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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3100 Port of Benton Blvd • Richland, WA 99354 • (509) 372-7950

May 9, 2007

Ms. Shirley Olinger, Acting Manager
Office of River Protection
United States Department of Energy
P.O. Box 450, MSIN: H6-60
Richland, Washington 99352

Re: Voiding of Demonstration Bulk Vitrification System Notice of Construction Approval
Order DE04NWP-002

Dear Ms. Olinger:

This letter communicates the determination that Notice of Construction (NOC) Approval Order DE04NWP-002, as amended, is void. This Order had authorized the construction and operation of the Demonstration Bulk Vitrification System (DBVS).

The DBVS facility was initially permitted with the issuance of Order DE04NWP-002 on December 15, 2004, and amended September 5, 2006, and November 13, 2006. Ecology's review of your construction activities indicates that you ceased construction in July 2005.

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Washington Administrative Code (WAC) 173-400-110(9) states that if construction is discontinued for a period of 18 months or more, your authorization to construct is invalidated. You are advised that Order DE04NWP-002, as amended, is now void, and you no longer have authorization to construct the operations identified under that Order. You do not need to take action. Ecology will initiate amendment of the Air Operating Permit (AOP) to identify the removal of Order DE04NWP-002 from the AOP.

If you wish to reinstate construct activities for the DBVS, permit application under the provisions of WAC 173-400-110 is required.

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If you have any questions, please contact Doug Hendrickson at 509-372-7983.

Sincerely,



Ron Skinnarland
Manager, Waste Management Section
Nuclear Waste Program

dh/pll

cc: Dennis Bowser, USDOE
Mary Jarvis, USDOE
Woody Russell, USDOE
Felix Miera, CH2M
Stuart Harris, CTUIR
Gabriel Bohnee, NPT
Russell Jim, YN
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Ken Niles, ODOE
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Administrative Record: AIR Permitting ⁴⁻⁰⁻⁹
Environmental Portal