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001714 Dave N.
NMWMP - Hanford



OCT 07 1993

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Kennewick

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October 1, 1993

FILE NAME: _____
RCRA _____
CERCLA _____

Mr. Steven H. Wisness
Project Manager
US Department of Energy
PO Box 550 A5-19
Richland, WA 99352-0550



Dear Mr. Wisness:

Re: N Springs Expedited Response Action Proposal

In its capacity as natural resources trustee under CERCLA § 107, the Washington State Department of Ecology offers the following comments on the N Springs Expedited Response Action Proposal, DOE/RL-93-23. The Proposal presents several alternatives for remediating discharges of contaminated groundwater from the N area to the Columbia River. While necessary for remediation, these alternatives have differing impacts on natural resources that are relevant to selection.

Liability for natural resource injuries derives not only from the direct effects of hazardous substance releases, but also from the indirect effects caused by those releases. Remediation itself may cause natural resource injuries in the process of alleviating threats to human health or the environment. As the U. S. Department of Energy (USDOE) would be subject to liability for reasonably avoidable injuries resulting from remedial actions, prudence dictates that this remedial action be designed to minimize further natural resource injuries.

This letter does not attempt to quantify the damages for which USDOE may be responsible as a result of the N Springs ERA (Expedited Response Action). Natural Resource Damage Assessment at the Hanford Site is not developed to the extent that would allow such a determination. It would be useful, however, to consider the level of effort required to restore, replace, or acquire the equivalent of the injured resources. Natural resource trustee considerations require USDOE to consider a broader goal for this ERA; not simply reduction of contaminants entering the Columbia River, but also restoration of the groundwater, surface-water, geologic, and biologic resources that comprise the N Springs complex. For example, consider the riparian community of plants and animals, and any community that may be dependant on the N Springs themselves.

Chapter 5 of the Proposal screens numerous alternatives. Within each alternative there are no provisions for minimizing natural resource injuries caused by the remedial activities.

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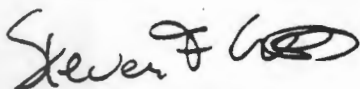
Mr. Steve Wisness
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Between alternatives, there is no consideration of choosing the technology that causes the least natural resource injury. These two deficiencies should be corrected.

- 9/13/279.1410
- 1) The N Springs are a resource. Their loss, relative to baseline conditions, would be an injury. All the alternatives, except one, would result in the elimination of the N Springs. The barrier alternatives could divert groundwater to new spring location down-gradient. Only the pump-and-treat with reinjection might preserve the N Springs. The other pump-and-treat alternatives and the hydraulic control alternative would impact the N Springs at least during the period of their operation, after which the hydrologic regime may return to baseline conditions. Most of the vertical barriers would permanently block groundwater flow to the N Springs. The freeze wall is the exception, ice being inherently reversible. The cost of restoring, replacing, or acquiring the equivalent resource should be considered, at least qualitatively.
 - 2) The different alternative entail different amounts, kinds, and durations of impacts to riparian and terrestrial habitat. Constructing roads, well pads, and treatment facilities, or installing vertical barriers would all impact resources. Consideration should be given to relative destructiveness of the various technologies to ensure that further natural resource injuries are minimized. Again, the cost should be considered.

These comments should not be misconstrued to support a no-cleanup alternative for N Springs. This letter does not question whether N Springs should be cleaned up, simply the methods. Nor is it the intent here to suggest any preferred method, as long as natural resources are accounted for. The trust responsibility for natural resources held by the state, as well as USDOE, mandates that natural resource injuries be accounted for in considering remedial alternatives.

Sincerely,



Steven F. Cross
Nuclear and Mixed Waste Management Program

SFC:dr

cc: Bob Holt, USDOE
Roger Freeburg, USDOE
Administrative Record, 100-NR-2