



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue
Seattle, WA 98101

MAY - 4 2007

Reply to
Attn Of: ECL-117

Mr. Doug Shoop, Assistant Manager for
Safety and Engineering
U.S. Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

Re: U.S. Environmental Protection Agency (EPA) Concurrence on *The Second CERCLA Five-Year Review Report for the Hanford Site*

Dear Mr. Shoop:

EPA Region 10 has reviewed *The Second CERCLA Five-Year Review Report for the Hanford Site*, signed by the U.S. Department of Energy, Richland Operations Office on November 10, 2006. This is the first site-wide five-year review for Hanford written by the U.S. Department of Energy (DOE). EPA delayed our review of the protectiveness determinations until receiving the updated responsiveness summary and report in March of 2007, as requested. EPA has now completed our review of the report with a focus on the protectiveness determinations and the basis for them.

DOE should be commended for its thorough public involvement process with this five-year review. As you know, some of the Hanford stakeholders wanted the review to address a broad range of concerns regarding the operation of Hanford by DOE, not traditionally within the scope of a five-year review. By statute, a CERCLA five-year review is required to evaluate the performance of each selected remedy and to determine whether each remedy is, or will be, protective of human health and the environment. To your credit, DOE went beyond the statutory requirements and adhered to EPA and Region 10 policy by also evaluating the other CERCLA operable units where remedial decisions have not yet been made and remedial actions are not in place. We will continue to work with DOE to address concerns raised by the public about remedial actions at Hanford.

Based on our review of *The Second CERCLA Five-Year Review Report for the Hanford Site*, EPA feels that DOE has generally done a good job of evaluating the protectiveness of selected remedial actions and the current risk posed by Hanford. Consistent with EPA's "Comprehensive Five-Year Review Guidance," July 2001, EPA has made independent determinations regarding the protectiveness of a number of the selected remedial actions for the operable units at Hanford. These EPA determinations are enclosed and as appropriate concur with, clarify, or replace protectiveness statements in DOE's *The Second CERCLA Five-Year Review Report for the Hanford Site*. EPA is providing this new language for clarification to the five-year review and to address the

need to describe actions needed within the protectiveness statements. Specific differences between DOE's determinations and EPA's protectiveness determinations are discussed in the enclosed Protectiveness Determination Discussion document. A primary difference is EPA's conclusion that for the river corridor soil operable units, the appropriate determination is to defer making a protectiveness determination until additional information, primarily the River Corridor Baseline Risk Assessment, can be completed and reviewed.

EPA has developed three new action items in addition to those identified by DOE in the five-year review report.

Action 1-3: Reassess and resubmit to EPA the protectiveness determinations for operable units 100-BC-1, 100-BC-2, 100-DR-1, 100-DR-2, 100-FR-1, 100-FR-2, 100-HR-1, 100-HR-2, 100-HR-3, 100-IU-2, 100-IU-6, 100-KR-1, 100-KR-2, 100-KR-4, 100-NR-1, 300-FF-1, and 300-FF-2 using new information from the River Corridor Baseline Risk Assessment and submit to EPA an Addendum with, as appropriate, updated Protectiveness Determinations, Issues, and Follow-Up Actions. Due 2/15/2008 to EPA.

Action 2-2: Reach agreement between the Tri-Party Agencies on a strategy and schedule to obtain final records of decision in the river corridor. Due 11/30/2007.

Action 2-3: Submit a TPA change package with new milestones for submitting RI/FS work plans and proposed plans for all operable units in the river corridor. New milestones shall require submission of RI/FS work plans and proposed plans for final actions at all of the following operable units that do not already have these documents approved: 100-BC-1, 100-BC-2, 100-BC-5, 100-DR-1, 100-DR-2, 100-FR-1, 100-FR-2, 100-FR-3, 100-HR-1, 100-HR-2, 100-HR-3, 100-IU-2, 100-IU-6, 100-KR-1, 100-KR-2, 100-KR-4, 100-NR-1, 100-NR-2, 300-FF-2, and 300-FF-5. Due 2/1/2008 to EPA.

These action items are more extensively discussed in the enclosed Protectiveness Determination Discussion.

Please note that the need for an Addendum does not affect the due date for the next site wide Hanford five-year review, which is due five years from the date of this letter. Therefore the due date is May 4, 2012. DOE and EPA both have statutory and public obligations to complete these reviews in a timely manner. The delayed nature of this five-year review report has taught us that all parties involved in the next review should make arrangements for the early planning and execution of the review process. EPA is expecting the Department of Energy to take steps necessary to make conducting five-year reviews and completing the action items from the review Tri-Party Agreement commitments.

If you have questions concerning this letter, please call me at 206/553-1090, or contact Nick Ceto, manager of the Hanford Project Office at 509/376-9529 (email: Ceto.Nicholas@epa.gov).

Sincerely,



Daniel D. Opalski, Director
Office of Environmental Cleanup

Enclosures

cc: Cliff Clark, DOE
Jane Hedges, Ecology
John Price, Ecology
Nicholas Ceto, EPA
Alicia Boyd, EPA
David Werley, FWS
Mary Baker, NOAA
Susan Leckband, HAB
Gabe Bohnee, NPT
Rebecca Miles, NPTEC
Russell Jim, YN
Stuart Harris, CTUIR
Ken Niles, ODOE
Brent Foster, Columbia Riverkeeper
Gerald Pollet, Heart of America Northwest
Washington Physicians for Social Responsibility
Susan Brown
Kenneth Gasper
Louthea Griffin
Richard Gurske
Paul Shaffer
Don Stephens