



Tri-Party Agreement

02-IPI-0193

Mr. Todd Martin, Chair
Hanford Advisory Board
1933 Jadwin Avenue, Suite 135
Richland, Washington 99352

Dear Mr. Martin:

CONSENSUS ADVICE #128: 200 AREA CHANGE PACKAGE

Thank you for submitting Hanford Advisory Board (HAB) advice #128 on the draft 200 Area Milestone Change Package. The HAB's comments have been incorporated into a comment and response document that will be placed in U.S. Department of Energy's Information Repositories and on the Tri-Party Agreement web site at www.hanford.gov/tpa/changelist.htm. For your convenience, a copy of the comments and response document is attached.

The Tri-Parties appreciate the HAB's endorsement of the proposed changes to the Tri-Party Agreement for the 200 Area Central Plateau cleanup. We also agree with your continued emphasis on the importance of integrating the Hanford cleanup between the Office of River Protection and the Richland Operations Office. Responses to key areas of concern expressed by the HAB are provided in the comment and response attachment.

We also appreciate your support and interest in key cleanup milestones. These milestones will guide cleanup in the 200 Area Central Plateau by applying a risk-based approach to prioritizing the work needed to achieve timely remediation of over 700 non-tank farm soil waste sites. The Tri-Parties have committed to focus cleanup on high-risk waste sites first where known or potential contributors to groundwater contamination exist.

Keith A. Klein, Manager
U.S. Department of Energy
Richland Operations Office

Roy J. Schepens, Manager
U.S. Department of Energy
Office of River Protection

Michael F. Gearheard, Director
Environmental Cleanup Office
U.S. Environmental Protection Agency,
Region 10

Tom C. Fitzsimmons, Director
Washington State Department of Ecology

Hanford Advisory Board, submitted by Todd Martin, Chair

Comment 1: The Hanford Advisory Board (HAB) endorses the proposed Tri-Party Agreement (TPA) changes for the 200 Area as a first step in what should be an integrated comprehensive effort. The HAB is encouraged by the cooperation of the TPA agencies in seeking improvements to the Hanford cleanup program. This letter does not recommend any delay to ongoing work or the implementation of the 200 Area change package, but rather it encourages integration of necessary long-term cleanup activities. However the HAB finds the following key areas of concern outstanding.

This change package only includes non-tank farm operable units (OU). There is an extensive inventory of remediation needs that must be resolved on an integrated, consistent basis for all operable units.

Response to Comment 1: Thank you for your endorsement of the Central Plateau Tentative Agreement and associated Tri-Party Agreement (TPA) Change Packages. Your continued emphasis on the importance of integrating the Hanford cleanup between the Office of River Protection (ORP) and the Richland Operations Office (RL) is clearly understood and we continue to agree with your advice in that regard. Please note, however, that while U.S. Department of Energy (DOE) has an established mechanism for cleanup integration, this proposed set of 200 Area TPA milestones was never intended to be that mechanism.

Comment 2: The HAB advises that a comprehensive risk assessment, including quantitative analyses be developed to guide cleanup decisions. The current change package claims a "risk based" approach to prioritizing remediation work, but no risk analysis is shown.

Response to Comment 2: When we refer to using a "risk-based approach to prioritizing work" we were not trying to imply a detailed risk assessment had been done to support the prioritization process. Instead, we are simply referring to a more general, but germane philosophy that places top priority on the bigger, more complicated contaminant problems (e.g. carbon tetrachloride plumes on the Central Plateau, understanding contaminant distribution in the vadose zone for tank and scavenged waste, etc.) that need to be resolved in order to establish a sound remedial action decision framework on which to base the remedial alternative selection process which is expected to take place between 2005 and 2008.

Every remedial action record of decision (ROD) for each of the major waste groupings must have a complete risk assessment that is typically performed as part of the feasibility study that evaluates the effectiveness of remedial alternatives.

Comment 3: The HAB advises that the groundwater program immediately be incorporated as an integrated part of the cleanup program. The Agencies assert a commitment to focus on ground water remediation, but ground water units are excluded from the proposed change scope.

Response to Comment 3: During the process of identifying what needed to be negotiated during the Central Plateau TPA negotiations, the Tri-Parties had known for some time that major milestones M-013, M-015, M-016, and M-020 had to be addressed. These milestones provide the framework for making remedial action decisions for the 800-plus soil waste sites on the Central Plateau. The Tri-Parties agreed to exclude negotiations on the groundwater-related portion of those milestones knowing that scope of discussions was large enough to require its own dedicated and focused forum. Thus, DOE committed in the Tentative Agreement to have separate, but timely discussions with U.S. Environmental Protection Agency (EPA) and Washington State Department of Ecology (Ecology) on how it will meet its existing groundwater commitments under the TPA. It should be noted that the tentative agreement points out that DOE still has obligations under the M-013 milestone series to submit remedial investigation/feasibility study (RI/FS) work plans for the groundwater units to EPA and/or Ecology by December 2005.

Comment 4: The role of long-term Waste Management, and ultimate closure of sites and facilities, needs to be identified and addressed in the Central Plateau and integrated with the remediation program.

Response to Comment 4: The Tri-Parties continue to recognize the importance of integrating cleanup work between waste sites, facilities, and tank farms in and around the site. As with the groundwater cleanup discussed above, the Tri-Parties remain committed to ensuring an “integrated, consistent basis,” as referred to in the advice, between the various major clean-up efforts. The Tri-Parties chose to use the term “non-tank farm OUs (operable units)” to ensure that the Tribes, stakeholders, and the general public understood the scope of this particular set of negotiations.

Comment 5: The HAB advises the Agencies to establish an integrated plan and concept, bringing together a consistency of remedial approaches and schedules for the full scope of 200 Area cleanups.

Response to Comment 5: The Tri-Parties are working on a Central Plateau Strategy as part of the Cleanup, Constraints and Challenges (C3T) process. We anticipate that this effort will result in an integrated program that brings together a consistency of remedial approaches and schedules for the full scope of 200 Area cleanups.