



Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

16-ESQ-0038

FEB 09 2016

Mr. E. J. Kowalski, Director
Office of Compliance and Enforcement
U.S. Environmental Protection Agency
Region 10
1200 Sixth Avenue, Suite 900, OCE-101
Seattle, Washington 98101

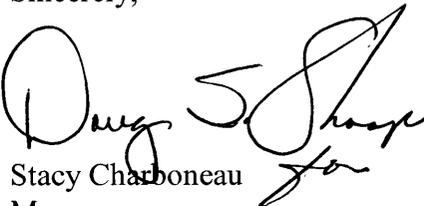
Dear Mr. Kowalski:

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA) OFFSITE RULE FINAL DETERMINATION OF UNACCEPTABILITY FOR 2403-WA AND 2402-WB BUILDINGS AT THE CENTRAL WASTE COMPLEX (CWC)

This is responding to your letter dated January 27, 2016, (received by the U.S. Department of Energy Richland Operations Office [RL] on February 2, 2016) regarding the Final Determination of Unacceptability, U.S. Department of Energy, Hanford Site, EPA ID# WA7 89000 8967, 2403-WA and 2402-WB Buildings, CWC. RL does not agree with the conclusions in the response. The U.S. Environmental Protection Agency provided no relevant legal authority to support its position. However, RL does not intend to appeal this decision. RL reserves the right to appeal future unacceptability determinations. There is the possibility that a future determination could interfere with the completion of Tri-Party Agreement Milestones and the critical mission of cleaning up the Hanford Site.

If you have any questions, please contact me, or your staff may contact Jeffrey A. Frey, Assistant Manager for Safety and Environment, on (509) 376-7727.

Sincerely,


Stacy Charboneau
Manager

ESQ:AKW

cc: See page 2

Mr. E. J. Kowalski
16-ESQ-0038

-2-

FEB 09 2016

cc: D. B. Bartus, EPA
G. Bohnee, NPT
R. Buck, Wanapum
J. A. Ciucci, CHPRC
D. A. Faulk, EPA
R. Hartman, EPA
J. A. Hedges, Ecology
S. Hudson, HAB
M. A. Jaraysi, CHPRC
K. Niles, ODOE
D. Rowland, YN
K. Schnilec, EPA
R. Skeen, CTUIR
C. J. Simiele, CHPRC
Administrative Record (CWC TS-2-4 & LLBG: D-2-9)
Environmental Portal, LMSI, A3-95
HF Operating Record (J.K. Perry, MSA, A3-01)