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Nez Perce

ENVIRONMENTAL RESTORATION & WASTE MANAGEMENT
P.O. BOX 365 • LAPWAI, IDAHO 83540-0365 • (208) 843-7375 / FAX: 843-7378

August 26, 2008

Mr. Jose R. Franco, Assistant Manager
U.S. DOE, Richland Operations Office
P.O. Box 550, MSIN: A3-04
Richland, Washington 99352

RECEIVED
SEP 29 2008
EDMC

RE: Review Comments on "*Remedial Investigation Work Plan for Hanford Site Releases to the Columbia River*", DOE/RL-2008-11, Revised Draft A;

Dear Mr. Franco:

The staff of our Environmental Restoration and Waste Management program (ERWM) has reviewed the abovementioned document. Specific comments are listed below.

The Nez Perce Tribe retains reserved treaty rights in the Mid-Columbia region under the Treaty of 1855 with the United States Government. These rights have been recognized and affirmed through subsequent Federal and State actions. These actions protect Nez Perce rights to utilize our usual and accustomed resources and resource areas, including those in the Hanford Reach of the Columbia River. Accordingly, ERWM has support from the U.S. Department of Energy (DOE) to participate in and monitor relevant DOE activities.

Comment 1 - Section 3.3.2

Overall, this section is weak and does not provide adequate rationale or detail for many of the statements; more discussion is needed regarding what species qualify as endpoints; there is a notable lack of references in this section.

In particular the species that are mentioned on page 3-15 under avian, mammalian, and terrestrial plants are not very representative of what actually resides in this environment. For example, foxes are listed under the mammal section but foxes do not reside at the Hanford Site. Mammal species that are more common along the Columbia River than those indicated in this section would include beaver, deer, rabbits and several other small mammals.

Long billed curlews resting on islands during migration are probably receiving little or no exposure from contamination based on past radiological surveys. We are unaware of any large flocks of long billed curlews during migration but we are aware of large numbers

of sand hill cranes that exhibit this phenomenon. Long billed curlews actually reside at the site in the summer months.

Other common birds along the river include quail, kingbirds, herons, raptors, and cormorants to name a few. There is a heron rookery along the river and pelicans utilize the Hanford Reach as a foraging area.

The comment is made under Terrestrial Plants that plants are potential receptors and the only specific species mentioned is yellowcress. Other common plant species should be mentioned.

Figure 3-2 is a very generic model that could be used just about anywhere. It is not Hanford specific and needs more detail about what species are the actual receptors.

The last sentence of paragraph 1 under **Amphibians** provides weak rationale to indicate that amphibians have limited exposure. One could make the argument that because of life history characteristics and habitat preferences amphibians in many cases would receive maximum exposures, rather than minimum. If an amphibian is residing in an area of chromium upwelling, for example, it could be exposed to higher levels of contaminants.

Comment 2 - Section 4.5.1

The report notes that sediment and surface water samples will be collected along the right shore of the river at locations where contaminated groundwater plumes are discharging to the river. ERWM is aware that the DOE convened an expert technical panel in April to address Groundwater-Columbia River Interactions. That panel has expressed concern that the left shore (north and east) needs to be studied, as well, to understand the source of groundwater upwelling. The final report from the panel is due out some time in September. How does this RIWP effort expect to incorporate the expert panel advice in time for the fall sampling effort?

Comment 3 - Section 4.5.4

It is very unclear in section 4.5.4.1 just how many fish are being sampled. Is it five fish total from four sample areas or is it five fish at each site for a total of twenty fish per species. If this is the case are you really going to sacrifice twenty sturgeons? If sampling includes only five fish per species what kind of valid statistical analysis can be performed to have confidence in the results? A non-parametric test could be used, and if so, this needs to be included in the document as well as any other statistical methods. The Appendices do provide some clarification, but clarity in this section would improve the document considerably.

Table 4-9 should have a box that indicates number of proposed samples to be collected. Suckers should be broken down into distinct species per the discussion on page 4.51. The proposed sampling period for 2008 will not be done in the summer as indicated in Table 4-9. It should probably just say fall.

Comment 4 - Appendix A 2.5.3 Fish Sampling

We were unable to find a section in this Appendix to indicate what kind of statistical methods will be used to analyze and date. This may also be true of other sections. A section is needed that indicates how the studies will deal with potentially high degrees of variability, how small sample sizes will be treated, and the names of the statistical tests that will be performed.

Comment 5 - Cultural Resource Issues

DOE was untimely late in beginning a cultural resource survey for this project. It appears to have been started within the last six weeks. Why was it not begun a year ago? If it had been, and if DOE had facilitated the participation of the Hanford Cultural Resources lab and tribal cultural staff for cross-referencing cultural sites with the sampling site planning, cultural resource concerns would likely be few. We want to be clear that we are not opposed to sampling, but our staff needs to be consulted for potential mitigation of sampling locations at sensitive sites.

If you have questions regarding these comments and/or would like further discussion, please contact John Stanfill, Hanford Coordinator, at 208-843-7375, ext. 3748.

Sincerely,



Gabe Bohnee
ERWM Director

Cc: Francis SiJohn, DOE
Mark French, DOE
Paul Shaffer, State of Oregon
Larry Goldstein, Washington Dept Ecology
John Price, Washington Dept Ecology
Laura Buelow, EPA