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Confederated Tribes and Bands
of the Yakima Indian Nation

Established by the
Treaty of June 9, 1855

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To Pamela Innis	From F.R. Cook
Co.	Co.
Dept.	Phone # 946-0101
Fax # 376-2396	Fax # 943-8555

August 3, 1993



Ms. Pamela Innis
United States Environmental Protection Agency
712 Swift Blvd. Suite 5
Richland, WA 99352

Subject: WHITE BLUFFS PICKLING ACID CRIBS EXPEDITED RESPONSE
ACTION; ENVIRONMENTAL HAZARDS AND REMEDIATION
OPTIONS; COMMENTS ON--

28907

Dear Ms. Innis:

Thank you for the opportunity to comment on the White Bluffs
Pickling Acid Cribs Expedited Response Action.

As you may know, the Confederated Tribes and Bands of the Yakima
Nation (YIN) have reserved Treaty rights regarding the usage of
various natural resources on the Hanford Reservation and is
interested and concerned with respect to the health and
environmental hazards and alternatives to remediate these hazards.

The following are supplementary matters affecting remediation of
100-IU-5:

1. As stated in the Engineering Evaluation/Cost Analysis (EE/CA),
the Environmental Protection Agency (EPA), Washington State
Department of Ecology (Ecology), and the Department of Energy (DOE)
have agreed to share joint responsibility and regulatory oversight
of 100-IU-5, including the Acid Pickling Cribs. The EE/CA should
include a description of the process of how a lead agency is
designated and whether the designation affects the selection of
processes used to involve interested parties and hence the decision
regarding remediation.
2. The EE/CA should describe why the White Bluffs Acid Pickling
Cribs were delineated for separate consideration from other
contamination zones in the 100-IU-5 area. For example, the Acid
Pickling Cribs are surrounded by the JA Jones Construction Pit #2,
White Bluffs Landfill, and East White Bluffs Landfill. Hence, the
EE/CA should consider the whole 100-IU-5 area for remediation in
order to determine the cumulative contamination and the cumulative
affects in the area.

3. The EE/CA should explain how the Tri-Party members reached the conclusion to administer the Environmental Engineering/Cost Analyses (EE/CA) tool in remediation investigation, data collecting, and remediation alternatives. Further, the EE/CA does not indicate why this is an expedited response action. An Expedited Response Action usually requires some type of exigency or emergency situation involving health risks or serious and continuing contamination of the environment. The EE/CA should state what regulations it satisfies (besides 40 CFR 300.415(b)(4)(i)), and whether it satisfies any other of the remediation alternatives.
4. In addition to lead agency selection, the EE/CA should include whether the Tri-Party members signed a Superfund Memorandum of Agreement (SMOA) on this remediation area. And it should also include whether other options or decisions by the Tri-Party members are to be considered at a later date and affect the remediation of 100-IU-5.
5. The surveys and investigations of 100-IU-5 should include a Natural Resource Damage Assessment. This will provide invaluable information; will provide a backdrop for the level of cleanliness necessary to avoid injury; and will provide a base for selecting remediation alternatives.
6. Dust emissions during remediation activities should either be eliminated or minimized so as to not contaminate surrounding and otherwise clean soil, provide a safe working environment for workers, and protect the surrounding natural resources.
7. EPA should consider utilizing new technology in remediation and removal. This is guidance expressed in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), section 40 CFR part 300.430(a)(1)(iii)(E).
8. Prior to initiating the remediation process, an archeological and cultural survey should be conducted to preserve and protect any archeological sites, cemeteries, or cultural items that may exist in this area.
9. The EE/CA should state whether there is vadose zone or groundwater contamination and what methods were utilized to make that determination.
10. Re-vegetation of the area with native plants should be accomplished. The Yakima Indian Nation should be consulted on the details of the re-vegetation plans to assure introduction of desirable species is accomplished.

Additional detailed comments are contained in Attachment A to this letter.

Sincerely,



F. R. Cook, Technical Analyst
Environmental Restoration/Waste Management Program
Yakima Indian Nation
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ATTACHMENT A: DETAILED COMMENTS TO YIN LETTER OF AUGUST 3, 1993
REGARDING HANFORD PICKLING ACID CRIBS REMEDIATION

cc: John Wagoner, DOE/RL
Jim Warner, DOE/EM (fax)
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Washington Gov., M. Lowry
U. S. Congressman, J. Inslee
U. S. Senator, P. Murray
Joe Stohr, WA Dept of Ecology
David Berick
Michael Campbell

ATTACHMENT A: DETAILED COMMENTS TO YIN LETTER OF AUGUST 3, 1993 REGARDING HANFORD PICKLING ACID CRIBS SLOPE REMEDIATION

1. Pickling acid levels in the groundwater could be excessive as a result of disposal practices. Each of the cribs should be individually surveyed for acids; and, if any excessive acid is found in the soils, the groundwater should also be surveyed to determine the need for groundwater remediation. Surveys should be designed to assure that there is reasonable assurance that excessive acid does not exist. Groundwater in the area should, in general, be remediated to allow use for domestic purposes or for watering livestock, consistent with Treaty usage rights pertaining to the pasturing of stock.
2. All carcinogenic contaminants if found should be removed from the area or destroyed, including petroleum hydrocarbons and asbestos in order to provide safe access to YIN members exercising usage rights under the Treaty of 1855.
3. A flora and fauna survey should be conducted where ground disturbance will occur. We request that the YIN be notified of these surveys so as to allow YIN participation.
4. Although the Acid Pickling Cribs remediation may not directly affect the salmon spawning on the Columbia, care during remediation activities should be taken to avoid river pollution, and disturbance of the wildlife in the area.