0057681

Hanford Tri-Party Agreement

Modifications to 100 Area and 300 Area Waste Sites and Facilities Cleanup Milestones

Tri-Party Agreement Change Requests

and

Comment and Response Document

April 2002

Tri-Party Agreement

U.S. Department of Energy
U.S. Environmental Protection Agency
Washington State Department of Ecology

E0205052

Hanford Tri-Party Agreement
Modifications to 100 Area and 300 Area
Waste Sites and Facilities Cleanup Milestones
April 2002

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APPENDIX

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Change Number	Federal Facility Agreement and Consent Order Change Control Form **Do not use blue ink. Type or print using black ink.**	Date
M-16-01-05		4/24/2002

Originator
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Assistant Manager River Corridor

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Class of Change

[X] I - Signatories [ ] II - Executive Manager [ ] III - Project Manager

Change Title
Establish Date for Completion of all 100 Area Remedial Actions (Tri-Party Agreement Milestone M-016-00F)

Description/Justification of Change

This change establishes a date for the completion of all 100 Area interim remedial actions and modifies the M-016-00A milestone description. Additionally, it aligns the M-016-00 series milestones for completion of 100 area remedial actions with the objective of completion of the 100 Area interim remedial actions by 2012.

The completion of the 100 Area Interim response actions includes:

Remediation of all waste sites and EPA/Ecology approval of associated closeout verification packages.
Backfill and re-vegetation of the waste sites.
Decontamination and decommissioning of all ancillary facilities.

This milestone does not include the following:

Completion of reactor interim safe storage for 8 of the 9 surplus reactors. This is covered under the M-093 milestone series.
Final risk assessment and final Record of Decision for the 100 Area NPL. This will occur after the completion of M-016-00A.

Note that there are facilities that support the Hanford Site infrastructure and reactor cores that will remain in the 100 Areas. Therefore, there will be waste sites that will not be remediated until the final reactor and facility disposition due to their proximity or due to other factors. Any facilities and waste sites that will remain will be documented and the anticipated path forward identified.

Modifications/deletions of existing milestones are denoted using ~~redline/strikeout~~; additions are denoted with shading.

Description/Justification of Change continued on pages 2 and 3.

Impact of Change

Modifies regulatory requirements governing Hanford remediation activities. Administrative action required to incorporate this change into Appendix D.

Affected Documents
The Tri-Party Agreement Action Plan – Appendix D, as amended and Hanford site internal planning, management, and budget documents (e.g., USDOE and USDOE contractor Baseline Change Control documents; Multi-Year Work Plans; Sitewide Systems Engineering Control documents; Project Management Plans; and, if appropriate, site-wide LDR Report requirements).

Approvals

K. A. Klein, RL Manager	4/25/02 Date	✓ Approved ____ Disapproved
L. J. Iani, EPA Region 10 Administrator	4/29/02 Date	✓ Approved ____ Disapproved
Linda Hoffman for T. C. Fitzsimmons, Ecology Director	4/30/02 Date	✓ Approved ____ Disapproved

Impact of Change (Continued):

The following existing milestones were established previously to support 100 Area cleanup:

Milestone	Description	Date
M-016-01	Complete 100 N Area Decontamination and Decommissioning	TBD
M-016-10A	Initiate remedial actions in the 100KR-1 operable unit	8/1/2003
M-016-13B	Complete remediation and backfill of 16 liquid waste sites and process effluent pipelines in the 100-FR-1 and 100-FR-2 operable units	10/29/2004
M-016-26B	Complete remediation and backfill of 51 liquid waste sites in 100-BC-1, 100-BC-2, 100-DR-1, 100-DR-2, and 100-HR-1 operable units. Complete re-vegetation of 36 liquid waste sites in 100-BC-1, 100-DR-1, 100-DR-2, and 100-HR-1 operable units.	3/31/2002
M-016-26E	Complete excavation and removal of 100 BC process effluent pipelines	9/30/2004
M-016-26F	Complete backfill of 100 BC process effluent pipelines excavations	2/28/2005
M-016-27C	Complete 100-HR-3 Phase III, ISRM Barrier Emplacement, Planning, Well Installation, and Barrier Emplacement	9/30/2002

Relative to these existing milestones the only change would be the deletion of M-16-01. The remaining existing milestones would not be impacted.

The following are the changes associated with these M-16 negotiations:

Deletions:

The following milestone will be deleted:

Milestone	Description	Date
~~M-016-01~~	~~Complete 100 N Area Decontamination and Decommissioning~~	~~TBD~~

The completion of the facility D&D is addressed under the M-093 milestone series.

Modifications:

Completion of interim remedial actions includes the completion of the excavation, EPA/Ecology approval of the closeout verification package (CVP), backfill and revegetation for the waste sites and the completion of the D&D of ancillary facilities, and obtain EPA/Ecology approval of the CVP for the ancillary facilities.

Modifications/deletions of existing milestones are denoted using ~~redline/strikeout~~; additions are denoted with shading.

Milestone	Description	Date
M-016-00A	Complete all interim response ~~remedial~~ actions for the 100 Areas Completion of interim response actions is defined as the completion of the interim ROD or Action Memorandum requirements in accordance with an approved RD/RA Work Plan or Removal Action Work Plan and obtain EPA and/or Ecology approval of the appropriate project closeout documents.	12/31/2012
M-016-45	Complete the interim remedial action for the 100 B/C Area.	12/31/2006
M-016-46	Initiate remedial actions for the remaining waste sites for the 100 D Area.	7/31/2006
M-016-47	Complete the interim remedial actions for the 100 D Area	12/31/2011
M-016-48	Initiate remedial actions for the remaining wastes sites for the 100 F Area	7/31/2005

Milestone	Description	Date
M-016-49	Complete the interim remedial actions for the 100 F Area	12/31/2008
M-016-50	Initiate remedial actions for the remaining wastes sites for the 100 H Area	7/31/2007
M-016-51	Complete the interim remedial actions for the 100 H Area	12/31/2010
M-016-52	Initiate response actions for the remaining wastes sites for the 100 K Area	7/31/2009
M-016-53	Complete the interim response actions for the 100 K Area	12/31/2012
M-016-54	Initiate response actions for the remaining wastes sites for the 100 N Area	7/31/2008
M-016-55	Complete the interim response actions for the 100 N Area	12/31/2012
M-016-56	Complete the interim remedial actions for 100-IU-2 and 100-IU-6	12/31/2008

Change Number	Federal Facility Agreement and Consent Order Change Control Form **Do not use blue ink. Type or print using black ink.**	Date
M-016-01-06		4/24/2002

Originator
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Class of Change
[X] I - Signatories [ ] II - Executive Manager [ ] III - Project Manager

Change Title
M-016-03A
Establish Date for Completion of all 300 Area Remedial Actions

Description/Justification of Change
This change establishes a date for the completion of all 300 Area interim remedial actions and modifies the M-016-00B milestone description. The disposition of impeding surplus facilities will be performed in accordance with Tri-Party Agreement Major milestone M-094-00.

Unchanged Milestones:

Unchanged Milestones	Description	Date
M-016-03G	Establish an Environmental Restoration Disposal Facility (ERDF) staging area that is ready to receive drummed waste from the 618-4 Burial Ground in accordance with an ERDF Record of Decision Amendment	9/30/2002
M-016-03H	Complete Remediation of the waste sites in the 300-FF-1 Operable Unit to include excavation, verification, and regrading, including the 618-4 Burial Ground in accordance with an approved Remedial Design Report/Remedial Action Work Plan	12/31/2003
M-016-03I	Complete treatment of drummed waste from the 618-4 Burial Ground in accordance with an approved Remedial Design Report/Remedial Action Work Plan	TBD

Modifications/deletions to existing milestones are denoted using the ~~redline/strikeout;~~ additions are denoted with shading.

Description/Justification of Change continued on Pages 2 through 3

Impact of Change
Modifies regulatory requirements governing Hanford remediation activities. Administrative action required to incorporate this change into Appendix D.

Affected Documents
The Tri-Party Agreement Action Plan – Appendix D, as amended and Hanford site internal planning, management, and budget documents (e.g., USDOE and USDOE contractor Baseline Change Control documents; Multi-Year Work Plans; Sitewide Systems Engineering Control documents; Project Management Plans; and, if appropriate, the site-wide LDR Report requirements).

Approvals

K. A. Klein, RL Manager	4/25/02 Date	✓ Approved	Disapproved
L. J. Iani, EPA Region 10 Administrator	4/29/02 Date	✓ Approved	Disapproved
Linda Hoffman for T. C. Fitzsimmons, Ecology Director	4/30/02 Date	✓ Approved	Disapproved

Impact of Change (Continued)

Note that there are facilities that support the Hanford Site infrastructure that will remain in the 300 Area. Additionally, there may be waste sites that will not be remediated until the remaining facilities are removed due to their proximity to the facilities. The facilities and waste sites that remain will be documented and the path forward identified in Tri-Party Agreement milestone M-016-65.

The following are the remedial action changes associated with the overall River Corridor negotiations.

Completion Milestone:

Milestone	Description	Date
M-016-00B	Complete all interim 300 Area Remedial Actions to include confirmatory sampling of all candidate sites listed in the 300-FF-2 ROD. Completion of all interim remedial actions is defined as the completion of the interim ROD requirements in accordance with an approved RD/RA Work Plan and obtain EPA and/or Ecology approval of the appropriate project closeout documents. Completion of confirmatory sampling is defined as the completion of the sampling necessary to determine whether or not the waste site meets criteria for cleanup or can be closed out from the Waste Information Data System (WIDS) as defined in the RD/RA work plan. The disposition of impeding surplus facilities will be performed in accordance with milestone M-094-00.	09/30/2018

Outside the Fence Milestones (all accessible 300-FF-2 waste sites that lie north of building 3720 and the 313/333 building complex and that lie west of Stevens Drive as identified in Table 1 of this change request., excluding the 618-10 and 618-11 Burial Grounds):

Milestone Additions	Description	Date
M-016-60	Complete interim remedial actions for at least 3 of the following high environmental priority 300-FF-2 waste sites (316-4, 618-2, 618-3, 618-5 and 618-7) and complete confirmatory sampling of 300-FF-2 candidate sites 300-7 and 300-9.	12/31/2006
M-016-61	Complete interim remedial actions for the remaining high environmental priority 300-FF-2 waste sites (316-4, 618-2, 618-3, 618-5 and 618-7)	12/31/2008
M-016-62	Complete interim remedial actions for the following 300-FF-2 waste sites: 300-8, 300-18, 300-VTS, 316-4, 600-47, 600-259, 618-2, 618-3, 618-5, 618-7, 618-8, and 618-13 (See Table 1 in TPA Change Request M-16-01-06)	12/31/2012

Inside the Fence Milestones (as all 300-FF-2 waste sites that lie within or south of the building 3720 and 313/333 building complex northern boundaries and that lie east of Stevens Drive and all other remaining waste sites within the scope of the 300-FF-2 Record of Decision, excluding the 618-10 and 618-11 Burial Grounds):

Milestone Additions	Description	Date
M-016-63	Submit a schedule and Tri-Party Agreement milestones to complete interim remedial actions for the following 300-FF-2 waste sites (300-259, 303-M SA, 303-M UOF, UPR 300-46, UPR 300-17, and 618-1) and confirmatory sampling of the following 300-FF-2 candidate sites (300-109, 300-110, and 333 ESHWSA) (See Table 2 in TPA Change Request M-016-01-06) The milestone deliverable shall include at least: 1) a schedule for submittals of any	11/30/2003

	documents requiring EPA and/or Ecology approval (e.g., Remedial Design/Remedial Action Work Plans, etc.); 2) a schedule that defines dates for initiating and completing interim remedial actions at waste sites and impeding facilities; 3) a Tri-Party Agreement change package that includes milestones for groups of waste sites and impeding facilities that will ensure completion of M-016-00B; and 4) an evaluation of outyear Tri-Party Agreement milestones for the 300 Area to see if they can be accelerated. It is expected that schedules will be aligned with the associated schedules required by M-094-01.	
M-016-64	Complete interim remedial actions for the following 300-FF-2 waste sites: (300-259, 303-M SA, 303-M UOF, UPR 300-46, UPR 300-17, and 618-1) (See Table 2 in TPA Change Request M-016-01-06)	9/30/2010
M-016-65	Submit a schedule and Tri-Party Agreement milestones to complete interim remedial actions for the 300-FF-2 waste sites and confirmatory sampling of 300-FF-2 candidate sites inside the fence. The milestone deliverable shall include at least: 1) A schedule for submittals of any documents requiring EPA and/or Ecology approval (e.g., Remedial Design/Remedial Action Work Plans, etc.); 2) a schedule that defines dates for initiating and completing interim remedial actions at waste sites and associated impeding surplus facilities; 3) a Tri-Party Agreement change package that includes milestones for groups of waste sites and impeding facilities that will ensure completion of M-016-00B; and, 4) a Tri-Party Agreement disposition path for any remaining 300-FF-2 waste sites. It is expected that schedules will be aligned with the associated schedules required by M-094-04.	8/30/2005

618-10 and 618-11 Burial Ground Milestones:

Milestone	Description	Date
M-016-66	Initiate intermediate design and authorization safety analysis for remedial actions at the 618-10 and 618-11 burial grounds. The intermediate design shall include, at a minimum, a design basis report, remediation approach (i.e., process definition), site lay out, evaluation of infrastructure requirements (i.e., M-091 and Waste Isolation Pilot Plant [WIPP] integration planning), and planning for treatability tests. Intermediate design activities will utilize WIPP Remote Handled Transuranic (RH-TRU) and M-91 Waste Acceptance Criteria, an evaluation of RH TRU technology development efforts and an evaluation of lessons learned from other ongoing DOE Complex TRU excavation efforts. The authorization safety analysis shall include, at a minimum, any approvals required to support additional site characterization within 618-10 and 618-11 burial grounds for design purposes and any treatability investigations.	9/30/2004
M-016-67	Submit an intermediate design report, a remediation schedule and a treatability investigation work plan for remedial actions at the 618-10 and 618-11 burial grounds. The intermediate design report should represent a 60% complete design report. The remediation schedule must identify: 1) dates for initiating and completing interim remedial actions at waste sites; and 2) any documents requiring EPA and/or Ecology approval prior to initiating remedial actions (e.g., RD/RA Work Plans, etc.). The treatability investigation work plan must be consistent with WIPP RH-TRU and M-91 Waste Acceptance Criteria and will be submitted as a Tri-Party Agreement Primary Document.	3/31/2007

Table 1: Waste Sites Outside the Fence (Tri-Party Agreement Change Request M-016-01-06)

Waste Site Number	Site Description
Waste Site 300-8	Aluminum Shavings Area
Waste Site 300-18	Surface Contaminated Dumping Area #4
Waste Site 300 VTS	In Situ Vitrification Test Area
Waste Site 316-4	300 Area North Cribs
Waste Site 600-47	Dumping Area
Waste Site 600-259	Grout Waste Test Lysimeter
Burial Ground 618-2	Solid Waste Burial Ground #2
Burial Ground 618-3	Dry Waste Burial Ground
Burial Ground 618-5	Burial Ground #5
Burial Ground 618-7	Drums of Pyrophoric Zircaloy Chips in Water, with Uranium and Beryllium
Burial Ground 618-8	Uranium-Contaminated Soil Under a Parking Lot
Burial Ground 618-13	303 Building Contaminated Soil Burial Ground

Table 2: Waste Sites Inside the Fence (Tri-Party Agreement Change Request M-016-01-06)

Waste Site Number	Site Description
Candidate Waste Site 300-109	333 Building Storm Water Runoff
Candidate Waste Site 300-110	333 Building Storm Water Runoff
Candidate Waste Site 333 ESHWSA	333 Building East Side Hazardous Waste Storage Area
Waste Site 300-259	Contamination Area Surrounding 618-1 Burial Ground
Waste Site 303-M SA	303M Building Storage Area
Waste Site 303-M UOF	303M Uranium Oxide Facility
Waste Site UPR 300-46	Contaminated Soil (north of 333 Building)
Waste Site UPR 300-17	Contaminated asphalt area (southeast corner of 333 Building)
Burial Ground 618-1	Solid Waste Burial Ground #1

The portions of the 300-15, 300-224, 300-258 waste sites that impinge upon ongoing cleanups associated with this table, shall be evaluated and included in the scope of remediation activity, to the extent feasible. Technical feasibility will be evaluated as part of the Remedial Design/Remedial Action Work Plan process.

Change Number	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date
M-93-01-02		4/24/2002

Originator
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Class of Change

[ ] I - Signatories [X] II - Executive Manager [ ] III - Project Manager

Change Title
Modification of the Tri-Party Agreement M-93 series milestones
Complete Final Disposition of all 100 Area Surplus Production Reactor Buildings.

Description/Justification of Change

The M-093 milestone series provides the overall framework for disposition of the 100 Area surplus production reactors and remains a To Be Determined (TBD). Supporting M-093 is a series of milestones for the interim safe storage and associated activities for 8 of the 9 surplus production reactors. This change aligns the M-093 milestones for reactor interim safe storage with the objective of completion of the 100 Area reactor interim safe storage by 2012.

Continued on Pages 2 and 3

Impact of Change
Modifies regulatory requirements governing Hanford response activities. Administrative action required to incorporate this change into Appendix D.

Affected Documents
The Tri-Party Agreement Action Plan – Appendix D, as amended and Hanford site internal planning, management, and budget documents (e.g., USDOE and USDOE contractor Baseline Change Control documents; Multi-Year Work Plans; Sitewide Systems Engineering Control documents; Project Management Plans; and if appropriate, the site-wide LDR Report requirements).

Approvals

K. A. Klein, RL Manager	4/25/02 Date	✓ Approved ____ Disapproved
L. J. Iani, EPA Region 10 Administrator	4/29/02 Date	✓ Approved ____ Disapproved
Linda Hoffman for T. C. Fitzsimmons, Ecology Director	4/30/02 Date	✓ Approved ____ Disapproved

Impact of Change

M-093 provides the overall framework for disposition of the 100 Area surplus production reactors. The following existing milestones were established to support the completion of the surplus reactor interim safe storage:

Milestone	Description	Date
M-093-00	Complete Final Disposition of all 100 Area Surplus Production Reactor Building	TBD
M-093-06-T01	Submit Surveillance and Maintenance Plan for B Reactor	TBD
M-093-10	Submit the 105-F reactor surveillance and maintenance plan for EPA approval	7/31/03
M-093-11	Complete 105-F reactor interim safe storage	9/30/03
M-093-12	Issue 105-DR reactor competitive procurement package	2/28/02
M-093-14	Initiate negotiations for the remaining surplus reactor disposition schedules	6/30/03
M-093-15	Complete negotiations for the remaining surplus reactor disposition schedules	12/31/03
M-093-16-T01	Complete 105-DR reactor interim safe storage	9/30/05
M-093-17-T01	Complete 105-D reactor interim safe storage	9/30/07
M-093-18-T01	Complete 105-H reactor interim safe storage	9/30/09
M-093-19-T01	Complete 105/109-N reactor interim safe storage design	9/30/09
M-093-20-T01	Complete 105-N reactor interim safe storage	TBD
M-093-21-T01	Complete 105-KW reactor interim safe storage	TBD
M-093-22-T01	Complete 105-KE reactor interim safe storage	TBD

Relative to the existing milestones the changes will be the deletion of M-093-10, M-093-12 and M-093-21-T01; the conversion of target milestones to interim milestones and establishing dates for milestones that are currently TBD

Signature of this package will complete Tri-Party Agreement Interim Milestone M-093-14.

Modifications and/or deletions to existing milestones are denoted using the ~~redline/strikeout~~; additions are denoted with shading.

The following are the changes associated with the M-093-00 milestone negotiations:

Deletions

The following milestones are deleted:

Milestone	Description	Date
~~M-93-10~~	~~Submit the 105-F reactor surveillance and maintenance plan for EPA approval~~ **Rationale**: The submittal and approval of the S&M plans for the reactors placed in interim safe storage (ISS), is covered within the definition of the completion of the reactor ISS.	~~7/31/2003~~
~~M-93-12~~	~~Issue 105-DR reactor competitive procurement package~~ **Rationale**: This milestone is no longer valid in that the DR Reactor ISS is currently ongoing. This milestone is replaced with Tri-Party Agreement Interim Milestone M-093-25.	~~2/28/2002~~
~~M-93-21-T1~~	~~Complete 105-KW reactor interim safe storage~~ **Rationale**: The completion of KW ISS has been incorporated into the definition for completion of KE ISS.	~~TBD~~

Impact of Change (Continued)

Modifications

Modifications and/or deletions to existing milestones are denoted using the ~~redline/strikeout~~; additions are denoted with shading.

It should be noted that the original date for completion of M-093-16-T01 (ISS for DR) was 9/30/2005. To benefit/gain efficiencies DR Reactor will be placed into ISS two years ahead of schedule and before F Reactor. F Reactor completion will be delayed one year.

Milestone	Description	Date
~~M-093-06-T01~~	~~Complete Removal Action Work Plan/S&M Plan for B Reactor~~ ~~Submit Surveillance and Maintenance Plan for B Reactor~~	~~TBD~~ 6/30/02
~~M-093-25~~	~~Submit an engineering evaluation of the final surplus reactor disposition to EPA and Ecology~~	~~9/30/2005~~
M-093-11	Complete 105-F reactor interim safe storage	~~9/30/2003~~ 9/30/2004
M-093-16~~-T01~~	~~Complete 105-DR Reactor Interim Storage~~ Complete 105-DR reactor interim ~~Safe~~ Storage ~~The 105-DR Reactor also contains the Large Sodium Fire Facility TSD which is currently in the Hanford Sitewide RCRA Permit. Closure date for this TSD is 9/30/2005.~~	~~9/30/2005~~ 9/30/2003
M-093-17~~-T01~~	Complete 105-D reactor interim safe storage	~~9/30/2007~~ 12/31/2004
M-093-18~~-T01~~	Complete 105-H reactor interim safe storage	~~9/30/2009~~ 12/31/2005
~~M-093-23~~	~~Submit Engineering Evaluation/Cost Analysis (EE/CA) for KE/KW Reactor ISS~~	~~7/31/2006~~
~~M-093-24~~	~~Submit EE/CA for N Reactor ISS~~	~~9/30/2006~~
M-093-19~~-T01~~	Submit to EPA and Ecology the 105/109-N reactor interim safe storage ~~complete~~ design report	9/30/2009
M-093-20	Complete 105-N reactor interim safe storage	~~TBD~~ 9/30/2012
M-093-22~~-T01~~	Complete 105-KE and 105-KW reactor interim safe storage	~~TBD~~ 9/30/2011

Change Number	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date
M-094-01-01		4/24/2002

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Class of Change

[X] I - Signatories [ ] II - Executive Manager [ ] III - Project Manager

Change Title
Milestone M-094-00
Establish date for Final Disposition of all 300 Area Surplus Facilities under the M-094 Series Milestones.

Description/Justification of Change

This change establishes a date for the disposition of all 300 Area surplus facilities. M-094-00 provides the overall framework for disposition of the 300 Area surplus facilities. This change aligns the M-094-00 milestones for 300 Area surplus facility dispositions with the objective of completion by 2018.

The use of strikeout and shading is not required since approval of this change request establishes a new series for the Tri-Party Agreement.

Continued on page 2

Impact of Change
Modifies regulatory requirements governing Hanford remediation activities. Administrative action required to incorporate this change into Appendix D.

Note that there are facilities that support the Hanford Site infrastructure that will remain in the 300 Area. Additionally, there may be waste sites that will not be remediated until the remaining facilities are removed due to their proximity to the facilities. The facilities and waste sites that remain will be documented and the path forward identified in Tri-Party Agreement Milestone M-094-04.

Affected Documents
The Tri-Party Agreement Action Plan – Appendix D, as amended and Hanford site internal planning, management, and budget documents (e.g., USDOE and USDOE contractor Baseline Change Control documents; Multi-Year Work Plans; Sitewide Systems Engineering Control documents; Project Management Plans; and, if appropriate, Site-wide LDR Report requirements).

Approvals

K. A. Klein, RL Manager	4/25/02 Date	✓ Approved	____ Disapproved
L. J. Iani, EPA Region 10 Administrator	4/29/02 Date	✓ Approved	____ Disapproved
Linda Hoffman for T. C. Fitzsimmons, Ecology Director	4/30/02 Date	✓ Approved	____ Disapproved

Impact of Change (Continued)

M-094-00 provides the overall framework for disposition of the 300 Area surplus facilities. The following are the surplus facility changes associated with the River Corridor negotiations and specifically milestone M-094-00:

Milestone Additions	Description	Date
M-094-00	Complete disposition of 300 Area surplus facilities. Completion of facility disposition is defined as the completion of deactivation, decontamination, and decommissioning, and obtain EPA and/or Ecology approval of the appropriate project closeout documents. Surplus facilities are defined as any facility or site (including equipment) that has no identified programmatic use by the operating phase Program Secretarial Officer. The cleanup of 300-FF-2 waste sites associated with 300 Area surplus facilities will be performed in accordance with Tri-Party Agreement Major Milestone M-016-00B.	9/30/2018
M-094-01	Submit a schedule and TPA milestones to complete disposition of the following surplus facilities: 303M, 332, 333, 334, 334A, 3221, 3222, 3223, 3224, 3225, 324, 324B, 327(see TPA Change Request M-94-01-01, Table 1) The milestone deliverable shall include at least: 1) A schedule for submittals of Engineering Evaluation/Cost Analyses (EE/CA), removal action memoranda, removal action work plans, and other required documents for EPA and/or Ecology approval; 2) a schedule that defines initiation and completion dates for the disposition of the following surplus facilities: 303M, 332, 333, 334, 334A, 3221,3222, 3223, 3224, 3225, 324, 324B, 327; 3) a Tri-Party Agreement change package that includes milestones for groups of surplus facilities and associated waste sites that will ensure completion of M-094-00; and, 4) an evaluation of outyear Tri-Party Agreement milestones for the 300 Area to see if they can be accelerated. It is expected that schedules will be aligned with the associated schedules required by M-016-63. EE/CA's and action memoranda for the following facilities: 303M, 332, 333, 334, 334A, 3221, 3222, 3223, 3224 and 3225, must be completed and associated cleanup commenced prior to submitting any documents requiring EPA and/or Ecology approval for other 300 Area facility disposition work. This will allow the opportunity to factor "lessons learned from remedy implementation" into the remaining documents.	11/30/2003
M-094-02	Submit an amendment to the existing 324 Building REC/HLV closure plan, DOE/RL-96-73, Rev 1, for Ecology review and approval. The amendment shall change the existing closure plan path from clean closure to a path where the high-risk materials and wastes are removed from the facility followed by complete disposition.	7/30/2002
M-094-03	Complete disposition of the following surplus facilities: 303M, 332, 333, 334, 334A, 3221, 3222, 3223, 3224, 3225, 324, 324B, 327 (see TPA Change Request M-94-01-01, Table 1)	9/30/2010
M-094-04	Submit a schedule and Tri-Party Agreement milestones to complete disposition of the surplus facilities in the 300 Area and identify the 300 Area facilities and associated waste sites that will remain past the M-094-00 completion date (9/30/2018). The milestone deliverable shall include at least: 1) A schedule for submittals of Engineering Evaluation/Cost Analyses (EE/CA), removal action memoranda, removal action work plans, closure/post closure plans (in coordination with the 300 Area WATS and 340 Building associated work plans submittals as appropriate), and other documents that require EPA and/or Ecology approval; 2) a schedule that defines initiation and completion dates for the disposition of the surplus facilities; 3) a Tri-Party Agreement change package that includes milestones for groups of surplus facilities and associated waste sites that will ensure completion of M-094-00; and, 4) a clearly defined mission and Tri-Party Agreement disposition path for any remaining facilities in the 300 Area. It is expected that schedules will be aligned with the associated schedules required by M-016-65.	8/30/2005

Table 1: 300 Area Surplus Facilities to be Dispositioned by 9/30/2010

Surplus Facilities	Facility Description
Building 303M	Uranium Oxide Building
Building 332	Packaging Test Facility
Building 333	N Fuels Building
Building 334	Process Sewer Monitor Facility
Building 334A	Waste Acid Storage Building
Building 3221	Sandblasting Support Building
Building 3222	Storage Building
Building 3223	Storage Building
Building 3224	Storage Building
Building 3225	Bottle Dock

Surplus Facilities	Facility Description
Building 324	Chemical Engineering Laboratory
Building 324B	Chemical Engineering Laboratory Exhaust Stack
Building 327	Post-Irradiation Test Laboratory

Hanford Tri-Party Agreement

Modifications to 100 Area and 300 Area Waste Sites and Facilities Cleanup Milestones

Comment and Response Document

1. Hanford Advisory Board, submitted by Todd Martin, Chair

Comment 1: Groundwater. Groundwater remains of foremost concern to the Board. The Board encourages the agencies to maintain ongoing successful groundwater remediation actions and pursue more aggressive technology development and treatment activities. Currently, the change package would establish milestones that require initiation of groundwater restoration activities only after all 100 Area soil removal actions are complete. The Board recommends that actions be expedited by initiating groundwater actions in each remedial unit upon completion of soil removal in that unit. The Tri-Parties must examine existing and proposed off-site projects that may impact groundwater flow and contaminant spread.

> **Response to Comment 1: The U.S. Department of Energy, Richland Operations Office (DOE), the U.S. Environmental Protection Agency (EPA), and the State of Washington Department of Ecology (Ecology) hereinafter referred to as "Tri-Parties," agree with the Board that groundwater contamination issues are a priority. Ongoing interim actions, such as the pump and treat systems, demonstrate our commitment to groundwater cleanup. Commitments for upgrading groundwater remedial actions identified in the recent Five-Year Review of the Interim Records of Decision (ROD) are underway and some of these commitments are already complete. In addition, alternatives to pump-and-treat systems, such as Insitu Redox Manipulation for chromium, are being pursued and a roadmap to identify science and technology activities required to meet groundwater cleanup objectives is being developed. The Tri-Parties recently completed a workshop attended by the Tribal Nations and technical experts from the national laboratories to assist in the road mapping process.**
>
> **None of the Tri-Parties intend to "initiate groundwater restoration activities only after all 100 Area soil actions are complete." The timing for setting groundwater remediation milestones recognizes that source control is a critical component of groundwater remediation. Generally, groundwater remedial actions are not effective unless the contaminant source is controlled. The actions taken to date in the 100 Area are consistent with cleanup practice elsewhere, i.e., focus initially on source control and put into place restrictions on use and groundwater measures designed to reduce the groundwater transport of contaminants to potential receptors.**

However, as the Site cleanup efforts progress, the Tri-Parties will continue to evaluate the need for additional actions to address groundwater contamination. In addition, the Tri-Parties will strive to develop and implement more efficient and effective measures where further risk reduction is required.

In response to this comment, the Tri-Parties have agreed to establish a commitment to include a final remedial investigation/feasibility study (RI/FS) and proposed plan for the 100 B/C-5 Operable Unit within the *100 Area Remedial Design Action Work Plan, Revision 4.* In addition, a commitment to implement the 100 B/C Risk Assessment pilot should establish the framework for final RI/FSs and RODs for soil sites and should also address issues related to groundwater exposure scenarios. This work will provide the Tri-Parties with information necessary to establish a basis for 100B/C groundwater and future final groundwater decisions in the 100/300 Areas. Finally, off-site factors that affect groundwater flow and transport at Hanford will be evaluated for potential impacts and associated risk.

Comment 2: Disposition of 300 Area Buildings and waste sites. The Board is concerned about the cleanup and use of the entire 300 Area. Currently, the change package does not address all of the buildings in the 300 Area. However, with many other buildings and waste sites in the 300 Area, the potential for risks to workers, the public and the environment exists. Further, the existing lack of information concerning risks posed by 300 Area facilities prevents the Board from accurately prioritizing to the milestone activities outlined in the change package. In other words, the approach outlined below is important in developing a basis from which to assess the relative importance of specific 300 Area building remediation projects. This capability will be very important in any funding scenario below full TPA compliance.

To address the two above concerns and ensure the 300 Area cleanup is approached in a comprehensive, common sense manner, the Board recommends:

- DOE identify the status, mission and funding source (e.g., Environmental Management, Office of Science and Technology, etc.) for all 300 Area Buildings.

- Ensure the programmatic "owner" is indeed funding each of its facilities.

- Determine the status and disposition of facilities based on a comprehensive set of criteria that has been developed with public input. Examples of criteria include risks to workers, the public, and the environment; impacts on surrounding cleanup activities; safety requirements of facilities; and building requirements for safety buffers. The goal of these recommendations is to ensure that the breadth of 300 Area activities – from research to cleanup – are conducted safety and efficiently.

The Board also recommend DOE's approach to cleanup priorities in the 300 Area be based on risks to workers, the public and the environment with appropriate consideration to infrastructure and mortgage reduction issues.

Response to Comment 2: There are approximately 148 facilities and structures inside the fence of the 300 Area Industrial Complex that are impeding the cleanup of 40 soil waste sites contained in the 300-FF-2 Operable Unit. The strategy toward this cleanup effort was developed using a two-phase approach. Phase 1 includes specific commitments for the integrated cleanup of 6 soil waste sites and 13 facilities/structures by 9/30/2010 (milestones M-016-64 and M-094-03). Phase 1 represents a discrete and clearly defined portion of the 300 Area Industrial Complex and is contiguous with cleanup projects that will be ongoing "outside the fence" in the northern portion of the 300 Area.

Experience gained from implementing Phase 1 of this project will provide the basis for establishing cleanup schedules for Phase 2, which would contain the specific cleanup commitments for the remainder of the surplus facilities and soil sites inside the fence of the 300 Area Industrial Complex, pursuant to milestones M-016-65 and M-094-04. At this point in time, there are approximately 135 surplus facilities that are scheduled to be dispositioned by 9/30/2018, pursuant to milestone M-094-00. Appendix A (page A.i) contains a complete list of those facilities in the 300 Area identified as surplus or non-surplus as of the date of this change package. The exact number of surplus facilities, disposition schedules, and proposed cleanup milestones will be submitted in a draft Tri-Party Agreement (TPA) change package on 9/30/2005 pursuant to milestone M-094-04.

There may be some non-surplus facilities that remain in the 300 Area beyond 9/30/2018, and the presence of these facilities may impede the cleanup of 300-FF-2 waste sites. Any contamination related to these facilities and waste sites would have to be contained, controlled, and monitored until the facility mission ends and remediation can take place. Milestones M-094-04 and M-016-65 will identify a path forward for the 300 Area facilities that are not considered surplus and any associated 300-FF-2 waste sites. Any facilities and waste sites that are proposed to remain past 9/30/2018 must have a clearly defined mission and a TPA disposition path. The 300 Area cannot be deleted in its entirety from the National Priorities List (NPL) until the cleanup of 300-FF-2 Operable Unit waste sites are complete and the conditions specified in all final RODs are met. Deletion from the NPL, however, is not conditional on the final disposition of uncontaminated non-surplus facilities in the 300 Area.

The Tri-Parties will evaluate the Board's recommendations when negotiating additional cleanup commitments inside the fence of the 300 Area Industrial Complex. When negotiations for these future TPA milestones are complete, public comment and review will be performed in accordance with the TPA.

Comment 3: Consistent with past Board advice, the cleanup goal "outside the 300 Area fence" should be unrestricted use.

Response to Comment 3: The approach used in assessing and factoring land use assumptions into the remedial actions for the 300 Area was consistent with USEPA's "Land Use in the CERCLA Remedy Selection Process" policy (OSWER Directive No. 9355.7-04). This directive states that "remedial action objectives developed during the RI/FS should reflect the reasonably anticipated future land use or uses." The Tri-Parties' cleanup approach for the 300 Area has been consistent with this policy. The reasonably anticipated land use for the 300 Area Industrial Complex, the areas adjacent to the 300 Area Industrial Complex to the north and west, and the outlying sites/burial grounds 5-8 miles north of the 300 Area Industrial Complex is "industrial." This determination is consistent with the following relevant land use planning documents:

- **The Final Report of the Hanford Future Site Uses Working Group (December 1992) described the cleanup objective for the 300 Area (both the industrial complex and surrounding vicinity) as "restricted status for industrial use" under both "Cleanup Scenario A: Cleanup for Economic Development, Wildlife" and "Cleanup Scenario B: Cleanup for Agriculture and Native American Uses Outside the 300 Area," as explained in the report.**

- **The Final Hanford Comprehensive Land-Use Plan Environmental Impact Statement (September 1999) includes all sites in the 300-FF-1 and 300-FF-2 Operable Units (including outlying sites and burial grounds) in an "industrial" land use designation to support "new DOE missions or economic development."**

- **The City of Richland's Comprehensive Land Use Plan identifies the 300 Area (as well as areas North and South of the 300 Area) as an "Urban Growth Area" pursuant to Washington's Growth Management Act. Land uses identified in the plan include "industrial" and "business/research park."**

- **Benton County's Draft Hanford Land Use Plan (Spring 2000) identifies all sites in the 300-FF-1 and 300-FF-2 Operable Units (including outlying sites and burial grounds) as either being in the City of Richland's "Urban Growth Area" or in a land use zone defined by Benton County as "industrial & heavy." Within the Urban Growth Area, the County defers land use planning and land use designations to the City of Richland, unless there is a marked disagreement. In this case there is not. The Draft Hanford Land Use Plan is to be incorporated into the Benton County Comprehensive Plan as Chapter 13 when the plan is updated.**

While none of these documents can formally zone the 300 Area NPL site as "industrial," the plans document what working groups comprised of Hanford stakeholders, DOE, and local land use planning authorities expect in the way of future land use. Upon reviewing that information, the Tri-Parties have concluded that "industrial" or "general urban uses other than residential," are the reasonably anticipated future land uses for the areas covered by the 300 Area *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA) decision documents. Any changes to the land use that are inconsistent with the land use assumptions on which the RODs are based will be evaluated as part of the CERCLA five-year review.

It should be noted that future reuse of the 300 Area is not restricted to industrial use only, but rather to uses that are consistent with the exposure assumptions of the 300 Area industrial exposure scenario assuming institutional controls are maintained. This could permit other commercial uses as well. In addition, it should be noted that the entire 300 Area NPL site is not contaminated, and those areas that were never contaminated would support other uses (e.g., bike trails) assuming institutional controls are in place for adjacent areas that may contain residual hazards.

Therefore, the reasonably anticipated future land use is industrial pursuant to EPA policy and guidance and it is appropriate to use industrial cleanup standards for the 300 Area cleanup process.

However, due to concerns expressed regarding the lack of an evaluation for the cost of cleaning up to an unrestricted use cleanup standard, the Tri-Parties are currently estimating the costs of this additional cleanup work for those sites "outside the fence" of the industrial complex. Results of this analysis will be shared when available.

Comment 4: TPA Alignment with River Corridor Contract . The Board reiterates its expectation (see Advice #123) that the River Corridor Contract requirements will be consistent with the milestones resulting from this change package process. If the Tri-Party Agreement and the River Corridor Contract are not aligned, it is the Board's expectation that the contract will be modified to ensure compliance with the Tri-Party Agreement.

Response to Comment 4: The proposed 100 Area and 300 Area waste sites and facilities cleanup milestones have been incorporated into the Columbia River Corridor Closure Project request for proposal to ensure that alignment occurs. It is the intent of the DOE to align contracts and DOE baselines with milestones pursuant to the Cleanup, Constraints and Challenges (C3T) process. The C3T process, led by the Tri-Parties, focuses on accelerated cleanup and demonstrates a change to the way business is being conducted on the Hanford Site.

Comment 5: Remote Handled Transuranic Waste (RH TRU) Capability. The Board recognizes the important relationship between completion of M-91 activities (RH TRU handling capability in the Central Plateau) and remediation of burial grounds 618-10 and 11. Without adequate funding for M-91, DOE will not have the capability to clean up 618-10 and 11 burial grounds. Remediation of these two burial grounds has been, and remains, a critical part of Hanford cleanup. The Board recommends that M-91 be adequately funded in order for DOE to ensure capability of cleanup of the 618-10 and 618-11 burial grounds.

> **Response to Comment 5: It is DOE's intent to fund milestone M-091 activities at a level that will comply with TPA commitments, including the remediation of the 618-10 and 618-11 burial grounds by 9/30/2018. It is the Tri-Parties intent to integrate 618-10 and 618-11 burial ground remediation activities with milestone M-091 activities in order to avoid duplicative and unnecessary cost expenditures.**

2. Oregon Office of Energy, submitted by Ken Niles

Comment 1: Change Package M-16-01-05. 1) The words "interim remedial" are crossed out in milestone M-016-00A and replaced with ""interim response."" Under M-016-00A, some milestones use "interim response," while others use "interim remedial actions." Although "interim remedial actions" is defined in the definition section, there is no definition of "interim response." A more definitive explanation of these two terms is needed for us to understand the significance of any possible differences between them.

> **Response to Comment 1: The term "interim response action" is used as a broader term that includes "interim remedial actions," authorized by CERCLA RODs for the cleanup of soil waste sites, and "removal actions," authorized by CERCLA Action Memoranda for the decontamination and decommissioning of facilities. Both types of cleanup actions are included in the scope of the milestone M-016-00A, so the broader term is used in the milestone language and more specific terms are used where appropriate. An additional definition for "complete interim response actions" is provided in the final milestone package for clarification purposes.**

Comment 2: Change Package M-16-01-05. 2) Comment II in Attachment 1, "100B/C Pilot Risk Assessment, Tri-Party Agreement Change request M-016-01-05," discusses evaluating the cumulative impact of residual soil contamination on groundwater, "given that it is already contaminated." This appears to imply that a decision has been made that groundwater in this area will not be remediated. This needs to be clarified.

Response to Comment 2: In discussions with the public on this change package, it has become evident to the Tri-Parties that we need to do a better job in making our groundwater program more visible. Our current approach to groundwater remediation is to address sources and deploy interim actions to mitigate current risks to the Columbia River. This approach has resulted in actions on chromium-VI and strontium-90 in the 100 Area. In our opinion, the timing for setting milestones for groundwater remediation source control must take into account necessary source control actions. Groundwater remedial actions will not be fully effective unless the contaminant source is controlled. The actions taken to date in the 100 Area are consistent with cleanup practice elsewhere, i.e., focus initially on source control and put into place groundwater measures designed to reduce the groundwater transport of contaminants to potential receptors. As the Site progresses through the cleanup efforts, the Tri-Parties will continue to evaluate the effectiveness of the ongoing actions.

Comment 3: Change Package M-16-01-05. 3) The 100 B/C Pilot Risk Assessment appears to have no public involvement component. Public involvement should be an integral part of this assessment and the details should be discussed in this package.

Response to Comment 3: As a pilot project, it is not clear at this point how this project will evolve and the Tri-Parties plan to involve Natural Trustee Council Agencies and provide updates to the Hanford Advisory Board. As the project develops, the need to involve the general public will be assessed.

Comment 4: Change Package M-016-01-06.We are glad to see the addition of interim milestones M-016-66 and M-016-67 to at least commence the remediation process for burial grounds 618-10 and 618-11. However, we are concerned there are no interim milestones requiring the initiation of cleanup by a certain date and we feel that the delay of 11 ½ years between the start of remedial action design and completion of remediation is excessive. We recommend that this time frame be accelerated, and the schedule be made more definite by the development of interim milestones requiring the commencement of actual remediation work in a reasonable time frame.

Response to Comment 4: It is the intent of the Tri-Parties to establish additional milestones for the 618-10 and 618-11 Burial Grounds after September 2007 when initial engineering work is completed pursuant to milestone M-016-67.

Comment 5: Change Package M-093-01-02. These proposed changes contain no milestone requiring future negotiation of schedules for final reactor disposition. We recommend these milestones be included in this change package or a future change.

> **Response to Comment 5: Milestone M-093-00, "Complete Final Disposition of all 100 Area Surplus Production Reactor Buildings," will remain a TBD until the completion of milestone M-093-25. Milestone M-093-25, "Submit an engineering evaluation of the final reactor disposition to EPA and Ecology—due date 9/30/2005," will provide a detailed analysis of options for final reactor disposition. Upon completion of the engineering evaluation, discussions will resume regarding a timetable for milestone M-093-00.**

Comment 6: Change Package M-094-01-01. These proposed changes contain no milestones requiring future negotiation of schedules for disposition of facilities remaining past the M-094-00 due date. We recommend these milestones be included in this change package or a future change.

> **Response to Comment 6: Pursuant to milestones M-016-00B and M-094-00, all interim remedial actions for 300-FF-2 waste sites must be completed and all surplus facilities must be dispositioned by 9/30/2018. However, there may be some non-surplus facilities that remain in the 300 Area beyond the 9/30/2018 date, and the presence of these facilities may impede the cleanup of 300-FF-2 waste sites. Any contamination related to these facilities and waste sites would have to be contained, controlled, and monitored until the facility mission ends and remediation can take place, unless unacceptable risks would result from the continued presence of facilities and waste sites. Milestones M-094-04 and M-016-65 will identify a path forward for the 300 Area facilities that are not considered surplus and any 300-FF-2 waste sites that may be associated with them. Any facilities and waste sites that are proposed to remain past 9/30/2018 must have a clearly defined mission and a TPA disposition path. The 300 Area cannot be deleted in its entirety from the NPL until the cleanup of 300-FF-2 Operable Unit waste sites are complete and the conditions specified in all final RODs are met. Deletion from the NPL, however, is not conditional on the final disposition of uncontaminated non-surplus facilities in the 300 Area.**

3. Confederated Tribes and Bands of the Yakama Nation, submitted by Russell Jim

Comment 1: Little, if any, dialogue has occurred between the Tri-Parties and YN leading up to this change packet. When a meaningful government-to-government relationship is properly executed, a mutual decision can be reached. YN attempted to engage in meaningful dialogue with the Tri-Parties via a letter, dated October 9, 2001, from the Hanford Natural Resource Trustee Council (NRTC) to he Tri-Parties on the 100 Area milestone negotiations. The trustees have yet to receive a response other than the change package.

At a January 31, 2002 NRTC meeting, USDOE staff stated that "finalization of the 100/300 Area change package would determine the response to the NRTC." To say the least, this was very discouraging news. It indicates that neither DOE nor EPA have any interest in fulfilling their fiduciary trust responsibilities with the Tribe or in coordinating with the Hanford natural resource trustees.

Also at that meeting, the YN was surprised to receive a package that included the 300 Area milestone language. An earlier TPA communiqué stated that the Tri-Parties would negotiate the 300 Area milestone language, which was not to be released for public comment until June 30, 2002. Because of the early release of the 300 Area milestone language, the tribe was denied an opportunity to influence the proposed language before a draft was released. This is not how consultation works. Coordination and communication have clearly broken down between YN and the Tri-Parties on Hanford issues.

> **Response to Comment 1: We agree with your assessment that coordination and communications have broken down between the Yakama Nation and the Tri-Parties on Hanford issues. However, both DOE and EPA desire to fulfill our trust responsibilities. The Tri-Parties agreed to facilitate Tribal participation in agreement decision-making at the government-to-government level in Section 10 of the TPA. The DOE and EPA recognize that, as agencies of the Federal government, we have a trust responsibility to American Indian Tribes to consult with the Tribes and whenever possible, protect Tribal resources which may be affected by agency decision-making. Moreover, DOE, EPA, and the State of Washington have adopted policies that recognize Tribal sovereignty and commit to a government-to-government relationship with the Tribes. The regulators and Yakama Nation representatives met this month to discuss these issues.**

Comment 2: Justification for Change of Characterization and Baseline Assessments. The CERCLA RI/FS process identifies gathering characterization data early, prior to any cleanup action. The Tri-Parties have severely deviated from this approach during the interim remedial actions. There is no attempt to correct this error based on the proposed change package language.

> **Response to Comment 2: The Yakama Nation is correct in stating that the RI/FS process requires gathering data prior to making cleanup decisions. The Tri-Parties collected sufficient data to make appropriate cleanup decisions. The Tri-Parties adopted a bias-for-action approach that allowed for a focused data collection effort to ascertain whether an unacceptable risk to human health and the environment existed. Given that operations in the reactor areas were very similar, the Tri-Parties do not believe that full characterization of every waste site would have enhanced our decision-making ability. Because the remedy employed in both the 100 and 300 Areas is "dig and haul," data is also being collected as each waste site is remediated.**
>
> **In your comment you acknowledge that these actions are interim in nature. Because these were interim actions, the Tri-Parties will be conducting a residual risk assessment to support issuance of a final remedial action proposed plan that would be made available for public comment. If additional actions are needed to protect human health and the environment, they will be employed at that time.**

Comment 3: 100 B/C Pilot Project. It is time for the Tri-Parties to acknowledge that successful site-specific characterization is being performed at other superfund sites, and that similar assessments are needed as soon as possible for the 100 and 300 NPL sites.

> **Response to Comment 3: In reviewing your comments on the project, the Tri-Parties agree that a final baseline risk assessment is required for each reactor area. The concept behind the pilot project is to explore how the site-specific information will be used to address protectiveness of reactor areas. The Tri-Parties expect to engage Tribes and other members of the Natural Resource Trustee Council on this effort. The proposed schedule includes:**
>
> - **March 2002 – Initiate data quality objective (DQO) activity**
> - **May 2002 – Interview Trustees as part of initial scoping**
> - **September 2002 – Complete DQO process**
> - **FY 2003 – Collect ecological data**
> - **FY 2004 – Analyze data and draft report**
> - **FY 2005 – Draft baseline risk assessment report**

Comment 4: Independent Oversight. The Tri-Parties have not demonstrated their ability to perform an unbiased, scientifically sound and defensible assessment. Due to documented inadequate environmental assessment processes that are taking place at Hanford, which are not sufficient to ensure protection of people and the environment, the YN sees the need for independent oversight. This oversight is needed to conduct pre- and post-interim remedial and final risk assessments.

> **Response to Comment 4: The Tri-Parties respectfully disagree with the assertion that there is a lack of independent oversight by the Tri-Parties with regard to the conduct of unbiased, scientifically sound and defensible assessments. The primary cleanup authority resides with CERCLA, *Resource Conservation and Recovery Act* (RCRA), State *Hazardous Waste Management Act* (HWMA), and the *Atomic Energy Act of 1954*. Both the EPA and Ecology have and continue to provide independent oversight as lead regulatory agencies with respect to the cleanup activities at the Hanford Site. The specific cleanup requirements are mandated by either CERCLA, RCRA, or HWMA. As required, cleanup actions consider substantive requirements of promulgated regulations including those enforced by the U.S. Fish and Wildlife Services as *Applicable or Relevant and Appropriate Requirements* (ARARs). Also, natural resource trustees with appropriate jurisdiction at the Hanford Site have been participating in the Hanford Natural Resource Trustee Council regarding cleanup decision impacting natural resources.**

Comment 5: Negotiations. As part of these negotiations, and as provided in 40 CFR 300.615(d)(2) and CERCLA 122 (j)(1), the Yakama Nation believes that it is appropriate for the U.S. Department of Interior/U.S. Fish and Wildlife Service, which is responsible for species protected under the Endangered Species Act (ESA) and Migratory Bird Treaty Act (MBTA) at the Hanford Site, to participate in the negotiations of M-16-00F and M-16-03A.

The USFWS stated, in a letter dated October 18, 2000 from Regional Director Anne Badgley to Keith Klein, that it believes it is time the Service be added to the Tri-Party agreement. YN supports the Agency's request to be added to the TPA. It will ensure that natural resources, especially ESA and MBTA species, are properly addressed.

> **Response to Comment 5: It is not appropriate to add the U.S. Fish and Wildlife Service (USFWS) to the TPA because it is a CERCLA and RCRA regulatory compliance document. We are working with the USFWS to coordinate decision-making and planning in the Hanford Reach National Monument areas. CERCLA and other environmental laws that apply to the Hanford Site require standards that are protective of fish, wildlife and their habitat.**

Comment 6: Reactors. It is unclear from the M-93 proposed change package language whether all nine reactors are on the same path toward closure and removal from the river corridor. The regulators need to ensure that the disposition of each reactor is consistent and meets the intent of all environmental laws.

> **Response to Comment 6: Eight of the nine surplus production reactors located in the 100 Area of the Hanford Site are on a path toward closure. The M-093 change package provides a series of milestones for the interim safe storage (ISS) and final disposition of these eight reactors. The change package contains a commitment for DOE to complete a final configuration determination for the ninth reactor (B Reactor) and submit the recommendation to EPA by 9/30/2005.**
>
> **The C Reactor is already in ISS and is not discussed in the package. The schedule for ISS of the seven remaining reactors is as follows. Completion of ISS for the DR, F, D, and H reactors are scheduled for 9/30/2003, 9/30/2004, 12/31/2004, and 12/31/ 2005, respectively. The milestone package requires that an engineering evaluation/cost analysis (EE/CA) be submitted for the KE, KW, and N Reactors in 2006 and that ISS be completed by 9/30/2011 for the KE and KW Reactors and by 9/30/2012 for the N Reactor. The final disposition of all remaining reactor buildings will be based on the results of an engineering evaluation to be submitted to EPA and Ecology under milestone M-093-25 by 9/30/2005. The regulators will review and approve the engineering evaluation to ensure that the final disposition of the remaining reactor buildings is consistent and complies with all environmental laws.**

Comment 7: Establish a Biological Assessment Milestone for the 100 and 300 Area NPL sites (M-16-00F and M-16-03A, respectively).

> **Response to Comment 7: The Tri-Parties have reviewed the information contained in your proposed milestone language and believe the issues you identified are substantive issues the 100 B/C Pilot Project will be covering. We look forward to working through the issues identified, as well as others that arise through the data quality objective (DQO) process for this project. We do not agree that a new milestone needs to be established. An ecological assessment must be part of the risk assessment required before final remedial action decisions can be made.**

4. Heart of America Northwest, submitted by Gerald Pollett

Comment 1: Extensive and detailed comments on the proposed change package and closely related issues were given by our organizations, our members and the public at three "State of the Site Meetings" in January, 2002. These comments should be fully recorded and considered for this TPA Change Package, and we formally request their incorporation into the record for that purpose. This is consistent with the understandings and stated purposes of those meetings, at which agency managers committed to consider the comments of the public for upcoming TPA processes, rather than require the public to repeat their testimony and comments at a second set of meetings, Indeed, it was based on this understanding, that our organizations and others representing thousands of citizens in the Seattle and Portland/Vancouver areas did not request a formal hearing or meeting for comment on this Change Package for Seattle and Portland/Vancouver.

> **Response to Comment 1: The State of the Hanford Site Public Meetings held in January 2002 covered a wide range of topics, including both these TPA change packages and closely related issues. The comments at the State of the Site meetings, which may have included extended dialogue, were duly recorded as summary statements. Those statements were categorized based on their relevance to one or more of several different issues/topics, including the Columbia River Corridor cleanup. Those statements relevant to these TPA change packages or a closely related issue are included in this comment and response document.**

Comment 2: Two of the overriding themes of public comment at the state of the Site meetings related to concerns regarding this TPA Change Package: a) the lack of groundwater remediation schedules for the Hanford Reach of the Columbia River / River Corridor; and, b) the inappropriate use of an industrial cleanup standard and exposure scenario for the waste sites surrounding, and inside, the 300 Area. Officials from all three agencies acknowledged that the public concern warranted response, and formalized a commitment to take action on the public concern over a lack of groundwater remediation strategy and schedule at the Hanford Cleanup Challenges and Constraints Team (C3T) meeting on January 25, 2002.

Only at the close of this comment period, however, did essential information come to light regarding the lack of a groundwater strategy and the potential human health and ecological impacts from that inaction. On March 12 and 13, 2002, the Hanford Advisory Board sponsored with the agencies a Task Force meeting on Exposure Scenarios. Previous to this time, and at the State of the Site meetings, it was represented that there was a commitment to "implement final remedies" for groundwater sometime in the latter part of the next decade (after 2015). Our comments expressed deep concern because such a baseline would violate prior commitments, including the TPA deadline, to complete remedial actions by 2018. However, both baselines and new proposals were discussed with the public for the first time on March 12 and 13, that were summed up as monitoring groundwater for 150 years and expanding the points of compliance towards the River as plumes moved away from TSD units and operable units.

NOTE: This new information, contrary to assertions made at prior meetings, justifies extension of the comment period to consider the work of the Exposure Scenarios Task Force and allow for comments based on the information on USDOE baselines and proposals for groundwater action and how they conflict with TPA deadlines for completion of remedial actions by 2018.

> **Response to Comment 2: The referenced discussion with the public on March 12 and 13 was a meeting of the Hanford Exposure Scenarios Task Force for the 200 Area (Central Plateau). The discussion did not present any new baseline or proposal for the 100 or 300 Areas. See response to Comment 3 (below) regarding plans for addressing groundwater.**

Comment 3: *Points of compliance are not so illusory that they can flow with the plume of contaminants.* There is a clear need for the TPA to set a schedule for determining points of compliance set at the waste units. This schedule should be linked to the remediation of the soil sites. It is not possible to determine if a soil remedy has been effective without setting groundwater points of compliance, where we know that there are mobile contaminants or existing groundwater contamination.

The onset of remedial action for groundwater in each area of the River Corridor (i.e., 100-B; 100-N; 300 Area) **should be included in the TPA at this time**, with a **start date of one year after completion of the proposed soil remedial action for that area**. This provides ample time for monitoring and assessment, and would show an effort to be consistent with requirements of CERCLA, RCRA and MTCA for the onset of characterization and remediation of units.

We urge the agencies to join with us in moving towards a vision of a safe, publicly usable Hanford Reach National Monument by 2011. The Treaties of 1855 guarantee Native Americans the right to fish and, live along, the River Corridor. Once the areas are no longer required for Atomic Energy Defense purposes, additional rights to utilize the lands for food and cultural purposes will be in full effect. The federal agencies have a fiduciary duty to protect and accommodate these rights. Failing to cleanup groundwater - preventing unrestricted access to the River shorelines (including areas of contaminated discharges that are not owned by the United States, but, rather by the State of Washington) - violates that fiduciary duty and those rights.

Failing to include an enforceable schedule for remediation of groundwater, with requirements for technology development and demonstrations for certain contaminants, makes claims that there will be unrestricted access to the Hanford Reach National Monument and "delisting" of the area, a sham.

Only by including milestones for the start and completion of groundwater remedies, will this TPA package not appear to be a cruel hoax when it is discussed as accelerating cleanup along the River Corridor leading to unrestricted public access by 2012.

Response to Comment 3: In discussions with the public on this change package, it has become evident to the Tri-Parties that we need to do a better job of communicating the objectives of our groundwater program. Our current approach to groundwater remediation is to address sources and deploy interim actions to mitigate current risks to the Columbia River. This approach has resulted in actions on chromium-VI and strontium-90 in the 100 Area. In our opinion, the timing for setting milestones for groundwater remediation must take into account source control. Groundwater remedial actions will not be fully effective unless the contaminant source is controlled. The actions taken to date in the 100 Area are consistent with cleanup practices elsewhere, i.e., focus initially on source control and put into place groundwater measures designed to reduce the groundwater transport of contaminants to potential receptors. As the Site progresses through the cleanup efforts, the Tri-Parties will continue to evaluate the effectiveness of the ongoing actions.

In response to this comment, the Tri-Parties have agreed to establish a commitment to include a final RI/FS and proposed plan for the 100 B/C-5 Operable Unit within the *100 Area Remedial Design Action Work Plan, Revision 4.* The 100 B/C Risk Assessment pilot should establish the framework for final RI/FSs and RODs for soil sites and should also address issues related to groundwater exposure scenarios. This commitment would provide the Tri-Parties with experience and establish a basis for negotiating future final groundwater decisions in the 100/300 Areas.

Comment 4: Dates/Schedules. Formal commitments were made by the Tri-Party Agreement agencies to complete cleanup of the River Corridor to unrestricted cleanup standards by 2011. The proposed schedule for completion of the N and K Areas (12/31/2012) violate those commitments and do not reflect any "acceleration" of cleanup from the promises made in 1994 and 1995. While these commitments were not translated into milestones at that time - because the agencies said that the milestones would be set in the current TPA change process - they were formal commitments made in writing as part of the TPA processes.

Response to Comment 4: The Agencies reviewed the 1995 Environmental Restoration Refocusing Package and did not find any formal commitment date for 2011. The Agencies realize that earlier baselines prepared for DOE did indicate soil removal would be complete in the 100 Area by the end of 2011. Although the date for completion of the 100 Area is now set for 2012, it must be recognized that the original date of 2011 did not include reactor interim safe storage or the removal of 300 Area facilities as part of its scope. In addition, there has not been a commitment by the Tri-Parties to clean up the 300 Area to an unrestricted status.

Comment 5: Because these areas have some of the greatest groundwater contamination problems (i.e., Strontium 90 concentrations for the N-Area at shoreline wells reported at 1,600 times the Drinking Water Standard), it is not acceptable to delay completion of soil for the K and N Areas, with a concomitant delay in groundwater remediation.

> **Response to Comment 5: We agree that cleanup of high priority liquid waste sites is the first priority. Cleanup of the N Area Cribs N-1 and N-3 is nearly complete, and groundwater contributors in K Area will begin remediation soon. No changes were made to existing milestones governing the cleanup of the high priority sites.**

Comment 6: The TPA sets a deadline of 2018 for completion of remedial actions for all units. This includes groundwater units - inclusive of the 300 Area and vicinity. The current proposal sets a completion date for the 300 Area soil units and facilities of 2018. This ensures that the groundwater remediation will not occur by 2018, as required by the current TPA; and, ensures that the Southern gateway to the Hanford Reach will not be available for unrestricted use, and will remain an ecological and human health threat.

> **Response to Comment 6: Pursuant to milestones M-016-00B and M-094-00, all interim remedial actions for 300-FF-2 waste sites must be completed and all surplus facilities must be dispositioned by 9/30/2018. However, there may be some non-surplus facilities that remain in the 300 Area beyond the 9/30/2018 date, and the presence of these facilities may impede the cleanup of 300-FF-2 waste sites. Any contamination related to these facilities and waste sites would have to be contained, controlled, and monitored until the facility mission ends and remediation can take place, unless unacceptable risks would result from the continued presence of facilities and waste sites. Milestones M-094-04 and M-016-65 will identify a path forward for the 300 Area facilities that are not considered surplus and any 300-FF-2 waste sites that may be associated with them. Any facilities and waste sites that are proposed to remain past 9/30/2018 must have a clearly defined mission and a TPA disposition path. The 300 Area cannot be deleted in its entirety from the NPL until the cleanup of 300-FF-2 Operable Unit waste sites are complete and the conditions specified in all final RODs are met. Deletion from the NPL, however, is not conditional on the final disposition of uncontaminated non-surplus facilities in the 300 Area.**
>
> **It should be noted that future reuse of the 300 Area is not restricted to industrial use only, but rather to uses that are consistent with the exposure assumptions of the 300 Area industrial exposure scenario assuming institutional controls are maintained. This could permit other commercial uses as well. In addition, it should be noted that the entire 300 Area NPL site is not contaminated, and those areas that were never contaminated would support other uses (e.g., bike trails) assuming institutional controls are in place for adjacent areas that may contain residual hazards.**

Comment 7: Ecological risk assessments are required pursuant to MOTCA (Model Toxics Control Act; RCW Chapter 70.105D; and implementing regulations) as part of the risk assessment and remedy selection processes. It appears that this ecological risk assessment would be delayed to occur after remedial action for each area under the proposed TPA Change package. This is not only illogical, but clearly out of step with the regulatory requirements.

> **Response to Comment 7: As part of the initial RI/FS process for each operable unit, ecological risks were assessed. The Tri-Parties have employed a bias-for-action concept. Enough information has been assessed to allow for appropriate interim remedy selection. Through the course of cleanup of waste sites, additional data will be collected which will form the basis for a final baseline risk assessment to support issuing a final remediation proposed plan. The regulations clearly allow interim cleanups to proceed in this fashion.**

Comment 8: 300 Area (Inside and Outside the Fence). The record clearly establishes that areas outside the 300 Area fences have never been traditional industrial use areas, and do not qualify for use of Method C, industrial cleanup standard, pursuant to MOTCA.

The record clearly establishes that these areas adjoin areas that are utilized by the public today, or are considered as "accessible" by the public. Public uses include trails adjoining some of these waste sites and proposals for new trails. Native American rights are violated by any remedy that requires restricting access to adult industrial site workers.

The industrial cleanup standard is only available where the maximum reasonable exposure scenario is an adult worker for 2000 hours per year, and the land is characterized by traditional industrial uses, such as paved parking lots and factories.

None of the waste sites lying outside the fence line of the 300 Area meet these requirements. It is an unacceptable violation of MOTCA and CERCLA to fail to remediate these sites using Method B, unrestricted cleanup standard and utilizing maximum reasonable exposure scenarios for Native American Treaty Rights usage and the residential agricultural scenario. Those scenarios must also consider exposures to groundwater seeps and any other Hanford waste sites utilizing caps or leaving residual contamination at levels based on other exposure scenarios. E.g.: for all the River Corridor remedial actions, it is not acceptable to piecemeal consideration of risks and fail to consider the cumulative carcinogen or hazard risk from exposure to groundwater, seeps, and other waste sites at Hanford. The remedy must meet the MOTCA standard considering all exposures from all sources at the Hanford site.

Response to Comment 8: The approach toward assessing and factoring land use assumptions into the remedial actions for the 300 Area are consistent with USEPA's "Land Use in the CERCLA Remedy Selection Process" policy (OSWER Directive No. 9355.7-04). This directive states that "remedial action objectives developed during the RI/FS should reflect the reasonably anticipated future land use or uses." The Tri-Parties' cleanup approach for the 300 Area has been consistent with this policy. The reasonably anticipated land use of "industrial" for the 300 Area Industrial Complex, the areas adjacent to the 300 Area Industrial Complex to the north and west, and the outlying sites/burial grounds 5-8 miles north of the 300 Area Industrial Complex are consistent with the relevant land use planning documents. These are:

- **The Final Report of the Hanford Future Site Uses Working Group (December 1992) described the cleanup objective for the 300 Area (both the industrial complex and surrounding vicinity) as "restricted status for industrial use" under both "Cleanup Scenario A: Cleanup for Economic Development, Wildlife" and "Cleanup Scenario B: Cleanup for Agriculture and Native American Uses Outside the 300 Area," as explained in the report.**

- **The Final Hanford Comprehensive Land-Use Plan Environmental Impact Statement (September 1999) includes all sites in the 300-FF-1 and 300-FF-2 Operable Units (including outlying sites and burial grounds) in an "industrial" land use designation to support "new DOE missions or economic development."**

- **The City of Richland's Comprehensive Land Use Plan identifies the 300 Area (as well as areas North and South of the 300 Area) as an "Urban Growth Area" pursuant to Washington's Growth Management Act. Land uses identified in the plan include "industrial" and "business/research park."**

- **Benton County's Draft Hanford Land Use Plan (Spring 2000) identifies all sites in the 300-FF-1 and 300-FF-2 Operable Units (including outlying sites and burial grounds) as either being in the City of Richland's "Urban Growth Area" or in a land use zone defined by Benton County as "industrial & heavy." Within the Urban Growth Area, the County defers land use planning and land use designations to the City of Richland, unless there is a marked disagreement. In this case there is not. The Draft Hanford Land Use Plan is to be incorporated into the Benton County Comprehensive Plan as Chapter 13 when the plan is updated.**

While none of these documents can formally zone the 300 Area NPL site as "industrial," the plans document what a working group comprised of Hanford stakeholders, DOE, and local land use planning authorities expect in the way of future land use and are sufficient for the Tri-Parties to conclude that "industrial" or "general urban uses other than residential," are reasonably anticipated future land uses for the areas covered by the 300 Area CERCLA decision documents. This means that institutional controls must be a required part of the remedy in order to ensure that land uses are limited to those defined in the 300 Area industrial use exposure scenario. Any changes to the land use that are inconsistent with the land use assumptions upon which the RODs are based will be evaluated as part of the CERCLA five-year review.

It should be noted that future reuse of the 300 Area is not restricted to industrial use only, but rather to uses that are consistent with the exposure assumptions of the 300 Area industrial exposure scenario assuming institutional controls are maintained. This could permit other commercial uses as well. In addition, it should be noted that the entire 300 Area NPL site is not contaminated, and those areas that were never contaminated would support other uses (e.g., bike trails) assuming institutional controls are in place for adjacent areas that may contain residual hazards.

Therefore, the reasonably anticipated future land use is industrial pursuant to EPA policy and guidance and it is appropriate to use industrial cleanup standards for the 300 Area cleanup process.

Comment 9: The Reasonable Maximum Exposure Scenarios are: "the highest exposure that is reasonably expected to occur under current and potential future site conditions considering...the potential for institutional controls to fail..." -WAC Sec. 708(3)(d)(i)

Inside the 300 Area Fence, USDOE has issued proposals for unrestricted public access following deactivation of facilities and cleanup (SEE "Done in a Decade", 2000, USDOE). Thus, by USDOE's own actions, it is reasonably foreseeable that exclusive industrial use is not the maximum reasonable exposure scenario. Furthermore, USDOE has no plan for reindustrialization with traditional industrial uses, as defined in MOTCA. If the 300 Area is cleaned up to only the Method C standards - leaving residual risks that preclude future public access - then commercial development along the River is permanently strangled, and visions for trail access and recreational uses must be abandoned.

Response to Comment 9: While it is appropriate to evaluate the Reasonable Maximum Exposure Scenario in a baseline risk assessment, especially in determining whether or not a basis for action exists under the CERCLA statute, the cleanup decision takes more than the Reasonable Maximum Exposure Scenario into account. In particular, the National Contingency Plan specifies remedy selection expectations and nine remedy selection criteria that are to be used when making a CERCLA cleanup decision.

The National Contingency Plan, in conjunction with the EPA land use policy (referenced in a previous response) clearly indicate that it is appropriate to use an industrial endpoint for a cleanup action and that it may be appropriate to use a combination of cleanup measures, including institutional controls, to ensure that remedies are protective of human health and the environment.

It should be noted that future reuse of the 300 Area is not restricted to industrial use only, but rather to uses that are consistent with the exposure assumptions of the 300 Area industrial exposure scenario assuming institutional controls are maintained. This could permit other commercial uses as well. In addition, it should be noted that the entire 300 Area NPL site is not contaminated, and those areas that were never contaminated would support other uses (e.g., bike trails) assuming institutional controls are in place for adjacent areas that may contain residual hazards.

Comment 10: Notice of the long term restrictions on future use of the 300 Area and surrounding areas was required by MOTCA for this proposed action. We provided the agencies with extensive comment and assistance in designing notice that would have met these requirements of Chapter 173-340 WAC. However, the notices issued utterly failed to provide the public with notice that the proposed actions would require permanently restricting the Southern Gateway to the Hanford Reach National Monument to preclude access by children, Native Americans and the general public. Indeed the swath of land lying outside the fences that would have to fall within industrial zone restrictions was stated by citizens at hearings, when disclosed by our organization, to be shocking.

Notices must explicitly identify, and seek comment on, **restrictions on land and resource use (institutional controls)** proposed in decrees, orders, draft cleanup plans, interim actions - 600(4)(g); 600(10)et seq.

Response to Comment 10: The Tri-Parties have made it clear in various publications, public meetings, and in responses to comments that the assumed future land use for the 300 Area is industrial and that industrial cleanup standards will be used. Specific to the 300-FF-2 Operable Unit, newspaper announcements stated, "The reasonably anticipated future land use for this portion of the Hanford Site is industrial." The 300-FF-2 Operable Unit fact sheets, which were mailed to approximately 1500 Hanford stakeholders, stated that remedial alternatives were evaluated "based on an anticipated future industrial land use scenario for the area" and stated, "In addition, institutional controls (to restrict access to be consistent with the industrial land use clean up scenario) and groundwater monitoring ... are included in this alternative." Further information was also detailed in the 300-FF-2 Proposed Plan, which was posted on the Internet and mailed to numerous public stakeholders. Finally, the industrial land use assumption was discussed at several Hanford Advisory Board committee meetings and a public meeting held in Hood River, Oregon on March 6, 2002.

Comment 11: The 300 Area TPA proposal leaves islands of contamination and risk, by failing to required removal of all contaminated facilities. This also defeats the stated purposes of our massive investment in the cleanup of the 300 Area, and leaves likely sources of recontamination. Further, it is inconsistent with both CERCLA and RCRA to leave unremediated facilities or units that are sources of releases within an NPL site.

> **Response to Comment 11: Pursuant to milestones M-016-00B and M-094-00, all interim remedial actions for 300-FF-2 waste sites must be completed and all surplus facilities must be dispositioned by 9/30/2018. However, there may be some non-surplus facilities that remain in the 300 Area beyond the 9/30/2018 date, and the presence of these facilities may impede the cleanup of 300-FF-2 waste sites. Any contamination related to these facilities and waste sites would have to be contained and controlled until the facility mission ends and remediation can take place. Milestones M-094-04 and M-016-65 will identify a path forward for the 300 Area facilities that are not considered surplus and any 300-FF-2 waste sites that may be associated with them. Any facilities and waste sites that are proposed to remain past 9/30/2018 must have a clearly defined mission and a TPA disposition path. The 300 Area cannot be deleted in its entirety from the NPL until the cleanup of 300-FF-2 Operable Unit waste sites are completed and the conditions specified in all final RODs are met. Deletion from the NPL, however, is not conditional on the final disposition of uncontaminated non-surplus facilities in the 300 Area.**

Comment 12: MOTCA Applicability as an ARAR relative to choice of Clean-Up standards for the 300 Area:

[The following was previously submitted for the 300-FF-2, and is resubmitted for this TPA Change Package:]

> When the management of the property owner (Hanford Manager for USDOE-RL), and a major federal agency, formally propose unrestricted public access to the 300 Area in the foreseeable future, this becomes a reasonably foreseeable future use, which encompasses the maximum exposures for the most at risk members of the public. As such, the FF-2, FF-1, FF-5 and all related 300 Area decisions must reflect cleanup to the standards of MOTCA (chapter 70.105.D) Method B, unrestricted use cleanup and remediation levels.
>
> No area of the FF-2 Unit (nor any of the 300 Area units) is legally eligible for use of MOTCA Method C industrial land use cleanup level (MOTCA's standards are applicable as an ARAR pursuant to CERCLA). The Proposed Plan (and adopted Interim Records of Decision, which should now be changed) rely on limited public access and maximum reasonable foreseeable exposure scenarios that are industrial in nature. Commentors on this Proposed Plan include co-authors of the provisions in MOTCA and proposed draft regulations (currently out for comment) related to defining the criteria for application of Method C, industrial land use cleanup levels

and maximum reasonable exposure scenarios. During discussions of the Washington Ecology MOTCA Policy Advisory Committee, the 300 Area was explicitly discussed as an example for illustrating when the industrial standard would not be applicable. Below is a discussion of the application of MOTCA Method B versus Method C for specific applications and areas.

1. Areas outside the fence of the 300 Area have never been eligible to be cleaned up utilizing the MOTCA Method C industrial exposure standard.

   Use of an area, outside the fenced industrial area, for illegal, unpermitted disposal of waste to soil can not convert an area into historical industrial use. The areas outside the 300 Area fence contain or adjoin significant Native American religious and cultural resources. Failure to clean to a level providing for unrestricted access to these resources, including Treaty reserved rights (including the right to live along and fish at usual and accustomed fishing places along the Columbia River) and rights under the Native American Graves and Religion Protection Act, violates federal trust responsibilities as well as statutory requirements.

   It would violate public policy to reward illegal disposal by converting areas designated for open space, recreation and native American cultural and resource use in land use plans and in the federally sponsored Future Site Use Working Group report, into an industrial cleanup land use zone.

   "Traditional industrial uses" defined in WAC 173-340-175 do NOT include illegal, unpermitted disposal of hazardous wastes as a legitimate land use allowing application of the industrial standard (Method C).

   MOTCA clearly requires use of Method B (unrestricted land use cleanup levels), as illustrated in the draft proposed regulations from Ecology, for an area whose foreseeable future use includes public access, and the liable party can not "demonstrate that the area under consideration is an industrial property and meets the criteria for establishing industrial soil cleanup levels under WAC 173-340-175." WAC 173-340-706(b).

   In sum, areas outside the fence of the 300 Area fail to meet the criteria of WAC 173-340-745, requiring primary potential exposure to adult employees of businesses located on the property. WAC 173-340-745(i) (C), (D), and (E). In point of fact, there are no businesses outside the fence, and have been no legitimate businesses conducted (illegal disposal can not be considered an allowed land use).

2. Recent formal proposals of the USDOE preclude use of MOTCA Method C, industrial cleanup levels for soil, for all of 300-FF-2 and all 300 Area operable units. These proposals have clarified what has been a public concern for some time - namely, that the Reasonable Maximum Exposure Scenarios and primary

potential exposure to the most sensitive population expected on this property will be to children invited to access this Area, rather than just being limited to adult workers as invitees. Pursuant to WAC 173-340-745 the 300 Area is clearly not eligible for industrial soil cleanup standard. USDOE has formally proposed removal of fences, unrestricted public access and even trails (E.g.: SEE Accelerated Clean-Up proposal, 2000). WAC 173-340-745 (i) (B) limits industrial cleanup standards use to where "Access to industrial property by the general public is generally not allowed. If access is allowed, it is highly limited and controlled..." (i.e., not unrestricted, and utilizes fences and other controls).

Even if USDOE modifies this proposal or does not act on it at this time due to funding constraints, EPA and Ecology are legally obliged to consider unrestricted public access as a reasonably foreseeable public use, and to base the Reasonable Maximum Exposure Scenario on unrestricted public access rather than solely limiting the analysis to adult industrial workers. *Thus, reliance on the industrial cleanup standard is impermissible.* WAC 173-340-708.

Nor is the use of a child trespasser exposure scenario appropriate for selection of a remediation level. USDOE has made it clear that the highest exposure reasonably expected to occur under potential future site use [WAC 173-340-708(3)(b)] is unrestricted public access, and no longer restricted or controlled access.

3. WAC 173-340-745 (iii) precludes use of the industrial soil cleanup standard where hazardous substances remaining pose any threat to human health or the environment "in adjacent nonindustrial areas"; where there is "potential for transport of residual hazardous substances to off property areas" (iii) (C); and, potential exists for <u>significant</u> (proposed addition) adverse effects on (vegetation) or wildlife..." (D).

   USDOE has failed to meet the burden of demonstrating no offsite impact, especially to the Columbia River ecosystems and endangered species. Uranium is being transported offsite. There has been no ecological risk assessment, and no ecological exposure effects assessment on federally listed salmonid species and migratory birds.

   During MOTCA Policy Advisory Committee (MOTCA-PAC) discussion regarding this regulation and criteria, the 300 Area and areas outside the 3000 Area fence were explicitly used to illustrate areas that would NOT qualify for application of Method C industrial soil cleanup levels. The history of this regulation and the statute clearly indicate that the 300 Area Operable Units do not meet the criteria of WAC 173-340-745 for industrial cleanup standards. Ecology was a party to this discussion, and committed to follow recommendations of the MOTCA PAC, to the degree legally permissible, until the new rules were adopted. The new rules reinforce this outcome: offsite transport of hazardous substances (airborne as well as via ground and surface water for the 300 Area, and

including the potential for major releases due to foreseeable natural events and accidents) from the 300 Area preclude use of the industrial standard.

4. USDOE has failed to provide for notice and public comment specific to the resources and land areas that would be restricted from public use under the use of an alternate reasonable maximum exposure scenario or from the use of site specific risk assessment. WAC 173-340-600(4)(g) and (9)(g), proposed WSR 00-16-135. Although these are proposed rules, we must note that it is currently impermissible to use a site specific risk assessment, as used by USDOE in the Proposed Plan, under the current MOTCA rules. Thus, because MOTCA is an ARAR pursuant to CERCLA, the MOTCA risk assessment assumptions and defaults can not be varied. If regulators choose to prospectively allow the liable party to utilize the flexibility expected to be granted under the proposed rules, they must also apply the protective provisions for public notice and comment. Unless these provisions were explicitly followed, under no circumstances can the restricted land use proposed by USDOE be the basis for establishment of the cleanup levels.

NOTE: Proposed rules referred to above were formally adopted in August, 2001.

Response to Comment 12: Specific responses to these comments are contained in the responsiveness summary of the *300-FF-2 Record of Decision*. The ROD and responsiveness summary can be obtained from the administrative record at: http://www2.hanford.gov/arpir/

5. Columbia Riverkeeper, submitted by Greg deBruler; Jason Deech; Daniel Lichtenwald

Comment 1: The Tri-Party Agencies, USDOE, Ecology and EPA tell us that their clean-up decisions are based on public values and regulatory requirements. In the last 12 years, the overwhelming stakeholder message to the Tri-Party Agencies regarding the River Corridor is to clean it up to an "unrestricted use." This means that you could use it daily, build a house, a golf course and you would not be exposed to unacceptable risk. The regulations clearly state that this should be cleaned up to an "unrestricted use" level that is what they are doing for the entire 100 Area, that is 21 miles long.

Lacking any credible defensive bases, the regulators have decided to ignore the public's values of "unrestricted use," and set a clean-up level of "industrial use" which limits the use to adults, to only 8 hrs per day, five days a week. It makes one wonder why you would clean-up 21 miles of river front to an "unrestricted use" for the 100 Area which is 25 miles upstream, and not for 300 Area which is only 1 mile long, and very close to Richland's drinking water pump house. You also would think that it makes long term economic sense to clean it up to "unrestricted," so that future development on this very valuable piece of real estate would not be limited.

The HAB advise state that all areas outside the fence should be cleanup up to an "unrestricted Use," since it makes long term economic sense the entire 300 area should be "unrestricted" except may be 5 to 10 facilities.

Based on the values of the public and the tribes CRK can not support this TPA change package until it has a goal for the 300 Area of "unrestricted use" to do so would ignore stakeholders values, after all they are the ones who are paying for it.

Response to Comment 1: The approach toward assessing and factoring land use assumptions into the remedial actions for the 300 Area are consistent with USEPA's "Land Use in the CERCLA Remedy Selection Process" policy (OSWER Directive No. 9355.7-04). This directive states that "remedial action objectives developed during the RI/FS should reflect the reasonably anticipated future land use or uses." The Tri-Parties' cleanup approach for the 300 Area has been consistent with this policy. The reasonably anticipated land use of "industrial" for the 300 Area Industrial Complex, the areas adjacent to the 300 Area Industrial Complex to the north and west, and the outlying sites/burial grounds 5-8 miles north of the 300 Area Industrial Complex are consistent with the relevant land use planning documents. These are:

- **The <u>Final Report of the Hanford Future Site Uses Working Group</u> (December 1992) described the cleanup objective for the 300 Area (both the industrial complex and surrounding vicinity) as "restricted status for industrial use" under both "Cleanup Scenario A: Cleanup for Economic Development, Wildlife" and "Cleanup Scenario B: Cleanup for Agriculture and Native American Uses Outside the 300 Area," as explained in the report.**

- **The <u>Final Hanford Comprehensive Land-Use Plan Environmental Impact Statement</u> (September 1999) includes all sites in the 300-FF-1 and 300-FF-2 Operable Units (including outlying sites and burial grounds) in an "industrial" land use designation to support "new DOE missions or economic development."**

- **The <u>City of Richland's Comprehensive Land Use Plan</u> identifies the 300 Area (as well as areas North and South of the 300 Area) as an "Urban Growth Area" pursuant to Washington's Growth Management Act. Land uses identified in the plan include "industrial" and "business/research park."**

- **Benton County's <u>Draft Hanford Land Use Plan</u> (Spring 2000) identifies all sites in the 300-FF-1 and 300-FF-2 Operable Units (including outlying sites and burial grounds) as either being in the City of Richland's "Urban Growth Area" or in a land use zone defined by Benton County as "industrial & heavy." Within the Urban Growth Area, the County defers**

land use planning and land use designations to the City of Richland, unless there is a marked disagreement. In this case there is not. The Draft Hanford Land Use Plan is to be incorporated into the Benton County Comprehensive Plan as Chapter 13 when the plan is updated. While none of these documents can formally zone the 300 Area NPL site as "industrial," the plans document what a working group comprised of Hanford stakeholders, DOE, and local land use planning authorities expect in the way of future land use and are sufficient for the Tri-Parties to conclude that "industrial" or "general urban uses other than residential," are reasonably anticipated future land uses for the areas covered by the 300 Area CERCLA decision documents. This means that institutional controls must be a required part of the remedy in order to ensure that land uses are limited to those defined in the 300 Area industrial use exposure scenario. Any changes to the land use that are inconsistent with the land use assumptions upon which the RODs are based will be evaluated as part of the CERCLA five-year review.

It should be noted that future reuse of the 300 Area is not restricted to industrial use only, but rather to uses that are consistent with the exposure assumptions of the 300 Area industrial exposure scenario assuming institutional controls are maintained. This could permit other commercial uses as well. In addition, it should be noted that the entire 300 Area NPL site is not contaminated, and those areas that were never contaminated would support other uses (e.g., bike trails) assuming institutional controls are in place for adjacent areas that may contain residual hazards.

Therefore, the reasonably anticipated future land use is industrial pursuant to EPA policy and guidance and it is appropriate to use industrial cleanup standards for the 300 Area cleanup process.

However, due to concerns expressed regarding the lack of an evaluation for the cost of cleaning up to an unrestricted use cleanup standard, the Tri-Parties are currently estimating the costs of this additional cleanup work for those sites "outside the fence" of the industrial complex. Results of this analysis will be evaluated and modifications to cleanup endpoints will be made if appropriate.

Comment 2: This package does not include and/or address 100 and 300 Area groundwater operable units. This omission represents a critical deficiency (i.e., the very ○environment○ that is being proposed to be protected or cleanup up is ignored). Of less significance, this omission also demonstrates a lack of integration. What the proposed approach will promote is addressing 100 and 300 Area source sites that may represent lesser environmental importance while ignoring (and promoting by default) the continuing environmental insult (i.e., migrating vadose zone, groundwater, and surface water contamination).

For too long, groundwater contamination has been addressed separately from source sites via the CERCLA cleanup process. This separation does not promote addressing immediate environmental insult. In fact, it may be argued that the proposed package prioritizes reduction of out-year mortgage costs associated with surplus facilities over ongoing environmental insult (i.e., groundwater contamination entering Columbia River). This complete denial of environmental remediation needs associated with the vadose zone, groundwater, and surface water is unacceptable. The package must include identification of the existence of groundwater operable units. In addition, the package must include an identification of the recent EPA 5-year Record of Decision Review conclusions as well as schedules by which the remedial action objectives/goals will be met. The 5-year ROD review established objectives/goals to be met prior to the next 5-year ROD review (2004). An additional TPA Milestone package should be crafted which identifies and enforces newly established groundwater operable unit objectives/goals.

An example of unacceptable environmental insult that would be ignored by this approach is related to the uranium contamination seeping into the Columbia River from 300 Area source sites. The 300-FF-5 groundwater operable unit selected monitored natural attenuation as the remedy for the uranium groundwater/surface water contamination. Monitored natural attenuation was not even an appropriate remedy to consider (i.e., the [respectively] and should not have been considered a candidate for monitored natural attenuation). Furthermore, the EPA 5-year ROD review indicated that the selection of monitored natural attenuation for the uranium contamination occurring within the 300-FF-5 groundwater operable unit was definitely not supported by a technical basis. Conclusions were reached and objectives were established to address the gross deficiencies associated with the 300-FF-5 groundwater operable unit "remedy" PRIOR to the next 5-year ROD review. These conclusions and objective should be acknowledged by a milestone package. Furthermore, the objectives should be accompanied with enforceable milestone schedules that support he next 5-year ROD review. Currently the decision-making process associated with the 300-FF-5 operable unit is not defensible, lacks credibility, and by default denies environmental protection. Similar concerns may be expressed for contamination entering the Columbia River from various 100 Areas located along the river.

Response to Comment 2: In discussions with the public on this change package, it has become evident to the Tri-Parties that we need to do a better job in making our groundwater program more visible. Our current approach to groundwater remediation is to address services and deploy interim actions to mitigate current risks to the Columbia River. This approach has resulted in actions on chromium-VI and strontium-90 in the 100 Area. In our opinion, the timing for setting milestones for groundwater remediation source control must take into account necessary actions. Groundwater remedial actions will not be fully effective unless the contaminant source is controlled. The actions taken to date in the 100 Area are consistent with cleanup practice elsewhere, i.e., focus initially on source control and put into place groundwater measures designed to reduce the groundwater transport of contaminants to potential receptors. As the Site

progresses through the cleanup efforts, the Tri-Parties will continue to evaluate the effectiveness of the ongoing actions.
In response to this comment, the Tri-Party Agencies have agreed to establish a commitment to include a final RI/FS and proposed plan for the 100 B/C-5 Operable Unit within the *100 Area Remedial Design Action Work Plan*, Revision 4. The 100 B/C Risk Assessment pilot should establish the framework for final RI/FSs and RODs for soil sites and should also address issues related to groundwater exposure scenarios. This commitment would provide the Tri-Parties with experience and establish a basis for negotiating future final groundwater decisions in the 100/300 Areas. With respect to the 5-Year Review for the 300 Area, an updated Operations and Management Plan is in the process of being approved by EPA. Necessary data will be collected and evaluated prior to the next 5-year review.

Comment 3: The current remediation of the 1301/1325N Area trenches according to on site technical analysis fails to protect groundwater in the short term and long term. This failure along with others needs to be addressed in this package.

Response to Comment 3: The remediation design is intended to support "surface use" scenarios and is not intended to remove the total source of groundwater contaminants. The current DOE baseline assumptions about depth of excavation at the 1301/1325 N Area would not achieve remedial action objectives for groundwater protection. DOE determined this through routine data analysis, and notified Ecology in a timely manner. Ecology has not granted DOE approval to stop at the planned depth, and could request additional excavation if deemed necessary to meet remediation goals.

Comment 4: The package does not appear to address all of the 100 and 300 Area waste sites in the Waste Information Data System (WIDS). While the package addresses the sites that have been determined to be environmentally important and those that are "candidates", it does not include provision to address confirmatory sampling associated with numerous 100 and 300 Area waste sites currently identified/listed in the WIDS data base. There are hundreds of waste sites in the 100 and 300 Areas and the package commits to achieving a "schedule to complete all analyses that will be used to support final cleanup decisions for the 100 and 300 Areas. However, the package does not appear to identify a means of obtaining schedules for units that aren't listed by number or classified as "candidates".

Response to Comment 4: CERCLA decision documents address the scope of all 100 and 300 Area waste sites, including sites that require additional site characterization data prior to determining the need for action (these are confirmatory sampling sites that are candidates for active remediation). The CERCLA documents address the process for "plugging" the candidate sites into

the active cleanup process. The Waste Information Data System (WIDs) system tracks the location and nature of contamination on the entire Hanford site. As confirmatory sampling sites are investigated and evaluated, consistent with the requirements contained in the 100 and 300 Area RODs, they will either be "plugged" into active cleanups or "closed out" in the WIDs system. All cleanup requirements in CERCLA decision documents must be met prior to deletion from the NPL. Processes are in place to assure no waste sites will be "lost" in the Hanford cleanup process.

Comment 5: The time frame for removing 300 Area buildings is much to long, 13 buildings by 2012 and 135 by 2018 is unacceptable if your goal is to release as much of the River Corridor as possible.

Response to Comment 5: There are approximately 148 facilities and structures inside the fence of the 300 Area Industrial Complex that are impeding the cleanup of 40 soil waste sites contained in the 300-FF-2 Operable Unit. The strategy toward this cleanup effort was developed using a two-phase approach. Phase 1 includes specific commitments for the integrated cleanup of 6 soil waste sites and 13 facilities/structures by 9/30/2010 (milestones M-016-64 and M-094-03). Phase 1 represents a discrete and clearly defined portion of the 300 Area Industrial Complex and is contiguous with cleanup projects that will be ongoing "outside the fence" in the northern portion of the 300 Area.

Experience gained from implementing Phase 1 of this project will provide the basis for establishing cleanup schedules for Phase 2, which would contain the specific cleanup commitments for the remainder of the surplus facilities and soil sites inside the fence of the 300 Area Industrial Complex, pursuant to milestones M-016-65 and M-094-04. At this point in time, there are approximately 135 surplus facilities that are scheduled to be dispositioned by 9/30/2018, pursuant to milestone M-094-00. Appendix A contains a complete list of those facilities in the 300 Area are identified as surplus or non-surplus as of the date of this change package. The exact number of surplus facilities, disposition schedules, and proposed cleanup milestones will be submitted in a draft Tri-Party Agreement (TPA) change package on 9/30/2005 pursuant to milestone M-094-04.

The date for milestone M-094-04 was accelerated by more than two years from the one proposed in the original change package sent out for public comment in response to this comment. The sooner cleanup schedules for the 300 Area Industrial Complex are submitted and approved, the sooner the work will begin.

The scope of work for these two phases of cleanup inside the 300 Area Industrial Complex was based on a realistic expectation of contractor capacity and the structure of the proposed River Corridor contract. If work can be accelerated under the new contract structure once it is awarded, TPA milestones will be reevaluated and set accordingly, if appropriate. New

commitment language has also been added to milestones M-016-63 and M-094-01 to reflect this expectation.

Comment 6: The public Fact Sheet States "Completing the final disposition of surplus facilities....." "These actions will also result in removing source materials that pose a current and long term threat to the groundwater"..... if this is truly your intent, you would clean up the 300 Area to an "unrestricted use" level, that is more protective of groundwater.

Response to Comment 6: The remedial action objectives (RAOs) for the 300 Area require that the soil cleanup levels be protective of human health and the environment (using the industrial exposure scenario), be protective of groundwater, and be protective of the Columbia River. Documentation of RAO achievement will be made on an individual waste site-basis in cleanup verification packages (CVPs). Documentation that cleanup objectives have been met is provided at the CVP stage when extensive site characterization data is available (i.e., achievement of RAOs can be best assessed with data supplied by the ongoing excavation/cleanup activity). The Tri-Parties believe that this is the most technically sound and cost-effective way to document the results of cleanup activity at Hanford.

Comment 7: Why should building/facilities be a higher priority than groundwater? Groundwater should be number 1. Timeline is not acceptable---accelerate.

Response to Comment 7: Buildings/Facilities are not higher priority than groundwater cleanup. The cleanup is being implemented in a "phased approach." The first phase focuses on the removal of source material that poses a short and long-term threat to human health, the environment, groundwater quality, and the Columbia River. Overlying facilities/ structures preclude soil cleanup activity in the 300 Area Industrial Complex. Facility disposition and soil removal activities are important first steps in our long-term cleanup strategy for the 300 Area groundwater. Subsequent groundwater response actions may have to be considered as well, depending on the outcomes of cleanup and ongoing evaluations of the monitored natural attenuation groundwater remedy.

6. Consultation and Advertisement, Inc., submitted by Allan Panitch

Comment 1: I would like to understand how these "change packages" work. When/if agreed upon do they become part of our existing contract under a "changes" clause? Or are they negotiation or bid upon @ time of being agreed upon?

> **Response to Comment 1: The proposed milestones when approved will become part of the Environmental Restoration Contract via Baseline Change Request. Bechtel Hanford, Inc. will be responsible for meeting the milestones until the transition to the new River Corridor contractor. The final River Corridor Contract Request for Proposal (RFP) is consistent with the DOE's best knowledge of the TPA milestones as of the RFP release date, March 6. The current listing of TPA milestones in the RFP are listed in Section 11, Table C.5 and will be revised as necessary if modified as a result of Public Comments. The new contractor is required to meet the TPA milestones as a contract deliverable.**

Comment 2: Is funding available now? or does it come in increments after the contract is entered into?

> **Response to Comment 2: As part of the recent $433M increase to the FY03 proposed funding request for DOE-RL, the River Corridor Contract will receive adequate funding to meet the proposed milestones. However, the RL budgeting cycle is based on a one-year cycle and is subject to change. DOE-RL is committed to meeting the TPA milestones and budget requests reflect this commitment.**

Comment 3: Will the performance be based on fixed price terms—or cost type—bonus?

> ***Response to Comment 3: The new River Corridor Contract will be a cost-*** **plus incentive fee type contract. The terms and conditions of the contract are outlined in the recently released RFP. The RFP may be viewed http://www.hanford.gov/procure/solicit/rcc/**

Comment 4: Will contracts be with USDOE? EPA? Washington State Ecology?

> **Response to Comment 4: All contracts for the cleanup of the Hanford Site are with the U.S. Department of Energy.**

7. Mr. And Mrs. John C. Bigas, Seattle, Washington

Comment 1: My wife Pamela and I are lifetime Washington State residents and our family for many generations have been involved in the defense of our country. Great – grandpa was a civil war Calvary officer and played at Lincoln's funeral. My uncle died in France during WWI, my father, a research chemist, worked on food products for WWII soldiers, my brother was an officer in Vietnam during the offensive, my brother Bill is an electric engineer involved in top secret radar research. Mission accomplished for Hanford, the war was won and mutual assured destruction brought peace! It was the most expensive Gov. project of its day and the long-lived poison it created will be very expensive to clean up. It is the governments responsibility to protect its citizens, this huge river, Richland's water supply, our new national monument so this Hanford cleanup: part of Washington state can be given back to its residents, workers, children, and anyone who might come to this area in the next 25,000 years. The process must move forward as fast as scientifically possible. The money must be spent to do this. No one should be exposed to contaminants in the future. Clean should be as clean as humanly possible. No poison in the Columbia River or groundwater, no radiation leakage, no facilities that expose future workers to poison during needed routine maintenance. No short cuts for the remedy like past practice of open trenches or temporary storage used way past its intended use. Stand strong and don't let money cloud your actions, which might result in sickness and death for unborn generations!

> **Response to Comment 1: The Tri-Parties appreciate your taking the time to comment by letter during the public comment period. The Tri-Parties agrees that cleanup of the Hanford Site is top priority in order to protect human health and the environment. All cleanup standards are based on reasonably anticipated future land uses and will be protective of human health, ecological receptors, groundwater and the Columbia River.**

8. B Reactor Museum Association, submitted by Gene Weisskopf

Comment 1: First it should be noted that in the past seven years, more than a few technical studies have been completed that were supposed to clarify the feasibility of making B Reactor into a museum. All of these have shown that the reactor deserves preservation for public access and how that could be accomplished. But it continues to be evident that the one thing missing from all these reports was the desire to proceed with the preservation of the historic reactor and to make it accessible to the people who paid for it. If there is no enthusiasm behind the planning that needs to be done by September 2005 (M-093-25), the outcome could provide to be anemic and of questionable value. A commitment to come up with a plan for B Reactor's future is not enough in itself—there needs to be a desire to see it through successfully. The BRMA would like to see evidence of some sign of life behind the proposed milestones.

Response to Comment 1: The DOE-RL has a profound interest and desire with regards to the acceleration of remediation along the river corridor. These new milestones, as well as the upcoming River Corridor Contract reflect DOE-RL's commitment to expedite cleanup in the 100/300 Areas.

Comment 2: What is the process for preparation of the engineering evaluation report for final B Reactor configuration?

Response to Comment 2: The report will be in the format of an engineering evaluation/cost analysis (EE/CA). The EE/CA will be generated in accordance with the CERCLA process and will include an appropriate public comment period.

Comment 3: Finally, in regards to the proposed September 2005 date for a final plan for B Reactor. If that plan is rejected and the reactor goes back onto the scrap heap for eventual ISS - we would like assurances that the full 10-year period specified in last year's EE/CA would be honored.

Response to Comment 3: The EE/CA, *Engineering Evaluation/Cost Analysis for the 105-B Reactor Facility* (DOE/RL-2001-09, Rev. 0), states on page 6-1, "Alternative Three allows interim use of the 105-B Facility for this purpose while a decision is made regarding its final configuration." Upon completion of the EE/CA, the Tri-Parties will come to a mutual agreement on the schedule for completing the preferred alternative identified in the EE/CA.

9. State of the Hanford Site Public Meeting

The "State of the Hanford Site" public meetings were conceived and held in order to communicate with the public on a broad range of Hanford site issues. Although they were not specific to these 100/300 Area TPA change packages, some comments from the State of the Hanford Site meetings were relevant to the 100/300 Area TPA change packages or closely related issues. The comments at the State of the Site meetings, which may have included extended dialogue, were duly recorded as summary statements. Those statements were categorized for relevance to one or more of several different issues/topics, including the Columbia River Corridor cleanup. Those statements that addressed these TPA change packages or a closely related issue are included below, along with responses.

Comment 1: How "clean is clean" and where is that decision being made? What values were used to determine you would only meet industrial cleanup standards in a prime recreation area?

Please explain and/or identify the values and priorities that were considered to determine that industrial cleanup standards would be used for the river corridor.

> **Response to Comment 1: How clean is clean" is a basic question for most environmental cleanup work (not just here at Hanford). "Get on with it" is a core public value here (and elsewhere) and has been expressed by the Hanford Advisory Board. The cleanups in the river corridor are being done as "interim actions" to "get on with it," consistent with the Superfund Accelerated Cleanup Model. All cleanup standards are based on reasonably anticipated future land uses and will be protective of human health, ecological receptors, groundwater and the Columbia River.**

Comment 2: Why has DOE moved away from unrestricted use cleanup standards along the river corridor? Has there been a cost comparison for cleaning up to unrestricted use? Please explain why the river corridor can not be cleaned up to unrestricted use.

> **Response to Comment 2: The cleanup goals for the river corridor were chosen to be consistent with the 1992 Hanford Future Sites Uses Working Group and other relevant land use planning documents. The cleanup in the 100 Area is meeting values calculated using a "rural residential" risk exposure scenario. The cleanup in the 300 area will meet values calculated using an "industrial reuse" risk exposure scenario.**
>
> **Due to concerns expressed regarding the lack of an evaluation for the cost of cleaning up to an unrestricted use cleanup standard, the Tri-Parties are currently estimating the costs of this additional cleanup work for those sites "outside the fence" of the industrial complex. Results of this analysis will be shared when available.**

Comment 3: Are State clean water standards being met? If not, why not? State clean water standards should be met.

> **Response to Comment 3: Yes. Cleanup goals for soil have been chosen to be protective of groundwater quality, surface water quality, and fish and aquatic life in the Columbia River, consistent with State clean water standards.**

Comment 4: Is it true your accelerated plans do not stop current contamination to the river, groundwater and wildlife? Accelerated cleanup plans should include stopping current contamination that affects the river, groundwater and wildlife.

> **Response to Comment 4: The cleanup program underway by the Tri-Parties is designed to be protective of human health and the environment. We are employing a program that includes source removal as well as groundwater treatment.**

Comment 5: Why hasn't there been a consultation with U.S. Fish & Wildlife? The Tri-Party Agencies should consult with U.S. Fish & Wildlife regarding cleanup decisions.

> **Response to Comment 5: DOE has prepared the Salmon and Steelhead Threatened and Endangered Species Management Plan and the Bald Eagle Management Plan in compliance with Section 7(a)(2) of the *Endangered Species Act of 1973* (ESA), as amended and in consultation with the Department of the Interior and Commerce. These plans document DOE's process for complying with the ESA, as amended." Also, the Tri-Parties will continue to work with members of the Hanford Natural Resources trustee Council, to ensure that appropriate expertise is factored into the Hanford Site cleanup decisions.**

Comment 6: When contaminated soil is removed, where do the truckloads of dirt that are "cleaned up" go? Explain how contaminated soil that is cleaned up is disposed.

> **Response to Comment 6: Soil and debris (e.g., concrete) removed from the 100 and 300 Areas has been, and will be deposited in the Environmental Restoration Disposal Facility (ERDF), located in Hanford's 200 Area – Central Plateau. The ERDF was designed and constructed, and is operated in a way consistent with the federal *Resource Conservation and Recovery Act.* It includes a double liner and a leachate recovery system to contain the wastes and protect groundwater from contamination.**

Comment 7: Groundwater Contamination - if it affects salmon, it affects our lifestyle.

> **Response to Comment 7: Federal and state laws and regulations require protection of human health and the environment; it's clear that the salmon must be protected on both counts. Cleanup decisions have and will be made to protect the salmon and other fish and wildlife.**

Comment 8: End States – the quality of cleaned up areas must reflect Tribal needs.

> **Response to Comment 8: The DOE is required to consult with Tribal governments on a "government-to-government" basis. Those consultations, and all cleanup decisions, need to consider Tribal needs. The Tri-Parties will continue ongoing dialogue with the Tribal Nations on Hanford issues.**

APPENDIX A

BUILDINGS AND STRUCTURES IDENTIFIED TO BE SURPLUS AND NON-SURPLUS AS OF APRIL 2002

Appendix A – Buildings and Structures Identified to be Surplus and Non-Surplus as of April 2002

Buildings and Structures Identified to be Surplus as of April 2002

Building/Structure (147)	Description
303-M	URANIUM OXIDE BUILDING
324 FACILITY AND ASSOCIATED BUILDINGS AND STRUCTURES (BUILDINGS 324A, 324C, 324D AND 324S)	CHEMICAL ENGINEERING LABORATORY
324-B STRUCTURE	CHEMICAL ENGINEERING LABORATORY EXHAUST STACK
324-BA FACILITY	CHEMICAL ENGINEERING LABORATORY BOILER ANNEX
327 FACILITY AND ASSOCIATED BUILDINGS AND STRUCTURES	POST-IRRADIATION TEST LABORATORY
327-BA FACILITY	POST-IRRADIATION TEST LABORATORY BOILER ANNEX
333	N FUELS BUILDING
332	PACKAGING TEST FACILITY
334	PROCESS SEWER MONITOR FACILITY 300
334-A	WASTE ACID STORAGE BUILDING
3221	SANDBLASTING SUPPORT BUILDING
3222	STORAGE BUILDING
3223	STORAGE BUILDING
3224	STORAGE BUILDING
3225	BOTTLE DOCK
3718-E	STORAGE BUILDING
3718-G	STORAGE BUILDING
3727	CLASSIFIED VAULT
3906A	SANITARY LIFT STATION
M0-052	MOBILE OFFICE
ZONE B SMALL FACILITIES	3720-BA, 303F AND 303G
BUILDING 311TF	TANK FARM BETWEEN BUILDINGS 303F AND 303G
BUILDING 313	N FUELS MANUFACTURING SUPPORT FACILITY
BUILDING 3712	STORAGE BUILDING
BUILDING 3720	CHEMISTRY AND METAL SCIENCES LABORATORY
ZONE C SMALL FACILITIES	305-BA, 305P, 314B AND 3232
BUILDING 305	ENGINEERING TESTING FACILITY
BUILDING 305A	ELECTRICIAN AND PIPEFITTER SHOP
BUILDING 305B	HAZARDOUS WASTE STORAGE FACILITY
BUILDING 314	ENGINEERING DEVELOPMENT LABORATORY
ZONE D SMALL FACILITIES	3228, 3229, 3231, 3234, 3704, 3705-BA, 3707E AND 3746D
BUILDING 3705	PHOTOGRAPHY BUILDING
BUILDING 3719	COMPUTER FACILITY
BUILDING 377	LABORATORY
ZONE E SMALL FACILITIES	303A, 303B, 303C, 304, 304A AND 3706-BA
BUILDING 3708	RADIOANALYTICAL LOBORATORY
BUILDING 3713	CARPENTER SHOP
BUILDING 3717	SPARE PARTS WAREHOUSE
BUILDING 3717B	STANDARDS LABORATORY

Appendix A – Buildings and Structures Identified to be Surplus and Non-Surplus as of April 2002

Buildings and Structures Identified to be Surplus as of April 2002

Building/Structure (147)	Description
BUILDING 3722	FABRICATION SHOP
ZONE F SMALL FACILITIES	303E, 306E-BA, 3503A AND 3707H
BUILDING 303J	MATERIALS STORAGE BUILDING
BUILDING 306E	DEVELOPMENT FABRICATION AND TEST LAB
BUILDING 306W	MATERIALS DEVELOPMENT LABORATORY
BUILDING 366A	UNDERGROUND FUEL OIL BUNKER
BUILDING 3707D	INFORMATION SERVICES BUILDING
BUILDING 3711	MAINTENANCE STORAGE BUILDING
BUILDING 3715	STORAGE BUILDING
BUILDING 3716	STORAGE BUILDING
BUILDING 3731	LABORATORY EQUIPMENT CENTRAL POOL
BUILDING 3731A	GRAPHITE MACHINE SHOP
BUILDING 384	POWER HOUSE BUILDING
ZONE GA SMALL FACILITITIES	323-BA, 3506A, 3506B, 3706A, 3718S AND 3745A
ZONE GB SMALL FACILITIES	321B, 321C AND 321D
BUILDING 321	HYDROMECHANICAL/SEISMIC FACILITY
BUILDING 323	MECHANICAL PROPERTIES LABORATORY
BUILDING 3701D	OFFICE BUILDING
BUILDING 3706	COMMUNICATION AND DOCUMENTATION SERVICES
BUILDING 3709	PAINT SHOP
BUILDING 3730	GAMMA IRRADIATION FACILITY
BUILDING 3745	RADIOLOGICAL CALIBRATION AND STANDARDS
BUILDING 3745B	POSITIVE ION ACCELERATOR FACILITY
BUILDING 3746	IRRADIATION PHYSICS BUILDING
BUILDING 3746A	RADIOLOGICAL PHYSICS BUILDING
BUILDING 3760	TECHNICAL LIBRARY
ZONE H SMALL FACILITIES	328A, 328-BA, 3621BC, 3714 AND 3723
BUILDING 328	ENGINEERING SERVICES AND SAFETY BUILDING
STRUCTURE 307	RETENTION BASIN
BUILDING 3717C	MATERIALS ARCHIVE BUILDING
BUILDING 3718	OFFICE AND STORAGE BUILDING
BUILDING 3718A	LABORATORY EQUIPMENT CENTRAL POOL BUILDING
BUILDING 3718B	LABORATORY EQUIPMENT CENTRAL POOL BUILDING
BUILDING 3718C	STORAGE BUILDING
BUILDING 3718N	INSULATION SHOP
BUILDING 3728	GEOTECHNICAL HIGH-BAY
BUILDING 3762	TECHNICAL SECURITY
BUILDING 3768	OFFICE BUILDING
BUILDING 3769	OFFICE BUILDING
BUILDING 3770	OFFICE BUILDING
340 COMPLEX	WASTE NEUTRALIZATION FACILITY
ZONE KA SMALL FACILITIES	3707F, 3721, 315B, 3614A, 3701U AND 3802A

Appendix A – Buildings and Structures Identified to be Surplus and Non-Surplus as of April 2002

Buildings and Structures Identified to be Surplus as of April 2002

Building/Structure (147)	Description
ZONE KB SMALL FACILITIES	3234, 340A AND 340B
BUILDING 308	FUELS DEVELOPMENT LABORATORY
BUILDING 308A	FUELS DEVELOPMENT LABORATORY
BUILDING 335	SODIUM TEST FACILITY
BUILDING 3718P	GENERAL STORAGE
BUILDING 3764	OFFICES
BUILDING 309	SP100 GES TEST FACILITY
BUILDING MO-052	MOBILE OFFICE
BUILDING MO-830	MOBILE OFFICE
BUILDING 3703A	MODULAR OFFICES
BUILDING MO-026	MOBILE OFFICE
BUILDING MO-557	MOBILE OFFICE
BUILDING MO-558	MOBILE OFFICE
BUILDING MO-842	MOBILE OFFICE
BUILDING 3707H	CHANGE HOUSE
BUILDING MO-036	MOBILE OFFICE
BUILDING MO-103	MOBILE OFFICE
BUILDING MO-105	MOBILE OFFICE
BUILDING MO-741	MOBILE OFFICE
BUILDING MO-833	MOBILE OFFICE
BUILDING MO-274	MOBILE OFFICE
BUILDING MO-275	MOBILE OFFICE
BUILDING MO-270	MOBILE OFFICE
BUILDING MO-271	MOBILE OFFICE

Buildings and Structures Identified to be Non-Surplus as of April 2002

Building/Structure (88)	Description
310	TREATED EFFLUENT DISPOSAL FACILITY
310S	DRUM STORAGE AREA - TEDF
310T1	EQUALIZATION TANK T1 - TEDF
310T2	DIVERSION TANK T2 - TEDF
310T3	DIVERSION TANK T3 - TEDF
310T7A	CLARIFIER T7A - TEDF
310T7B	CLARIFIER T7B - TEDF
310V	VALVE VAULT TEDF
312	RIVER PUMP HOUSE
315A	BACKWASH DISPOSAL POND
315C	BACKWASH LIFT STATION &SEDIMENTATION POND
315D	BACKWASH RECYCLE PUMP STATION
318	RADIOLOGICAL CALIBRATIONS LABORATORY
318B	HTLTR STACK
318-BA	319 BOILER ANNEX
318C	HTLTR FILTER FACILITY
320	PHYSICAL SCIENCES LABORATORY
320-BA	321 BOILER ANNEX
325	RADIOCHEMICAL PROCESSING LABORATORY
325A	CESIUM RECOVERY FAC PART OF 325 BLDG PNL OCC.
325B	SHIELDED LAB. ANNEX PART OF 325 BLDG PNL OCC.
325-BA	326 BOILER ANNEX
325C	FLORINE GAS STORAGE PART OF 325 BLDG PNL OCC.
325D	MAINT. SHOP ADDITION PART OF 325 BLDG PNL OCC.
325E	FIRE RISER/BACKFLOW PREVENTER BUILDING
326	MATERIAL SCIENCE LABORATORY
326-BA	327 BOILER ANNEX
329	CHEMICAL SCIENCES LABORATORY
331	LIFE SCIENCES LABORATORY
331A	VIROLOGY LABORATORY
331B	DOG KENNEL
331-BA	332 BOILER ANNEX
331C	FACILITY STORAGE
331D	BIOMAGNETIC EFFECTS LABORATORY
331G	INTERIM TISSUE REPOSITORY
331H	AEROSOL WIND TUNNEL RESEARCH FACILITY
331HB	HOG BARNS 331HB1 THRU 331HB13
336	HIGH BAY TESTING FACILITY
337	TECHNICAL MANAGEMENT CENTER
337B	338 HIGH-BAY AND SERVICE WING
337-BA	338 BOILER ANNEX
338	MAINTENANCE BUILDING

Buildings and Structures Identified to be Non-Surplus as of April 2002

Building/Structure (88)	Description
339A	COMPUTER FACILITY
342	COLLECTION SUMP 1 - 300 AREA TEDF SEWER LINE
342A	INSTR/ELEC BUILDING SHOP
342B	TRANFORMER PAD/VAULT - TEDF
342C	GENERATOR PAD - TEDF SUMP
350	PLANT OPERATIONS AND MAINTENANCE FACILITY
350A	PAINT SHOP
350B	WAREHOUSE
350C	STORAGE BUILDING (TEMPORARY)
350D	OIL STORAGE FACILITY
351A	METER AND TESTING BUILDING
351B	METER TESTING AND SWITCHGEAR FACILITY B3S5
352E	SWITCH STATION EAST SIDE
352F	ELECTRICAL SUBSTATION 2.4 KV
366	DYN PUMPHOUSE
382	PUMP HOUSE BUILDING
382B	FIRE PUMP STATION 382B
382-BA	383 BOILER ANNEX
382C	SANITARY WATER STORAGE TANK
382D	SANITARY WATER RESERVOIR 382D
3020	ENVIRONMENTAL AND MOLECULAR SCIENCES LABORATORY
3220	TELEPHONE EXCHANGE
3506C	TELECOMMUNICATIONS HUB
3507	MICROWAVE TOWER AND BUILDING
3508T1	SIREN 200 FT NORTH OF 3709A FIRE STATION
3508T2	SIREN NORTHEAST OF CALIFORNIA & APPLE
3508T3	SIREN 280 FT SOUTH OF 309 BLDG
3621-66	TANK, PETROLEUM (DIESEL) REPLACES TANK 3621-D
3621D	EMERGENCY GENERATOR BUILDING &SHOP
3709A	FIRE STATION
3709B	FIRE EQUIPMENT STORAGE
3718M	SODIUM STORAGE FACILITY
3763	OFFICE BUILDING
3766	OFFICE BUILDING
3790	SECURITY OFFICE BUILDING
3906	SANITARY AND PROCESS LIFT STATION
3906B	SANITARY SEWER LIFT STATION #3
MO-046	MOBILE OFFICE
MO-226	MOBILE OFFICE
MO-258	MOBILE OFFICE
MO-262	MOBILE OFFICE
MO-263	MOBILE OFFICE

Buildings and Structures Identified to be Non-Surplus as of April 2002

Building/Structure (88)	Description
MO-264	MOBILE OFFICE
MO-265	MOBILE OFFICE
MO-337	MOBILE OFFICE
MO-359	MOBILE OFFICE