



Department of Energy

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MAY 11 1994

94-RPS-220

Mr. Randall F. Smith, Director
Hazardous Waste Division
U.S. Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, Washington 98101

Ms. Dru Butler, Program Manager
Nuclear Waste Program
Washington State Department of Ecology
P.O. Box 47600
Olympia, Washington 98504



Dear Mr. Smith and Ms. Butler:

SUPPLEMENTAL HANFORD SITE COMMENTS ON THE SECOND DRAFT OF THE RESOURCE CONSERVATION AND RECOVERY ACT PERMIT FOR THE TREATMENT, STORAGE, AND DISPOSAL OF DANGEROUS WASTE FOR THE HANFORD FACILITY

The U.S. Department of Energy, Richland Operations Office (RL), Westinghouse Hanford Company (WHC), and Pacific Northwest Laboratory (PNL) jointly have prepared and formally are submitting the enclosed document entitled "Supplemental Hanford Site Comments on the Second Draft of the Resource Conservation and Recovery Act (RCRA) Permit for the Treatment, Storage, and Disposal of Dangerous Waste for the Hanford Facility" (hereinafter termed the Supplemental Comment Document). This Supplemental Comment Document is being submitted to meet the respective obligations of 40 CFR Part 124 and WAC 173-303-840(6). The enclosure supplements our comments on the Second Draft RCRA Permit dated April 11, 1994, and is divided into two parts: (1) additional comments on the Second Draft RCRA Permit, and (2) changes to the April 11, 1994, Comment Document.

The Supplemental Comments are consistent with discussions held at a meeting on April 29, 1994, among State of Washington Department of Ecology (Ecology), RL, WHC, PNL, and Bechtel Hanford, Inc. (BHI) representatives. At this meeting, progress was made on addressing 5 of our 11 Key Comments: (1) Mapping and Marking, (2) Receipt of Offsite Waste, (3) Permittee Responsibilities, (4) Financial Assurance and Liability, and (5) Permitting Approach. Based on this meeting, we understand that Ecology will consider revising the Mapping

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and Marking conditions of the RCRA Permit to include a 12-month cost-efficiency study, extend the timetable for associated permit conditions by 12 months, and allow for adjustments of the permit conditions to reflect the results of the study. We also understand that the receipt of offsite waste will not be restricted or prohibited by the RCRA Permit. With regards to permittee responsibilities, we encourage you to consider issuing the RCRA Permit, Dangerous Waste Portion, to "DOE-RL (Owner/Operator), and its designated contractors (co-operators)" as was discussed in earlier meetings. Consistent with Ecology's suggestion, in the enclosed Supplemental Comments we formally have proposed permit language for your consideration. As discussed in earlier meetings, this approach will provide greater flexibility to accommodate contractor changes. As has also been noted in recent meetings, a permitting mechanism must be in place in the very near future that will accommodate the transference of management responsibilities for environmental restoration work from WHC to BHI. Our proposal for permittee designation, as well as our financial assurance and liability concerns, are being discussed in follow-up meetings arranged among our respective legal representatives.

The April 29, 1994, discussions on the Permitting Approach helped us to understand Ecology's intent, but we still need to resolve concerns regarding implementation and compliance ambiguity. We believe that the implementation and compliance ambiguity for interim status closure plan inclusion can be mitigated by using the approach proposed in the enclosed Supplemental Comments and in the Suggested Revised Draft Permit Language transmitted to you at the April 29, 1994, meeting. We request that this Suggested Revised Draft Permit Language be the topic of future meetings, in conjunction with a discussion of the "graded" implementation approach mentioned by Ecology staff. We remain concerned about the pragmatics of such an approach with regards to RCRA Permit compliance. We further believe that the best understanding of the "graded" implementation approach can be gained by a "walk-through" of the entire Draft Permit at future meetings. Other Key Comments that also need to be addressed during this "walk-through" include Groundwater Monitoring, Regulatory Agency Authority, and Quality Assurance and Quality Control provisions.

We request that the meetings be held before issuance of the final RCRA Permit, and that a firm date for the first of these meetings be established by May 13, 1994. We believe that the progress made at the April 29, 1994, meeting, indicates that we can work effectively toward avoiding the appeal process. We will continue to support open and responsive communication with you as your organizations address review comments received from us, and others, on the Second Draft Permit.

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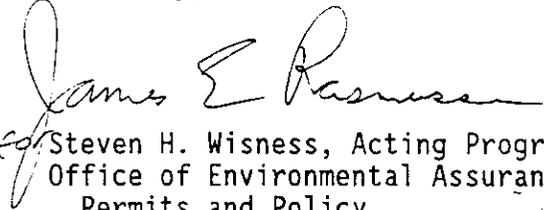
Mr. Smith and Ms. Butler  
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If you have any questions, please contact Mr. C. E. Clark of RL on (509) 376-9333, Mr. R. C. Brunke of WHC on (509) 376-2663, or Mr. H. T. Tilden II of PNL on (509) 376-0499.

Sincerely,

  
Steven H. Wisness, Acting Program Manager  
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DOE Richland Operations Office

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Enclosure:  
Supplemental Hanford Site  
Comments

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**Subject:** SUPPLEMENTAL HANFORD SITE COMMENTS ON THE SECOND DRAFT OF THE RESOURCE CONSERVATION AND RECOVERY ACT PERMIT FOR THE TREATMENT, STORAGE, AND DISPOSAL OF DANGEROUS WASTE FOR THE HANFORD FACILITY

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