

**Hanford Natural Resource Trustee Council
Draft Agenda
September 8-9, 2004
Three Rivers Resort, Lowell, Idaho**

Wednesday September 8th

8:00-9:00	Welcome Agenda approval Transfer Chair duties from Lauri Vigue to Don Steffeck Announcements Approval of May meeting notes Approval of July meeting notes Review action items
9:00-9:30	Meeting Dynamics/Decorum (Steffeck, Vigue)
BREAK	
10:00-11:30	Council Discussions (start) -follow-up to August 26 th conference call with Shirley Olinger (Injury Assessment) -Technical Assistance -Work priorities - Tri-Party Review of upcoming Hanford CERCLA activities (Price, Gadbois, Zeisloft) -Strategic planning and Council structure -MOA/By-Law Revisions
11:30-1:00	Lunch
1:00-4:00	Council Discussion (continue)

Adjourn for the day

Thursday September 9th

8:00-9:00	Council Discussions (continue from previous day)
9:00-9:45	DQO and NRDA Integration (Vigue)
9:45-10:00	ERWG update (Vigue)
10:00-10:15	HAB River and Plateau Committee Update (Goldstein)
BREAK	
10:30-10:45	Brainstorming for December meeting
10:45-11:00	Future meeting planning

Adjourn meeting

Sept 04 Agenda Rev.4 8-31-04

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**Natural Resource Trustee Council Meeting
September 8-9, 2004
Three Rivers Resort-Lowell, Idaho**

Trustees:

Dan Landeen, NPT
Susan Hughs, ODOE
Larry Goldstein, Ecology
Jay McConnaughey, YN
Don Steffek, USFWS
Steve Wisness, DOE-RL
Barbara Harper, CTUIR

Other Attendees:

Larry Gadbois, EPA
Ray Givens, YN
Astrid Larsen, DOE-RL
Jim Rasmussen, DOE-ORP
Lindsey Hayes, USFWS
Ed Hiskes, DOE-RL
John Price, Ecology
Shirley Olinger, DOE-RL
Jamie Zeisloft, DOE-RL

Welcome, Transfer of Chair Duties, Agenda & Previous Meeting Notes:

Don Steffek was welcomed in as the new Chair and Susan Hughs as the Vice-Chair. It was agreed that the effective date of the Resolution 04-01 would be August 31st since the effective date of the new chair duties is September 1. Don Steffek welcomed everybody to the meeting and the agenda was reviewed and approved. Previous meeting notes from May and July were approved with minor corrections and a request to check the language for risk assessment assistance in the July notes. ASTRID WILL FINALIZE MAY AND JULY MEETING NOTES

Announcements:

- Larry Goldstein provided copies of the August 26, 2004 meeting notes and requested comments.
- Oregon sent a letter to Shirley Olinger regarding the August 26th meeting.
- Jodi Manly with DOE will start providing administrative duties after the September 2004 meeting.
- An issue was raised as to the distribution list of packets and information. It was agreed that all information should be distributed to the 7 trustees. In addition, the 7 trustees should let Astrid/Jodi know of additional people who should be included in mailings and e-mails
- Horseshoe landfill was raised. USDOE stated that it had developed a remedial response plan for the Horseshoe Landfill located on the Hanford Reach National Monument. Select trustees have seen the plan while others had not. USDOE

agreed to provide the document and coordinate a meeting to discuss their approach.

Review Action Item List:

Action items from July meeting were reviewed and updated. Additional action items were added as the September meeting progressed. See Action Items at end of these meeting notes.

Meeting Dynamics (Don Steffeck):

A brainstorming sessions as to how best conduct meetings and transfer information to all who are interested. Topics discussed include:

- Council meeting purpose
- Update charter and bylaws
- Who are the points of contact/responsibilities
- Formalities of the meetings, should chair be more assertive to limit discussions
- Are the meetings effective
- Role of legal council, regular attendees
- Can Council discuss injury/assessment per bylaws
- Meetings are getting larger, harder for trustees to be heard, consider HAB model
- Concerns about meeting discussions being used for litigation purposes

Ray Givens and Ed Hiskes offered to work with respective attorneys to develop some type of agreement that would allow technical discussion to continue without the threat of future legal use and to define a dispute resolution process using the TPA dispute resolution as a potential strawman. The agreement would address the basis of working together.

ACTION ITEM: Givens to coordinate with attorneys to bound use of meeting notes.

Additional topics that were discussed include 1) meeting agendas should be developed sooner, 2) one purpose of Council meeting is to receive updates on Hanford Activities, 3) need to identify priorities and what Council does with information that is received and 4) keep meeting notes to a minimum to cover actions items and topics of discussions.

Memorandum of Agreement/Council By-laws:

A concern was raised by DOE that additional trustee meetings are held without DOE being informed or invited. A suggestion was made that that the By-laws be changed to reflect majority opinion instead of full consensus and the direction of the Council include injury and damages. No conclusion was reached on this topic.

Tri-Party Review of Upcoming Hanford CERCLA Activities (Gadbois and Price):

Handouts were provided that listed current clean-up issues facing Ecology and EPA.

Council Discussion Topics:

1. Discussion of agreement reached at August 26th meeting
 - a. DOE committed to check with HQ on what studies RL can support.
 - b. RL in agreement that we want technical assistance.

- c. What are priorities, how much and how do we do technical assistance
- d. Phase I-CERCLA remediation
- e. Phase II-post remediation/NRDA starting with a PAS

The only person within RL that is able to commit funding above CERCLA remediation is Keith Klein through the Change Control Board. Keith still wants to meet with the senior leadership of the trust agencies this Fall.

After considerable discussions, the following points of agreement were reached.

1. Trustees agree to focus on ecological risk assessments
2. Trustees agree to focus on incorporating potential injury assessment data into the ERA in order to support remedial action decisions (or what otherwise makes sense)
3. Injury assessments data that exclusively supports damage assessments will be addressed later

It was moved that the three points of agreement be approved by informal action and prepared as Resolution 04-02 for consideration of a formal vote.

ACTION ITEMS

1. Astrid to prepare resolution.
2. DOE prepare a cross walk of PMP versus specific FY05 work scope for the River Corridor and Central Plateau.
3. Other trustees refine injury assessment matrix and identify a list of scientific experts needed to assist in an injury assessment
4. Astrid send link to TPA dispute resolution process
5. Steve Wisness will distribute horseshoe landfill remedial response plan and arrange a face-to-face meeting to discuss it.

Meeting concluded for Day 1.

Meeting resumed, Day 2.

The previous day's agreements were reviewed and additional discussions continued. Additional resources would need to be carved from other projects for FY05. DOE will need to work with Procurement folks as to the funding vehicle after the work scope has been identified. The work scope needs to be documented and measurable. Also want the funding mechanism to be flexible. Some trustee representatives emphasized the need for independent management of the eco-risk assessment and injury assessment activities. Suggestions included providing funds to one trustee to manage for others. Another suggestion was that a fund account be established and controlled by all the trustees. A memorandum of agreement would be prepared once process is established, develop a BTAG charter, using BTAG approach during clean-up and return to the more traditional trustee council approach to complete a cooperative PAS, working with trustees to develop a list of contractors that appeals to all trustees.

Concerns were raised by trustee representatives that USDOE controlled the chromium/salmon study by controlling the funds and scope of work through the contract let with USFWS. All agreed that there was a need to revisit to determine what mistakes to avoid in the future. Discussions turned to preparing a lesson learned on the chromium/salmon studies and how it plays out with a new dispute resolution process discussed earlier during the Council meeting. It was agreed that the lesson learned would be facilitated and conducted in a positive manner to work more productively in the future.

Shirley listed her priorities as 1) data quality objectives for ecological risk assessments, 2) describe data gaps, 3) resources, 4) roles/responsibilities, 5) procurement strategy, 6) lessons learned.

DQO/NRDA Integration:

Covered in previous discussions.

Ecological Resources Working Group Update (ERWG):

Contact Dana Ward or Steve Wisness to be on the e-mail list. Discussed the purpose of ERWG.

Hanford Advisory Board, River and Plateau Subcommittee Meeting Update (HAB/RAP): (Goldstein)

Larry described his perspective on the presentation and listed the HAB/RAP topics of interest for FY05. These topics are something the Council might want to collaborate with the HAB/RAP.

- Clean-up standards primer (on hold) to educate the board members and regulators on the legal basis for lean-up decisions.
- Central Plateau values, principles, strategies for remedy selection for waste management activities.
- 300 Area uranium plume and re-industrialization
- 100 Area final records of decision.

The HAB/RAP meets monthly on the second Tuesday. Suggestions were made to use the HAB website to track meeting notifications and meeting summaries.

Future Meetings

September 21, 100/300 River Corridor Risk Assessment issues matrix meeting, Richland

September 22, 100-N DQO, Richland

September 28, Lessons Learned, Review of Cross Walk analysis, Portland

November 10, workshop to prepare for senior leadership meeting

Objective of December Leadership meeting

Protocol

Scope

Commitment

Dispute Resolution Process

December 1&2, Quarterly Council meeting, Ecology's Office, Richland

December 2, Ecological Resources Working Group meeting, Ecology's Office, Richland

December 7, or 8 or 9, Keith Klein and senior trust leadership

Proposed December Council Agenda Topics

1. update on land disturbing activities – Dana
2. Chromium 6 plume at 100-D – Morris
3. 200 Area Eco Risk Assessment update – Foley
4. 100/300/River Eco risk assessment update – Sands
5. Human health component of risk assessment – Barbara Harper
6. Finalize briefing papers and prepare for senior trust leadership meeting

Council meeting adjourned

**ACTION ITEMS FROM NRTC
QUARTERLY MEETING**

	ASSIGNEE / ACTION	Date Assigned	Date Completed
1.	Provide a list to Ecological Resources Working Group of existing and upcoming land disturbance projects – Dana Ward	6/11/03	Ongoing
2.	Update general information on Web page, Dana	9/11/03	Ongoing
3.	Set up a conference call with trustees to move foreword on the USGS proposal integrating Sculpin studies into the DQO process, Don Steffeck	7/13/04	
4.	Finalize May meeting notes, Astrid	9/8/04	
5.	Finalize July meeting notes, Astrid	9/8/04	
6.	Set-up conference call to discuss Horse Shoe Landfill, either late September/early October and send out information packets, Steve Wisness	9/8/04	
7.	IDF and Bulk Vitrification construction projects underway which may have land disturbance impacts. Jim Rasmussen to coordinate with Dana Ward.	9/8/04	
8.	Mail out quarterly update of land disturbing activities, Shirley Olinger	9/8/04	
9.	Provide Dana Ward updates to mailing list, especially individuals that need to be copied on information. Dana keep the e-mail list and mailing list current.	9/8/94	
10.	Attorneys to develop language that allows unencumbered technical discussions to continue. Ray Givens	9/8/04	
11.	Provide comments to Larry Goldstein on August 26 th meeting.	9/8/04	
12.	Prepare Resolution 04-02, Astrid Trustees vote on Resolution 04-02	9/8/04	
13.	Provide FY05 work scope to trustees and prepare a cross walk between eco risk assessments, PMP, Communication Plans, Jamie Zeisloft		
14.	Trustees prepare resource needs and data gaps to support FY05 eco risk assessments		
15.	Astrid send out TPA dispute resolution process for CERCLA web page link to trustees		
16.	Shirley check on status of HAB/RAP request for technical assistance.		
17.	Shirley communicate with Keith results of September Council meeting regarding resources, near term and yearly outlook.		
18.	Prepare for senior trust leadership meeting		
19.	Select date for senior trust leadership meeting		