



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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September 24, 2004

Ronald G. Gallagher, President and CEO
Flour Hanford, Inc.
P.O. Box 1000
Richland, WA 99352

R.T. Wilde, President
Duratek Federal Services of Hanford
P.O. Box 700
Richland, WA 99352

Keith Klein, Manager
Richland Operations Office
U.S. Department of Energy
P.O. Box 550
Richland, WA 99352

Roy Schepens, Manager
Office of River Protection
U.S. Department of Energy
2440 Stevens Drive
Richland, WA 99352

Dear Mssrs. Gallagher, Wilde, Klein and Schepens:

Re: Clarification of Administrative Order No. 1671

Thank you for your letter of September 24, 2004 requesting further clarification of the scope and intent of the above-referenced administrative order issued by the Washington State Department of Ecology (Ecology) on September 21, 2004. Your letter set forth a series of assumptions reflecting your understanding of the scope and intent of the administrative order, as specifically enumerated below, and requested that Ecology confirm whether your assumptions are correct. The assumptions listed in your letter are as follows:

- The Order requirements are applicable only to containerized wastes regulated under WAC 173-303.
- Transuranic (TRU) retrieval activities, including movement of drums from the Low Level Burial Grounds to Solid Waste Operations Complex (SWOC) facilities, can resume without verification.



September 24, 2004

Ronald G. Gallagher, R.T. Wilde, Keith Klein, Roy Schepens

Page 2

Stored legacy waste targeted for TRU certification can be transferred to the SWOC facilities to perform Waste Isolation Pilot Plant certification activities. These certification activities would serve to satisfy waste analysis plan verification requirements.

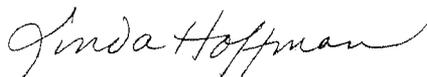
- Waste generated at the SWOC facilities will now require verification upon transfer to another SWOC facility. Verification program requirements (i.e., the Performance Evaluation System) currently required to be met by other waste generators will now be applied to waste generated in the SWOC facilities
- Newly generated waste can be received and staged pending verification (typically less than 60 days) at one SWOC facility while awaiting transfer to another SWOC facility where the verification activity will be performed as part of the final acceptance process.
- The verification requirements in paragraph D of the Administrative Order for the Savannah River Technical Center (SRTC) debris waste already received is applicable only to waste in storage and does not include waste that has been treated and disposed at this time.
- Visual examination (VE) includes the use of radiography. Anomalies and unidentifiable items that are discovered during VE will be addressed consistent with current verification program requirements, which may include sampling and analysis.
- The definition of debris used in this Order is the same as the WAC definition for debris waste.
- An electronic copy of the original signed and dated record may be maintained at the facility, provided that the hard copy original can be retrieved in a timely manner upon request by Ecology.

Note: Pursuant to discussion and agreement among our respective legal counsel, I have omitted a bullet defining the term "TRU characteristics."

Ecology concurs that the above bulleted assumptions are correct. You should consider this letter as a clarification of the Administrative Order and of my letter dated September 22, 2004. I understand that your request for clarification was not intended, and should not be construed, as a limit on the rights of Fluor Hanford, Duratek, DOE-RL, or DOE-ORP to deny, dispute, or appeal the findings and requirements of the Order.

I appreciate the cooperative manner in which our organizations have addressed your questions concerning the intent and scope of the administrative order.

Sincerely,



Linda Hoffman
Director