

May 9, 2005

Mr. Stuart Harris, Director
Department of Science and Engineering
Confederated Tribes of the Umatilla Indian Reservation
P.O. Box 638
73239 Confederated Way
Pendleton, OR 97801

SUBJECT: POSSIBLE GROUNDWATER CONTAMINATION AT THE B-BX-BY TANK
FARMS AT THE U.S. DEPARTMENT OF ENERGY'S (DOE'S) HANFORD SITE

Dear Mr. Harris:

I am responding to your April 6, 2005, letters regarding possible groundwater contamination at the B-BX-BY tank farms at the U.S. Department of Energy's (DOE's) Hanford site. In the letters, you expressed concern that contamination has reached the groundwater and is flowing towards the Columbia River. In addition, you requested that NRC review and provide feedback on an attached report concerning the history of uranium contamination around the tank farm. You also stated your understanding that a DOE representative would meet with the staff of the U.S. Nuclear Regulatory Commission (NRC) to gain the NRC's support for closing tanks in place rather than retrieving them, and you stated that you believe DOE may be misinforming the NRC about accounting for uranium at the Hanford site.

The NRC does not make regulatory or licensing decisions for any of DOE's activities at Hanford. The NRC does not have regulatory authority over DOE's facilities at Hanford and does not have jurisdiction over DOE's waste management activities. At the request of DOE's Office of River Protection, NRC and DOE entered into an interagency agreement (IA) in September 2004 under which NRC is providing a technical review, in an advisory manner, of DOE's actions regarding management of tank waste from single-shell tanks. DOE has not requested NRC to review DOE's actions regarding management of tank waste at the B-BX-BY tank farms under the IA, and NRC is not reviewing DOE's activities at that location.

Under the IA, NRC reviewed DOE documents on the removal of waste from tank 241-C-106, which is in the C tank farm. Assessment of possible groundwater contamination was not part of the scope of the review. NRC sent a request for additional information (RAI) to DOE on January 19, 2005. In the upcoming months, we understand that DOE will ask us to review the performance assessment analysis regarding DOE's waste retrieval actions for tank 241-C-106. That review may include a review of radionuclides potentially present in groundwater at the site. We will keep your report on the history of uranium contamination at the site and if DOE requests our review of activities for which the report is applicable, we will use it in the context of our technical review.

We are currently planning to meet with DOE representatives on June 1, 2005, at the NRC headquarters in Rockville, MD, to discuss DOE's proposed responses to the RAI and an

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overview of DOE's performance assessment for tank 241-C-106. The meeting will be open to the public and you are welcome to attend. Additional information about the meeting will be available on our Web site at www.nrc.gov.

I hope this letter clarifies the NRC's role with respect to Hanford. If you need additional information, please contact Anna Bradford, senior project manager in the Division of Waste Management and Environmental Protection, at 301-415-5228.

Sincerely,

/RA/

Larry W. Camper, Director
Division of Waste Management
and Environmental Protection
Nuclear Material Safety
and Safeguards

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