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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3100 Port of Benton Blvd • Richland, WA 99354 • (509) 372-7950

September 24, 2009

Mr. Mark S. French, Program Manager
Richland Operations Office
United States Department of Energy
P.O. Box 550, MSIN: A3-04
Richland, Washington 99352

Dear Mr. French:

Re: Department of Ecology (Ecology) Response to the Transmittal of Copies of Waste Site
Reclassification Forms (WSRF) for the 128-H-2 and 128-H-3 Waste Sites, 2007-008 and
2007-009, and Supporting Remaining Sites Verification Package (RSVP)

Reference: See page 2

This letter is in response to your formal submittal of the WSRFs and RSVP for the 128-H-2 and 128-H-3, 100-H Burning Grounds #2 and #3, respectively. At this time, Ecology is not approving the reclassification of these sites to "No action." Per the TPA-MP-14 (RL-TPA-90-0001, Rev. 1) procedure, the WSRFs have been marked as "Not Approved" and are enclosed.

In 2008, the United States Department of Energy (USDOE) conducted confirmatory soil sampling at the 128-H-2 and 128-H-3 Burning Grounds, under confirmatory sampling work instructions approved by Ecology. In February 2009, Ecology received the *Remaining Sites Verification Package for 128-H-2, 100-H Burning Ground #2, and 128-H-3, 100-H Burning Ground #3*, which included data from the confirmatory sampling activities. On April 10, 2009, Ecology submitted comments to USDOE on the RSVP.

As stated in the Hanford Federal Facility Agreement and Consent Order, Section 9.2, "Upon receiving written comments from the lead regulatory agency, the DOE will update the document and/or respond to the comments. The response will address all written comments and will include a schedule for obtaining additional information if required." To date, USDOE has not provided responses to Ecology's comments.

USDOE verbally communicated that the RSVP is updated in response to our comments. However, since we have not received comment responses or a track changes version of the RSVP, it is not clear if all Ecology's comments were considered and that clarifying changes were

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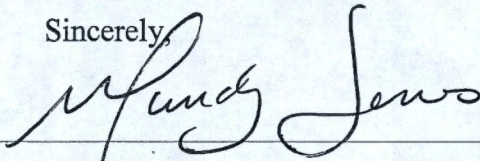
Mr. Mark S. French
September 24, 2009
Page 2.

incorporated. Until our comments are addressed, we are unable to determine the appropriate reclassification for these sites.

We suggest that the comment resolution process proceeds to completion. Currently, we do not hold the position that resolution cannot be reached. If at any time during the comment resolution process it is apparent that resolution cannot be reached, the parties can enter dispute resolution at that time.

If there are any questions, contact me at 509-372-7916 or Jacqueline Seiple at 509-372-7925.

Sincerely,



Mandy Jones
Acting Environmental Restoration Project Manager
Nuclear Waste Program

js/aa
Enclosures (2)

Reference: Letter 09-AMRC-0151, dated July 23, 2009, from M. S. French, USDOE-RL, to J. A. Hedges, Ecology, "Transmittal of Copies of Waste Site Reclassification Forms (WSRF) for the 128-H-2 and 128-H-3 Waste Sites, 2007-008 and 2007-009, and Supporting Remaining Sites Verification Package (RSVP)"

cc w/enc:

Joanne Chance, USDOE
John Neath, USDOE
Megan Proctor, WCH
Stuart Harris, CTUIR
Gabriel Bohnee, NPT
Russell Jim, YN
Susan Leckband, HAB
Ken Niles, ODOE
Administrative Record: 128-H
Environmental Portal
Hanford Operating Record General File
USDOE-RL Correspondence Control

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Date Submitted: <u>02/23/09</u> Originator: <u>M. L. Proctor</u> Phone: <u>372-9227</u>	WASTE SITE RECLASSIFICATION FORM Operable Unit(s): <u>100-HR-2</u> Waste Site Code: <u>128-H-2</u> Type of Reclassification Action: Closed Out <input type="checkbox"/> Interim Closed Out <input type="checkbox"/> No Action <input checked="" type="checkbox"/> RCRA Postclosure <input type="checkbox"/> Rejected <input type="checkbox"/> Consolidated <input type="checkbox"/>	Control Number: <u>2007-008</u>
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This form documents agreement among parties listed authorizing classification of the subject unit as Closed Out, Interim Closed Out, No Action, RCRA Postclosure, Rejected, or Consolidated. This form also authorizes backfill of the waste management unit, if appropriate, for Closed Out and Interim Closed Out units. Final removal from the NPL of No Action and Closed Out waste management units will occur at a future date.

Description of current waste site condition:

The 128-H-2, Burning Ground #2 waste site is located southwest of the 100-H Area perimeter road and the 118-H-1 Burial Ground. The Waste Information Data System (WIDS) describes the 128-H-2 site as a suspected burn pit in a rocky depression with minimal soil. The Washington State Plane coordinates identified as the approximate center point for the 128-H-2 site are E 577178, N 152027.

Confirmatory sampling, historical research, field investigation, and evaluation by a site geologist have determined that this site was not a burn pit but a soil borrow area used in 1948 to support 100-H Area construction activities and was not used for the disposal of hazardous/dangerous materials. No evidence of disposal of any-kind has been found on the surface of the site, within test pits excavated at the site, or in environmental samples collected from the subsurface. Before 1948, the 128-H-2 site and the surrounding area had been used for agriculture, primarily as apple orchards.

Basis for reclassification:

In accordance with this evaluation, the confirmatory sampling, historical research, and field investigations support a reclassification of the 128-H-2 waste site to No Action. The current site conditions achieve the remedial action goals established by the *Interim Action Record of Decision for the 100-BC-1, 100-BC-2, 100-DR-1, 100-DR-2, 100-FR-1, 100-FR-2, 100-HR-1, 100-HR-2, 100-KR-1, 100-KR-2, 100-IU-2, 100-IU-6, and 200-CW-3 Operable Units, Hanford Site, Benton County, Washington* (Remaining Sites ROD), U.S. Environmental Protection Agency, Region 10, Seattle, Washington. The results of confirmatory sampling do not preclude any future uses (as bounded by the rural-residential scenario) and allow for unrestricted use of shallow zone soils (i.e., surface to 4.6 m [15 ft] deep). The analytical results and rationale presented in the attached document demonstrate that 128-H-2 site is protective of groundwater and the Columbia River. No contamination was found in either the shallow or deep zone soils, therefore, institutional controls to prevent uncontrolled drilling or excavation into the deep zone are not required. The basis for reclassification is described in detail in the *Remaining Sites Verification Package for 128-H-2, 100-H Burning Ground #2, and 128-H-3, 100-H Burning Ground #3* (attached.).

Waste Site Controls:

Engineered Controls: Yes ☐ No ☒ Institutional Controls: Yes ☐ No ☒ O&M requirements: Yes ☐ No ☒
 If any of the Waste Site Controls are checked Yes specify control requirements including reference to the Record of Decision, TSD Closure Letter, or other relevant documents.

Deed restrictions to prevent uncontrolled drilling or excavation into the deep zone (greater than 4.6 m [15 ft] below ground surface).

M. S. French DOE Federal Project Director (printed)	 Signature	<u>7/22/09</u> Date
<u>J. B. Price & M. E. Jones</u> Ecology Project Manager (printed)	<u>Not Approved</u> Signature	<u>9/24/09</u> Date
N/A EPA Project Manager (printed)	Signature	Date

WASTE SITE RECLASSIFICATION FORM

Date Submitted: 02/23/09

Originator: M. L. Proctor

Phone: 372-9227

Operable Unit(s): 100-HR-2

Waste Site Code: 128-H-3

Type of Reclassification Action:

Closed Out ☐ Interim Closed Out ☐ No Action ☒

RCRA Postclosure ☐ Rejected ☐ Consolidated ☐

Control Number: 2007-009

This form documents agreement among parties listed authorizing classification of the subject unit as Closed Out, Interim Closed Out, No Action, RCRA Postclosure, Rejected, or Consolidated. This form also authorizes backfill of the waste management unit, if appropriate, for Closed Out and Interim Closed Out units. Final removal from the NPL of No Action and Closed Out waste management units will occur at a future date.

Description of current waste site condition:

The 128-H-3, 100-H Burning Ground #3 is located west of the 100-H Area perimeter road, northwest of the 118-H-1 Burial Ground, and approximately 270 m (886 ft) north of the 128-H-2 waste site. The Waste Information Data System (WIDS) describes the 128-H-3 waste site as a trench on a rise next to a cobble field with little evidence of burning, which was not verified by past employees.

Confirmatory sampling, historical research, field investigation, evaluation by a site geologist and a cultural resources expert have determined that neither the trench nor the cobble field at the 128-H-3 site were burn pits. The trench has been determined to be part of an irrigation system associated with agricultural activities prior to 1948. The cobble field has been determined to have been used as a borrow area in 1948 to support 100-H Area construction. No evidence of the disposal of hazardous/dangerous materials or disposal of any kind has been found on the surface, within test pits, trenches, or in environmental samples collected at the 128-H-3 site.

Basis for reclassification:

In accordance with this evaluation, the confirmatory sampling, historical research, and field investigations support a reclassification of the 128-H-3 waste site to No Action. The current site conditions achieve the remedial action goals established by the *Interim Action Record of Decision for the 100-BC-1, 100-BC-2, 100-DR-1, 100-DR-2, 100-FR-1, 100-FR-2, 100-HR-1, 100-HR-2, 100-KR-1, 100-KR-2, 100-IU-2, 100-IU-6, and 200-CW-3 Operable Units, Hanford Site, Benton County, Washington* (Remaining Sites ROD), U.S. Environmental Protection Agency, Region 10, Seattle, Washington. The results of confirmatory sampling show that contaminant concentrations do not preclude any future uses (as bounded by the rural-residential scenario) and allow for unrestricted use of shallow zone soils (i.e., surface to 4.6 m [15 ft] deep). The results also demonstrate that residual contaminant concentrations are protective of groundwater and the Columbia River. Site contamination was not found in the deep zone soils; therefore, institutional controls to prevent uncontrolled drilling or excavation into the deep zone are not required. The basis for reclassification is described in detail in the *Remaining Sites Verification Package for 128-H-2, 100-H Burning Ground #2, and 128-H-3, 100-H Burning Ground #3* (attached to Waste Site Reclassification Form Control No. 2007-008).

Waste Site Controls:

Engineered Controls: Yes ☐ No ☒

Institutional Controls: Yes ☐ No ☒

O&M requirements: Yes ☐ No ☒

If any of the Waste Site Controls are checked Yes specify control requirements including reference to the Record of Decision, TSD Closure Letter, or other relevant documents.

Deed restrictions to prevent uncontrolled drilling or excavation into the deep zone (greater than 4.6 m [15 ft] below ground surface).

M. S. French

DOE Federal Project Director (printed)

Signature

Date

J. B. Price M. E. Jones

Ecology Project Manager (printed)

Signature

Date

N/A

EPA Project Manager (printed)

Signature

Date