

November 16, 1998

Mr. Larry Gadbois  
U.S. Environmental Protection Agency  
712 Swift Boulevard, Suite 5  
Richland, WA 99352



Dear Dr. Gadbois:

49735

**NEGOTIATION/DISPUTE SETTLEMENT OF HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (AGREEMENT) COMMITMENTS FOR THE REMOVAL OF SPENT NUCLEAR FUEL, DEBRIS, SLUDGE, AND WATER FROM THE K EAST AND K WEST BASINS. TRI-PARTY AGREEMENT (TPA) DRAFT CHANGE CONTROL NUMBER M-34-98-01A.**

The 100K Area groundwater at the Hanford Site is grossly contaminated with radioactive and chemical constituents. The Hanford Environmental Information System (HEIS) database indicates the strontium-90 concentration in well #199-K-109A was measured 18,600 pCi/L in September 1997. This measurement represents a concentration 2,325 times the regulatory limit of 8 pCi/L. In addition, the tritium concentration in well #199-K-30 was measured at 536,000 pCi/L. This measurement represents a concentration more than 20,000 times the regulatory limit of 20,000 pCi/L. A review of the HEIS database indicates other contaminants impacting groundwater include nitrate, carbon-14, total chromium, hexavalent chromium, and iron. Of great concern is the fact that the above referenced TPA change control form does not identify any milestones addressing the on-going releases to groundwater and continuing environmental insult. In addition, the justification of the change is identified as the following:

In 1993, the U.S. Department of Energy (DOE) documented the loss of a substantial quantity of water from the 105K East Basin where spent nuclear fuel is being stored. DOE operational monitoring data confirmed that the basin water released was contaminated with concentrations of radionuclides exceeding public health and environmental protection standards established by the U.S. Environmental Protection Agency (EPA) for hazardous substances as defined by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The DOE acknowledged through internal reporting and by notification of EPA's National Response Center that CERCLA hazardous substances (radionuclides) had been released to the environment at the 105 K East Basin.

Even though the very justification used for this milestone package is the environmental insult (releases), the evaluation (and ultimately, remediation) of the vadose zone, groundwater, and/or surface water contamination is not a proposed action or milestone. This omission represents a gross deficiency. It is respectfully requested that this TPA

K Basin Remediation

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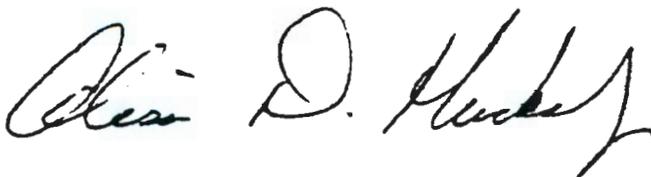
change package include milestones which address monitoring, characterization, and ultimately, remediation of the grossly contaminated vadose zone, groundwater, and surface water (if applicable).

It is recognized that the TPA change control actions represent a CERCLA cleanup. As such, it is also recognized that CERCLA requires cleanups meet applicable and relevant and appropriate requirements (ARARs). Considering the omission of actions to address the on-going and alarmingly significant environmental insult to the vadose zone, groundwater, and likely, surface water, it may be concluded that the TPA change control proposal fails to satisfy the most fundamental ARARs.

It is noted that a document entitled Groundwater Monitoring and assessment Plan for the 100-D Area Fuel Storage Basins has been issued which addresses monitoring and characterization of the 100-K Area Fuel Storage Basins. It is my understanding that this plan is not being implemented. In acknowledgement of the groundwater and vadose zone characterization integration endeavor at the Hanford Site (which has by several participants been referred to as one of the greatest debaucheries since the inception of the TPA), it is recommended that the monitoring, characterization, and ultimately, remediation of the contaminated vadose zone, groundwater, and surface water (if applicable) be implemented under this particular change control package. In other words, it is my recommendation that groundwater milestones associated with the releases from the K Basins be included in this package to: 1) ensure the 100K Area vadose zone/groundwater/surface water remediation milestones are implemented, and 2) represent a basis by which to measure environmental value of the K Basin actions.

If you have any questions about my comments, please contact me at the address and/or number provided below.

Sincerely,



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cc: Chuck Clarke, Region X, EPA  
Tom Fitzsimmons, Department of Ecology  
John Wagoner, USDOE Richland Operations Office  
Hanford Site Administrative Record, H6-08