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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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July 19, 2016

16-NWP-124

By certified mail

Ms. Stacy Charboneau, Manager
Richland Operations Office
United States Department of Energy
PO Box 550, MSIN: A7-50
Richland, Washington 99352

Mr. John A. Ciucci, President and CEO
CH2M HILL Plateau Remediation Company
PO Box 1600, MSIN: H7-30
Richland, Washington 99352

Mr. Kevin W. Smith, Manager
Office of River Protection
United States Department of Energy
PO Box 450, MSIN: H6-60
Richland, Washington 99352

Mr. Mark Lindholm, President and Project Manager
Washington River and Protection Solutions, LLC
PO Box 850, MSIN: H3-21
Richland, Washington 99352

Re: Department of Ecology (Ecology) Review of Response to Dangerous Waste Compliance Inspection on June 25, 2015, at Liquid Effluent Retention Facility and Effluent Retention Facility, RCRA Site ID: WA7890008967, NWP Compliance Index No. 15.537

Reference: See page 3

Dear Madam and Gentlemen:

Ecology has reviewed your response letter and enclosures, received on June 15, 2016 (Reference). This letter included corrective actions for items of non-compliance identified in Ecology's June 25, 2015, inspection of the Liquid Effluent Retention Facility and Effluent Treatment Facility (LERF/ETF). As of June 15, 2016, Ecology has determined areas of non-compliance numbers 1, 4, 5, and 8 have been addressed. Areas of non-compliance numbers 2, 3, 6, and 7 have not been adequately addressed.

2. Permit Condition III.3.R.3.b.: Your response did not indicate that you submitted a Class 2 permit modification to update the LERF/ETF Permit Addendum D, groundwater monitoring plan. This update to the groundwater monitoring plan includes adding groundwater Well 299-E26-15 into the LERF groundwater monitoring network. Your response also did not indicate that you submitted a revised Liquid Effluent Retention Facility Characterization Report for the additional monitoring of Well 299-E26-15 to include all of the requirements in Permit Conditions III.3.R.3.c, III.3.R.3.c.1, III.3.R.3.c.2, and III.3.R.3.c.2.a. Your response proposed submitting a draft, revised groundwater monitoring plan and characterization report by July 30, 2016, for informal review by Ecology. Ecology maintains that the United States Department of Energy – Office of River Protection (USDOE-ORP) and Washington River Protection Solutions, LLC (WRPS) must submit the Class 2 permit modification in accordance with WAC 173-303-830 and the Permit, but adjusts the time to complete the corrective action listed in the April 14, 2016, LERF/ETF inspection report to 180 days from receipt of this letter.

3. Permit Condition II.J.3: Your response did not indicate you submitted a written notification of, or a request for, a permit modification in accordance with the provisions of WAC 173-303-610(3)(b), for Load-In Tank 109 (2025ED-59A-TK-109) and Load-In Tank 117 (2025ED-59A-TK-117). Your response proposed submitting a draft, revised LERF/ETF closure plan by October 31, 2016, for informal



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review by Ecology. Ecology adjusts the time to complete the corrective action listed in the April 14, 2016, LERF/ETF inspection report to October 31, 2016.

6. Permit Condition III.3.P.1.a. and Permit Condition III.3.P.1.b.: Your response did not indicate you updated your tank integrity assessment schedule to include future Purgewater Tank 59A-TK-1 integrity assessments. Your response stated that Purgewater Tank 59A-TK-1 was not currently in use; however, the March 2016 integrity assessment of Tank 59A-TK-1 would be completed by June 15, 2016. Your response further stated that future integrity assessments would be scheduled based on findings and recommendations documented in the June 15, 2016 assessment report. Ecology maintains that USDOE-ORP and WRPS must submit a revised tank integrity assessment schedule, but adjusts the time to complete the corrective action listed in the April 14, 2016, LERF/ETF inspection report to 30 days from receipt of this letter.

7. WAC 173-303-200(2): Your response stated that dangerous waste was not accumulated in the ETF Process Area (at the time of the inspection container number 200LEF-15-001) in accordance with WAC 173-303-200. Your response also stated that the container observed during the inspection was located within a permitted storage and was, therefore, not subject to the generator provisions of WAC 173-303-200. Ecology disagrees with USDOE-ORP and WRPS. The permit at the time of this inspection did not authorize dangerous or mixed-waste container storage in this area. Ecology stands by the corrective action requirements listed in the compliance report until such time the permit is updated to allow for container storage in this area.

Not correcting areas of non-compliance may result in an escalation of enforcement and the issuance of an administrative order, a penalty (up to \$10,000 per day, per violation), or both, as provided by the Hazardous Waste Management Act (Revised Code of Washington 70.105.080 and .095).

If more time is needed to complete the corrective actions listed in this letter and the April 14, 2016, LERF/ETF inspection report, you may request an extension in writing to me, before the compliance action deadline. The request should include the reasons an extension is necessary and a proposed date for completion.

If you have questions or need further information, please contact me at (509) 372-7949 or jared.mathey@ecy.wa.gov.

Sincerely,



Jared Mathey
Dangerous Waste Compliance Inspector
Nuclear Waste Program

tkb

cc: See page 3

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Reference: Letter 16-ECD-0024, received June 15, 2016, from M. A. Lindholm, WRPS, and K. W. Smith, USDOE-ORP, to A. K. Smith, Ecology, "Response to Dangerous Waste Compliance Inspection on June 25, 2015, at Liquid Effluent Retention Facility and Effluent Treatment Facility, Resource Conservation and Recovery Act Site ID: WA7890008967, Nuclear Waste Program Compliance Index No.: 15.537"

1238909

cc electronic:

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Lori Huffman, USDOE-ORP
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WRPS Correspondence Control
Environmental Portal
Hanford Facility Operating Record

cc:

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Gabriel Bohnee, NPT
Russell Jim, YN
Steve Hudson, HAB
Administrative Record
NWP Central File
NWP Compliance Index File: 15.537
NWP Reader File