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Draft Record of Discussion
Hanford Natural Resource Trustee Meeting
October 13, 1994
Pendleton, Oregon

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Attendees:
Kristie Baptiste, Nez Perce
Mike Bauer, Yakama Indian Nation
Liz Block, U.S. Fish and Wildlife Service
Chris Burford, Confederated Tribes of the Umatilla Indian Reservation
John Carleton, Washington Department of Fish and Wildlife
Allen Childs, Confederated Tribes of the Umatilla Indian Reservation
Kevin Clarke, U.S. Department of Energy - Richland Operations Office
Dave Conrad, Nez Perce Tribe
Rico Cruz, Nez Perce Tribe
Dirk Dunning, Oregon Department of Energy
Michael Farrow, Confederated Tribes of the Umatilla Indian Reservation
Larry Gadbois, U.S. Environmental Protection Agency
Tom Gilmore, Confederated Tribes of the Umatilla Indian Reservation
John Hall, ASCI, Pacific Northwest Laboratory
Stewart Harris, Confederated Tribes of the Umatilla Indian Reservation
Jake Jakabosky, U.S. Bureau of Land Management
Kathy Leonard, Bechtel Hanford, Inc.
Tara Lucas, Pacific Northwest Laboratory
Charles Pasternak, U.S. Department of Energy - Richland Operations Office
Max Powers, Washington State Department of Ecology
Sandy Simmons, U.S. Corps of Engineers
RueAnn Thomas, CH_2M Hill
Linda Tunnell, Westinghouse Hanford Company
J.R. Wilkinson, Confederated Tribes of the Umatilla Indian Reservation

WELCOME AND INTRODUCTION

Mr. Chris Burford welcomed the trustees. He introduced Mr. Michael Farrow, spokesman for the Confederated Tribes of the Umatilla Indian Reservation. Mr. Farrow indicated that the CTUIR were experienced in land use planning, currently maintaining 80 people in the field overseeing 300,000 acres on both sides of the river including 2,000 archeological sites. He said what drives the Natural Resource Department at CTUIR was water and watershed management. He also stressed that cultural resources were of great importance to the CTUIR, and that the people at CTUIR were providing information regarding cultural resource management throughout the country. Mr. Farrow welcomed the Trustees and stated he was impressed with what the group had achieved thus far. He encouraged the Trustees to keep up the professional attitude and forget politics. He also encouraged the Trustees to come back, and invited them on a tour of the CTUIR lands on their next visit.

Mr. Charles Pasternak asked for a few minutes to clarify his role as DOE Trustee. He said that he realized there were some concerns over his assuming the position from Bob Holt, and that he would try and maintain the momentum that had been generated from past activities. As a new person in this role, he stated that he was still trying to figure out how to manage the workscope. He said he was going to focus Trustee efforts under CERCLA right now. However, at a later time encourage natural resource management from a site wide and resource perspective.

Another trustee indicated he thought that restricting the Trustees to CERCLA activities was a mistake. He mentioned that other regulations involved included RCRA, NEPA, and tribal ceded lands.

Charles indicated that RL was developing a policy on his roles and responsibilities as an RL trustee and clarifying RL's policy on natural resource integration. He stated that the ultimate goal would be to integrate an attitude of environmental excellence when it comes to site management, resource management, and project management. The policy is anticipated to be finalized by the end of October.

1100 PREASSESSMENT SCREEN (PAS), JOHN HALL

The draft 1100 Area Pilot PAS needs to be reviewed by the 1100 Area Working Group and the whole Trustee Council. What John attempted to do was to put the technical information that was available into the structure of a Preassessment Screen. He came up with the following information:

Two examples were used at 1100 Area -- the Horn Rapids Landfill and the groundwater plume beneath the landfill -- to facilitate Trustee understanding of the PAS process. The PAS process evaluates five criteria to determine whether a full natural resource damage assessment is warranted.

The first PAS criteria is to determine whether a release of a hazardous substance has occurred whose resultant damages are not excluded from liability under CERCLA. The released hazardous substances identified in the landfill were PCBs and asbestos. The groundwater contained TCE and nitrate.

- DOE has accepted responsibility for the landfill.
- Seimens Corporation is a potentially responsible party for the groundwater. They are currently conducting a baseline risk assessment for the groundwater.
- Neither release is judged to be excluded from liability under CERCLA.

The second PAS criteria is to determine the likelihood that trust resources could have been affected by the release:

- Exposure pathways and the exposed area are estimated.
- Associated with the landfill PCBs, there may be some offsite migration via the food chain.
- A 1989 Biotic Survey and some other documents were used to determine the resources and services that were potentially affected: soil, biota, groundwater, and air (the latter from asbestos).

The third PAS criteria is to evaluate whether the quantity and concentration of the released hazardous substance is sufficient to potentially cause injury to trust resources:

- Asbestos (present but no concentration to work from).
- PCBs are potentially directly injuring the Swainson's Hawk. To make the evaluation for PCBs, The 1100 Area risk assessment models and toxicological data developed by Oak Ridge were used. The Oak Ridge data were based on a reference list of species for that area; Oak Ridge extrapolated from empirical data a toxicological benchmark for selected species. John used these benchmarks for species present at the 1100 Area. An injury can potentially occur when a toxicological benchmark has been exceeded. For a predator, the injury can result

directly, as when the predator itself is exposed, or indirectly, as when the predator's prey base is affected.

- Groundwater -- TCE and nitrate -- though both may be attenuating, there may have been injury in the recent past.
- For groundwater, the injury can occur when drinking water standards are exceeded. Both TCE and nitrate concentrations in the plume exceeded drinking water standards.

John reminded the Trustees: if the answer is 'no' at any point in the PAS process, you can pull out.

A question was asked regarding PCBs and whether they constitute injury to the soil. John stated that he did not come across sufficient information to make a conclusive determination; however, it is possible. One trustee speculated that if a RCRA hazardous waste is present in the soil, injury has occurred, but he indicated that he would have to check the regulations to confirm that.

The fourth PAS criteria is to determine whether sufficient data to pursue an assessment are readily available or obtainable at reasonable cost. Cost is a determination the Trustees will have to evaluate. For example, if a damage assessment is going to cost $50,000 for a $40,000 restoration project, then maybe it isn't worth it. If, however, you spend $50,000 on a damage assessment for a $2 million restoration project, then it might be worth it.

The fifth PAS criteria is to evaluate whether response actions are adequate to remedy the injury to trust resources without further action. The proposed remedial actions for the landfill and groundwater were described.

Several questions/issues which were raised during this portion of the discussion:

- Do I have a driver to pursue restoration at the 1100 Area?
- There may be a bigger problem in that the asbestos will still be there and the remedy chosen was to put a cap on it, i.e., 2 feet of topsoil. There was no indication on how revegetation would take place.
- How far into the future would the cap be maintained?
- Where does the soil to cap it come from?
- Even if you put 2 feet of soil on top of the site, in an arid environment, can you successfully revegetate?

The Trustees need to look at Criteria 4 and 5 and decide what they want as further action. 'Where do we go from here' becomes the Trustees question to answer.

You could evaluate Criteria 5 and determine that the response recommendations are adequate, so one scenario could be no further action is necessary.

Two other questions remain: (1) How do we factor in a remediation action that will injure natural resources elsewhere on the Hanford Site? (2) Is DOE taking responsibility for Seimen's plume?

- It's Seimens plume, but it is within an NPL site.

ACTION: 1100 Area Working Group will reconvene and discuss the significance of natural resource injuries and the loss of natural resource services at the 1100 Area, the time period of loss, and whether further Trustee action is warranted.

LETTER ON 1100 AREA, CHRIS BURFORD

There hasn't been much work done on the letter. The focus has been on the use of limited field investigations. There seems to be an accepted practice of basing a focused feasibility study (FFS) on a limited field investigation (LFI).

Larry Gadbois indicated that the use of an LFI was a way to streamline the process and do faster clean up actions in the field. By the time a total clean up is done, there is enough information to do a remedial investigation.

Chris stated that an LFI was an action that could be done quickly while doing a remedial investigation, and that it was inappropriate to base an FFS on an LFI.

Larry said that the LFI was designed to support interim action. The intent was to meet ARARs specifications so double clean up wasn't done.

Chris speculated that there may be a misuse of the process. He will get together with Geoff Tallent and John Carleton and decide how to proceed. They will present a recommendation at the next meeting.

Discussion on this topic included:

- Perhaps this could be used as a pilot project with the intent of sharing with the Tri-Parties an insufficiency within the process that needs to be addressed. Perhaps prepare a "lessons learned" paper.
- By not having adequate sampling done during remediation, opportunities for collecting adequate data to support natural assessments may be lost.
- We need to make sure response adds up to what is needed to do damage assessments.
- According to the DOE NRDA guidance document, the Trustees need to get plugged into the risk assessment portion of the remedial investigation.
- The process focuses only on the remediation site itself. It's unclear how the area remediation materials come from are assessed for natural resource impacts.
- In some LFIs, no field work was done at all. Remedial actions are based on existing data. It seems little or no field work is done in support of LFIs.

Larry indicated that an enormous amount of sampling data is available and, in some instances, additional sampling is pointless. Additional data is collected during remediation action. There is a need to quantify what data needs to be collected during the process.

The process should also specify where remediation materials are coming from and how the remediation activity will impact natural resources at the remediation donor site, e.g., cutting a road onto a site, putting up powerlines, or removing material used to remediate another site.

A question which needs to be answered: is it worth it to go in and remove materials at a low activity site, when removal will cause more damage to surrounding natural resources than it would if the materials were left in place. At the very least, the question of incurring injury during clean up needs to be considered.

ACTION: Chris Burford, Geoff Tallent, and John Carleton will work on a letter.

NORTH SLOPE/REMEDIATION ISSUES, LIZ BLOCK

There were numerous problems during the clean up of the North Slope. On September 8, a group of people, including Liz, went on a tour of the cleaned up sites and discovered many disturbing things. There was a lot of off-road activity present, as shown in slides presented, even though documents stated that off-road activity would be minimized. The off-road activity impacted some previously undisturbed habitat. Also, there were roads graded in which will have to be restored. There were many sites where wells were closed and landfills were covered or debris removed. Heavy equipment used to remove debris disturbed large sections of land. In addition to habitat destruction, there were areas where there were cultural concerns. An entry route was flagged, but the flags were ignored and the cultural area was disturbed. Some of the road building work was done before an environmental assessment was ever done. PNL is currently doing an audit of the North Slope.

John Hall said he was tasked by Doug Hildebrand to do an audit of the activities on those sites. DOE has a copy but it hasn't been finalized yet. As soon as it is finalized, the Trustees would like copies.

Some of the problems and concerns expressed over this project include:

- The decision making process is a concern. Fish and Wildlife Service wasn't consulted regarding remediation decisions.
- Where was the minimization of habitat impacts?
- Where was the oversight for this project?
- What was the Army Corps of Engineers and their subcontractors doing driving all over this habitat?
- In the initial document, there was a commitment to revegetate, but there was no budget for revegetation. They are borrowing funds from other projects in order to begin revegetation.
- There was no restoration plan. It's being developed right now and should be available this month. Why didn't they do a restoration plan the same time they did a clean up plan?
- There's a lot of asphalt left on the North Slope. Are they going to address that or leave it?

There were three other expedited response actions, Pickling Acid Crib, Sodium Dichromate, and Riverland. Sampling at the two cribs south of the White Bluffs Townsite showed no contamination; therefore, there is no clean up plan, no restoration plan. When asked where the contamination went, the response was that it seems to have come and gone. Following clean up, the Sodium Dichromate and Riverland areas were reseeded with two types of bunch grasses, one of which is native, and DOE considers this adequate. The Yakama Indian Nation recommended that Riverland be revegetated with native and endangered species. DOE said it would review the recommendation but no action has been

taken. The North Slope needs to be revegetated this fall to prevent cheat grass infestation.

Several Trustees indicated they would have comments to the letter, and they supported the concept. General consensus indicated that it was important to become involved in this project and process.

ACTION: Get comments to Liz Block by October 28.
ACTION: Get comments to Mike Bauer regarding the 200 Area letter by October 20.

In order to ensure that natural and cultural resources values get incorporated into ongoing and new site projects, the Trustees need to come up with a check list or policy statement regarding protection of resources and mitigation planning.

ACTION: Technical Subcommittee will work on a check list to present at the next meeting.

UPDATE ON EPA ACTIVITIES - LARRY GADBOIS

Larry presented a list of current and upcoming activities, including activities in the 100, 200, and 300 Areas. The Trustees discussed what activities they focus on next. The 100 Area is a concern because there is currently no mitigation plan within the current documents.

ACTION: The Trustees would like a copy of Larry Gadbois' maps. Kathy Leonard will assume that action.

Charles asked the Trustees for some direction regarding cultural resources. He stated that there seemed to be no contingency plan to follow when a cultural discovery is made. He requested specific recommendations in a variety of scenarios, including what the tribes would like done with radioactive skeletal material.

ACTION: The Technical Subcommittee will meet Friday, October 28 in Richland to discuss a strategy, to obtain needed documents, and to prepare for a Trustee/OU Managers meeting.

DEFINITIONS
It was agreed that the definitions will be distributed and may be revised as needed.

CHARTER - MAX POWER

There was discussion on the charter. It was agreed that the groundrules would be removed from the document at this time, and portions of it may be incorporated at a later date. The charter was revised by general agreement. The revised charter will be distributed for comments by Council members.

ACTION: Send out revised charter by October 21. Linda Tunnell.

NEXT MEETING
November 8, 1994, meeting with Trustees/OU Managers
November 9-10, 1994, next Trustee meeting at the Yakama Indian Reservation in Toppenish, Washington

Possible Agenda Items:
Closure on ERDF
100 Area
Outreach Committee-HAB Presentation
New Tanks Interim Storage
Charter

ACTION ITEMS
ACTION: 1100 Area Working Group will reconvene and discuss the significance of natural resource injuries and the loss of natural resource services at the 1100 Area, the time period of loss, and whether further Trustee action is warranted.

ACTION: Chris Burford, Geoff Tallent, and John Carleton will work on a letter regarding 1100 Area concerns.

ACTION: Get comments to Liz Block by October 28 regarding North Slope issues.

ACTION: Get comments to Mike Bauer regarding the 200 Area letter by October 20.

ACTION: Technical Subcommittee will work on a check list to present at the next meeting.

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