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YAKAMA NATION NATURAL RESOURCES → 509 376 4789

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Confederated Tribes and Bands  
of the Yakama Nation

Established by the  
Treaty of June 9, 1855

September 14, 2006

Mr. Keith Klein, Manager  
U.S. Department of Energy  
Richland Operations Office  
P.O. Box 550  
Richland, Washington 99352

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EDMC

Dear Mr. Klein:

The Yakama Nation staff has reviewed the Appendix E - Inter-Areas Shoreline Assessment, DOE/RL-2005-42, Rev. 1 Draft A, and concluded that a much more rigorous and robust effort of characterization is necessary than the work proposed in this document. A 2002 report by the Environmental Protection Agency which analyzed risks to Tribal people from eating Columbia River fish found that Tribal people were exposed to fatal cancer risks as high as 1 in 50 from consuming fish found in the Hanford Reach (EPA 2002). This report focused on hazardous chemical waste, and did not seek to quantify the risks which might be posed by Hanford's radioactive waste.

USDOE's proposed limited investigation of characterizing the nature and extent of hazardous substances in the inter-areas riparian zone and near shore river is inadequate as the basis for a risk assessment under the Comprehensive Environmental Response and Liability Act. In fact, by drawing upon limited data and an incomplete investigation of where the contaminants have come to be located, USDOE will grossly under-estimate risk to the Yakama people and to our Treaty (12 Stat. 951) resources. Consequently, USDOE and regulators will be unable to show protectiveness of the most sensitive population, i.e. tribal people who are the most susceptible to hazardous substances released into the environment.

We recognize that many unknowns remain, including: adequate characterization of ground water plumes reaching the river, standards for some hazardous substances such as Uranium, Strontium-90, and synergistic and additive effects of Hanford and non-Hanford derived contaminants, and temporal considerations such as the duration during which hazardous substances pose a threat to humans and other receptors.

As you can understand, much investigative work is still needed, along with adequate funding to perform a risk assessment acceptable to the Yakama Nation. At a recent senior managers meeting held in Pendleton, you mentioned an estimated \$1-5 million cost to conduct the Columbia River risk assessment component. This proposed budget is inadequate given that a potentially responsible party on the upper Columbia River has agreed to pay \$20 million for studies in a reach of the Columbia River which involves far fewer contaminants and well quantified discharges.

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DOE-RL/RLCC

We would be pleased if USDOE postponed this investigation and related upcoming scheduled workshops for this action, and resumed discussions that were begun back in January 2006 between tribal managers, and USDOE RL and ORP managers, and EPA risk experts from Region X regarding defining a suitable risk assessment approach.

Our position remains that one human health risk assessment and one ecological risk assessment should be conducted for the Hanford facility.

At this time, we do not see a clear path forward by your agency and contractors that allow us to understand what risk is posed by Hanford's contaminants, and particularly within our ceded area and our Treaty protected usual and accustomed places where we hunt, fish and gather foods and medicinal plants.

Please contact Russell Jim of my staff at 509.452.2502 to arrange a meeting to continue our January discussions. The use of a facilitator, agreeable to both parties, would assist in productive discussions.

Sincerely,



Philip Rigdon, Deputy Director  
Department of Natural Resources

Cc:

Shirley Olinger, Assistant manager, USDOE-ORP  
Joe Franco, Assistant manager for the River Corridor, USDOE-RL  
John Sands, USDOE-RL