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Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

MAY 02 2003

03-CLO-0098

Mr. Tom Zeilman
Hanford Natural Resource
Trustee Council Chairman
c/o: Confederated Tribes and Bands
of the Yakama Indian Nation
P. O. Box 151
Toppenish, Washington 98948

RECEIVED
JAN 24 2008

EDMC

Dear Mr. Zeilman:

TRANSMITTAL OF FINDING 03-01: APPROVAL OF LETTER, "100 B/C ECOLOGICAL RISK PILOT PROJECT"

We received your e-mail dated April 17, 2003, requesting a vote for the proposed Finding 03-01 approving the letter entitled "100 B/C Ecological Risk Pilot Project." Attached please find the Signature Page.

The U.S. Department of Energy stands behind the purpose of the Hanford National Resource Trustee Council (HNRTC) being the forum to facilitate coordination and cooperation to achieve the common goals of the trustees and that all decisions made by the HNRTC shall be by consensus. We also view the HNRTC as a forum for open and honest discussion of trustee issues. As you may recall from the last quarterly HNRTC meeting, I was fully supportive of the HNRTC sending a letter to the Tri-Parties expressing concerns with the 100 B/C Pilot Project. However, it appears that the tenets of the HNRTC broke down during the process of preparing HNRTC advice on the 100 B/C Pilot. For the following reasons, the RL-Trustee's vote is an "objection" for both process and content.

The process described in the HNRTC By-laws for obtaining concurrence for HNRTC findings, which establish recommendations and advice, was not adhered to. The findings process was delayed until after transmittal of the letter and the letter did not receive the RL-Trustee's concurrence before being finalized. Secondly, as RL-Trustee, I do not agree with the content of the letter or the content of the finding. As such, the letter is not considered a valid HNRTC letter and should be retracted.

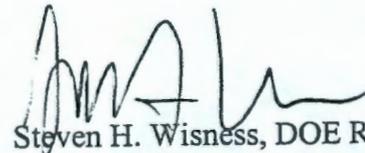
A suggested agenda topic for our next HNRTC meeting may be to discuss this issue in some detail from a content and process perspective to reach an agreed to path forward. In the meantime, a respected panel of scientists recently completed a peer review of the 100 B/C Pilot Project Data Quality Objectives. Their findings are anticipated to be received soon and will be forwarded to the HNRTC.

Mr. T. Zeilman
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If you have questions or would like to discuss this letter, please contact me or you may contact Astrid P. Larsen, of my staff, on (509) 372-0477

Sincerely,



Steven H. Wisness, DOE Representative
Hanford Natural Resource Trustee Council

CLO:APL

Attachment

cc w/attach: See page 3 & 4

Mr. T. Zeilman
03-CLO-0098

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Nicholas Ceto
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Mr. T. Zeilman
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Mr. Michael Wilson
Washington State Department of Ecology
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Lacey, Washington 98504

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL
FINDING 03-01

This finding is to approve the Hanford Natural Resource Trustee Council (Council) letter dated April 14, 2003, and to authorize the Chair's signature. The letter is addressed to Messrs. Keith Klein (U.S. Department of Energy), Nicholas Ceto (U.S. Environmental Protection Agency) and Michael Wilson (Washington State Department of Ecology). The subject line is: "100 B/C Ecological Risk Pilot Project."

In summation, this finding conveys:

- Objections to the Tri-Parties' failure to properly coordinate with the Council in the DQO process for the 100 B/C Risk Assessment Pilot Project
- Recommendation that the Tri-Parties reach a common understanding with the Trustees of the purpose, scope and biological principles for Ecological Risk Assessment in the river corridor
- Concern that there may be inadequate funding to support appropriate ecological risk evaluations
- Recommendation that ecological risk experts from EPA participate in the 100 B/C Pilot Project
- Recommendation that future DQO processes for ecological risk assessment, especially for the 200 Area, include early and continuing participation by the Council at regular intervals

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL

SIGNATURE PAGE

Finding 03-01: Approval of letter, "100 B/C Ecological Risk Pilot Project."

Support
 Object
 Abstain
 Support with separate opinion (below)

Signature: 

Name: Steven Wisness

Trustee Organization: DOE-RL

Date: 5/2/03

 *** TX REPORT ***

TRANSMISSION OK

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