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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3100 Port of Benton Blvd • Richland, WA 99352 • (509) 372-7950

December 21, 2005

Mr. Keith A. Klein, Manager
Richland Operations Office
United States Department of Energy
P.O. Box 550, MSIN: A7-50
Richland, Washington 99352

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EDMC

Mr. Roy J. Schepens, Manager
Office of River Protection
United States Department of Energy
P.O. Box 450, MSIN: H6-60
Richland, Washington 99352

Dear Mr. Klein and Schepens:

Re: Updated Renewal Application, DOE/RL-2005-24, of the Hanford Site Air Operating Permit (AOP)

The Washington State Departments of Ecology (Ecology) and of Health (Health) received the updated renewal application (DOE/RL-2005-24) of the Hanford Site Air Operating Permit (AOP) on October 28, 2005. Ecology and Health also received the reports on diffuse and fugitive lists and insignificant emission units in December 2005.

Ecology and Health reviewed the application for completeness according to Washington Administrative Code (WAC) 173-401-500 criteria, and concluded that the application was sufficiently complete to begin preparing a draft permit. However, Health needs additional information before the draft permit can be completed.

Additional Required Information

1. Not all emission units that are being suggested for closure have Health-approved reports of closure (e.g., 296-B-2). These need to be approved before closure can be reflected in the draft license. Some emission units had previously filed a report of closure and included significant modification closure documentation in the AOP Renewal Application. Health received, however, a parallel letter rescinding several



of these reports of closure. As a result, closure of these emission units are pending until closure is verified.

2. Several emission units identified in the AOP Renewal Application were transitioned to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) remediation with a request for removal from the permit/license. Although these units have approved CERCLA documentation, the inter-agency process for closing out existing approvals has not been finalized yet.

Action 1:

A meeting with Health is needed by January 31, 2006, to confirm the emission units requested to be closed (i.e., those approved closure reports filed with Health that also submit significant modification to AOP paperwork). For these emission units, inclusion in the draft permit would satisfy the public review obligation for significant modifications to the AOP. For emission units that have not filed and received a Health-approved report of closure AND transmitted significant modification for the subject emission unit to the agency prior to the issuance of the draft permit for public review, an independent public review path will need to be followed for the significant modification processing per WAC 173-401-725.

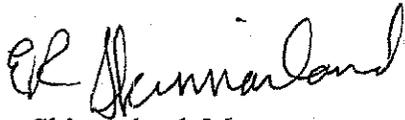
Action 2:

There remains an open issue between the United States Department of Energy (USDOE), the United States Environmental Protection Agency (EPA), Health, and Ecology. This issue can be resolved through development of an inter-agency process to remove previous approvals (i.e., notices of construction approvals, regulatory orders, and/or alternative monitoring) from the respective agencies active file (as an underlying approval) administratively from the AOP. This was discussed in EPA's response to AOP questions submitted this summer. Once developed, this process/policy agreement would be included in the AOP, and be used for future CERCLA transitions. Until this process is established, all CERCLA transitions must undergo the significant modification process to have the emission units removed from the permit. Please schedule meetings between EPA, USDOE, Ecology, and Health to formulate this process and resolve this issue prior to permit issuance.

Mr. Keith A. Klein and Mr. Roy J. Schepens
December 21, 2005
Page 3

As the permitting process continues, Ecology and Health will notify you of any additional data needs. If you have questions, contact Oliver Wang with Ecology at (509) 372-7932, or John Schmidt with Health at (509) 946-3974.

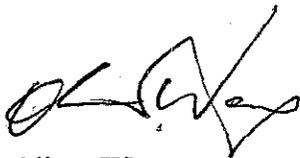
Sincerely,



Ron Skinnarland, Manager
Waste Management Section
Nuclear Waste Program
Washington State Department of Ecology

 FOR AWC

Al Conklin, Supervisor
Radiation Protection
Washington State Department of Health



Oliver Wang
Professional Engineer
Nuclear Waste Program
Washington State Department of Ecology

cc: Laurie Kral, EPA
Ron Kriezenbeck, EPA
Davis Zhen, EPA
Dennis Bowser, USDOE
Mary Jarvis, USDOE
David Lauer, BCAA
Barry Curn, BNI
Brad Erlandson, BNI
Robert Haggard, BNI
Ed Aromi, CH2M
Donald Carrell, CH2M
John Bates, FH
Larry Diediker, FH
Richard Englemann, FH
Kirk A. Peterson, FH

Patrick Weiher, JCI
Ro Vinson, PAC
Brad Atencio, PNNL
Sarah Clark, Health
John Martell, Health
John Schmidt, Health
John Cox, CTUIR
Stuart Harris, CTUIR
J. Van Pelt, CTUIR
Gabriel Bohnee, NPT
Russell Jim, YN
Todd Martin, HAB
Ken Niles, ODOE
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