



Department of Energy
 Richland Operations Office
 P.O. Box 550
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DEC 1 2005

06-AMCP-0065

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 Washington State Department of Health
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Mr. O. S. Wang
 Nuclear Waste Program
 State of Washington
 Department of Ecology
 3100 Port of Benton Blvd.
 Richland, Washington 99352

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 EDMC

Addressees:

ACCEPTANCE OF NOTICE OF CONSTRUCTION (NOC) APPROVAL AIR-05-1101 FOR THE DEACTIVATION OF THE PLUTONIUM FINISHING PLANT, DOE/RL-2003-43, REVISION 0A

- References: (1) WDOH ltr. to B. L. Charboneau, RL, and J. E. Rasmussen, ORP, from A. W. Conklin, "Approval of Hanford Site Air Operating Permit Renewal Application," AIR 05-1101, dtd. November 2, 2005.
- (2) RL ltr. to Addressees, from K. A. Klein, "DOE/RL-2005-24, Revision 1, Hanford Site Air Operating Permit Renewal Application," 06-ESD-0011, dtd. October 28, 2005.

The U.S. Department of Energy, Richland Operations Office (RL) received the Washington State Department of Health's (WDOH) AIR-05-1101 NOC Approval for the Deactivation of the Plutonium Finishing Plant on November 7, 2005. The NOC is accepted by RL, with the understanding that those conditions and limitations associated with the 243-Z Liquid Low-Level Waste Treatment Facility (the 243-Z Building; 296-Z-15 emission unit) are not applicable as discussed with your staff.

The referenced approval (Reference 1) includes conditions and limitations associated with the 296-Z-15 emission unit. As identified in the Hanford Site Air Operating Permit (AOP) renewal application (Reference 2), that unit has transitioned to regulation under the Comprehensive

Addressees
06-AMCP-0065

-2-

DEC 1 2005

Environmental Response, Compensation and Liability Act (CERCLA) via DOE/RL-2005-13, Action Memorandum for the Plutonium Finishing Plant Above-Grade Structures Non-Time Critical Removal Action and DOE/RL-2005-14, Removal Action Work Plan for the Plutonium Finishing Plant Above-Grade Structures: Facility Deactivation. Therefore, the attendant conditions and limitations provided in the Reference 1 approval for the aforementioned 296-Z-15 emission unit are not considered applicable. These conditions and limitations would be reconsidered in the future should CERCLA coverage be removed from the 243-Z Building.

Consistent with the proposed process (Reference 2) for identifying the transition of non-CERCLA permitted activities to CERCLA regulation, the enclosed short form is provided to WDOH to identify transition of the 243-Z Building at the Plutonium Finishing Plant and associated 296-Z-15 emission unit as identified in Reference 1 to regulation under CERCLA authority. All the substantive requirements from the 243-Z Building's permit/license conditions and limitations have been incorporated into CERCLA implementation documentation. This transmittal also provides notice to the State of Washington Department of Ecology to remove NOC approval AIR 04-1209 from the Hanford Site AOP (#00-05-006) for the 296-Z-15 emission unit.

If you have any 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:WCW

Enclosure

cc w/encl:

R. W. Bloom, FHI
G. Bohnee, NPT
F. W. Bond, Ecology
N. Ceto, EPA
L. D. Crass, FHI
L. J. Cusack, Ecology
L. Fritz, FHI
S. Harris, CTUIR
M. T. Jansky, FHI
R. Jim, YN

T. M. Martin, HAB
K. Niles, ODOE
J. Schmidt, WDOH
D. Zhen, EPA, Region 10
Administrative Record (File: PFP
Deactivation NOC)
Environmental Portal

Enclosure

NOC Application/Permit Revision

NOC Application/Permit Revision

NOTE: Any increase to abated or unabated PTE requires a full NOC modification

REASON FOR CHANGE

Submittal Date: 12/01/05

Submittal Type:

NOC Application Revision

Condition Change/ Clarification

WDOH Condition Number: _____

AOP Condition Number: _____

ALARACT Revision

Report of Closure

New ALARACT Rev Number: _____

CERCLA Transition

PROJECT IDENTIFICATION

Project Title: CERCLA Transition for 243-Z Building Activities

Current NOC Application Number: DOE/RL-2003-43, Revision 0A

AEI ID Number (AOP Emission Unit Number(s)): 387

Current WDOH Approval Letter Number(s): AIR-04-1209

WDOH NOC ID Number: 608

DOE RL CERCLA Documents

DOE/RL-2005-13, *Action Memorandum for the Plutonium Finishing Plant Above-Grade Structures Non-Time Critical Removal Action*, Revision 0, approved May, 2005.

DOE/RL-2005-14, *Removal Action Work Plan for the Plutonium Finishing Plant Above-Grade Structures: Facility Deactivation*, Revision 0, approved May, 2005.

243-Z Liquid Low-Level Waste Treatment Facility (243-Z Building) at the Plutonium Finishing Plant

This transmittal to the State of Washington Department of Health (WDOH) with copy to the U.S. Environmental Protection Agency (EPA) is to document the transition of the 243-Z Liquid Low-Level Waste Treatment Facility (243-Z Building) at the Plutonium Finishing Plant and associated 296-Z-15 emission unit as identified in WDOH approval (AIR-04-1209, NOC ID 608) to regulation under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) authority implemented in June 2005.

This transmittal also is copied to the State of Washington, Department of Ecology (Ecology) to provide notice recommending removal of the 296-Z-15 emission unit conditions and limitations associated with the Notice of Construction approval (AIR-04-1209) from the Hanford Site Air Operating Permit #00-05-006, or its renewal, as applicable.

In accordance with 40 CFR 300.400(e)(1), federal, state, or local permits are not required for onsite response actions conducted pursuant to CERCLA sections 104, 106, 120, 121, or 122. Activities associated with the 243-Z Building will be subject to substantive provisions of air emission standards as identified through application of 40 CFR 300.400(g), with oversight provided pursuant to the Tri-Party Agreement.

Based on this CERCLA transition, the 243-Z Building and associated emissions should be deregistered with WDOH, and the NOC approval conditions and limitations associated with the 296-Z-15 emission unit from AIR 04-1209 should be obsolete. In addition, the Emission Unit 387, as associated with the 243-Z Building, should be removed from the Hanford Site Air Operating Permit (AOP Permit 00-05-006/ License Number FF-01) by Ecology.