

EDO Principal Correspondence Control

FROM: DUE: 11/16/09

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FINAL REPLY:

Ralph Sampson, Jr., Chairman
Yakama Nation Tribal Council

TO:

Chm Jaczko/Triay, DOE

FOR SIGNATURE OF :

** PRI **

CRC NO: 09-0526

Chairman Jaczko

DESC:

ROUTING:

Plans for the Cleanup and Closure of the
Radioactive Waste Landfill at the Department of
Energy's Hanford Site (EDATS: SECY-2009-0474)

Borchardt
Virgilio
Mallett
Ash
Mamish
Burns/Gray
Weber, NMSS
Franovich, OEDO

DATE: 10/26/09

ASSIGNED TO:

CONTACT:

FSME

Miller

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate response with NMSS.

Note: Immediate release of incoming in ADAMS per
SECY via OEDO/DPC.

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EDATS

Electronic Document and Action Tracking System

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General Information

Assigned To: FSME

OEDO Due Date: 11/16/2009

Other Assignees:

SECY Due Date: 11/18/2009

Subject: Plans for Closure of the Radioactive Waste Landfill at the Department of Energy's Hanford Site

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Priority: High

Sensitivity: None

Signature Level: Chairman Jaczko

Urgency: NO

OEDO Concurrence: YES

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions: Coordinate response with NMSS.

Document Information

Originator Name: Ralph Sampson

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Originating Organization: Yakama Nation Tribal Council

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Addressee: Chairman Jaczko and Inez Triay, DOE

Date Response Requested by Originator: NONE

Incoming Task Received: Letter

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Oct 26, 2009 11:33

PAPER NUMBER: LTR-09-0526 **LOGGING DATE:** 10/20/2009
ACTION OFFICE: EDO

AUTHOR: Ralph Sampson
AFFILIATION: WA
ADDRESSEE: Gregory Jaczko
SUBJECT: Concerns regarding plans for the cleanup and closure of the U.S. Ecology radioactive waste landfill and other similar waste sites at the Energy department's Hanford site

ACTION: Signature of Chairman
DISTRIBUTION: RF, SECY to Ack

LETTER DATE: 10/14/2009
ACKNOWLEDGED No
SPECIAL HANDLING: Commission Correspondence .. Made publicly available in ADAMS via EDO/DPC
NOTES:
FILE LOCATION: ADAMS
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EDO --G20090614



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

October 14, 2009

The Honorable Gregory B. Jaczko
Chairman
U.S. Nuclear Regulatory Commission
Mail Stop 016G4
Washington, DC 20555-0001

The Honorable Inez Triay
Assistant Secretary
Office of Environmental Management
U.S. Department of Energy
1000 Independence Ave SW
Washington, D.C. 20585

Dear Chairman Jaczko and Secretary Triay:

I am writing to raise serious concerns regarding plans for the cleanup and closure of the U.S. Ecology radioactive waste landfill and other similar waste sites at the Energy department's Hanford site.

In 1964, the U.S. Atomic Energy Commission (AEC) leased 1,000 acres of land in the 200-East Area of the Hanford nuclear weapons material production site. The following year Washington State subleased 100 acres of this land to a private company to operate a commercial radioactive waste landfill, now known as the U.S. Ecology site. In 1966, the Nuclear Regulatory Commission, formerly part of the AEC delegated authority to the State of Washington and subsequently discontinued direct regulatory authority over Special Nuclear Materials, such as plutonium, disposed at the site. Between 1966 and 1980, about 5,000 cubic meters of transuranic wastes containing about 220 pounds of plutonium were disposed, subsequently, the U.S. Ecology site has one of the largest inventories of buried transuranic wastes in the United States

In 2004, the State of Washington completed an Environmental Impact Statement in which the preferred option for disposition of this site is the installation of a cap and abandonment of these wastes. This decision is based on a recommendation made in 1990 by the Washington Department of Ecology.¹ Currently, the State of Washington is in the process of implementing this decision – at a time when the Energy department is now embarking on a major effort to cleanup the Hanford 200-Area. The State of Washington's proposal to abandon buried transuranic wastes in place will set a bad

¹ U.S. Department of Energy, Directions in Low-Level Waste Management, A Brief History of Low-Level Radioactive Waste Disposal, DOE/LLW-103, 1990, p. 44.

precedent that will negatively impact cleanup of very large amounts of long-lived radioactive wastes buried at the Hanford site. Under federal law, the U.S. Department of Energy will ultimately assume the liabilities for the U.S. Ecology site once it closes.

This landfill is an unlined disposal facility with a history of hazardous and radioactive waste leakage and contamination of groundwater that enters the Columbia River. Monitoring data shows elevated levels of tritium, uranium, solvents and hexavalent chromium in ground water and extremely high levels of organic soil vapors.


The majority of transuranic wastes in the U.S. Ecology landfill is of DOE-origin and is likely to be in concentrations greater than 100 nanocuries per gram – a level large enough to require exhumation and geological disposal under current federal standards. It also appears that this landfill contains about 95% percent of the total amount of uranium disposed in the soil at the Hanford site.

The threat to groundwater and the Columbia River from buried transuranic wastes at Hanford appears to be more serious than at other DOE sites. As much as 1,800 pounds of plutonium (including the U.S. Ecology Site) may be buried in the soil at Hanford. Deep vadose zone contamination from buried plutonium in the Hanford 200-Area appears to be orders of magnitude greater than at other DOE sites such as the Idaho National Laboratory. For instance, plutonium has reached groundwater at Hanford and has been measured at depths over 120 feet in significant excess of the 100 nCi limit. The proximity the U.S. Ecology Site to the DOE disposal areas complicates the ability to distinguish potential releases from the DOE sites.

In 2000 the U.S. National Academy of Sciences warned against actions such as capping waste sites containing long-lived radioactive wastes, noting that: " the likelihood that institutional management measures will fail at some point is relatively high...contaminant reduction is preferred to contaminant isolation and the imposition of stewardship measure whose risk of failure is high."

Given these circumstances, the Yakama Nation insists that Nuclear Regulatory Commission, the State of Washington, and the U.S. Department of Energy establish a comprehensive cleanup-plan for the removal of all buried transuranic and uranium wastes at the Hanford site; with the goal of removing as much contamination as possible.

Sincerely,


Ralph Sampson, Jr, Chairman
Yakama Nation Tribal Council

CC: Mose Squeochs, Chair, RHW Committee
Phil Rigdon, Deputy Dir., YN DNR
Julio Carranza, Office of Legal Counsel
Ray Givens, Consulting Attorney