



Department of Energy  
Richland Operations Office  
P.O. Box 550  
Richland, Washington 99352

0067731

06-AMCP-0052

NOV 22 2005

Mr. Michael A. Wilson, Program Manager  
Nuclear Waste Program  
State of Washington  
Department of Ecology  
3100 Port of Benton Boulevard  
Richland, Washington 99354

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EDMC

Dear Mr. Wilson:

RESPONSE TO "M-26-01 INSPECTION AT THE 340 FACILITY NOTICE OF NON-COMPLIANCE" LETTER DATED AUGUST 17, 2005

On August 17, 2005, the State of Washington Department of Ecology (Ecology) issued a Notice of Non-Compliance to the U.S. Department of Energy, Richland Operations Office (RL) concerning the 340 inspection. On August 26, 2005, RL initiated dispute under the Hanford Federal Facility Agreement and Consent Order via letter 05-AMCP-0397. An Ecology letter dated September 26, 2005, granted an extension of the dispute until November 24, 2005, in order to allow enough time for the issues to be discussed and resolved. Those discussions were successful and the Ecology and RL Project Managers agreed upon the responses for the two corrective measures and concern described in the August 17, 2005, Notice of Non-Compliance. The enclosure contains the agreed upon responses.

With this transmittal and Ecology's approval of the responses, RL considers the dispute resolved. If Ecology agrees, RL is requesting a written response to document the dispute resolution.

If you have questions, please contact me, or your staff may contact Matt McCormick, Assistant Manager for the Central Plateau, on (509) 373-9971.

Sincerely,

Keith A. Klein  
Manager

AMCP: GLS

Enclosure

cc: See page 2

Mr. Michael A. Wilson  
06-AMCP-0052

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cc w/encl:

R. Bond, Ecology

D. Flyckt, FHI

L. Fritz, FHI

A. G. Miskho, FHI

R. Morrison, FHI

D. Singleton, Ecology

R. Szelmeczka, FHI

E. VanMason, Ecology

D. Yasek, WCH

Administrative Record

Environmental Portal

**U.S. Department of Energy, Richland Operations Office (RL) responses to  
Corrective Measures and Concern from the State of Washington Department of  
Ecology August 17, 2005, letter  
“M-26 Inspection at the 340 Facility on March 3, 2005.”**

Corrective Measure #1:

“Within 60-days of this Notice of Non-compliance, RL and FHI must issue a report to Ecology for our approval that describes the following:

- Implementation of a surveillance program for maintaining and inspecting the 340 vault tanks until such time as these tanks are closed. This program must consist, at a minimum, of the following:
  - a. Monthly inspections to confirm that no liquids in the form of precipitation, infiltration, or from any other source have accumulated within either of the two vault tanks or the vault itself.
  - b. Maintenance of liquid level detection equipment within the vault tanks to detect any liquid accumulations or increases within the vault tanks, and maintenance of leak detection equipment within the vault to detect any liquids accumulating within the vault.
- The 340 vault tank surveillance program must describe the actions to be taken if liquids are detected within either of the two vault tanks or within the concrete vault. If liquids are detected, the action must include, at a minimum the following:
  - a. Notify Ecology immediately upon discovery of liquids, or change in liquid level, within either of the tanks of the vault.
  - b. Determine the source of the liquid intrusion and isolate the source.
  - c. Characterize by laboratory analysis the chemical composition of any liquids or sludge in the vault tanks or the concrete vault.”

**DOE Response: RL and FHI have evaluated Ecology’s proposal and believe the surveillance program elements described in corrective measure #1 are not warranted based on the risk posed by the evaporating heels in the vault tanks. Existing data on the 340 vault tank heels do not demonstrate that such a rigorous program is warranted.**

**Result of DOE/Ecology Discussion: RL and FHI will initiate a surveillance program to be used for the 340 vault tank heels until such time closure of the tank system occurs. The surveillance program consists of the following:**

1. Perform an annual inspection at the 340 Building/Annex, 340-A Building, 340-B Building and the vault roof.
2. Monitor for the presence of liquid levels in the vault sump on a quarterly basis and as needed based upon events that could impact the 340 vault. If liquid accumulations are detected on the vault floor, a determination will be made if the source is external (e.g., precipitation or broken water line) or due to a leaking tank, and the appropriate response actions will be taken. Ecology will be informed of the monitoring described above. This will usually be accomplished at the monthly Project Managers' meeting for the 340 Facility.

Corrective Measure #2:

"According to the Tri-Party Agreement Milestone M-94-01, by December 31, 2005, RL is scheduled to submit a schedule and Tri-Party Agreement milestones to complete disposition of surplus facilities in the 300 Area. Within 60 days of December 31, 2005, RL must submit a Tri-Party Agreement change package that specifically includes the 340 Facility with a plan for when the facility will be dispositioned."

**Result of DOE/Ecology Discussion: The 340 Facility will be included in the Tri-Party Agreement Milestone M-94-01 deliverable. This deliverable will be submitted to EPA and Ecology by December 31, 2005, unless the parties agree to a delay.**

Concern:

"The significant lack of information and the inadequate scope of the SA and DGP submitted to Ecology reflect a misunderstanding of the purpose of the SA/DGP process and limit the use of the Land Disposal Restriction (LDR) report in the cleanup of Hanford."

*SA = Storage Assessment*

*DGP = Data Gap Plan*

**Result of DOE/Ecology Discussion: DOE understands that this concern is actively being addressed in the monthly LDR Project Manager Meetings (PMM). In addition, DOE understands that both deficiencies identified on Page 2 of Ecology's August 17, 2005, letter, not just the first one, are concurrently being addressed through the LDR PMM.**