expressed by other interested parties, especially Ecology, CTUIR staff outline these comments in bullet form below.

- This is one of the better written documents CTUIR staff have seen come out of DOE recently. This comment pertains only to *writing style*, and not to substance of the document. As is common practice in the rest of the scientific community, authors' names should be listed in reports.
- CTUIR staff believe that Ecology comments, dated 21 December 1994, summarize many widespread concerns about the major deficiencies, purpose, and direction of the draft GPMP that CTUIR staff also share. CTUIR staff will not duplicate all these valid concerns here, but we find little to disagree with in Ecology's comments. Incorporation of Ecology recommendations would go a long way in fulfilling the true and intended purpose of requiring this plan's development and implementation. DOE must thoroughly respond to each and every general and specific concern cited in their letter in order to develop an effective and implementable GPMP plan.

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- CTUIR staff *particularly* echo Ecology concerns and requests about:
 - The need for an actual plan
 - The need to expand, reorganize, and correctly title document sections
 - The need for an implementation mechanism and schedule
 - "The coordinating group should be set up to implement what is specified within this GPMP" (Ecology comments, p. 10). Chapter 7 should be the real guts of this document, describing how real protection will be accomplished and will be facilitated by this group of program managers: DO, don't just talk about it.
 - The need to formally include ongoing tribal participation in the process
 - Provide data/maps about known contaminants/extent/remedial priorities/etc.
 - More thorough incorporation and prioritization of remediation objectives and goals (Ecology: "There is no real discussion of which plumes should be addressed first and likely remediation options."). Remediation clearly will be a critical groundwater protection strategy.
 - Provide data/maps about estimated future discharges from new or planned treatment/disposal facilities and expectable impacts to groundwater, groundwater protection efforts, and the Columbia River ecosystem
 - Address septic systems (Ecology: "equivalent to those of a small city"), discharges, and their impacts to groundwater and groundwater protection
 - Recognition that source control, including the vadose zone, is essential to any successful groundwater protection plan, and development of a source control plan
 - The need for a long-term perspective
- The GPMP must outline an actual plan, not just list current activities.
- The GPMP defines a key remediation strategy to "control the migration of plumes that threaten or continue to further degrade groundwater quality beyond the boundaries of the Central Plateau" (p. 33). How will this be accomplished so as to ensure long-term groundwater protection?
- Groundwater/river interaction mechanisms and characterization are critical to better understanding contaminant discharge rates and mechanisms, the role and influence of river bank and river bottom springs, and the effectiveness of remedial and protective measures that are adopted. These important issues deserve more attention and specifics than are provided.
- The GPMP must identify current groundwater protection deficiencies (e.g., vadose zone characterization and control, source control, or continued discharges to the ground, regardless of what they are called or how they are characterized), and offer action-directed strategies to eliminate them. "Currently, less than 11 billion liters (3 billion gallons) of liquid effluents are

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discharged annually," (p. 29). Regardless of what they are called, how much they may have been reduced from past rates, or how the appearance of their impact is being minimized, *these huge continuing discharges to the ground comprise the single greatest ongoing threat to implementation of real groundwater protection*. Does this cited value include septic discharges? If so, this should be so indicated. If not, a separately identified estimate of septic discharges should be provided, as this underappreciated source may match or exceed that of other "liquid effluents."

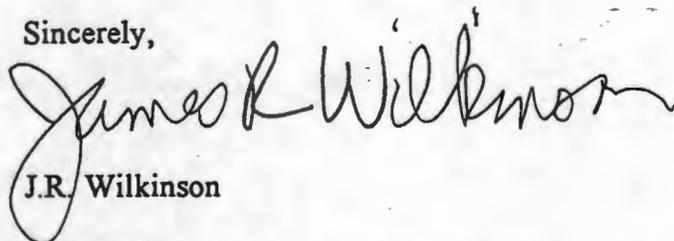
- The GPMP must provide a mechanism to better integrate and coordinate the many different programs or activities that affect groundwater, especially monitoring.
- The GPMP must consist of *implementable protection*, not just monitoring and characterization, programs. It must contain an implementation plan that will lead to real remediation and protection, in addition to monitoring, efforts in the field.
- Remove any references to the Strategic Plan and "economic diversification." This is silly PR fluff, destroys the document's credibility, and has nothing to do with groundwater issues. The true purpose is regulatory compliance, DOE Order compliance, TPA compliance, and actual fulfillment of DOE's land and natural resource steward responsibilities. Get real.
- The section on Tribal Involvement (3.3) should clarify that when tribes ceded title to land in treaties, they *retained in perpetuity* the rights to traditional cultural and natural resources and to perform traditional activities throughout those ceded lands and in other usual and accustomed areas. Furthermore, the treaties created a *trust responsibility* upon the United States government for those lands and resources upon which the tribes depend. This includes land and natural resources at Hanford, such as groundwater and the Columbia River, which affect the culture and livelihood of tribal people. The section should also note that *the rights, responsibilities and interests of sovereign tribes are both distinct from and superior to those of states, other governments, and stakeholders*.
- The other critical missing element in Section 3 is the *Hanford Natural Resource Trustee Council*. Considerable verbiage is devoted to the HAB--a strictly advisory body only--under "Stakeholder Involvement," sub-section 3.4. But no mention anywhere within Section 3 discusses the legally mandated role and responsibilities of *natural resource trustees*, as defined under CERCLA, or the Hanford Natural Resource Trustee Council. A separate sub-section following "Tribal Involvement" should discuss the NRTC, distinguishing it from other legal entities and advisory groups, outlining its chief roles and responsibilities, and describing the purpose and efforts of the Hanford NRTC.

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CTUIR technical staff appreciate the opportunity to comment on the Hanford Sitewide Groundwater Protection Management Plan. Major changes are necessary to make this an implementable plan that is truly comprehensive and truly sitewide. Ecology has gone a long way in highlighting the major deficiencies, missing elements, and degree of integration that will be necessary to meet both the letter and spirit of the established TPA milestone, DOE Order requirements, and holistic tribal management and protection goals. The plan must also recognize and facilitate the essential long-term perspective necessary to meaningfully accomplish groundwater protection. A proactive, action-oriented implementation plan directed at actually accomplishing protection goals in the field must be an essential element of this plan.

Please keep us regularly informed about how this plan is being revised to address specific tribal concerns and to integrate the concerns and issues expressed by Ecology. Future activities related to this plan should be coordinated with either myself or Tom Gilmore, Hanford Environmental Restoration Project Hydrogeologist, at 503-276-0105.

Sincerely,



J.R. Wilkinson

Hanford Projects/Program Manager
CTUIR Department of Natural Resources

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