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Confederated Tribes and Bands  
of the Yakama Nation

Established by the  
Treaty of June 9, 1855

October 22, 2001

Jamie Zeisloft  
USDOE-RL  
3350 George Washington Way, HO -12  
Richland, WA 99352

**RE: *Sampling and Analysis Instruction for Evaluation of Residual DDT, DDE, and DDD at the Horseshoe Landfill, BHI-01529, Rev. 0***

Dear Jamie:

Thank you for meeting on August 29 with Wade Riggsbee and myself regarding the Horseshoe Landfill Sampling and Analysis Plan. Although there were some significant differences of opinion with DOE-RL regarding the physical scope of the sampling, the parties to the Tolling Agreement managed to achieve some level of consensus on an acceptable plan that will address the Yakama Nation's concerns regarding residual DDT, DDE and DDD concentrations at the Landfill.

Provisions added to Section 3.1 for contingent surface soil sampling that could examine possible contamination to a depth of 1.2-m (2- to 4-ft), as well as extension of the sampling grid to look at possible lateral contamination, will ensure that a reasonable investigation of contamination problems at the Landfill is accomplished. The concrete commitment in Section 3.2 to conduct biota sampling, including plants, beetles, small mammals and bird eggs, also provides a more thorough follow-up to the investigations done in 1998 and 1999. Although this Plan is acceptable and should go forward, YN will continue to maintain the position that more probing analysis may be necessary to ensure that the site was properly closed by EPA and DOE-RL in 1996.

As agreed at the August meeting, YN and DOE will also work together on a plan to conduct annual biological monitoring of the site in the interest of protecting the natural resources within the immediate area. We look forward to further meetings with RL staff to scope such a process.

The Yakama Nation appreciates the efforts undertaken by DOE-RL to date to resolve this issue. Please provide information on the results of the sampling as soon as they are available, as well as any problems encountered in the investigation. If you have any questions please contact me at (509) 865-7268.

Sincerely,

Tom Zeilman  
Yakama Nation Office of Legal Counsel

cc: Russell Jim, ER/WM  
Dan Landeen, Nez Perce Tribe  
Larry Goldstein, HNRTC

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