



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1315 W. 4th Avenue • Kennewick, Washington 99336-6018 • (509) 735-7581

December 6, 1995

Mr. James E. Rasmussen, Division Director
Environmental Assurance, Permits and Policy Division
U.S. Department of Energy, Richland Operations Office
P.O. Box 550, MSIN: A5-15
Richland, WA 99352

Dear Mr. Rasmussen:

This letter is in response to the U. S. Department of Energy letter, dated September 22, 1995, "Modification of the Hanford Facility Dangerous Waste Part A Permit To Address Procedural Closure of the Thermal and Physical/Chemical Treatment."

Enclosed you will find review comments generated during the Washington State Department of Ecology's review of the Procedural Closure Certifications. These comments must be resolved in order to finalize the pending closure of these two treatment, storage, or disposal units. The enclosure is organized into numbered, general, and specific comments.

If you have any questions, please contact me at (509) 736-3019.

Sincerely,

Jeanne Wallace
300 Area Project Manager
Nuclear Waste Program

JJW:skr
Enclosures (2)

cc: M. A. Bernard, USDOE
C. B. Delannoy, USDOE
Ken C. Brog, PNL
Michael Schlender, PNL
Harold Tilden, PNL

D. Burke, CTUIR
Russell Jim, YIN
David Einan, EPA
Dennis Faulk EPA

Administrative Records: ✓ M-20-42
M-20-43



**Procedural Closure Certification Questions
for the
Physical/Chemical Treatment Test Facilities
November 28, 1995**

The Physical/Chemical Treatment Test Facilities certifications were transmitted to the Washington State Department of Ecology (Ecology) in the U.S. Department of Energy (USDOE) letter, "Modification of the Hanford Facility Dangerous Waste Part A Permit To Address Procedural Closure of the Thermal and Physical/Chemical Treatment Test Facilities," dated September 22, 1995. The following is a list of questions or comments generated from Ecology's review of the closure certifications for the Resource Conservation and Recovery Act (RCRA) interim status Physical and Chemical Treatment Test Facilities.

Cover Letter

1. Letter, referenced above, second paragraph, states, "... did not identify any future activities for the units."

Please clarify if this statement refers only to interim status activities at these facilities. Specify if these facilities will continue to operate for purposes other than dangerous waste management.

2. The letter, referenced above, omits public involvement from the closure process for these units.

No response is necessary. But for clarification, Ecology will initiate public involvement, as described in Washington Administrative Code (WAC) 173-303-840. USDOE and Pacific Northwest Laboratories (PNL) will be expected to allocate resources to support the public involvement process.

3. The letter, referenced above, fails to copy the administrative record for the two units. Please verify this letter is transmitted to the administrative record. The public comment period will commence only after the administrative record is complete.

Physical/Chemical Treatment Test Facilities Certification

4. Page 1, Section 1.1. The Hanford Federal Facility Agreement and Consent Order, referred to as the Tri Party Agreement (TPA), only allows procedural closure of units which have never managed hazardous waste, except as provided by WAC 173-303-200 (accumulation) and 173-303-802 (permit by rule).

Please explain why WAC 173-303-071(l) and (s) are cited in regard to waste management activities conducted at the facilities. Explain why such activities would not preclude the procedural closure of the unit.

5. Page 1, Section 2.0. Specify if the 324 Building Biological Treatment Test Facilities discussed as part of the Physical/Chemical Treatment Test Unit is covered by Part A, Form 3, for the Biological Treatment Test Facilities. If not, describe the distinction between the two units.

6. Page 2, Section 3.1. The TPA allows procedural closure of units which have never managed hazardous waste, except as provided by WAC 173-303-200 (accumulation) and 173-303-802 (permit by rule).

Please explain why WAC 173-303-071(l) and (s) are cited in regard to waste management activities conducted at the facilities. Explain why such activities would not preclude the procedural closure of the unit.

Clarify the statement, "Physical/chemical treatment test activities . . . performed . . . with . . . samples for characterization."

7. Page 2, Sections 3.2 and 3.2.1. These sections refer to "Administrative Record Inventory," or "Administrative Controls/Records."

Specify if this is the same administrative record required by the TPA, Section 9.4, Administrative Record. The information contained in the "administrative record," as referred to in the certification, shall be incorporated into the TPA administrative record. If not, explain why.

8. Page 3, Sections 3.2.1. Please provide copies of USDOE/PNL Memorandum of Agreement dated 8/15/88; PNL-MA-8, Chapter 14 dated 8/88; and PNL internal documents referenced in this section. Specify if this information has been incorporated into the TPA Administrative Record.

9. Page 3, Section 3.2.1. Please provide Ecology with copies or access to view the documents, listed on page 3.

10. Page 3 and 4, Section 3.2.1. Specify if the on-site review of all facilities was conducted by USDOE and PNL, independent of those performed by Ecology for the purpose of this closure.

11. Page 3 and 4, Section 3.2.2. The TPA only allows procedural closure of units which have never managed hazardous waste, except as provided by WAC 173-303-200 (accumulation) and 173-303-802 (permit by rule).

Please explain why WAC 173-303-050 (Department of Ecology Cleanup Authority), -145 (spills and discharges to the environment), and -960 (special powers and authority of the department) are cited in regard to waste management activities conducted at the facilities. Explain why such activities should not preclude the procedural closure of the unit.

12. Page 4, Records Review. Provide copies, or describe in detail, the institutional controls which would require PNL staff involved in treatment technology testing to have approval from PNL staff knowledgeable of WAC requirements before initiation of the project.

13. Page 4, Records Review. Describe in detail controls ensuring proper notification of regulated activities, and how the notifications were recorded.

14. Page 4, Records Review. Specify why only 1830 project records were searched.

15. Page 5, Records Review. Explain why the records are limited to conditions noted during the 1990-1995 period.

16. Page 5, Records Review. The last sentence of this paragraph is in error. In reference to the facilities listed in the Part A, it appears facilities included in the Thermal Treatment Test Facilities Part A were listed.

Please provide a list of facilities included in the Physical/Chemical Treatment Test Facilities and records showing reviews were conducted.

17. Page 5, Certifications Requests. Explain the statement. "The information provided showed that treatment testing did occur in PNL facilities during period from 1988-1995; however this activity was either conducted under another regulatory authorization (CERCLA Treatability Study, interim status Unit - Part B, Closure plan)" Specifically address the underlined portions of the sentence.

Provide a list of activities which occurred under interim status Unit - Part B, Closure Plan.

Provide titles of Part A's, Part B's, and closure plans. Do the same for the CERCLA activities and documentation. Provide references to specific regulations allowing such activities to occur without a permit.

Specify locations in which such "exempt" activities occurred.

18. Page 6, Field Evaluations. Provide a list of field inspections conducted in regard to this closure and the performing organization.

19. Page 6, Field Evaluations. In reference to the facilities listed in Part A, it appears facilities included in the Thermal Treatment Test Facilities Part A were listed in error. Please provide a list of facilities included in the Physical/Chemical Treatment Test Facilities and records showing reviews were conducted.

20. Page 6, Section 3.3. Describe the management of waste residues generated from CERCLA Treatability tests.

21. Administrative Record Summary. Specify if this is the administrative record required by the TPA, Section 9.4., Administrative Record.

The information contained in the "administrative record," referred to in the certification, shall be incorporated into the TPA Administrative Record. If not, explain in detail why. Clarify if, and how, Ecology will access this information. Explain the volume and section headings.

21. Physical/Chemical Treatment Test Facilities, Fact Sheet, Background. Please provide a copy of the agreement between the Environmental Protection Agency (EPA), USDOE, and Ecology allowing Battelle a means of researching on a larger scale to benefit the environmental cleanup, resulting in the Treatability study based interim status permits.

22. Physical/Chemical Treatment Test Facilities, Fact Sheet, Closure. Correction. One closure plan would be required for each Part A, Form 3. Each technology and location listed on the interim status permit would not require a closure plan.

23. Physical/Chemical Treatment Test Facilities, Fact Sheet, Closure. Explain the phrase ". . . to the satisfaction of DOE-RL and Ecology." It must be established thermal treatment activities did not occur -- period.

**Procedural Closure Certification Questions
for the
Thermal Treatment Test Facility
November 28, 1995**

The Thermal Treatment Test Facilities certifications were transmitted to the Washington State Department of Ecology (Ecology) in the U.S. Department of Energy (USDOE) letter, "Modification of the Hanford Facility Dangerous Waste Part A Permit To Address Procedural Closure of the Thermal and Physical/Chemical Treatment Test Facilities," dated September 22, 1995. The following is a list of questions or comments generated from Ecology's review of the closure certifications for the Resource Conservation and Recovery Act (RCRA) interim status Thermal Treatment Test Facilities.

Cover Letter

1. Letter, referenced above, second paragraph, states, "... did not identify any future activities for the units."

Please clarify if this statement refers only to interim status activities at these facilities. Specify if these facilities will continue to operate for purposes other than dangerous waste management.

2. The letter, referenced above, omits public involvement from the closure process for these units.

No response is necessary. But for clarification, Ecology will initiate public involvement, as described in the Washington Administrative Codes (WAC) 173-303-840. The USDOE and the Pacific Northwest Laboratories (PNL) will be expected to allocate resources to support the public involvement process.

3. The letter, referenced above, fails to copy the administrative record for the two units. Please verify this letter is transmitted to the administrative record. The public comment period will commence only after the administrative record is complete.

Thermal Treatment Certification

4. Page 1, Section 1.1. The Hanford Federal Facility Agreement and Consent Order, referred to as the Tri-Party Agreement (TPA), only allows procedural closure of units which have not managed hazardous waste, except as provided by WAC 173-303-200 (accumulation) and 173-303-802 (permit by rule).

Please explain why WAC 173-303-071(l) and (s) are cited in regard to waste management activities conducted at the facilities. Explain why such activities should not preclude the procedural closure of the unit.

5. Page 1, Section 2.0. Provide all-titles for the 116-B-6-1 crib and the operable unit in which it is located. The TPA Appendix C only refers to the 116-B-6A crib located in the 100-BC-1 Operable Unit. Verify if this is the same crib referred to in the Thermal Treatment Part A, Form 3 and certification.

6. Page 2, Section 3.1. The TPA only allows procedural closure of units which have not managed waste, except as provided by WAC 173-303-200 (accumulation) and 173-303-802 (permit by rule).

Please explain why WAC 173-303-071(l) and (s) are cited in regard to waste management activities conducted at the facilities. Explain why such activities should not preclude the procedural closure of the unit.

Clarify the statement "Thermal treatment test activities . . . performed . . . with . . . samples for characterization."

7. Page 2, Sections 3.2 and 3.2.1. These sections refer to an Administrative Record Inventory, or Administrative Controls/Records.

Specify if this is the administrative record required by the TPA, Section 9.4, Administrative Record. The information contained in the "administrative record" referred to in the certification shall be incorporated into the TPA Administrative Record. If not, explain in detail why. Clarify if, and how, Ecology will access this information.

8. Page 2, Sections 3.2.1. Please provide copies of USDOE/PNL Memorandum of Agreement dated 8/15/88; PNL-MA-8, chapter 14 dated 8/88; and PNL internal documents referenced in this section. Specify if this information has been incorporated into the TPA Administrative Record.

9. Page 3, Section 3.2.1. Please provide Ecology with copies, or access, to the documents listed on page 3.

10. Page 3, Section 3.2.1. Specify if the on-site review of all facilities was conducted by USDOE and PNL, independent of those performed by Ecology for the purpose of this closure.

11. Page 3 and 4, Section 3.2.2. The TPA only allows procedural closure of units which have not managed waste, except as provided by WAC 173-303-200 (accumulation) and 173-303-802 (permit by rule).

Please explain why WAC 173-303-050 (Department of Ecology Cleanup Authority), -145 (spills and discharges to the environment), and -960 (special powers and authority of the department) are cited in regard to waste management activities conducted at the facilities. Explain why such activities should not preclude the procedural closure of the unit.

12. Page 4, Records Review. Provide copies, or describe in detail, the institutional controls requiring PNL staff involved in treatment technology testing to have approval from PNL staff knowledgeable of WAC requirements before initiation of the project.

13. Page 4, Records Review. Provide and describe in detail, controls ensuring proper notification of regulated activities will be recorded.

14. Page 4, Records Review. Specify why only 1830 projects records were searched.

15. Page 5, Records Review. Explain why the records are limited to conditions noted during the period 1990-1995.

16. Page 5, Certifications Requests. Explain the statement, “The information provided showed that treatment testing did occur in PNL facilities during period from 1988-1995; however this activity was either conducted under another regulatory authorization (CERCLA Treatability Study, interim status Unit - Part B, Closure plan)” Specifically address the underlined portions of the sentence.

Provide a list of activities which occurred under interim status Unit - Part B, Closure plan.

Provide titles of Part A’s, Part B’s, and closure plans. Do the same for the CERCLA activities and documentation. Provide references to specific regulations allowing such activities to occur without a permit.

Specify locations in which “exempt” activities occurred.

17. Page 6, Field Evaluations. Provide a list of field inspections conducted in regard to this closure and the performing organization.

18. Page 6, Section 3.3. Describe the management of waste residues generated from CERCLA Treatability tests.

19. Administrative Record Summary. Specify if this is the administrative record required by the TPA, Section 9.4, Administrative Record.

The information contained in the “administrative record” referred to in the certification shall be incorporated into the TPA Administrative Record. If not, explain in detail why. Clarify if, and how, Ecology will access this information. Explain the volume and section headings.

20. Thermal Treatment Test Facilities, Fact Sheet, Background. Please provide a copy of the agreement between the Environmental Protection Agency (EPA), USDOE, and Ecology allowing Battelle to research on a larger scale would benefit the environmental cleanup, resulting in the Treatability study based interim status permits.

21. Thermal Treatment Test Facilities, Fact Sheet, Closure. Correction. One closure plan would be required for each Part A, *not* each technology and location listed on the interim status permit.

22. Thermal Treatment Test Facilities, Fact Sheet, Closure. Explain the phrase “. . . to the satisfaction of DOE-RL and Ecology.” It must be established thermal treatment activities did not occur - period.