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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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September 25, 2006

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

Mr. Ron Gallagher, President
Fluor Hanford
P.O. Box 1000, MSIN: H5-20
Richland, Washington 99352

Re: Closure of Final Corrective Measure, Interim Status Permits, for Submittal of a Certified Final Facility Permit Application for the Waste Encapsulation Storage Facility (WESF), 200 East Area of Hanford-Docket Number 00NWPKW-1204

Dear Mr. Klein and Mr. Gallagher:

On August 5, 1999, the Department of Ecology conducted an inspection at the Waste Encapsulation Storage Facility (WESF). The inspection was performed to assess interim status requirements for the treatment, storage, and disposal of dangerous waste. The inspection also included a review of the WESF Part A, Form 3. As a result of this inspection, Ecology issued a Notice of Non-Compliance (NON) to the United States Department of Energy (USDOE) and Fluor Hanford (FH) on June 12, 2000. The NON cited USDOE and FH with five violations from the Dangerous Waste Regulations, Chapter 173-303 Washington Administrative Code, and Code 40 of Federal Regulations Part 265. The NON also specified corrective measures with time frames to correct the violations.

Ecology, USDOE, and FH worked together to resolve the outstanding compliance issues identified in Ecology's NON. Ecology performed a follow-up inspection on May 24, 2001, confirming that four of the five violations cited in the NON had been corrected. Ecology sent a letter stating that those four violations were satisfied.

The final corrective measure of the NON is to submit to Ecology the certified Part B facility permit application for the WESF no later than August 31, 2006. Ecology received the certified final Part B permit application August 29, 2006. The Part B application is currently being reviewed for completion and accuracy. When the application review process is finished, Ecology will begin writing permit conditions for the WESF.

Submittal of the certified WESF Part B application is the final action of the NOC. Ecology considers all corrective measures cited in the June 12, 2000, NON satisfied and closed.



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If you have any questions, contact me at 509-372-7890.

Sincerely,

Kathy Conaway

Kathy Conaway
Permit Manager
Nuclear Waste Program

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- References: 1) Letter, K. Conaway, Ecology, to K. Klein, USDOE, and D. Van Leuven, FH, *Notice of Correction from August 8, 1999, Dangerous Waste Compliance Inspection of the Waste Encapsulation Storage Facility (WESF), 200 East Area of Hanford*, dated June 12, 2000 0053165
- 2) Letter, K. Conaway, Ecology, to K. Klein, USDOE, and D. Van Leuven, FH, *Completion of Corrective Measures*, dated June 1, 2001
- 3) Letter, R.T. Wilde, FH, to K. Conaway, Ecology, *Transmittal for Review of the draft Hanford Facility Dangerous Waste Permit Application for WESF (TSD:S-2-10)*, dated March 24, 2004
- 4) Letter, K. Conaway, Ecology, to K. Klein, USDOE, and D. Van Leuven, FH, *Extension of the submittal for certified Part B WESF permit Application*, dated April 5, 2005
- 5) Letter, K. Klein, USDOE, to Jane Hedges, Ecology, *Submittal of the Hanford Facility Dangerous Waste Permit Application, Revision 0 and Approval of the State Environmental protection Act (SEPA) Environmental Checklist, Revision 1 for WESF (TSD: S-2-10)*, dated August 28, 2006

cc: Nick Ceto, EPA
Oscar Holgado, USDOE
Jeanette Hyatt, FH
Fen Simmons, FH
Joel Williams, FH
Stuart Harris, CTUIR

Gabriel Bohnee, NPT
Russell Jim, YN
Todd Martin, HAB
Ken Niles, ODOE
Administrative Record: WESF
Environmental Portal