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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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March 10, 2004

Mr. Joel Hebdon, Director
Regulatory compliance and Analysis Division
Richland Operations Office
United States Department of Energy
P.O. Box 550, MSIN: A5-15
Richland, Washington 99352

RECEIVED
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EDMC

Dear Mr. Hebdon:

Re: Letter from Joel Hebdon to Michael Wilson, dated October 31, 2003, addressing the *TRANSMITTAL OF THE RESPONSE TO NOTICE OF DEFICIENCY (NOD) COMMENTS FOR THE HANFORD FACILITY DANGEROUS WASTE PART A, FORM 3 PERMIT APPLICATIONS FOR THE CENTRAL WASTE COMPLEX (CWC), REVISION 7 AND WASTE RECEIVING AND PROCESSING FACILITY (WRAP), REVISION 4 (TSD: TS-2-4)*

The Department of Ecology (Ecology) has reviewed the United States Department of Energy's (USDOE) response to the deficiencies identified in the Notice of Deficiency (NOD) referenced above. Ecology found several of the responses adequate to close out issues noted in the NOD Response Table. However, several issues remain to be resolved through revision of the Part A, Form 3 before Ecology can approve these documents. The attached table provides direction on how to revise the Part A, form 3s for approval. Please submit the revised Part A, Form 3s within 45 days.

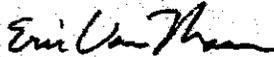
Due to the significant increase in capacity regarding the addition of the Accelerated Process Lines (APL) for the Waste Receiving and Processing Plant (WRAP) facility, the Part A, Form 3 will require public involvement. Please see Washington Administrative Code 173-303-830, Permit changes, in particular sections -830(c), Class 3 modifications, Appendix I - Item F, Containers, along with sections -280 General requirements for dangerous waste management facilities, -281 Notice of intent, -400 Interim status facility standards, and -805 Interim status permits.

In addition, once the Part A's are appropriately revised for approval, the final facility permit (Part B) applications for both the Central Waste Complex (CWC) and the WRAP facilities, will require modification. The modifications will be necessary to reflect the boundary change, and the function of the Accelerated Process Lines (APL).

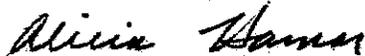
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If you have any questions contact Eric Van Mason for CWC at (509) 736-3028 or Alicia Hamar for WRAP at (509) 736-3032.

Sincerely,



Eric Van Mason
Environmental Specialist
Nuclear Waste Program



Alicia Hamar
Environmental Specialist
Nuclear Waste Program

JW:AH:EVM:nc
Attachment

cc: Harlan C. Boynton, FH
Richard H. Gurske, FH
Jeannette E. Hyatt, FH
Paul Martin, FH
Dan J. Saueressig, FH
Joel F. Williams Jr., FH
Todd Martin, HAB
Stuart Harris, CTUIR
Pat Sobotta, NPT
Russell Jim, YN
Ken Niles, ODOE
Administrative Records: CWC and WRAP

Notice of Deficiency
Part A, Form 3s

CWC Proposed Revision 7, dated July 16, 2003,
and
WRAP Proposed Revision 4, dated July 16, 2003.

Response No.	<p>Ecology Comment. General comment directed at both CWC and WRAP Form 3s. The Part A, form 3s for the WRAP and the CWC were submitted with one letter. Because each envelope had an "open by addressee only" sticker, copies of the letters received by Ecology were not date stamped. This way of transmitting regulatory documents is not appropriate. The date stamp, indicating the date upon which Ecology received the transmittal, is the start date for formal review cycles imposed by the Tri-Party Agreement (TPA) and/or the Dangerous Waste regulations.</p> <p>For your convenience, attached you will find a copy of the correspondence dated January 8, 2002, to Mr. James E. Rasmussen, U.S. Department of Energy from Mr. Michael Wilson, Washington State Department of Ecology. The letter addresses the issue of national security sensitive materials and the submittal of Part A permit applications. Please follow the instructions when submitting Part A, Form 3s.</p>
1	
<p>DOE-RL/FH Response: The transmittal letter and two Part A, Form 3 permit applications were hand delivered to Ecology July 21, 2003, the day the letter was signed by DOE-RL. A document receipt verification form was obtained from Ecology acknowledging the delivery of this transmittal letter. The person delivering the letter witnessed the front desk attendant date stamp the letter. An extra copy was provided to the front desk attendant for Ms. Wallace.</p> <p>Regarding the process for correspondence containing national security sensitive materials, DOE-RL has begun discussions with Ecology in the IAMIT meeting.</p>	
<p>Ecology Response: Response accepted. Issue closed.</p>	
2	<p>Ecology Comment. General comment directed at CWC and WRAP Form 3s. Typically, letters to Mike Wilson, NWP Program Manager, include the original forms or documents which are placed in the NWP library. However the copy of the Part A letter submitted contained only copies of the original Part A, Form 3s. The originals must be submitted for Ecology to proceed with processing the Part A, Form 3s.</p>
<p>DOE-RL/FH Response: The original was hand delivered described in response to Comment 1.</p>	
<p>Ecology Response: Response accepted. Issue closed.</p>	
3	<p>Ecology Comment. General comment directed at CWC and WRAP Form 3s.</p> <p>An incorrect statement is included in the transmittal letter "<i>Due to the Mod E Settlement Agreement being withdrawn along with the Part B permit applications withdrawal by Ecology, the Part A, Form 3s was never approved</i></p>

	<p>The Part A, Form 3s for the WRAP (revision 3) and the CWC (revision 6) contained in the Mod E were both approved February 28, 2001. Simply submitting it with a Part B permit application which was later withdrawn does not invalidate that previously approved Part A.</p>
	<p>DOE-RL/FH Response: As of this date, DOE-RL/FH have not received a formal approval of WRAP, Revision 3 and/or CWC Revision 6 that were submitted to Ecology with their respective Part B permit applications on June 28, 1999. At the present time WRAP is operating to Revision 1 and CWC is operating to Revision 4. Please provide a copy of the final approval.</p>
	<p>Ecology Response: Response rejected. The Department of Ecology communicated the approval of the revisions in a letter dated February 28, 2001, from Mike Wilson (Ecology) to Keith Klein (USDOE), Ron Hanson (FH), Michael Hughes (BHI), Lura Powell (PNNL), and Fran DeLozier (CHG). If the response is accurate, then Ecology will be re-evaluating the compliance of this facility with interim status standards. In addition, Ecology is gravely concerned that two permit applications have been submitted containing inaccurate information.</p>
4	<p>Two buildings, 2404-WB and 2404-WC, are referred to as storage buildings on page 19 of 25 in the WRAP Part A. One of the two buildings at the CWC is being modified and transferred to WRAP to accommodate the Accelerated Processing Lines (APL). The other building is to provide storage space for managing waste destined to be examined by the APL process. Describe the function of these buildings in the context of the APL. Add a discussion of the APL to Section III.C of the WRAP Form 3.</p>
	<p>DOE-RL/FH Response: Since the presentation to Ecology on February 25, 2003, project plans have changed and there are currently no plans to build an outside pad.</p>
	<p>Ecology Response: Response accepted. Issue closed.</p>
5	<p>Describe the HVAC upgrades relevant to the management of waste in the APLs.</p>
	<p>DOE-RL/FH Response: This type of information is not regulated under RCRA/WAC 173-303 for inclusion within the Part A, Form 3. The HVAC was installed for drums stored in 2404-WC to ensure requirements of the disposal facility certification program are met.</p>
	<p>Ecology Response: In revision of the Part B permit application, please clarify if the HVAC is a critical system as defined in the Hanford Facility Dangerous Waste Permit, General Information Portion. This clarification is pertinent to the issuance of the WRAP Part B permit, which contains the Part A, Form 3.</p>
	<p>Please note that during the negotiations to settle the appealed portions of the WRAP Part B permit, critical systems were discussed as documented in the White Paper, Issue/Group #5, Critical Systems Conditions III.7.B.e.20/III.8.B.e/2. However the scope of this discussion was limited to the determination as to whether the <i>walls and roof</i> of the WRAP facility were critical systems. The intent was not to define or list every critical system in the facility.</p>
6	<p>Ecology Comment specific to the WRAP Form 3, regarding pages 4-15.</p> <p>It appears a typographical error has been corrected in revision of the Form 3. The revision of S04, revision 3 to S01, revision 4 was an appropriate correction</p>

	of the storage code.
	DOE-RL/FH Response: Comment noted. Wrap Revision 3 submitted with the WRAP Part B permit application on June 28, 1999, contained the correct Process Code "S01" container storage therefore, a correction was not necessary nor was one made in Revision 4.
	Ecology Response: Response accepted. Issue closed.
7	<p>Ecology Comment. Comment specific to WRAP Form 3, regarding page 19.</p> <p>Two buildings, 2404-WB and 2404-WC, are referred to as storage buildings on page 19 of 25 in the WRAP Part A. One of the two buildings at the CWC is being modified and transferred to WRAP to accommodate the Accelerated Processing Lines (APL). The other building is to provide storage space for managing waste destined to be examined by the APL process. Describe the function of these buildings in the context of the APL. Add a discussion of the APL to Section III.C of the WRAP Form 3.</p>
	DOE-RL/FH Response: This type of information is not required for inclusion within the Part A, Form 3. The 2404-WB and 2402-WC Storage Buildings will be removed from the CWC TSD boundary and moved to the WRAP TSD boundary.
	Ecology Response: Response rejected. Ecology will not approve the revision of the Part A, Form 3s to change the boundary of these units until the Part A, Form 3s accurately depict activities occurring in specific areas of the unit. Add a discussion of the APL to Section III.C of the WRAP Form 3.
	<p>Because of the significant increase in capacity due to the Accelerated Process Lines (APL) the Part A, Form 3 will require public involvement. Please see Washington Administrative Code 173-303-830, Permit changes, in particular section -830(c), Class 3 modifications, Appendix I- Item F, Containers, along with -280 General requirements for dangerous waste management facilities, -281 Notice of intent, -400 Interim status facility standards, and -805 Interim status permits. In addition, once the Part As are appropriately revised for approval, the final facility permit (Part B) applications for both the CWC and the WRAP facilities, once issued, will require modification. The modifications will be necessary to reflect the boundary change, and the function of the APL.</p> <p>Please note that the WRAP Part B permit/application must be revised to describe the function of the 2404-WB and 2404-WC buildings in the context of the APL equipment locations and functions. Describe the use of the NDE/NDA as a verification process for inspection of waste within the WRAP TSD unit boundary.</p>
8	<p>Ecology Comment. Comment specific to the WRAP Form 3, regarding page 22.</p> <p>Please add a number or other identifier to distinguish the main WRAP building from the other buildings. Please insert the word "glovebox" to the legend following 300, 100, 400, and 200. This will make the Part A language consistent with the pending Part B language.</p>
	DOE-RL/FH Response: DOE-RL agrees that this change will improve the clarity of describing WRAP components and will provide an updated Part A, Form 3. DOE-RL requests that Ecology make this change when the permit for the CWC and WRAP is issued.

Ecology Response: Accept response to revise the text. To verify accuracy, please specify which gloves box series corresponds to which identifier number (100, 200, 300, and 400).	
9	<p>Ecology Comment. Comment specific to the WRAP Form 3, regarding page 25.</p> <p>The interior photograph provided on page 25 is misleading. The building is depicted as an open bay storage facility when in fact the APL will be placed in the building. A facility layout should be provided consistent with the level of detail of the facility layout as for the 2336 W Building located on page 22.</p>
DOE-RL/FH Response: The photograph is intended to show the typical layout inside the building. The APLs are temporary and are not part of the structure of this building.	
Ecology Response: Ecology considers the APL apparatus part of the TSD just as the NDE/NDA components housed in the 2336 W Building. The APL equipment must be depicted in the Part A, Form 3 for WRAP. In addition to the 2404 WB/WC typical building photographs, please modify the diagram of the building depicting the APL equipment by a dotted/slashed line. Provide a footnote that explains the transient nature of the equipment and states that Ecology will be notified 30 days in advance of the movement of this equipment in or out of the TSD boundary.	
10	<p>Ecology Comment. Comment applies to both CWC and WRAP Form 3s.</p> <p>Waste code U375 deleted from line 320 of revision 3 for WRAP Form 3, and line 320 of revision 6 of CWC Form 3.</p> <p>Waste code U370 was added to line 324 of page 25 of revision 4 for WRAP and line 324 of page 11 of revision 6 for CWC.</p> <p>These waste codes have been changed without explanation.</p>
DOE-RL/FH Response: The lack of discussion of the dangerous waste numbers in the transmittal letter was an oversight. The dangerous waste number U370 was deleted from the EPA constituent list on February 19, 1997 (62 FR 7050) and dangerous waste number U375 was deleted from the EPA constituent list on June 17, 1997 (62 FR 32977). As such, these dangerous waste numbers were deleted and no additional dangerous waste numbers were added to Part A, Form 3s.	
Ecology Response: The response does not address the comment. Please review the comment and your response. Please review the WRAP/CWC Part A, Form 3 dangerous waste numbers and make corrections noted in the original comment.	
11	<p>Ecology Comment. Comment specific to the CWC Form 3, regarding page 2.</p> <p>Please add a sentence or note that the treatment specified is not to occur until the Part B, operating permit, encompasses these activities.</p>
DOE-RL/FH Response: This language to address this issue has been negotiated between RL and Ecology and will be in the final permit for public review and is not appropriate for the Part A, Form 3.	
Ecology Response: The original comment stands. The revision to the Part A, Form 3 is necessary for Ecology's approval. Ecology reiterates its position that all treatment and storage will be compliant with the requirements of WAC 173-303 pending issuance of the	

Part B Permit.

Please note that the negotiations documented in White Paper, Issue #19, Permit Condition III.8.B.e.1 do not specify that an accurate depiction of waste treatment activities should not be included in the Part A, Form 3. Currently, treatment has been approved in the case of spills and leaks only.

12 Ecology Comment. Comment specific to the CWC Form 3, regarding page 18.

The flammable and alkali metal waste storage modules are not indicated as components of the CWC as depicted by the legend.

DOE-RL/FH Response: The flammable and alkali metal waste storage modules are indicated as part of the CWC TSD unit.

Ecology Response: Response accepted. Issue closed.

13 Ecology Comment. Comment specific to the CWC Form 3, regarding page 18.

Please depict the injection wells located within the boundary of the unit. This information will be pertinent when the unit is closed.

DOE-RL/FH Response: These wells are identified in the topographic map located in CWC Part B permit application, Chapter 2.0, which was submitted on June 28, 1999, and is not appropriate for the injection wells to be in the Part A, Form 3, since they will not be part of the final permit.

Ecology Response: The wells are inside the of the CWC TSD unit boundary and should be depicted in the Part A, Form 3 map. Legends may indicate that the wells are not part of the TSD unit functions but should be included in the map. Please provide a map listing the location of the ZP-1 operable unit (OU) wells within the CWC TSD boundary.

14 Ecology Comment. Comment specific to the CWC Form 3, regarding page 18.

Please indicate that the south alkali metal storage modules are part of the unit.

DOE-RL/FH Response: This is not a waste management activity as the alkali metal is a product. These storage modules are located within the CWC TSD unit boundary but not part of the waste management activities.

Ecology Response: Response accepted. Issue closed.

15 Ecology Comment. Comment specific to the CWC Form 3, regarding page 18.

The drain sump and system depicted at the top of the diagram appear to function similar to a septic system drain field. Please describe the management of run-on/off managed by this system. Perhaps a note may clear up any ambiguity in the diagram.

DOE-RL/FH Response: The figure on Page 18 of 35 does not show a drain sump and system as part of the Part A, Form 3 that was submitted on July 21, 2003. The drain fields are identified on the topographic map located in the CWC Part B Permit Application that was submitted on June 28, 1999.

Ecology Response: My apologies, in err I typed "1" instead of "2". The comment refers to page 28 of 35 and remains unanswered.

It is agreed that the diagram of the drain field depicted on Page 28 of the Part A, Form 3 is

an item that is difficult to depict with precision. Please revise the CWC topographic map to clearly identify the drainage area next to the waste storage pad.

The revised Part B should contain an explanation that liquid discharge of clear water is regulated in accordance with the site-wide Industrial Stormwater Discharges to Engineered Land Disposal Structures (ST4510), to achieve consistency with the Part A, Form 3.