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NATURAL RESOURC

Administration



CONFEDERATED TRIBES

of the

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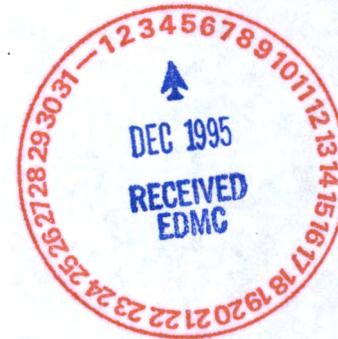
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22 August 1994

Don Alexander
U.S. Department of Energy
P.O. Box 550, M/S R3-73
Richland, Washington 99352

Geoff Tallent
Washington Department of Ecology
P.O. Box 47600
Olympia, Washington 98504-7600



Subject: FAILURE TO INCLUDE CTUIR COMMENTS IN PUBLIC SCOPING RECORD DOCUMENT FOR HANFORD TANK WASTE REMEDIATION SYSTEM AND SAFE INTERIM STORAGE EISs

Dear Tri-Party Representatives:

Technical staff of the Confederated Tribes of the Umatilla Indian Reservation's (CTUIR) Hanford Environmental Restoration Project recently received copies of the "Public Scoping Record for Tank Waste Remediation System and Safe Interim Storage of Hanford Tank Wastes Environmental Impact Statements," and "Draft Environmental Impact Statement for Safe Interim Storage of Hanford Tank Wastes," both dated July 1994.

In direct response to a request from both DOE and Ecology representatives, Tribal staff prepared a letter summarizing major CTUIR concerns over tank waste issues to Don Anderson/DOE, dated 22 March 1994. A copy is attached for your reference. Our cursory review of the Public Scoping Record document indicates that agency representatives failed to include this letter in the Record. In addition, the CTUIR extensively addressed tank waste issues in comments submitted to the Tri-Parties on the TPA renegotiations in January, 1994, which were incorporated into our scoping letter by reference. None of these more detailed comments were included in the Public Scoping Record. Furthermore, our understanding was that the full recommendations of the Tank Waste Task Force would be specifically included in the formal administrative record for the tank waste scoping of issues, but they were not. Taken together, these exclusions represent an extremely disappointing and unsatisfactory outcome.

Tribal staff regret that agency representatives did not think that our letter nor our TPA comments were appropriate, timely, or important enough to include in the Public Scoping Record, particularly in light

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of some of the more esoteric public comments that were featured. For example, 16 pages (!) were devoted to the uninformed and even frightening ramblings of "God and Physics Unlimited" about harvesting solar energy from nuclear wastes, the pervasive Communist and mafia conspiracy, and the paranoid need for increased militarization--none of which are clearly related or applicable to Hanford. In contrast, CTUIR comments were succinct, direct, substantive, and to the point: *the DOE and its contractors face some urgent and serious problems with Hanford's tank farm wastes, management practices, and safety issues that must be directly confronted, corrected, and dealt with NOW.*

Moreover, the CTUIR will not accept the feeble excuse that our comments were received after the formal 15 March 1994 public comment deadline, and therefore could not be included. Tribal staff note that agency representatives specifically did choose to include comments by the Yakama Indian Nation, dated 28 March 1994 and date-stamped as received by DOE on 5 April 1994, and the U.S. Fish and Wildlife Service, dated 16 March 1994 and date-stamped as received by DOE on 21 March 1994. *Why did agency representatives choose to exclude CTUIR comments?*

Recent "unexpected" or unpredicted events during the past several months have been associated with wild temperature fluctuations and unknown chemical reactions/emissions occurring within tank C-106. DOE's standard public line dismissing the serious--and even potentially catastrophic--nature of such events is profoundly illustrative of the urgent and dire need to recognize *and address* the full magnitude of the hazards posed by highly reactive and dangerous, but poorly understood, mixed wastes or cavalier management practices (e.g., "rock-on-a-rope"). DOE and its contractors must act NOW to meaningfully reduce such hazards and associated safety concerns in all tanks.

The CTUIR also remain deeply concerned that no effort is being made to develop a comprehensive and integrated land-use plan for all waste management activities, either ongoing or planned, within the central plateau area. Tribal staff have repeatedly called for this sensible and "eyes open" approach to recognizing and planning for long-term waste management needs both in public meetings and in our written comments, but we have yet to receive a response. Nonetheless, the purpose and need for such planning, cited directly from our 22 March 1994 letter, are no less urgent today:

"Such a plan would comprehensively assess and plan for Hanford site waste management and storage needs by fully accommodating the ERDF, siting of future waste management and storage facilities, the tank farms, and planned waste treatment and vitrification facilities, providing sufficient on-site storage space for vitrified waste logs and other nuclear and chemical waste materials, and addressing the ongoing need for emergency response capabilities and evacuation routes. Furthermore, such a comprehensive plan would minimize the need for additional consumption of land for waste management activities by identifying and consolidating all current and foreseeable waste management needs into the smallest possible area, consistent with recommendations of the Hanford Future Site Uses Working Group, retain the necessary buffer zone surrounding these facilities, minimize further disturbance or fragmentation of currently intact and relatively undisturbed shrub-steppe habitat, and minimize the need for mitigation."

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Tribal staff formally request a written response to this letter within 14 days of your receipt that specifically outlines those reasons why DOE and Ecology failed to include CTUIR comments in the Public Scoping Record, and specific steps that will be instituted in order to avoid such failures in the future. Furthermore, the CTUIR sincerely hope--and expect--that such an unfortunate oversight will not happen again. Resolution of tank farm safety issues, strengthening casual tank farm management practices, and instituting effective and comprehensive waste management planning for the central plateau are high priorities for Tribal staff.

Thank you for your timely attention to this matter. Please contact either myself or Tom Gilmore, Hanford Environmental Restoration Project Hydrogeologist, at 503-276-0105, if there are any further questions.

Sincerely,



J.R. Wilkinson ←
Hanford Projects/Program Manager
CTUIR Department of Natural Resources

cc: William Burke, Treasurer, CTUIR Board of Trustees
Michael Farrow, Director, CTUIR Department of Natural Resources
CTUIR Hanford Projects Staff
Kevin Clarke, DOE/RL, Indian Programs Manager
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Toby Michelena, Washington State Department of Ecology