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HANFORD NATURAL RESOURCE TRUSTEE COUNCIL

Agenda

June 11 - 12, 1997
Three Rivers Resort, Lowell, Idaho
Message Phone: (208) 926-4430

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Wednesday June 11, 1997

Introductions & Housekeeping:
- Approve Agenda
- Action Items Update
- Project & DQO Schedules
- Approve Draft Minutes

ERDF Expansion

CRCIA Comment Letter

Tolling Agreement

Web Site Review

Logo

Committees and Working Groups discussion

12:00 - 1:00 *Lunch*

1:00 - 1100 PAS - USFWS Presentation

Chromium Study Discussion with USFWS

Thursday June 12, 1997

8:30 Salmon Study Resolution 97-02

to 12:30 Working Groups Meet

The next HNRTC meetings are:
- August 14 & 15 in Portland, OR
- September 11 in Tri-Cities
- November 13

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Record of Discussion

June 11 - 12, 1997

Three Rivers Resort, Lowell, Idaho

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Approve Agenda - The agenda was approved as modified.

Action Items Update - 050897-23 Jena Lewinsohn provided the update noting that Plants of the Wild, Tekoa, WA, (rabbitbrush, sagebrush, hopsage) and L&H Seed, Connell, WA (sandbergs bluegrass, Indian ricegrass, needle & thread grass) have grown Hanford derived seed. -22 Geoff Tallent noted this action item is closed and on the agenda for discussion later. -21 Geoff Tallent noted that there would be an initial phone call with the Trustee lawyers and the second call would include the DOE lawyer, Patrick Willison. The list of lawyers includes Tanya Barnett, Chris Burford, Paul Ward, Barry Stein, Bob Taylor, Patrick Willison. Susan noted her attorneys may decide to be involved up-front. Ongoing. -20 Jamie Zeisloft noted his concern with the name. A suggestion was to use "Potential Impacts to Aquatic Species from 100 Area Contaminants." -19, -18 closed. -17 is closed and on the agenda for discussion. 061197-24 **Action Item:** *Kay Kimmel to send a draft letter of acceptance on the by-laws to Preston Sleeger.*

Project & DQO Schedules- the new DQOs were discussed. The D-Area Chromium Hot Spots DQO was started because the source of the hot spots has not been determined. There is ongoing coordination on sampling strategies to tie into the Trustee salmon study. The intent is to look at the entire pathway for chromium movement using points next to the: reactor, shoreline, porewater, and river, then coordinating the activities. If chromium is chased to a porewater release, then habitat of that area will be investigated to determine whether the area is viable for salmon redds. In addition, PNNL is looking at whether salmon prefer groundwater upwelling to surface water flow. 061197-25 **Action Item:** *Darci Teel to find out the funding level for the Chromium Hot Spots DQO.*

Approve Draft Minutes - Minor changes could have been made, however the minutes were approved as written. Jay McConnaughey asked that the discussions be separated by days in the future.

Address/Information List - It was agreed to remove the old committee listings since committees must now be created by resolution, per the by-laws. It was agreed to change the format to alphabetize by Trustee organization with people listed under each organization.

Native Seed Contract - Darci Teel noted the native seeds have been harvested by L&H Seed under an ERC contract. Seeds were planted over a year ago. She noted that ERDF and 116-C-1 are the next projects with revegetation needs, with three more projects close behind. Bob Lober is also needing seed. ~~Dissatisfaction~~ Concern was expressed by the Trustees with ~~BGR's~~ the overall inability to obtain native seed and get a native seed nursery up and running.

CRCIA Comment Letter - Larry Gadbois noted the comment period is extended to June 30, 1997. Geoff Tallent drafted this comment letter and faxed it to all, also providing copies at the meeting. He noted the reason he developed a letter is there is a lot of overlap or areas of common interest and he wanted to point that out to the CRCIA team to ensure coordination. There is concern with the architecture or structure outlined in Appendix II-D.

The last sentence will be revised to read something like: While the NRTC and CRCIA have different

origins and purposes, we would like to coordinate how we will work together on these matters. While the NRTC does not believe the role envisioned in Appendix II-D will accomplish this purpose, we would request increased coordination and cooperation. Geoff will make the discussed changes and get a signature page together.

Tolling Agreement - See the discussion under Action Items Update, Action Item 050897-21.

Web Site Review - Geoff provided a hard copy of the test website. There is additional text to be written and various Trustees volunteered for these write-ups. 061197-26 **Action Item:** *Provide specific write-ups to Geoff Tallent for inclusion on the webpage.* Dan Landeen will provide text on Hanford-Natural Resources; Chris Burford will provide text on Authority; Susan Hughs will provide a short NRTC History. Geoff noted that if this information is provided to him before the August meeting then we could get a run through of the proposed website in August.

1100 PAS - USFWS Presentation - Dan Audet provided the update on USFWS activities for writing the 1100 Pre-Assessment Screen. 061197-27 **Action Item:** *Kay Kimmel to obtain all signatures on Resolution 97-01.* Dan Audet noted Toni Davidson and Rick Roy were each unable to attend. Dan noted they will be talking with the USFWS refuge folks to help get Rick up to speed on Hanford. A general discussion ensued on Trustee needs in relation to the Department of the Interior (DOI) and the future of DOI. Dan provided a handout on a non-Hanford issue regarding elevated wildlife mortalities in the Coeur d'Alene basin.

Dan provided a timeline of activities: April 23 Interagency Agreement (IA) was executed, April 28 received the official IA, May 8 work plan sent to John Carleton for distribution and review. Currently pending is the work plan approval. An approval sheet was signed off by attending working group members and will be provided to Dan Audet.

Toni Davidson was on site for a tour, as she is the primary writer. USFWS are a little behind schedule at this point. The approval process caused the delay, and it needs to get back on track. A suggestion for averting this kind of delay was to provide USFWS with the names and addresses of all of the 1100 Area PAS Working Group members and having them fax information directly to each member. A discussion was held on how comments on the PAS would be resolved. Dan provided copies from Preston Sleeger of the regulations that will be followed. He reviewed the performance report: August there will be a draft PAS, performance report and cost report. He provided a draft outline of the PAS, performance report and cost report. He noted that the literature review has been started.

061197-28 **Action Item:** *Jamie Zeisloft to provide cost and performance report to DOE procurement.*
061197-29 **Action Item:** *Jamie Zeisloft to address the revisions to the IA with procurement.*
061197-30 **Action Item:** *Jena Lewinsohn to pull together a list of fish, wildlife and plant species for the Hanford Site and vicinity and send to Toni Davidson, USFWS.*

Salmon Study Discussion with USFWS - Jamie Zeisloft provided some background on the thinking processes gone through for this assessment. He also explained how DOE budgeting has changed and how that has changed writing a Statement of Work (SOW). The SOW must be written to fit into Fiscal Years.

A handout was provided by Jamie, "Assessment of Contaminant Impacts on Salmon, NRTC Working Group Requirements." Dan Audet noted that, by following the current plan, the technical aspects of the regulations will be met, but the process requirements will not be met. A plan must be reviewed by the public in order to meet the process requirements. By removing the process requirements, this study cannot be used as an injury study, since it does not have rebuttable presumption. There was a lot of

discussion on the path forward and the decisions that the Trustees have made. Chris Burford clarified the regulations in regard to starting the clock on the statute of limitations. He noted the clock does not start at a federal facility that is also an NPL site until remediation is complete. All agreed that the path forward will include the salmon study. It was further agreed to look into writing a 100 Area PAS and an assessment plan in the near future. These assessments could be completed before field work begins and still provide rebuttable presumption. Chris noted that first an assessment plan was to be written and now it is not, he is not particularly happy with this outcome. Geoff further noted that DOE would be more committed if the damage assessment route was started.

Discussions for tomorrow: Statement of Work; Resolution 97-02; ERDF; logo.

Thursday June 12, 1997

Logo - It was agreed to remove the clipart and sketch in a river, using the round logo. The logo will be placed over the text on the letterhead.

Salmon Study Interagency Agreement and Statement of Work - Dan Audet had some ideas on the scope of work to discuss. Dan noted he discussed the statute of limitations with Preston, and that DOI has no problem with the issue of starting the clock and chooses to be in consensus with the Trustees. DOI simply has a responsibility toward the states and Tribes to ensure that they are fully informed. Dan noted that the assessment plan is very important as a framework for funding and for future studies. The schedule (handed out yesterday-get copy) was reviewed to see how Phase I could be changed to an assessment plan. October 1998 is the critical endpoint on the schedule so there should be ample time to complete an assessment plan and include public involvement. There was strong technical justification to proceed with the assessment plan and it was agreed that this is the preferred path. It was further agreed that the public involvement portion will be covered by the rest of the Trustees.

Jamie Zeisloft noted that Phase I needs to include, beyond the assessment plan, enough detail to issue a contract for Phase II work. There was much discussion on how to implement these steps so that all Trustees are satisfied. 061297-35 **Action Item:** *The Trustees agreed to write the PAS themselves, and to get their upper management involved.* 061297-31 **Action Item:** *Geoff Tallent to ensure Ecology is able to take the lead on the public involvement portion of the 100 Area Assessment Plan prior to finalizing the IA.*

Dan reviewed the needs of the USFWS concerning the schedule. He noted that additional meetings need to be included: meetings with Trustees and a meeting with the laboratory people. Several changes were made to the SOW: Section 1.0, Order Title was changed. Section 3.0 becomes the Work Plan for the salmon study, including data compilation (or data review). Section 4.0, Administration, will include the technical direction point-of-contact, Chris Burford. Final plans will be issued x number of days after Trustees approve the draft final. Attachment C will need to be enlarged to cover all the data needs. Additional meetings will be mandatory for the Working Group which will report back to the full Council. 061297-32 **Action Item:** *100 Area Working Group to coordinate on June 30 their next meeting.*

Resolution 97-02 - Geoff Tallent provided fresh copies of Resolution 97-02. The 5/6/97 version was resurrected, discussed and changes made. Geoff and Chris will discuss further changes which need to be made outside this meeting. Susan Hughs noted that the specific points Geoff and Chris were discussing were not critical to her organization signing or not signing the resolution.

ERDF - Jamie Zeisloft brought the group up to speed on his efforts to bring the ERDF project people on board with BRMaP. He noted the projects people do not have funding for 3:1 compensatory

mitigation and do not intend to do any further mitigation. He also noted that the ERC has not been given direction from DOE to implement BRMaP. Larry Gadbois noted that the EPA project manager, Pam Innis, is also displeased with mitigation efforts at ERDF, and she should be able to use Trustee agency letters concerning ERDF/Trustee consultation in enforcing the record of decision (ROD). Jamie noted that the ERDF projects do not believe any NRDA mitigation is required because of the I&I language in the remedial investigation/feasibility study (RI/FS) documents. They have told him that if compensatory mitigation is done, then less cleanup could be done. There was much discussion on what constitutes acceptable mitigation at ERDF. It was noted that full compliance with BRMaP would be acceptable to the Trustees. Geoff suggested that the ERDF invitation be declined, using wording such as, "you have not dealt with the Trustees in good faith in the past and Trustees are not willing to discuss this issue." Susan suggested an alternative, that, "we do not need to meet with you because we have your commitment to follow BRMaP on x date." Jamie noted two issues that he sees as outstanding: 1) compensating for habitat impacts; 2) a trust fund was committed to. Other suggested language for the ERDF response letter:... we would be willing to work with you when you choose to implement your commitments. 061297-33 **Action Item:** *Susan Hughs and Chris Burford will each write a suggested Council letter in response to the ERDF letter for approval by June 21.* Chris noted further language: we are interested in going on your tour only if we tour the area that will be destroyed, with a discussion/presentation on how this destruction will benefit the site habitat. The Trustees expressed dissatisfaction concerning working with this particular group, since they have not acted in good faith in the past. 061297-34 **Action Item:** *Conference Call at 2:00 on the 27th concerning the ERDF letters.*

Jamie also brought up an issue on the US Ecology site. Geoff noted that DOE has requested Ecology's compensatory mitigation plan for this site.

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