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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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April 29, 1999

Ms. Helen Bilson
U. S. Department of Energy
P. O. Box 550, MSIN: S7-41
Richland, Washington 99352

Ms. Janice Williams
Fluor Daniel Hanford, Inc.
P. O. Box 1000, MSIN: H6-06
Richland, Washington 99352

Mr. William Ayers
Waste Management Hanford Incorporated
P. O. Box 700, MSIN: T4-04
Richland, Washington 99352

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Dear Ms. Bilson, Ms. Williams, and Mr. Ayers:

Re: Notice of Correction per enforcement follow-up inspection at the 222-S Laboratory Complex.

Thank you for the assistance from the U. S. Department of Energy (USDOE), Fluor Daniel Hanford Incorporated (FDH), and Waste Management Hanford Incorporated (WMH) personnel during the Washington State Department of Ecology's (Ecology) February 9, 1999, inspection of the 222-S Laboratory Complex.

Ecology performed this enforcement follow-up inspection to assess the status of corrective measures described in its March 25, 1997, notice of correction to USDOE, FDH and WMH. In its notice of correction, Ecology identified three (3) violations of Washington Administrative Code (WAC) Chapter 173-303, Dangerous Waste regulations as follows:

1) Failure to maintain control of satellite accumulated waste.
2) Failure to obtain sufficient information to accurately describe and designate waste generated within the 222-S laboratories.
3) Failure to develop and follow a written waste analysis plan (WAP) for the 219-S tank system to adequately verify generators' knowledge of their waste prior to placing it in the 219-S tank system.

Ecology's March 25, 1997, notice of correction described corrective measures for voluntary resolution to these violations; however, violation (1) regarding satellite accumulation was subsequently resolved via an Order of Dismissal by the Washington State Pollution Control Hearings Board (PCHB), which prescribed management criteria for satellite accumulation in the 222-S Laboratory Complex (PCHB Order of Dismissal #97-189).

Regarding violation (2), failure to accurately describe and designate waste, Ecology assessed representative sampling and analysis performed by the 222-S Laboratory Complex to ensure laboratory-generated wastes were accurately described in 222-S analytical method waste stream fact sheets.

Regarding violation (3), failure to develop and follow an adequate 219-S WAP, Ecology reviewed the WAP currently in use for the 219-S tank system.

As a result of the February 9, 1999, inspection, Ecology is pleased to note major improvements in waste management at the 222-S Laboratory Complex. However, further improvements are required and have been discussed with facility representatives. Ecology considers the corrective measures from the March 25, 1997, notice of correction closed, subject to the following conditions:

- No waste generated outside of the 222-S Laboratory Complex may be placed in the 219-S tank system until an Ecology approved WAP for the 219-S tank system is in place. Requests for variances from this moratorium must be submitted to Ecology in writing and will be considered by Ecology on a case-by-case basis.

- PCHB Order of Dismissal #97-189 provides for imposition of penalties for material violations of the Order. However, given the willingness exhibited by WMH laboratory management personnel to voluntarily resolve the violation of PCHB Order of Dismissal #97-189, and in consideration of the improved operating record of the facility, Ecology elects not to pursue formal enforcement at this time. (Imposition of penalties held in abeyance per PCHB Order of Dismissal #97-189.) Ecology will withhold imposition of formal enforcement pending successful completion of the corrective measures described herein to address the deficiencies in meeting PCHB Order of Dismissal #97-189.

Please be advised that these conditions will remain in place until the RCRA Part B Application is approved by Ecology and incorporated into the Hanford Site Wide RCRA Permit. Deviation from these conditions may result in imposition of penalties and/or administrative orders as prescribed by the Revised Codes of Washington, (RCW) 70.105.080 and 70.105.095, or imposition of penalties as described in PCHB Order of Dismissal #97-189.

Resolution of the 219-S WAP and continued periodic testing to ensure 222-S waste stream fact sheets are accurate, are deferred to issuance of the RCRA Part B permit for the 219-S tank system. Findings from the February 9, 1999, inspection of the 222-S Laboratory Complex include the following violation of PCHB Order of Dismissal #97-189 and three (3) concerns.

VIOLATION:

#1) Pollution Control Hearings Board, Order of Dismissal #97-189.

USDOE, FDH and WMH failed to perform inspections of satellite accumulation areas per PCHB Order of Dismissal #97-189.

- *WMH failed to perform monthly inspections of all active satellite accumulation areas in the 222-S Laboratory Complex for November 1998 and January 1999, as required by Section VI of the Operational Criteria for Satellite Accumulation Areas at the 222-S Laboratory within PCHB Order of Dismissal #97-189.*

- *Satellite accumulation area inspections performed from August 1998 through January 1999 failed to verify that all containers are maintained as required by the container and labeling requirements of Section VI of the Operational Criteria for Satellite Accumulation Areas at the 222-S Laboratory within PCHB Order of Dismissal #97-189. For example, fume hood 5 in room 1D contained abandoned equipment and chemical materials that had been stored in the hood for prolonged periods of time (since 1996); yet monthly inspection records indicated no accumulation problems for this hood.*

CONCERNS:

#1) Some instances of improper waste container labeling were noted during the February 9, 1999, inspection.

Waste identification postings on Hood 16A in room 2B included a waste inventory sheet for a container of solid low level waste; however, there was no container of solid low level waste in hood 16A. The waste was later located in a drum of mixed waste in the 90-day accumulation area in room 2D. The waste had been designated as mixed waste and the inventory sheet posted at hood 16A was left on the hood face in error. A container of solid low level waste in hood 2, room 1J was labeled to be from hood #1. It was determined the waste actually was generated in hood 2 and was re-labeled accordingly.

#2) The waste analysis plan in use for the 219-S tank system fails to incorporate adequate verification of waste generated from waste generators outside of the 222-S Laboratory Complex.

Until an Ecology approved WAP is in place, no waste generated outside of the 222-S Laboratory Complex may be placed into the 219-S tank system.

#3) Waste stream fact sheets (WSFS), developed for each analytical method performed in the 222-S Laboratory Complex, are based on process knowledge.

Since WSFSs are used to designate waste and as the documentation for verification of 222-S generated waste to be placed into the 219-S tank system, Ecology recommends periodic testing of waste streams generated from 222-S analytical methods be continued and incorporated into the 219-S final status RCRA permit. The focus of this testing is not simply to ensure designations are correct, but that the generator's description of its waste is accurate. WMH already has the procedures in place to perform this confirmatory testing.

In order to correct the violation identified in this letter, please complete the following corrective measure within the time frames specified. Please be advised that failure to correct the violation within the specified time frame may result in imposition of penalties as prescribed in PCHB Order of Dismissal #97-189. A request for additional time to complete the required corrective measure must be described in writing, including timelines and specific actions requested for extension, and received by me for consideration no later than May 13, 1999.

CORRECTIVE MEASURES:

#1) Pollution Control Hearings Board, Order of Dismissal #97-189.

Within thirty (30) days of receipt of this letter, USDOE, FDH, and WMH must submit a written report to Ecology detailing all processes and/or procedures in place to ensure the requirements for satellite accumulation area inspections are performed to all requirements of PCHB Order of Dismissal #97-189. This report must include all processes and/or procedures to ensure all satellite accumulation areas are inspected monthly per PCHB Order of Dismissal #97-189, and include all processes and/or procedures to ensure all abandoned, expired, or unused chemicals and contaminated equipment, in all satellite accumulation areas, are inspected, documented, and properly managed per PCHB Order of Dismissal #97-189.

Return the completed Certificate of Compliance to me by June 1, 1999. Do not hesitate to contact me at (509) 736-3031, if you have any questions regarding this letter.

Sincerely,

Bob Wilson

Bob Wilson, Compliance Inspector
Nuclear Waste Program

Enclosure

BW:ld

cc: James Rasmussen, USDOE
Susan Price, FDH
Mary Lou Blazek, OOE
Administrative Record: 222-S Laboratory Complex/Notice of Correction

CERTIFICATE OF COMPLIANCE

As a legal representative of the U. S. Department of Energy, I certify to the best of my knowledge, the completion of items requested by the Washington State Department of Ecology on April 29, 1999, with regard to the inspection of the 222-S Laboratory Complex, located on the Hanford Site, Facility ID number WA 7890008967, as shown below.

COMPLIANCE STATUS

Corrective Measure	Date Due	Date Complete	Initials	Comments
#1	06/01/99			

Signature, USDOE-RL Representative Date