

MEETING MINUTES
HANFORD TRUSTEE WORKING GROUP
1100-AREA ROD
APRIL 29, 1994

Working Group Members in attendance:

Michael Bauer
John Hall
Kathleen Leonard
Alan Childs (for Chris Burford)
Tom Gilmore (for Chris Burford)
Steve Cross (by Teleconference)

RECEIVED
NOV 27 2007
EDMC

Working Group Members Not in Attendance

Geoffery Tallent
Dave Conrad
Stewart Harris

As discussed in the meeting of April 18, 1994, the subgroup went on a site tour of the 1100 Area, including ALE. A photographer accompanied the group to take pictures of the Areas. The photos taken will be presented to the Trustees during the presentation of site description and background. The tour was enlightening in terms of what the waste sites really looked like (how large the sites were, how visible the releases were, what kind of degradation has occurred or is occurring to the resources, etc.).

The afternoon was reserved for meeting and discussion of the ROD analysis by each member of the subgroup. What seemed apparent was that the application of NR considerations within the ROD were nonexistent. Some of the waste areas were small enough that applicability of NR considerations were probably not warranted. NR applicability was a nonissue for ALE since there was no release of a CERCLA hazardous substance. There may be applicability for the Horn Rapids Landfill, but the extent will have to be discussed and researched further.

Mike Bauer had a copy of the Proposed Plan for Cleanup of the 1100 Area Superfund Site at Hanford Summary, and it will be copied and distributed to the group with the meeting records. It was felt that this would probably assist the subgroup with their presentation.

The presentation delivery was discussed and the agenda for the presentation will be as follows:

Description of the 1100 Area including geology, habitat, background will be given by Mike Bauer and Chris Burford. The presentation will take from 30 to 45 minutes. Slides from the site tour will be used to acquaint the Trustees with the waste sites in question. Alan Childs, Tom Gilmore, and Calley Robson will assist Bauer and Burford with the presentation.

The contamination and Proposed Actions portion will be presented by Stewart Harris and Dave Conrad. They will present the summary of the proposed actions, including the contaminants, pathways, etc. This portion of the presentation is expected to be about 20 minutes.

Issues and Concerns portion of the presentation will be given by Geoff Tallent and Steve Cross. This portion is expected to be about 60 minutes or longer, depending on the amount of discussion that is generated. The issues will be presented with some recommendations for actions and/or resolutions.

DON'T SAY IT --- Write It!

DATE: 5/20/94

TO: Kathy Leonard, EAP

FROM: Robert M. Carosino

Telephone: 376-2024

cc: Roger Freeberg
Mike Thompson
RMC Rdg File

SUBJECT: LETTER TO MR. JEFF BREKEL ON TRUSTEE COUNCIL

I recommend that the second paragraph of the proposed letter responding to Mr. Breckel's letter of February 16, 1994, be deleted.

I also recommend that the letter be routed through ERD (Freeberg/Thompson) for concurrence.

My reason for recommending deletion of the second paragraph is based upon our previously raised concern that the expectations of the potential trustees are being raised far too high. (This concern is also heightened after reading the April 27 draft Record of Discussion from Mr. Beck concerning the March 29, 1994 trustees meeting.)

In our discussions with EAP we have expressed our perception that expectations of the trustees as we have seen them discussed have varied not only from what we believe to be RL's legal obligation but also from the outcome which EAP has verbally expressed that it too desires to achieve.

As you know, CERCLA does not require establishment of a trustee council. We recognize that group meetings may be an advantageous way of assuring that all work plans, RI/FS and other public documents associated with the cleanup are timely made available to the potential trustees.

We have also recognized, that if the affected program offices want additional input on natural resource values then a group representing the potential trustees could also be a means of obtaining that input. This again is not a legally required action and must be an outcome which the affected RL programs offices desire to have and for which they wish to accept the concomitant expenditures of time and dollars involved (beyond that already incurred to support existing stakeholder involvement processes eg. Hanford Advisory Board, TPA Public Meetings, document comment periods).

The subject of the February 16, 1974 Breckel letter and the proposed response goes far beyond either of these areas and is likely to lead the trustees to believe that RL is seriously considering performing actions which are of a much more expensive, complex, and premature nature. These include setting up separate natural resource protection divisions in RL with independent administrative and legal support. The April 29 meeting notes also suggest a much more extensive role for the council and suggest more extensive activities are contemplated by many of the potential trustees. For example the proposed draft values and operating principles attached to the April 27 Record of

Discussion include a statement on "recognize legally driven nature of council to determine injuries to natural resources and assess residual damages, fulfill statutory duties as prescribed under CERCLA."

As noted under the formation of a council is not legally required. It is also in our opinion far too early to consider determining injuries and assessing residual damages. The Objectives portion of the strategic plan is also sweeping in scope and certainly suggests a far more extensive role than we have delineated above.

It is the difference in scope of the activities which have been delineated in our discussions with EAP from the perception that we believe are created by written documents that causes our concern. We note that the U. S. Fish and Wildlife Services has also shared concern about the direction of the trustee council and we urge RL to take advantage of USFW's offer to assist RL in scoping out and forming the trustee groups role.

Based on the above we recommend the response to the February 16, 1994 be limited by excluding in its entirety the second full paragraph.

940419/23
Memo

DON'T SAY IT --- Write It!

DATE: April 19, 1994

TO: Distribution

FROM: K. M. Leonard

H6-22

Telephone: 509-376-7065

cc: KML File/LB

SUBJECT: SITE TOUR

A Hanford Site Tour of the 1100 Area/ALE site is being planned for April 29, 1994. This tour is being provided for the Natural Resources Trustee subcommittee working on the review of the 1100 Area ROD. The tour will start at 8:00 a.m. with a working lunch provided at noon, and discussions to continue until 3:00.

If you have any questions, I will be out of town until Thursday, April 21, but you can leave a message on my voice mail, or call Linda Tunnell on 509-372-3166. Thanks.