



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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May 23, 2002

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

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Dear Mr. Hebdon:

Re: Letter, J. Hebdon, U.S. Department of Energy, to J. B. Price, Washington State Department of Ecology, "219-A-29 Ditch Hydrazine Contained-In Determination (CID) Request", DOE-RL 02-RCA-0261, dated April 4, 2002

The Washington State Department of Ecology (Ecology) has received and reviewed the above referenced request. The information was evaluated to determine if the soil and associated miscellaneous solid waste should be managed as dangerous waste in accordance with the principles of the "contained-in" policy.

The United States Department of Energy (USDOE) has stated that the submitted data are representative of the contamination in the soil collected from test pits AD-1, AD-2, and AD-3. It is Ecology's understanding that the soil does not designate as dangerous waste under federal or state characteristics and criteria. Based on the submitted information, the soil collected from test pits AD-1, AD-2, and AD-3 is contaminated with the following listed wastes:

- U133 - Hydrazine

The submitted data shows this chemical waste was not detected at the practical quantitation limit for the contaminant, in lieu of the risk-based action level, as allowed by the Model Toxics Control Act (MTCA) Washington Administrative Code 173-340-707(2). Under Ecology's current "contained-in" policy, contaminated media may be determined to no longer contain hazardous waste when the hazardous constituents in the media fall below site-specific, risk-based level and the media does not exhibit a characteristic. Ecology has made the determination that the concentrations of hazardous constituents in the soil and associated miscellaneous solid waste do not warrant management of the material as a hazardous or dangerous waste. Therefore,

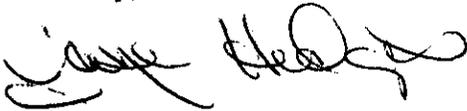
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Ecology will not require the USDOE to dispose of soil or associated miscellaneous solid waste as a listed waste at a dangerous waste treatment, storage, and disposal facility (TSD). Ecology recommends that soil and associated miscellaneous solid waste be managed in such a manner that does not impact surface and/or groundwater quality.

Please note that this application of the "contained-in" policy is specific to the soil in the 216-A-29 Ditch for which data were submitted and reviewed. It does not apply to any soil from other locations.

If you have any questions regarding the "contained-in" policy or this determination, please feel free to contact Brenda Becker-Khaleel at (509) 736-3003.

Sincerely,



Jane Hedges
Cleanup Section Manager
Nuclear Waste Program

BBK:lkd

cc: Dennis Faulk, EPA
Cliff Clark, USDOE
Jim J. Davis, USDOE
Brian Foley, USDOE
Lorna Dittmer, BHI
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Pat Sobotta, NPT
Russell Jim, YN
Ken Niles, OOE
Administrative Record: 216-A-29 Ditch