

Draft Agenda  
 Hanford Natural Resource Trustee Council Meeting  
 September 11 and 12, 1995  
 Toppenish, Washington

September 11, 1995

- 8:30 - 9:00 Welcome and Introduction, Carroll Palmer
- 9:00 - 10:00 DOE-Trustee Duties: Paul Kube's View
- 10:00 - 10:15 Break
- 10:15 - 11:00 North Slope Update, Discussion, Liz Block
- 11:00 - 11:15 Administrative Support, Discussion, Trustees
- 11:15 - 11:30 Linda McClain Letter Status, Discussion
- 11:30 - 11:45 MOA Status, Discussion, Geoff Tallent
- 11:45 - 1:00 Lunch
- 1:00 - 2:00 BRMIS - BRMaP Update, Discussion, John Hall
- 2:00 - 3:00 NRTC Letter to DOE Regarding Relevant Regulations, Action, Geoff Tallent
- 3:00 - 3:15 Break
- 3:15 - 3:30 St. Louis Letter, Discussion, Geoff Tallent
- 3:30 - 4:00 Wrap up

September 12, 1995

- 8:30 - 9:00 Welcome and Introduction
- 9:00 - 10:00 Upland Committee
  - Mitigation Strategy
  - 100 Area Update
  - 100 Area Pump and Treat Proposed Plans
  - Restoration Plans
  - Cross Site Transfer Line
- 10:00 - 10:30 River Committee
  - CRCIA Update
- 10:30 - 10:45 Break
- 10:45 - 11:00 Legal Committee Update
- 11:00 - 11:15 Site-Wide Management Committee Update
- 11:15 - 11:30 Administrative Committee Update
- 11:30 - 11:45 Status HRA-EIS Concrete Issue, Native Seed Nursery Contract, Discussion, Paul Kube
- 11:45 - 12:00 Status New Hanford M&O Contractor RFP, Jamie Ziesloft
- 12:00 - 12:30 Wrap up

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Hanford Natural Resource Trustee Council Meeting  
Draft Record of Discussion  
September 11, 1995  
Toppenish, Washington

Attendees

- Bill Beckley, Yakama Indian Nation
- Deborah Borrero, Yakama Indian Nation
- Liz Block, U.S. Fish and Wildlife Department
- Chris Burford, Confederated Tribes of the Umatilla Indian Nation
- John Carleton, Washington Department of Fish and Wildlife
- Paul Danielson, Nez Perce Tribe
- James Doenges, Dames & Moore
- Larry Gadbois, U.S. Environmental Protection Agency
- Linda Goodey, Dames & Moore
- Roger Gordon, U.S. Department of Energy, Richland Operations Office
- John Hall, ASCI/Pacific Northwest Laboratory
- Grant Haskins, Enviros/Yakama Indian Nation
- Paul Kube, U.S. Department of Energy, Richland Operations Office
- Dan Landeen, Nez Perce Tribe
- Kathy Leonard, Environmental Restoration Contract/Bechtel Hanford, Inc.
- Jay McConnaughey, Washington Department of Fish & Wildlife Service
- Carroll Palmer, Yakama Indian Nation
- Callie Ridolfi, Ridolfi Engineers and Associates, Inc.
- Geoff Tallent, Washington State Department of Ecology
- Jamie Zeisloft, U.S. Department of Energy, Richland Operations Office

WELCOME AND INTRODUCTION

Mr. Carroll Palmer, Yakama Indian Nation Deputy Director of Natural Resources, welcomed the Hanford Natural Resource Trustee Council to the Yakima Indian Nation and the Toppenish area. Mr. Palmer stated that he felt the NRTC job was going to get more difficult because of budget cuts at the federal level.

The YIN Department of Natural Resources is responsible for managing natural resources for the Yakama Indian Nation, including assisting with resource management in one-quarter of Washington State. YIN tribal natural resource specialists have been asked for information and assistance regarding natural resource management from tribes in Canada and the United States.

DOE-TRUSTEE DUTIES - PAUL KUBE'S VIEW

Mr. Paul Kube gave a presentation regarding DOE-RL's role on the Trustee Council, including it's duties to act as Trustee in the public interest, notify other trustees of releases of CERCLA hazardous substances, coordinate and cooperate with other natural resource trustees, make available appropriate information concerning injury or the potential for injury of resources, perform scientific investigations (e.g., ecological risk assessments), and document both lead agency actions and trustee determinations in the administrative record. Mr Kube outlined other DOE-RL obligations, duties, and considerations with other agencies and Indian Tribes and emphasized that DOE-RL's role is dual and not divided. He included successes of the NRTC and his goals for the future as DOE-RL Trustee representative.

#### NORTH SLOPE UPDATE

Ms. Liz Block discussed the status of the North Slope project. She expressed concerns over the North Slope Revegetation Plan process, including:

- The NRTC met with Mr. Glenn Goldberg and agreed on revegetation measures including planting sagebrush tubelings on burn areas instead of restoring on impact areas surrounded by low quality habitat on the North Slope.
- A draft revegetation plan was written, including offsite revegetation which was reviewed by a few trustees and comments were provided to DOE-RL.
- One unresolved issue of the draft was whether planting sagebrush tubelings left over from a different project would be cost effective versus growing new sage tubelings from seed. The left over tubelings had to be repotted and that option seemed more costly.
- Completion of the North Slope project became associated with the 1100 Area when funding for the revegetation of the two projects was combined.
  - There appears to be a milestone, which is not specifically for North Slope, but rather for the 1100 Area. There was a question about setting a date for project completion when the details of the plan has not been accepted by all parties.

Ms. Block indicated that several questions need to be answered in order to proceed:

1. Will Jay McConnaughey's letter dated May 1, 1995, be sufficient for Mr. Goldberg's needs regarding offsite mitigation in place of mitigating the lower quality habitat of identified sites.
2. If Mr. McConnaughey's letter is not acceptable, should the NRTC write such a letter to DOE?
3. Does the NRTC accept the substitution of sagebrush seed rather than tubelings as restoration in the burn areas?
4. How should the NRTC address the lack of coordination between DOE and Trustees during the final decision making process of the North Slope Mitigation Action Plan, considering this is a precedent setting action.

ACTION: Mr. Paul Kube will check to see if Mr. Jay McConnaughey's May 1, 1995, letter meets Mr. Goldberg's needs regarding North Slope revegetation. If it does not, Mr. Kube will find out what level of signature will meet DOE's needs.

ACTION: Ms. Liz Block will draft a letter documenting the North Slope/NRTC communications and sum up unfinished business, including budget questions and getting restoration back into the plan. Ms. Block will fax the letter out for review prior to the next meeting.

Ms. Block also indicated that the NRTC may want to write a letter for the Expedited Action Items ROD.

ACTION: There will be a meeting of the Upland Committee and other interested parties to prepare comments for the Record of Discussion being written for the four expedited response sites: Sodium Dichromate, Riverland, Pickling Acid Crib, and North Slope.

#### TWO-TIER SYSTEM OF OPERATING THE NRTC

There was some discussion about the organization of the NRTC. Mr. Chris Burford recommended each individual trustee involve policy people within the NRTC meeting structure. The proposal was to have a meeting of the NRTC policy people, including management, on a quarterly basis, with the NRTC technical people meeting on a monthly basis. This would accomplish the following:

- Improved coordination between policy and technical issues which would culminate in implementation of actions.
- Raised visibility of the issues to appropriate technical and management constituencies.

ACTION: Mr. Geoff Tallent will convene the Administration Committee to discuss policy/technical needs for NRTC Meetings.

#### ADMINISTRATIVE SUPPORT

Administrative support was discussed for the NRTC. The draft meeting minutes are prepared by Ms. Linda Goodey and edited by DOE-RL. A suggestion was made to rotate editing responsibilities among members of the Council. There was also a question about the how and when the meeting minutes could go into the Administrative Record. A recommendation was made for the NRTC to review the minutes to determine if the record is an accurate reflection of the events of the meetings. The issue will be revisited in the December meeting.

#### LINDA MCCLAIN LETTER

All signature pages are due by Tuesday, September 26, 1995.

#### MEMORANDUM OF AGREEMENT STATUS

Signatures have been received from Oregon State, Washington State, and U.S. Department of the Interior. There was a briefing on the MOA to the DOE Site Management Board and the document has been sent to Mr. Wagoner with a recommendation for signature.

#### BIOLOGICAL RESOURCES MITIGATION STRATEGY AND BIOLOGICAL RESOURCES MANAGEMENT PLAN UPDATE

Mr. John Hall gave the status and schedule of both the BRMiS and BRMaP. The BRMiS will go to DOE-RL on September 29, 1995. Further action on the document will depend on direction from DOE-RL. The draft BRMaP will go to DOE-RL on September 29, 1995, also. A revised draft of the BRMaP will go to tribes and stakeholders by January 2, 1996. After comment incorporation, a draft will be submitted to DOE-RL by March 1, 1996. Any additional comments will be incorporated and a final version will be delivered to DOE-RL by April 1, 1996. BRMaP ecosystem management monitoring and inventory strategy would be implemented in the spring of 1996 pending approval of the Change Request. Mr. Hall presented the BRMaP management goals; discussed various levels of resources as determined by the level of assessment, monitoring, and inventory; and identified types of mitigation of impacts: avoidance and/or minimization, rectification and/or compensation, or acquisition and protection of in-kind resources.

Mr. Hall indicated that these documents should be considered draft and conceptual at this time. DOE-RL said they hope to have these documents ready to implement by mid-July 1996.

#### NRTC LETTER TO DOE REGARDING RELEVANT REGULATIONS

Mr. Geoff Tallent prepared a draft letter for the NRTC to review regarding whether council activities should be limited to the impacts to natural resources from CERCLA actions or whether the Council's scope more broadly encompasses impacts to natural resources from all Hanford activities.

ACTION: Mr. Paul Kube and Mr. Tallent will meet to discuss the details of NRTC letter to DOE regarding CERCLA/relevant regulations/NRTC participation on site, incorporate changes, and prepare the relevant regulations letter for signature.

ACTION: Ms. Liz Block will discuss appropriate protocol regarding signing the relevant regulations letter with Mr. Preston Sleeper.

#### ST. LOUIS LETTER

Mr. Geoff Tallent presented a draft of a letter he had prepared for discussion regarding DOE's initiatives to improve planning and baseline development. The letter was tabled at this time pending further information about DOE's Strategic Planning process.

ACTION: Mr. Paul Kube will explore the Strategic Planning Process and find out if there is a way for the NRTC to write directly to the planners.

#### HANFORD NATURAL RESOURCE TRUSTEE COUNCIL MEETING

Draft Record of Discussion

September 12, 1995

Toppenish, Washington

#### Attendees

Mike Bauer, Yakama Indian Nation

Bill Beckley, Yakama Indian Nation

Deborah Borrero, Yakama Indian Nation

Liz Block, U.S. Fish and Wildlife Department

Chris Burford, Confederated Tribes of the Umatilla Indian Nation

John Carleton, Washington Department of Fish and Wildlife

Kevin Clarke, U.S. Department of Energy, Richland Operations Office

Paul Danielson, Nez Perce Tribe

James Doenges, Dames & Moore

Rory SnowArrow Flint Knife, Yakama Indian Nation

Larry Gadbois, U.S. Environmental Protection Agency

Linda Goodey, Dames & Moore

John Hall, ASCI/Pacific Northwest Laboratory

Grant Haskins, Enviros/Yakama Indian Nation

Paul Kube, U.S. Department of Energy, Richland Operations Office

Dan Landeen, Nez Perce Tribe

Jay McConnaughey, Washington Department of Fish & Wildlife Service

Callie Ridolfi, Ridolfi Engineers and Associates, Inc.

Geoff Tallent, Washington State Department of Ecology

Jamie Zeisloft, U.S. Department of Energy, Richland Operations Office

## UPLAND COMMITTEE

### 100 AREA UPDATE

The Upland Committee held discussions with Ms. Nancy Werdel regarding activities in the 100 Area. The Upland Committee requested Ms. Werdel and her staff develop more specific restoration options and budgeting for restoration. Ms. Werdel agreed to give a presentation on remedial design issues relating to the four demonstration projects: 116-B-5 Crib, 116-B-4 French Drain, 116-C-1 Trench, and Revegetation at 116-C-1.

### 1100 AREA UPDATE

There was some discussion and dissention about the 1100 Area revegetation plan and the process DOE-RL used to come to their preferred revegetation option. Revegetation efforts, including seed sources and planting technologies, were discussed as well.

ACTION: Mr. Paul Kube will explore seed sources and planting technologies to use at Horn Rapids Landfill as a demonstration project, and he will set up a meeting between Mr. Glenn Goldberg and interested Trustees.

ACTION: The Upland Committee will compile options on the 1100 Area projects and get them to Mr. Goldberg prior to meeting with him.

### ERDF MITIGATION ACTION PLAN

A third draft of the ERDF MAP was reviewed by the Upland Committee. Comments made on the second draft recommending the inclusion of language regarding compensatory mitigation were only briefly addressed in the latest version. The Upland Committee submitted the comment that nothing of substance had changed in the third draft, therefore, there would be no new comments.

### NATIVE SEED BANK AND NURSERY

Mr. Kevin Clarke discussed the Native Seed Bank and Nursery project. The Request for Proposal has been completed. Mr. Clarke is exploring options about possibly doing a sole source contract to allow tribal organizations the opportunity to get this contract. Since conflict of interest issues are involved, details weren't discussed. The contract is being postponed until Mr. Clarke can explore this issue further.

ACTION: Mr. Paul Kube will set up a meeting with interested Trustees, minus tribal representatives, to discuss technical issues connected to the Native Seed Bank and Nursery.

### CROSS SITE TRANSFER LINE

Some members of the NRTC had a meeting with Mr. Dave Every to discuss CSTS mitigation. The NRTC members applauded Mr. Every and others involved in this project for coordinating with the Trustees in such an open manner and for creating a process that seems to moving in appropriate directions. Another draft CSTS mitigation plan will be out for review the end of this month.

### SOLID WASTE COMPLEX ENVIRONMENTAL ASSESSMENT

There are two other Environmental Assessments out right now, the Solid Waste Complex and Sewage Lagoon. Mr. Roger Gordon, manager of the Solid Waste

Complex project met with Ms. Liz Block and Mr. Jay McConnaughey to discuss options for mitigation.

#### PUMP AND TREAT PROPOSED PLANS

The Pump and Treat project is proceeding. It currently has a five year plan and budget, but it was noted that the project will proceed until the water is determined to be clean. The Pump and Treat project was specifically designed to remove chromium, but other contaminants will be removed in the process.

#### RIVER COMMITTEE UPDATE

Ms. Susan Coburn Hughs was unable to attend the meeting, however, she sent a memo which Mr. Geoff Tallent presented. Her memo read, in part: "We have not met for some time and have several new members. We'll have a conference call in the near future.

Kathy Leonard led our 100 Area Cleanup Processes task. This is also a big agenda item for the Upland Committee. We'll get a status report from them.

Kathy also did a first cut on strategies for mitigation of impacts on the river. We passed this along to the Upland Committee. They will incorporate our comments into their work and will take this as their agenda item in the future.

I attended the first CRCIA meeting in Richland on August 16. I'm sure you've all had reports about the meeting. There was a great deal of confusion about roles, especially about (and within) the Technical Peer Review group. There was much confusion and disagreement on scope and design. The morning was chaos. After lunch, under the direction of project leader Bob Stewart, the agenda was redesigned. An attempt was made to get a handle on key questions -- who's driving? who's giving directions? what is the scope of the assessment? what are our expectations of outcome?

I understand that some of the peer reviewers have withdrawn from the process which appears to be much bigger than they anticipated. I also understand USDOE has created a steering committee for the assessment. . . . A question for the Council -- I will not be able to attend the CRCIA meetings on behalf of the Council. Our travel budget will be used by Ralph Patt who will represent Oregon and the HAB on the new Steering Panel. I believe that all the trustees and interested parties are participating in the CRCIA process. Is this adequate coverage without a specific NRTC delegate?

#### ADMINISTRATION

I have the bare-bones draft of a product but it's not ready for review yet. What's evolving is kind of "What Makes the Trustees Tick" primer. Picture this: a binder (that can be updated) containing our MOA, a purpose statement, our guiding principles, our by-laws, a short-term and long-term action plan, a public involvement plan, and a list of our successes and accomplishments. Other key products might also be housed in this binder -- for instance, the summary of authorities under which the Trustees act individually and collectively.

None of this is original thinking at this point. I'm simply pulling together bits and pieces of our old strategic plan, remnants of our Charter, and discussions we've had about decision making processes.

It's not news that the purpose and even the value of the Trustee Council is often questioned. I've started a list of accomplishments. I need your list as well. Please send me your recollection of our successes and accomplishments. We'll use it in the public involvement efforts mentioned above.

Another tool we need for action plans as well as public involvement planning is some kind of project management tool -- a way we can list all the issues and studies and projects that warrant our attention, then a way to keep track of the timelines on those we choose to follow. One idea is a NRTC Home Page on the Internet where we can talk with one another as well as dump information about project status and new issues that come at us? Other thoughts and ideas? Mention them to my esteemed chair, Geoff Tallent, or give me a call."

Mr. Chris Burford will speak to his management regarding the possibility of his organization keeping the NRTC informed of activities on the CRCIA.

#### LEGAL COMMITTEE

The Covenant Not to Sue in the 1100 Area was discussed and the question was raised about U.S. Department of the Interior's statement that they wouldn't sign this document. Other Trustee feel it would be in their best interest to finalize such a document.

ACTION: Mr. Paul Kube will contact Mr. Preston Sleeper, USDO, and discuss the issue of a Covenant Not to Sue in more detail.

#### ADMINISTRATION COMMITTEE

MOA signatures are proceeding.

It was agreed to have the Core Values approved at a staff level. DOE is still having difficulty with some portions of the Core Values.

ACTION: Mr. Paul Kube will define DOE's position on the Core Values and specifically address the areas DOE is in disagreement with the Core Values.

The Hanford Remedial Action - Environmental Impact Statement document has been delayed until after a comprehensive land use plan has been developed. The land use plan is scheduled to begin mid-September and be released to the public in February 1996.

#### STATUS OF NEW M&O CONTRACTOR REQUEST FOR PROPOSAL

Mr. Jamie Zeisloft stated that comments on the new M&O Contractor RFP are due on September 29, 1995. The contract is put together like an index, referencing appropriate other documents, laws, and regulations. Many issues are not specifically addressed in the RFP, including trustee issues and restoration/mitigation issues.

NRTC LETTER TO DOE REGARDING RELEVANT REGULATIONS

There was a continued discussion on this letter and the issue of what is a CERCLA release. It was pointed out that almost everything onsite could be probably tied in some way to a CERCLA release.

The suggestion was made that if DOE had an integrated Department of Natural Resources, it would raise awareness of natural resource issues and assist in implementing natural resource policy in a more comprehensive and integrated manner across the Hanford Site.

ACTION: Mr. Paul Kube and Mr. Geoff Tallent will get together in two weeks and discuss the contents of the relevant regulations letter.