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STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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February 13, 2013 13-NWP-016

Jonathan A. Dowell, River and Plateau Assistant Manager
Richland Operations Office
United States Department of Energy
PO Box 550, MSIN: A5-11
Richland, Washington 99352

Re: Ecology's Response to "Notification That Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Interim Milestone M-037-03 is at Risk of Not Being Met," Letter 13-AMRP-0088, dated January 28, 2013
1219188

Dear Mr. Dowell:

The Department of Ecology (Ecology) disapproves the Hanford Federal Facility Agreement and Consent Order (HFFACO) Change Control Form, (M-37-13-01). Ecology is disapproving this change order because the HFFACO Action Plan procedures for a "Request for Extension" (12.3.2.C) have not been met. The signed Change Control Form is enclosed.

Your letter 13-AMRP-0088, stated, " . . . certain policy issues regarding the integration of the RCRA and CERCLA actions at these units need to be addressed and the closure plan for the 216-B-3 Main Pond System requires incorporation of the more current characterization data."

United States Department of Energy-Richland Operations Office (USDOE-RL) and Ecology staff met on January 30, 2013 to discuss the policy issues referenced. These issues consisted of:

1. The mention of radiological constituents in various parts of the closure plan.
2. The liner requirements for the landfill cap.
3. USDOE-RL's statement that only the constituents listed on the Part A would be considered RCRA constituents and all other contamination would be addressed under CERCLA.

Issues 1 and 2 have been resolved. Ecology believes that the third issue will be resolved in the near future. We also believe additional characterization data will not change the closure process as currently described in the draft closure plan and, therefore, it would not be necessary to include in the closure plan.

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If you have any questions or comments, please contact Nina Menard at (509) 372-7941 or Nina.Menard@ecy.wa.gov.

Sincerely,

Jane A. Hedges
Program Manager
Nuclear Waste Program

nm/tkb

Enclosure

cc w/enc:

Dennis Faulk, EPA
Greg Sinton, USDOE
Michael Cline, USDOE
Tony McKarns, USDOE
Steve Hudson, HAB
Ken Niles, ODOE
Nina Menard, Ecology
Administrative Record
Environmental Portal
USDOE-RL Correspondence Control

cc w/o enc:

Lorna Dittmer, CHPRC
David Dooley, CHPRC
Richard Engelmann, CHPRC
Reed Kaldor, MSA
Terry Noland, MSA
Rob Piippo, MSA
Stuart Harris, CTUIR
Gabriel Bohnee, NPT
Isabelle Wilder, Wanapum
Russell Jim, YN
David Rowland, YN
CHPRC Correspondence Control

Change Number	Federal Facility Agreement and Consent Order Change Control Form	Date
M-37-13-01	**Do not use blue ink. Type or print using black ink.**	January 22, 2013

Originator
B. L. Charboneau

Phone
(509) 373-6137

Class of Change

[ ] I - Signatories [X] II - Executive Manager [ ] III - Project Manager

Change Title

Revised closure plans to support TSD closure for the 216-B-3 Main Pond System and 216-S-10 Pond and Ditch.

Description/Justification of Change

Interim Milestone M-037-03 requires revised closure plans to support TSD closure for the 216-B-3 Main Pond System and 216-S-10 Pond and Ditch to be submitted to the State of Washington Department of Ecology (Ecology) by April 30, 2013.

Revised closure plans to support TSD closure for the 216-B-3 Main Pond System and 216-S-10 Pond and Ditch were drafted by Ecology as a courtesy to the U.S. Department of Energy (DOE) Richland Operations Office (RL). The draft revised closure plans were provided to RL in mid-December 2012 with the expectation that RL would review the revised closure plans, make needed adjustments, and formally submit the plans to Ecology by the milestone due date.

Description/Justification of Change continued on next page.

Impact of Change

This change removes submittal of a revised closure plan for the 216-B-3 Main Pond System from Interim Milestone M-037-03 and adds a new interim milestone for submitting a revised closure plan for the 216-B-3 Main Pond system that is due August 31, 2014. This change does not result in an impact to overall Central Plateau cleanup.

Affected Documents

The Hanford Federal Facility Agreement and Consent Order (HFFACO), as amended, and Hanford Site internal planning management, and budget documents.

Approvals

J. A. Dowell DOE	1.28.13 Date	X Approved	___ Disapproved
N/A EPA	___ Date	___ Approved	___ Disapproved
J. A. Hedges Ecology	2/13/13 Date	___ Approved	X Disapproved

Description/Justification of Change (continued)

Upon review of the draft revised closure plans, RL concluded that discussion with Ecology will be needed to address policy issues concerning closure of the TSD units. Additionally, the closure plan for the 216-B-3 Main Pond System does not reflect the most current characterization data. RL believes the revised closure plan for the 216-S-10 Pond and Ditch can be submitted by the milestone due date. However, incorporation of the more recent characterization data into the 216-B-3 Main Pond System Closure Plan will require additional time. Resolution of any policy issues based on the 216-S-10 Pond and Ditch Closure Plan will provide a template for the 216-B-3 Main Pond System Closure Plan and subsequent closure plans.

A new milestone is established for submittal of the 216-B-3 Main Pond System Closure Plan to allow additional time to evaluate and incorporate the more recent characterization data.

Modifications are denoted by using ~~strikeout~~ to indicate text deletions and double underline to indicate text additions.

Number	Milestone	Due Date
M-037-03 Lead Agency: Ecology	Submit a Revised Closure Plans to support TSD closure for ~~two (2) TSD Units:~~ the ~~216-B-3 Main Pond system, and~~ 216-S-10 Pond and Ditch.	04/30/2013
M-037-04 Lead Agency: Ecology	Submit a Revised Closure Plans to support TSD closure for the 216-B-3 Main Pond System.	08/31/2014