

## CERCLA FIVE YEAR REVIEW WORKSHOP

December 7, 2005

10:00 a.m. to 4:30 p.m.

Federal Building, Room 142  
825 Jadwin Avenue, Richland, WA

The purpose of the Five-Year Review is to assess the protectiveness of Hanford cleanup. This meeting is to discuss the parameters required to assess protectiveness.

**COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA) FIVE-YEAR REVIEW WORKSHOP. The U.S. Department of Energy will hold a public workshop to obtain input from tribal nations, stakeholders and the public on issues related to the second. For More Information Contact: Karen Lutz (509) 376-4766.**

The scope of the review is limited and does not include all of the activities covered by the TPA. In addition to CERCLA, the TPA addresses regulated Resource Conservation and Recovery Act (RCRA) units, as well as, past practice units that are regulated under RCRA and/or CERCLA. Only operable units listed as past-practice units under CERCLA are covered in this five-year review. Active treatment, storage, or disposal units regulated under RCRA, such as the tank farms, will not be part of this review.

The scope of this review includes:

■ 100 Area: removal of contaminated soil, decontamination and/or demolition of contaminated buildings, treatment of contaminated groundwater, removal of spent nuclear fuel

■ 200 Area: inactive soil disposal sites, inactive facilities, contaminated groundwater and the Environmental Restoration Disposal Facility

■ 300 Area: removal of contaminated soil waste sites and debris, treating the material, as appropriate, and disposing of material in an appropriate facility

■ 1100 Area: cleanup completed except for a few hazardous waste areas being managed by caps and institutional controls

### CERCLA Five-Year Reviews

**The purpose of a five-year review is to determine whether the implemented remedy at a site is actually protective of human health and the environment.**

**Why do we perform five-year reviews?** CERCLA 121(c) requires five-year reviews on remedial actions when hazardous substances, pollutants, or contaminants will remain on site above levels that allow for “unlimited use and unrestricted exposure.” At Hanford we also review remedial actions that are not yet completed, such as long-term groundwater pump and treat systems and large removal actions like the demolition of the 300 Area industrial complex.

**Who performs the review?** The lead cleanup agency coordinates the review. At Hanford this responsibility belongs to the Department of Energy (DOE). The Tri-Party Agreement allows for EPA to perform the review if they so choose. EPA performed the first five-year review in 2001, but DOE will execute the upcoming review and submit it to EPA for concurrence with the protectiveness determinations.

**What comes out of a five-year review?** The review does not reconsider remedial cleanup decisions; it is an evaluation of the implementation and performance of the current cleanup strategy to determine if the remedy is or will be protective. The reviewers may conclude that remedy is protective and that no further action is necessary. Alternatively they may conclude that further evaluation is needed, may recommend certain actions to improve the efficiency of a remedy, or may recommend changes in the remedy.

Recommendations are not legally binding, and changes in cleanup decisions need to be included through Explanation of Significant Differences (ESD) or Record of Decision (ROD) amendments.

**Components of the Five-Year Review Process**

**Community Involvement and Notification** – In 2001 this included notifying the Hanford Advisory Board, Natural Resource Trustee Council, and other stakeholders of the upcoming review and holding a public review and comment period for the draft review document.

**Document Review** – Document review includes looking at decision documents such as RODs and ESDs. The prior Five-Year Review Report will be examined to determine if recommendations were implemented.

**Data Review and Analysis** – Sampling plans, operation and maintenance plans, and study conclusions should be reviewed carefully. In some cases at non-Federal sites EPA would conduct independent sampling in support of the five-year review, but at Hanford there is an existing large volume of current data to analyze.

**Site Inspection** – Site inspection generally is considered an ongoing occurrence at Hanford. Because both DOE, EPA, and Ecology are still currently active on most of the site, few Five-Year Review inspections are performed because the agencies already have current information on the cleanup status.

**Interviews** – Interviews are very important at CERCLA cleanup sites that are completed where EPA no longer has a presence. When the lead regulatory agency no longer is active, valuable information can be obtained from site personnel, State and Tribal authorities, and people who live or work near the site. As noted above, at Hanford the agencies are still actively engaged on a daily basis, so interviews are not normally necessary.

**Assess Protectiveness** – This is the heart of the Five-Year Review Report. Protectiveness is determined by answering the following three questions:

- 1) Is the remedy functioning as intended by the decision documents?
- 2) Are the exposure assumptions, toxicity data, and Remedial Action Objectives used at the time of remedy selection still valid?
- 3) Has any other information come to light that could call into question the protectiveness of the remedy?

DOE must seek concurrence on the protectiveness statements from EPA. Concurrence by EPA will be documented in a statement attached to the final Five-Year Review report. If concurrence is not given, EPA staff will write their own protectiveness statements to be issued as a supplement to the Five-Year Review Report.