



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

January 29, 2010

Mr. Matthew S. McCormick
Richland Operations Office
United States Department of Energy
P.O. Box 550, MSIN: A5-11
Richland, Washington 99352

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EDMC

Re: Integrated 100 Area Remedial Investigation/Feasibility Study Work Plan, Addendum 5:
100-N Decision Unit, DOE/RL-2008-46-ADD5, Draft A (Work Plan) and the Sampling
and Analysis Plan for the 100-N Decision Unit Remedial Investigation/Feasibility Study,
DOE/RL-2009-42, Draft A (SAP)

Dear Mr. McCormick:

The Department of Ecology (Ecology) received the referenced documents from the United States Department of Energy (USDOE) on December 22, 2009. USDOE submitted the work plan and SAP to fulfill Hanford Federal Facility Agreement and Consent Order (HFFACO) Milestone M-015-61, due December 31, 2009. The work plan was submitted as a Primary Document under HFFACO Action Plan Section 9.

Ecology's preliminary review of the work plan shows that it does not consider the "program goal, program management principles, and expectations" contained in the Code of Federal Regulations 40 CFR 300.430. There are substantial differences between Ecology's and USDOE's understanding of the required scope of the work plan.

Many of our concerns with the work plan could have been avoided by using the data quality objectives (DQO) process as defined in *Guidance on Systematic Planning using the Data Quality Objectives Process*, EPA/240/B-06/001. USDOE, the United States Environmental Protection Agency (EPA), and Ecology used the systematic planning process at the start of this RI/FS work plan development process. However, the DQO process was cut to a single meeting to discuss draft Conceptual Site Model plates for the 100-N Decision Unit prior to developing the work plan and SAP.

Below are several examples of our major concerns with the work plan:

1. USDOE did not identify "the type, quality, and quantity of the data" that will be collected during the RI/FS to support decisions on remedial response activities as required by 40 CFR 300.430(b)(5). Instead, the work plan shows a clear bias towards a remedy that does not include additional remediation in the final Record of Decision (ROD). Given

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the large quantity of acknowledged data needs, the suggested number of investigational samples in the work plan is inadequate.

2. Section 4.4.1 of the work plan outlines data needs in the source areas. USDOE recommends no additional sampling of waste sites, regardless of whether the interim remedial actions have been completed. The work plan also states additional characterization may be required after implementation of the interim remedy as part of a "Phase 2 RI work plan... or as directed by the final ROD."

USDOE, EPA, and Ecology agree that the current Remedial Investigation/Feasibility Study (RI/FS) process was intended to lead to final action RODs. Ecology sees a serious issue with a work plan that defers much of the data collection to another action that will not be completed until after the issuance of the RI/FS report and Proposed Plan.

3. The executive summary of the work plan states, "CERCLA/RI/FS results are intended to address Resource Conservation and Recovery Act (RCRA) corrective action requirements for areas of RCRA concern." The lack of an integrated monitoring plan to address the following issues is a failure to comprehensively review the 100-N groundwater:
 - 100-NR-2 groundwater unit monitoring needs
 - 100-NR-1 operable unit unplanned releases
 - 1324-N/NA percolation pond and surface impoundment
 - 1301-N Liquid Waste Disposal Facility (LWDF)
 - 1325-N LWDF
 - Atomic Energy Act monitoring needs

In the work plan, "Data Need #5: Define additional groundwater needs to support groundwater remediation decisions" would clearly be supported by an action item requiring the finalization of the draft *100-N Area Integrated Groundwater Sampling and Analysis Plan*, DOE/RL-2009-58. Ecology actively supported the development of such a plan, as described in an Ecology letter, dated January 19, 2007, to Mr. Kevin Bazzell, Richland Operations Office. An integrated monitoring plan is also consistent with the principles outlined in the *Hanford Site Groundwater Strategy*, DOE/RL-2002-59.

4. Several treatability tests and remedial actions are scheduled concurrently with the RI/FS process. The project schedule on page 5-2 of the work plan shows field investigations ongoing through mid-Calendar Year 2011. There is no description in the work plan of how ongoing data collection through other programs will be used to feed into the RI/FS Report and Proposed Plan.

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5. RI/FS are required to provide information to assess the risks to human health and the environment so that remedial alternatives can be developed and evaluated (40 CFR 300.430). The RI/FS process includes:
- Conducting a baseline risk assessment (in the RI)
 - Refining preliminary remediation goals based on the risk assessment, along with applicable or relevant and appropriate requirements (in the FS)
 - Conducting a risk evaluation of remedial alternatives (in the FS), EPA/540/1-89/002

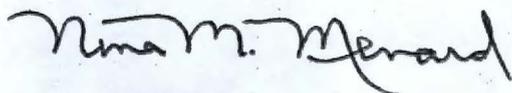
The work plan should include plans for applying the new data collected in the N area in the process for refining remediation goals and evaluating remedial alternatives.

Because of the extent of Ecology's comments, the standard review and comment process for primary documents (HFFACO Figures 9-1 and 9-2) will not support USDOE's proposed RI/FS schedule (Figure 5-1 of the work plan). We are concerned that a schedule slip so early in the process will put HFFACO Target Milestone M-015-62-T01, due by December 31, 2011, in jeopardy. Therefore, we suggest that USDOE and Ecology hold workshops to identify and resolve major differences. We would like to hear USDOE's plan for revision of the work plan and SAP at the first workshop.

Please let us know within 15 days if you are willing to commit to workshops. If we cannot agree on scheduling workshops, Ecology will expect USDOE's response to our major concerns and a plan for updating the work plan within 30 days from receipt of this letter, as required by HFFACO Figure 9-1.

If there are any questions, contact me at 509-372-7941 or Alicia Boyd at 509-372-7934.

Sincerely,



Nina M. Menard
Environmental Restoration Project Manager
Nuclear Waste Program

ab/aa

cc: Mike Thompson, USDOE
Laura Buelow, EPA
Stuart Harris, CTUIR
Gabriel Bohnee, NPT
Russell Jim, YN
Susan Leckband, HAB

Ken Niles, ODOE
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