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P.O. Box 550
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08-AMCP-0094

MAY 09 2008

Ms. J. A. Hedges, Program Manager
Nuclear Waste Program
State of Washington
Department of Ecology
3100 Port of Benton
Richland, Washington 99354

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Dear Ms. Hedges:

**STATE OF WASHINGTON DEPARTMENT OF ECOLOGY PROPOSED ACTION ON THE
200-CS-1 CHEMICAL SEWER GROUP OPERABLE UNIT**

The purpose of this letter is to document the planned path forward using a cooperative response to the State of Washington Department of Ecology (Ecology) proposal to issue only a Resource Conservation and Recovery Act (RCRA)/Hazardous Waste Management Act (HWMA) permit modification and unilaterally stop the parallel Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process for closure of the 200-CS-1 Chemical Sewer Group Operable Unit Waste Sites.

Under the Tri-Party Agreement, the U.S. Department of Energy, Richland Operations Office (RL) is clearly obligated to address requirements under CERCLA, RCRA/HWMA corrective action and RCRA/HWMA treatment, storage and/or disposal (TSD) closure. TSD units sometimes are closely associated with past-practice units which by definition address the remediation of past releases into a solid waste management unit. Coordination of the TSD unit closure with the past-practice remediation is discussed in Section 3.3 and Section 5.5 of the Tri-Party Agreement Action Plan. Section 3.3 of the Tri-Party Agreement Action Plan indicates the information necessary for performing RCRA closure within an operable unit will be provided in coordination with various RCRA facility investigation/corrective measures study (RFI/CMS) documents.

Ecology has agreed through Tri-Party Agreement Change Package M-15-06-02, that RL can satisfy the requirement for an RFI/CMS report by submitting a Remedial Investigation/Feasibility (RI/FS) report. Gathering and evaluating information in a CERCLA RI/FS process allows RL to address all hazardous substances, including radionuclides and chemical components, one time and prevents the inherent overlap and duplication of work if a CERCLA response, a RCRA/HWMA corrective action, and RCRA/HWMA closure were performed separately; thereby, economically and efficiently addressing all of the waste site contamination.

Where radionuclide contamination is present, RL requires a CERCLA Record of Decision (ROD) to cover radionuclides for both the RCRA/HWMA TSD units and the RCRA/HWMA past-practice sites. Separate decisions for the RCRA/HWMA corrective actions and CERCLA contamination could result in inconsistent remedies and the execution of multiple and inefficient

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RL recognizes that TSDs are closed in the permit with a RCRA/HWMA permit modification. Therefore, after approval of the RCRA/HWMA TSD closure permit modifications and the CERCLA ROD, RL would execute remediation in accordance with the TSD closure permit modification and the CERCLA ROD in order to meet Tri-Party Agreement, CERCLA, RCRA/HWMA corrective action and RCRA TSD unit closure requirements.

Recognizing that discussions are underway regarding RCRA/CERCLA integration, RL, in its continuing efforts to reach agreement on the RCRA TSD closure process and to complete the CERCLA process at this operable unit, plans to take the following actions:

- Work with Ecology to reach agreement on the specific cleanup actions for the 200-CS-1 waste sites.
- Work with Ecology to understand the differences between CERCLA, RCRA Corrective Action, and RCRA TSD Closure in determining cleanup levels for chemical contaminants pre-existing the original TSD Part A permit application.

If you have any questions, please contact me, or your staff may contact Matt McCormick, Assistant Manager for the Central Plateau, on (509) 373-9971.

Sincerely,



David A. Brockman
Manager

AMCP:BLF

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