

Inserts

Insert
new
definition

7. "RCRA PAST PRACTICE UNIT" (RPP) SHALL MEAN ANY WASTE MANAGEMENT UNIT, WITH EXCEPTION OF REGULATED (I.E. TSD) UNITS, AS DEFINED BY THE FFRCO, THE INVESTIGATION OF WHICH WILL BE ADDRESSED IN THE FFRCO FOR CORRECTIVE ACTION UNDER RCRA. THE TERM WASTE MANAGEMENT UNIT INCLUDES ALL SWMS'S PLUS OTHER NON-SWMS'S (E.G. OBTIME RELEASES).

A.2.L Notification of newly identified solid waste management units within those areas of the facility covered by the FFRCO will be in accordance with Section 3.0 of the FFRCO Action Plan. 3.F.1?

will be added

7. " ~~RPP~~ RPP ^{UNITS} ~~Capable Unit~~ " SHALL MEAN A GROUPING OF RPP'S AND ^{Selected} ~~Regulated~~ SWMS'S FOR PURPOSE OF CONDUCTING INVESTIGATIONS AND SUBSEQUENT CORRECTIVE ACTIONS OR INTERIM MEASURES.

~~Insert~~



/ /

HAZARDOUS AND SOLID WASTES AMENDMENTS PORTION
OF THE RESOURCE CONSERVATION AND RECOVERY ACT PERMIT
FOR THE TREATMENT, STORAGE, AND DISPOSAL OF DANGEROUS WASTE

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 SIXTH AVENUE, HW-112
SEATTLE, WASHINGTON
(206) 553-1261

Issued in accordance with the applicable provisions of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), and the regulations promulgated thereunder in Title 40 of the Code of Federal Regulations.

ISSUED TO: U.S. DEPARTMENT OF ENERGY
RICHLAND OPERATIONS OFFICE
825 JARVIN AVENUE
RICHLAND, WASHINGTON 99352
EPA I.D. Number: WA7 89000 8967

This permit is effective as of _____, and shall remain in effect until _____, unless revoked and reissued (40 CFR § 270.41), terminated (40 CFR § 270.43), or continued in accordance with 40 CFR § 270.51.

ISSUED BY THE ENVIRONMENTAL PROTECTION AGENCY

Randall F. Smith, Director
Hazardous Waste Division,
Environmental Protection Agency
Region 10

Date

TABLE OF CONTENTS

SIGNATURE PAGE	1
TABLE OF CONTENTS	2
INTRODUCTION	3
DEFINITIONS	5
PART I. STANDARD CONDITIONS	8
PART II. GENERAL FACILITY STANDARDS	16
PART III. CORRECTIVE ACTION	20

INTRODUCTION

Permittee: US Department of Energy
EPA I.D. No.: WA7 89000 8967

Pursuant to the Solid Waste Disposal Act (42 U.S.C. § 3251 et seq.), as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 et seq., commonly known as "RCRA"), and the Hazardous and Solid Waste Amendments of 1984 ("HSWA") and regulations promulgated thereunder by the U.S. Environmental Protection Agency (EPA), which are codified and, to be codified in Title 40 of the Code of Federal Regulations ("CFR"), a HSWA permit is issued to the U.S. Department of Energy (hereafter called the "Permittee"), who owns and operates a dangerous waste treatment, storage and disposal facility located at Richland, Washington.

This HSWA Permit issued in accordance with 40 CFR § 271.19(f) and in conjunction with the Dangerous Waste Portion of the RCRA Permit for the Treatment, Storage, and Disposal of Dangerous Waste (Dangerous Waste Permit), issued by the Washington State Department of Ecology, constitutes the RCRA permit for this facility. Use of the term "Permit" within the HSWA Permit shall refer to the HSWA Permit while use of the term "Permit" in the Dangerous Waste Permit shall refer to the Dangerous Waste Permit.

The Permittee, pursuant to this permit, shall be required to investigate any releases of hazardous waste or hazardous constituents (from any ^{SOLID WASTE MANAGEMENT UNIT (SWMU)} unit) at the facility regardless of the time at which waste was placed in such unit. The Permittee shall be required to take corrective action for any such releases on-site and/or off-site. The Permittee shall also be required to comply with all land disposal restrictions applicable to this facility and to certify annually that on-site generation of hazardous waste is minimized to the extent practicable.

Where necessary to protect human health and the environment.
The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein and applicable regulations contained in 40 CFR Parts 124, 260 through 264, 266, 268, and 270. Nothing in this permit shall preclude the Administrator from reviewing and modifying the permit at any time during its term in accordance with 40 CFR § 270.41.

Applicable federal regulations are those which are in effect on the date of final administrative action on this permit and any self implementing statutory provisions and related regulations which, according to HSWA are automatically applicable to the

As set forth in the FRACO,

Permittee's dangerous waste management activities,
notwithstanding the conditions of this Permit.

This permit is based on the administrative record and the assumption that information and reports submitted to date, and subsequent to issuance of this permit, by the Permittee, are accurate. Any inaccuracies found in this information may be grounds for termination or modification of this permit, in accordance with 40 CFR §§ 270.41, 270.42, and 270.43 and potential enforcement action. The Permittee must inform EPA of any deviation from or changes in the information in the application, which would affect the Permittee's ability to comply with the applicable regulations or permit conditions, or which may affect substantive provisions of the permit.

During the lifetime of this Permit, the state of Washington may become authorized pursuant to Section 3006 of RCRA, as amended, to issue the Hazardous and Solid Waste Amendments (HSWA) portion of RCRA Permits. This authorization ~~will~~ not change the conditions of this permit in any substantive manner. However, any citations to federal statutes or regulations shall become citations to equivalent state statutes or regulations. Any citations to the Agency and the Department, or to the Administrator and the Director, shall become citations to the Department and the Director. Upon delegation of the Corrective Action requirements of the HSWA by the Agency to the Department, the RCRA permit shall be modified to incorporate the specific requirements of the HSWA permit into the Department's Dangerous Waste Permit. This modification shall be considered a Class 3 modification in accordance with Dangerous Waste Permit Condition I.C.3. The Agency shall maintain an oversight role of the state authorized program and, in such capacity, may enforce any permit condition based on state requirements, if in the Agency's judgment, the Department should fail to enforce that permit condition.

shall

equivalent

Federally

~~Required~~

Required

New York court case
Dea will provide Bdr
citation

DEFINITIONS

For purposes of this permit, the following definitions shall apply:

a. "Action Levels" shall mean those specified concentration levels for constituents in groundwater in an aquifer, surface water, soil or air, which, when exceeded by releases of constituents from a solid waste management unit or RCRA Past Practice unit at a facility, ^{MAY} require corrective action.

b. "Administrator" shall mean the Administrator of the U.S. Environmental Protection Agency (EPA) or a designated representative. The Director, Hazardous Waste Division, EPA Region 10 (with the address as specified on page one of this permit) is a duly authorized and designated representative of the Administrator for purposes of this permit.

c. "Agency" shall mean the U.S. Environmental Protection Agency, Region 10 (with the address specified on page one of this permit).

d. "Corrective Action Management Unit (CAMU)" shall mean an area within a facility that is designated by the Administrator under Part 264 Subpart S, for the purpose of implementing corrective action requirements under 40 CFR § 264.101 and RCRA Section 3008(h). ~~A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.~~

This MAY constitute use of the CERCLA Def. PRC. R. remediation wastes.

e. "Director" shall mean the Director of the Washington State Department of Ecology or a designated representative of the Director for purposes of this permit.

f. "Department" shall mean the Washington State Department of Ecology (with the address specified on page ~~fourteen~~ of this permit). Fifteen

g. "facility" or "site" shall mean, for purposes of implementing corrective action under 40 CFR § 264.101, all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA or facilities implementing corrective action under RCRA Section 3008(h). The facility shall mean the approximately 560 square miles in Southeastern Washington State including leased lands, which is owned by the United States Department of Energy and which is commonly known as the Hanford Reservation. The facility includes that identified in the physical description of the contiguous property (including structures, appurtenances, and improvements) used to manage dangerous waste. For purposes of corrective action the Hanford Federal Facility property description is as set forth in Attachment 2 of the Department portion of the RCRA

that portion of

LAND which is west and south of the Columbia River. It is not to be covered under TACO

permit (Dangerous Waste Permit) and shall include Parcels B, C, D, E, F, and G.

- h. "FFACO" means the Hanford Federal Facility Agreement and Consent Order, as amended.
- i. "Hazardous Constituent" means any constituent identified in Appendix VIII of 40 CFR Part 261, or any constituent identified in Appendix IX of 40 CFR Part 264.
- j. "Information Repository" shall mean a repository which is accessible to interested parties which contains raw data, documents, reports, and other public information relevant to the public understanding of the activities, findings, and plans for and developed pursuant to corrective action investigations and activities for specific units as identified in the FFACO or in Part III of the HSWA permit. *OR provides access to,*
- k. "Lessee" shall mean the entity or entities that hold real property under the terms of a written lease executed by the Permittee.
- l. "Permittee" shall mean the United States Department of Energy holding the legal title to the land subject to corrective action requirements.
- m. "Raw Data" shall mean laboratory reports, drilling logs, and other supporting information generated from investigations and available to the Permittee.
- n. ~~"RCRA Past Practice Units" shall mean a unit containing RCRA hazardous waste or hazardous constituents, the investigation of which will be addressed in the FFACO for corrective action under RCRA, regardless of the date waste was received or discharged at the unit. (See replacement Definition)~~
- N. *insert*
- o. "RCRA Permit" shall mean ^athe Dangerous Waste Portion of the RCRA Permit for Treatment, Storage, and Disposal of Dangerous Waste (Dangerous Waste Permit) issued by the Washington State Department of Ecology, pursuant to Chapter 70.105 RCW and Chapter 173-303 WAC, and the HSWA Portion of the RCRA Permit for the Treatment, Storage, and Disposal of ~~Dangerous~~ ^{HAZARDOUS} Waste (HSWA Permit) issued by Environmental Protection Agency, Region 10, pursuant to 42 U.S.C. § 6901 et seq. and 40 CFR Parts 124 and 270.
- p. "Release" shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of any hazardous waste or hazardous constituents, including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous constituents.

NOTE: THIS IS NECESSARY
IF "d." IS NOT
MODIFIED AS NOTED

- q. "Remediation Waste" shall mean all solid and hazardous wastes, and all media (including groundwater, surface water, soils, and sediments), and debris, which contain listed hazardous wastes or which themselves exhibit a hazardous waste characteristic, that are managed for the purpose of implementing corrective action requirements under 40 CFR § 264.101 and Section 3008(h) of RCRA, 42 U.S.C. § 6928(h). For a given facility, remediation wastes may originate only from within the facility boundary, but may include waste managed in implementing Sections 3004(v) or 3008(h) of RCRA, 42 U.S.C. §§ 6928(v) or 6928(h) for releases beyond the facility boundary. *Remediation waste shall include those wastes generated as part of CERCLA Response Actions in lieu of RCRA corrective actions.*
- r. "Solid Waste Management Unit (SWMU)" shall mean any discernible unit at which solid waste has been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at a facility at which hazardous waste or hazardous constituents have been routinely and systematically released.
- s. Sublessee "~~sublease~~" shall mean the entity or entities that hold real property under the terms of a written lease executed by the Permittee's lessee.
- t. "Technical Impracticability" shall mean that compliance with a requirement(s) for a selected remedy is not technically practical as determined by the Administrator.
- u. "Temporary Unit(s)" shall mean a unit ^{CONSISTING OF TANKS OR CONTAINER STORAGE AREAS} ~~(excluding incinerators and other non-tank thermal treatment units)~~ located at the facility which are used only for the storage or treatment of hazardous wastes (including hazardous constituents) for a period not exceeding one ~~hundred and eighty (180) calendar days~~ ^{YEAR, UNLESS} ~~extended by the REGIONAL ADMINISTRATOR~~ ^{IN ACCORDANCE WITH 40 CFR 264.553e.}
- v. Unless otherwise noted, all schedules refer to calendar time; i.e., thirty (30) "days means thirty (30) calendar days.
- w. All definitions contained in 40 CFR Parts 124, 260 through 264, 266, 268 and 270 are hereby incorporated by reference into this permit, except that any of the definitions used above shall supersede any definition of the same term given in the respective regulations. Where terms are not defined in the regulations or the permit, the meaning associated with such terms shall be the standard dictionary definition or their generally accepted scientific or industrial meaning.

PART I. STANDARD CONDITIONS

I.A EFFECT OF PERMIT

I.A.1

This permit requires the Permittee to investigate any releases of hazardous waste or hazardous constituents from SWMUs listed in HSWA permit condition III.B, ~~as identified~~ in the July 20, 1992 US Ecology RCRA Facility Assessment, the August 18, 1992 Washington Public Power Supply System Hanford Generating Plant RCRA Facility Assessment, and the February 16, 1993 State Leased Lands RCRA Facility Assessment. This permit also provides procedures for reporting new units, requires the Permittee to comply with all land disposal restrictions applicable to this facility and requires annual certification that on-site generation of hazardous waste is minimized to the extent practicable.

These SWMUs are further described

I.B PERSONAL AND PROPERTY RIGHTS

I.B.1.

This permit does not convey property rights of any sort, or any exclusive privilege, nor authorize any injury to persons or property or invasion of other private rights, or any infringement of Federal, State, or local laws or regulations.

I.C PERMIT ACTIONS

I.C.1

This permit may be modified, revoked and reissued, or terminated for cause, as specified in 40 CFR §§ 270.41, 270.42 and 270.43.

I.C.2

The filing of a request for a permit modification, or revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance on the part of the Permittee shall not stay the applicability or enforceability of any permit condition.

I.C.3

For past practice actions taken pursuant to the provisions of the FFACO, as amended, compliance with the public participation provisions of the FFACO shall be deemed compliance with the Class 3 permit modification procedures of 40 CFR §§ 270.41, 270.42 and 270.43. At the completion of the public involvement requirements for RCRA Facility Investigation/Corrective
~~Measure Study (CMS) Reports~~ investigations (RFI) workplans and Corrective Measures Study (CMS) Reports in compliance with the FFACO, and when the Agency approval is provided where applicable, documents will be ~~incorporated~~
~~into Part III of the HSWA permit.~~ ~~INCORPORATED~~

MEASURE STUDY (CMS) REPORTS

IN PART III OF THE HSWA PERMIT, AND MAINTAINED IN ACCORDANCE WITH THE FFACO. THE SELECTED REMEDIES SHALL BE DOCUMENTED VIA PERMIT MODIFICATIONS IN ACCORDANCE WITH III.A.2

1.D SEVERABILITY

I.D.1 The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. Invalidation of any state or federal statutory or regulatory provision which forms the basis for any condition of this permit does not affect the validity of any other state or federal statutory or regulatory basis for said condition.

I.D.2 If any permit condition is contested, that permit condition, as well as any nonseverable conditions, shall be automatically stayed in accordance with 40 CFR § 124.16.

~~I.D.3 In the event that a condition of this permit is stayed for any reason, the Permittee shall continue to comply with the corresponding interim status standards in 40 CFR Part 265 until final resolution of the stayed condition. (? - delete, as I don't believe this is applicable to HSWA. If I am wrong, then~~
I.E DUTY TO COMPLY leave in.)

I.E.1 The Permittee shall comply with all conditions of this permit, except that the Permittee need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency permit issued under 40 CFR § 270.61. Any permit noncompliance, except under the terms of an emergency permit, constitutes violation of RCRA, as amended by HSWA, and is grounds for enforcement action, permit termination, modification, revocation and reissuance of the permit, and/or denial of a permit renewal application.

I.E.2 Compliance with the terms of this permit does not automatically constitute a defense to any action brought under Sections 3004, 3007, 3008(a), 3008(c), 3008(v), 3013, and 7003 of RCRA (42 U.S.C. §§ 6927, 6928, 6934, and 6973) or Sections 104, 106(a), 106(e), and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, (CERCLA) as amended, 42 U.S.C. § 9606(a), or any other federal law governing protection of public health or the environment. However, compliance with the terms of this permit does constitute a defense to any action alleging failure to comply with the applicable standards upon which this permit is based.

I.F DUTY TO REAPPLY

I.F.1 The Permittee must submit a complete application for a new RCRA permit at least one hundred and eighty (180) calendar days before the RCRA permit expires, unless a later date is granted by both the Director and the Administrator.

I.G CONTINUATION OF EXPIRING PERMIT

I.G.1 As set forth in 40 CFR § 270.51, this permit and all conditions herein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application (see 40 CFR § 270.13 through § 270.21), and through no fault of the Permittee both the Director and the Administrator have not made a final permit ~~renewal~~ determination.

I.H NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE

I.H.1 It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

I.I DUTY TO MITIGATE

I.I.1 In the event of noncompliance with this permit, the Permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment. Such mitigation shall not be a defense to enforcement action.

I.J DUTY TO PROVIDE INFORMATION

I.J.1 The Permittee shall furnish to the Administrator within a reasonable time any relevant information which the Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Administrator, upon request, copies of records required to be kept by this permit.

I.K INSPECTION AND ENTRY

I.K.1 The Permittee shall allow the Administrator, or their authorized representatives, upon the presentation of identification, credentials, or other documents as may be required by law, to:

** subject to such security as is required by law, and requirements of other applicable laws.*

** and subject to compliance with applicable laws.*

Corrective Action

I.K.1.a Enter at reasonable times upon the Permittee's premises where ~~hazardous or solid waste management units, or activities are located or conducted,~~ *are located* where records are kept under the conditions of the RCRA permit;

I.K.1.b Have access to and copy, at reasonable times, any records that must be kept under the conditions of the RCRA permit;

I.K.1.c Inspect, at reasonable times, any portion of the facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under the RCRA permit; and,

I.K.1.d Sample or monitor, at reasonable times, for the purposes of assuring permit compliance, or as otherwise authorized by RCRA, any substances or parameters at any location.

Insert I.K.1.e

I.L MONITORING AND RECORDS

~~when~~ *when required by regulation,*

I.L.1 Samples and measurements taken by the Permittee pursuant to the terms of this permit shall be representative of the monitored activity. ~~The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 40 CFR Part 261. Laboratory methods must be those specified in the most recent edition of Test Methods for Evaluating Solid Waste, EPA SW-846, Third Edition, November 1986, or as updated.~~

defined in the spec

RETENTION PERIOD BY PERMITTEE

I.L.2 The Permittee *or shall request its lessees to retain* ~~shall retain~~ at the ~~solid waste management unit or RUP unit~~ *facility,* or other approved location, all records of all sampling and analysis information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), records and results of inspections, copies of all reports required by this permit, other documentation produced pursuant to 40 CFR Part 268, and records of all data used to complete the application for this permit, for a period of at least three-(3)-five (5) years from the date of the sample, measurement, report, certification, or recording unless a longer retention period for certain information is required by other conditions of this permit. This three-(3)-five (5) year period may be extended by the Administrator at any time by notification, in writing, to the Permittee, and is automatically extended to three-(3)-five (5) years after the successful conclusion of any enforcement action.

→ In the case of lands owned by the Permittee but leased to other parties, the Permittee shall forward any requests for access by the Administrator or the representatives to the lessee.

- I.L.3 Records of monitoring information shall include:
 - I.L.3.a The date, exact place, and time of sampling or measurements;
 - I.L.3.b The name, title, and affiliation of the individual(s) who performed the sampling or measurements;
 - I.L.3.c The date(s) analyses were performed;
 - I.L.3.d The name, title, and affiliation of the individual(s) who performed the analyses;
 - I.L.3.e The analytical techniques or methods used; and,
 - I.L.3.f The results of such analyses, including the QA/QC summary.
- I.L.4 The Permittee may substitute analytical methods which are equivalent to those specifically approved for use in this permit in accordance with the following:
 - I.L.4.a The Permittee submits to the Administrator a request for substitution of an analytical method(s) which is equivalent to the method(s) specifically approved for use in this permit. The request shall provide information demonstrating that the proposed method(s) is equal or superior to the approved analytical method(s) in terms of sensitivity, accuracy, and precision (i.e. reproducibility); and,
 - I.L.4.b The Administrator notifies the Permittee in writing, by certified mail or hand delivery, that the substitution of the analytical method(s) is approved. Such approval shall not require a permit modification.
- I.L.5 The Permittee shall establish and maintain ^{pertinent} ~~an~~ ~~information~~ repository for the purpose of making accessible to interested parties documents, reports, and other public information developed pursuant to investigations and activities under this permit. The ~~information~~ repository shall be accessible to the public during reasonable hours and shall be located within a reasonable distance from the facility. The Permittee shall inform the public about this ~~information~~ repository through written notice to all individuals on the mailing list. The ~~information~~ repository shall be maintained at a location approved by the Administrator. The Permittee shall also ensure that all raw data available to the Permittee is ~~included with all~~ ^{included in} SUPPORT OF AVAILABLE

This is to
Eliminate
Confusion with
Ple. Info Repository
lined on
discussed in
2/27/93

corrective action reports and investigations including RFIs and CMSs.

I.M. REPORTING PLANNED CHANGES

I.M.1 ~~The Permittee shall give prior notice to the Administrator, as soon as possible, of any planned physical alterations or additions to the permitted facility.~~ } ? is this really applicable to HSWA portion of permit

I.N ANTICIPATED NONCOMPLIANCE

I.N.1 The Permittee shall give at least thirty (30) calendar days advance notice, in writing, to the Administrator of any activity that might result in noncompliance with permit requirements. If advance notice is not possible, then the Permittee shall give notice within twenty-four (24) hours of the time it becomes aware of the anticipated noncompliance. Such notice does not authorize any noncompliance with or modification of this permit.

I.O TRANSFER OF PERMIT

I.O.1 This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to 40 CFR § 270.40(b) or § 270.41(b)(2). Before transferring ownership or operation of the facility during the post-closure period, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264 and 270, HSWA and the RCRA permit.

I.P TWENTY FOUR HOUR REPORTING

I.P.1 The Permittee shall verbally report to the Administrator any noncompliance with this permit that might endanger human health or the environment within twenty-four (24) hours from the time the Permittee becomes aware of the noncompliance.

I.P.2 Within fifteen (15) calendar days of the time the Permittee becomes aware of any noncompliance that might endanger human health or the environment, the Permittee shall provide to the Director and the Administrator a written submission. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance including exact dates and times, the anticipated time noncompliance is expected to continue if the noncompliance has not been corrected, corrective measures taken to mitigate the situation, and steps taken or planned to reduce,

eliminate, and prevent recurrence of the noncompliance.

I.Q OTHER NONCOMPLIANCE

I.Q.1 The Permittee shall report to the Administrator all other instances of noncompliance with this HSWA permit not reported under permit condition I.N at the time of submittal of the TSD Facility Report (Form 5) required by WAC 173-303-390(2). The reports shall contain the applicable information listed in HSWA permit condition I.N.

I.P OTHER INFORMATION

I.R.1 Whenever the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or submitted incorrect information in the permit application or in any report to the Administrator, the Permittee shall promptly submit such facts or corrected information.

(Leave in to cover waste M.W. Reporting Reports)

I.S BIENNIAL REPORT

I.S.1 The Permittee shall comply with the Biennial Report requirements of 40 CFR § 264.75.

~~Not Applicable to this permit~~

is accurate

I.T SIGNATURE AND CERTIFICATION

I.T.1 All applications, reports, or other information submitted to Administrator by the Permittee pursuant to the permit shall be signed and certified in accordance with 40 CFR § 270.11.

~~I.T.2 All reports and other information required to be maintained by HSWA Permit condition I.B.2 shall be signed and certified in accordance with 40 CFR § 264.75(b)(2).~~

Addressed in II.F.1

I.U CONFIDENTIAL INFORMATION

I.U.1 Any information submitted by the Permittee to the Administrator may be claimed as confidential by the Permittee in accordance with applicable provisions of 40 CFR §§ 260.2 and 270.12.

I.V REPORTS, NOTIFICATIONS, AND SUBMISSIONS

I.V.1 All reports, notifications, and submissions which are required by this HSWA permit to be sent or given to the Administrator should be sent or given to:

FOR ACTIVITIES UNDER THE RCRA CO, this should be the EPA HOUSED Project
Chief, Waste Management Branch,
EPA Region 10, HW-102,

1200 Sixth Avenue, Seattle, Washington 98101
(206) 553-2782, and

Hanford Project Manager,
Nuclear and Mixed Waste Management Program,
Post Office Box 47600,
Olympia, Washington, 98504-7600
(206) 438-7021.

- I.V.2 Two (2) copies of all reports, notifications and submissions which are required by this permit shall be given or sent to the Administrator and three (3) copies shall be given or sent to the Director. One (1) copy shall be placed by the Permittee in the information repository in accordance with HSWA permit condition I.L.5.

These are the current phone numbers and addresses and may be subject to change.

I.W EQUIVALENT MATERIALS/INFORMATION

If certain equipment, materials, procedures, and administrative information (such as names/job titles, phone numbers, addresses) are specified in this permit, the Permittee is allowed to use an equivalent or superior. Use of such equivalent or superior items shall not be considered a modification to this permit, but the Permittee must place in the operating record (prior to institution of the revision), the revision, accompanied by a narrative explanation, and the date the revision became effective. The Agency may judge the soundness of the revision during inspections and reviews, and take appropriate action. The format of tables or forms, are not subject to the provisions of this permit, and may be revised at the Permittee's discretion. Updates to EPA reference document SW-846 (changes made after the Third Edition, November 1986) may also be considered equivalent or superior.

PART II. GENERAL FACILITY STANDARDS

II.A OPERATION OF FACILITY

II.A The Permittee shall at all times properly operate and maintain, in accordance with sound engineering and scientific practice, all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee so as to achieve compliance with the conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective performance, ~~seeking adequate funding,~~ adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this permit.

Not an Element
of "Proper Operation
& Maintenance")

II.B ACCESS AND INFORMATION

II.B.1 To the extent that work required by Part III of this HSWA permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain site access agreements from the present owner(s) or lessee(s) of such property no later than two weeks prior to the scheduled commencement of work in accordance with the requirements set forth in Paragraph 106 of the FFACO which are specifically incorporated into the HSWA Permit. "Best efforts" shall mean, at a minimum, a certified letter from the Permittee to the current property owner(s) or lessee(s) requesting access to such property and if a reply is received from the property owner or lessee, follow-up letters from the Permittee, as appropriate, to clarify the work contemplated and address the owner's or lessee's reasonable concerns. In the event that the Permittee cannot obtain the necessary access agreements, the Permittee shall notify the Administrator in writing. The Administrator may, consistent with his/her legal authority, assist the Permittee in obtaining such agreements.

II.C OTHER PERMITS AND APPROVALS

II.C.1 To the extent that work required by Part III of this HSWA permit must be done under permit(s) or approval(s) pursuant to other federal, state, or local regulatory authorities, the Permittee shall use its best efforts to obtain such permits. For the purposes of this permit condition the term "best

efforts" shall, at a minimum, mean submittal of a complete application for the permit(s) and/or approval(s) no later than sixty (60) calendar days after the information necessary to prepare the application is available to the Permittee.

II.D SCHEDULE EXTENSIONS

II.D.1 To the extent that activities required by Part III of this HSWA permit are not completed in accordance with the schedules contained therein, and the Permittee can demonstrate to the Administrator's satisfaction that the Permittee used best efforts to accomplish the activity within the required schedule, the Administrator shall grant the Permittee an extension to the schedule.

II.D.1.a For the purposes of this permit condition the term "best efforts" shall, at a minimum include performance of all activities necessary to award contract(s) to outside contractors no later than sixty (60) calendar days after the information necessary to award the contract(s) is available to the Permittee. "Best efforts" shall also mean adequate planning, seeking funding, staffing, laboratory and process controls, and operation of backup or auxiliary facility or similar systems by the Permittee when necessary to meet the required schedules.

II.D.2 The Permittee shall notify the Administrator, in writing, no later than fifteen (15) calendar days after the Permittee determines that such schedules will not be met. The Permittee shall include with the notification all information supporting its claim that it has used best efforts to meet the required schedules. If the Administrator determines that the Permittee has made best efforts to meet such schedules, the Administrator shall notify the Permittee in writing by certified mail that the Permittee has been granted an extension and provide the Permittee a revised schedule reflecting this extension. Such a revision shall not require a permit modification.

II.E DISPUTE RESOLUTION

II.E.1 In the event the Administrator rejects, in whole or in part, any plan, report, or schedule required by Part III of this HSWA permit, the Agency or the Permittee may initiate the dispute resolution process and the following procedure will apply, except as specifically provided for under Article XV

of the FFACO for solid waste management units ~~_____~~
~~_____~~ covered by the FFACO.

II.E.1.a. The Administrator will notify the Permittee in writing of the acceptance, rejection, or proposed modification to, the plan, schedule, or submittal. Such notice shall:

II.E.1.a.(i) Identify the problem(s) and, where appropriate, suggest the exact change(s) which need to be made to the plan, schedule or submittal;

II.E.1.a.(ii) Provide an explanation and supporting documentation or data of why modification is needed; and,

II.E.1.a.(iii) In the event the Administrator proposes a modification, the notice will provide a date by which comments on the proposed modification must be received from the Permittee. Such date will not be less than thirty (30) calendar days from the date of the Permittee's receipt of the notice under HSWA Permit Condition II.E.1.a.

II.E.1.b. If the Administrator receives no written comments on the proposed modification from the Permittee, the modification will become effective five (5) calendar days after the close of the comment period specified under HSWA Permit Condition II.E.1.a.iii. The Administrator will promptly notify the Permittee that the modification has become effective.

II.E.1.c. If the Permittee submits written comments on the proposed modification, the Administrator shall make a final determination concerning the modification within thirty (30) calendar days after the end of the comment period, if practicable. The Administrator shall then notify the Permittee in writing of the final decision. Such notification shall:

II.E.1.c.(i) Indicate the effective date of the modification, which shall be not later than fifteen (15) calendar days after the date of notification of the final modification decision;

II.E.1.c.(ii) Include an explanation of how comments were considered in developing the final modification; and,

II.E.1.c.(iii) Provide a copy of the final modification.

II.E.2 Modifications initiated and finalized by the Administrator using the procedure specified in HSWA

Permit Condition II.E.1 are not subject to administrative appeal. Judicial review is available in accordance with applicable federal law.

II.F. WASTE MINIMIZATION

II.F.1 In accordance with 40 CFR § 264.73(b)(9), RCRA Section 3005(h) (42 U.S.C. § 6925(h)), the Permittee must place a certification in the operating record on an annual basis that:

II.F.1.a. A program is in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittee to be economically practicable; and,

II.F.1.b. The proposed method of treatment, storage or disposal is that practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment.

II.F.2 The Permittee shall maintain each such certification of waste minimization in the operating record as required by 40 CFR 264.73(b) until closure of such facility.

II.G. LAND DISPOSAL RESTRICTIONS

II.G.1 Unless authorized in the FFACO, ~~for solid waste management units and RPPs~~; the Permittee shall comply with all applicable requirements of the land disposal restrictions of 40 CFR Part 268.

II.G.2 The Permittee shall comply with all applicable requirements (LDR) of the FFACO for land disposal restrictions of 40 CFR Part 268 under Appendix D of the FFACO. ~~for all solid waste management units and RPP units under the FFACO for corrective action.~~ The Permittee shall develop and implement treatment technologies necessary to achieve full compliance with LDR requirements for mixed wastes at the facility.

IN ACCORDANCE WITH THE LDR PROVISIONS OF THE FFACO.

(THIS SECTION SHOULD ADDRESS LDR COMPLIANCE IN TOTAL, AS IT IS PART OF HSWA. REFERENCES TO SWMU AND RPP'S DOESN'T REALLY APPLY.)

PART III. CORRECTIVE ACTION

III.A. INTEGRATION WITH THE FFACO

III.A.1. Section 3004(u) of RCRA (Section 206 of HSWA) and regulations promulgated at 40 CFR § 264.101 require corrective action, as necessary, be included in all permits issued after November 8, 1984 to protect human health and the environment for all releases of hazardous waste or hazardous constituents from any solid waste management unit (SWMU) at a facility seeking a RCRA permit. ~~for all permits issued after November 8, 1984.~~

Consent
~~RCRA permit~~
~~for all permits issued after November 8, 1984~~
~~work~~
~~FFACO for~~
~~full determination~~
~~of all permits~~

The Hanford Federal Facility Agreement and Compliance Order (FFACO) issued pursuant to Section 120(e)(2) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (CERCLA) 42 U.S.C. § 9620(e)(2), provides another mechanism which can be used to investigate and clean up releases of hazardous waste, ~~as necessary~~, as necessary, to protect human health and the environment. *hazardous substances (INCLUDING*

AS SPECIFIED
The corrective action for the facility will generally be satisfied by the FFACO, as amended except as integrated into the HSWA portion of the permit in accordance with HSWA permit condition III.A.2. For those solid waste management units not covered by the FFACO, RCRA corrective action requirements will be addressed by HSWA permit conditions III.B through III.I.

III.A.2 RCRA Past Practice ^{*operable*} Units

III.A.2.a Except as specifically identified in this permit, all RCRA Past Practice (RPP) ^{*operable*} work plans developed ~~done~~ pursuant to the FFACO, as amended, for RCRA Past Practice ^{*operable unit*} units identified in Appendix C of the FFACO, will be subject to this section of the permit when ^{*referenced*} incorporated ~~into~~ this permit in accordance with HSWA Permit condition I.C.3.

III.A.2.b. The Permittee shall conduct ^{*operable*} corrective action under RCRA for RCRA Past Practice Units which ~~contain~~ ^{*have released*} hazardous waste or hazardous constituents as specified in the the FFACO for corrective action under RCRA, regardless of the date waste was received at or released discharged ~~at~~ from the unit.

III.A.2.c. The Permittee shall follow the dispute resolution ^{*operable units*} process for RPPs in accordance with Article XV of the FFACO ~~for RPPs and solid waste management units covered by the FFACO~~ ^{*to protect human health and the environment.*}

- operable units
- III.A.2.d. The Permittee shall maintain a ~~information~~ repository for RPPs ^{operable units} covered under the FFACO in accordance with HSWA Permit condition I.L.5^c AND Sections 9.0 AND 10.0 of the FFACO Action Plan
- III.A.2.e. Following approval of the proposed remedy, the Administrator shall initiate a major permit modification to this permit, pursuant to HSWA permit condition I.D.3.
- III.A.2.f. The modification shall specify the selected remedy and include, at a minimum the following:
- III.A.2.f.(i) Description of all technical features of the remedy that are necessary for achieving the standards for remedies established under HSWA permit condition III.D., including the length of time for which compliance must be demonstrated at specified points of compliance;
- III.A.2.f.(ii) All concentration levels of hazardous waste and/or hazardous constituents in each medium, that the remedy must achieve to be protective of human health and the environment;
- III.A.2.f.(iii) All requirements for achieving compliance with these concentrations;
- III.A.2.f.(iv) All requirements for complying with the standards for management of wastes;
- III.A.2.f.(v) Requirements for removal, decontamination, closure, or postclosure of units, equipment, devices or structures that will be used to implement the remedy;
- III.A.2.f.(vi) ^{Reference to the FFACO for} ~~a~~ schedule for initiating and completing all major technical features of the remedy; and
- III.A.2.f.(vii) Requirements for submission of reports and other information.
- III.F.1.e. For past practice corrective action under the FFACO, ~~A.2.g~~ the CMS shall be the basis for the revision of the HSWA portion of the permit in accordance with HSWA Permit condition I.B.3. The public participation requirements under the FFACO shall fulfill the public review requirements for permit modification pursuant to 40 CFR §§ 270.41, 270.42 and 271.43, to incorporate the CMS workplan into the HSWA portion of the permit. The CMI shall be conducted in accordance with the ~~schedule of compliance specified~~ MILESTONES in the HSWA portion of the permit and the work schedule in Appendix D of the FFACO.
- III.F.5. Interim Measures for Solid Waste Management Units

A.2.h. covered under the FFACO shall be developed and implemented by the Permittee in accordance with Article XIII of the FFACO.

A.2.i. See insert

III.B. CORRECTIVE ACTION REQUIREMENTS

III.B.1 The following ^{wastes or} solid waste management units require further investigation to determine whether releases of hazardous constituents are occurring or have occurred which threaten human health and the environment. *If a release of hazardous wastes or constituents is determined, the Administrator will request action in accordance with III.C.*

III.B.1.a US Ecology, Inc.

III.B.1.a.(i) SWMU 1: Chemical Trench

III.B.1.a.(ii) SWMUs 2-13: Low-Level Radioactive Waste Trenches 1-11A

III.B.1.a.(iii) SWMUs 14-16: Low-Level Radioactive Waste Trenches 11B-14

III.B.1.a.(iv) SWMU 17: Resin Tanks

III.B.1.b. WPPSS Hanford Generating Plant

III.B.1.b.(i) SWMU 1: Transformer Yard

III.B.1.b.(ii) SWMU 3: HGP Building Floor Drains

III.B.1.b.(iii) SWMU 5: Tile Field

III.B.1.b.(iv) SWMU 6: Settling Pond

~~III.B.1.b.(v) SWMU 7: Outfall (NOT A SWMU)~~

III.B.1.b.(vi) SWMU 8: Maintenance Garage

III.B.1.b.(vii) SWMU 9: Wastewater Treatment Unit

III.B.1.b.(viii) SWMU 10: Disposal and Storage Yard

III.B.1.c. State leased lands (excluding US Ecology)

[Reserved]

III.H-C RCRA FACILITY INVESTIGATION

III.H-C.1 Within one hundred and eighty (180) calendar days of the Permittee's receipt of a written request by the

*Send a NPLS
copy to Jan*

Administrator, the Permittee shall submit a draft RCRA Facility Investigation (RFI) workplan to determine the nature and extent of ~~potential~~ releases from SWMUs identified in HSWA permit condition III.B.1.

The RFI workplan shall:

INCLUDE the information specified in

40 CFR 264.512

- ~~III.H.C.1.a. Include a general description of the SWMU;~~
- ~~III.H.C.1.b. Specify sampling locations and the rationale for selection of sample locations;~~
- ~~III.H.C.1.c. Specify constituents to be sampled for and the rationale for the selection of these constituents;~~
- ~~III.H.C.1.d. Specify sampling methods and procedures for decontamination of sampling equipment;~~
- ~~III.H.C.1.e. Specify analytical techniques. These techniques must be in accordance with the most recent edition of Test Methods for Evaluating Solid Waste, (EPA SW-846), Third Edition, November 1986, or as updated;~~
- ~~III.H.C.1.f. Specify QA/QC procedures, including the minimum number of trip and field blanks, matrix spikes, chain-of-custody procedures, etc.;~~
- ~~III.H.C.1.g. Describe the health and safety precautions to be followed by sampling personnel;~~
- ~~III.H.C.1.h. Identify the disposition of any wastes generated as a result of the investigation (e.g., decontamination rinse water), including an Individual Investigative Derived Waste Management Plan as required; and~~
- ~~III.H.C.1.i. Identify the disposition of purgewater generated as a result of the investigation in a Purgewater Management Plan.~~
- ~~III.H.C.1.j. Include the general qualifications of the contractor performing or directing the investigations and the overall management of the RFI.~~
- ~~III.H.C.1.k. Include a schedule for submittal of an RFI report. In no case shall the period between the conclusion of sampling and the date of submission of the RFI report exceed 180 calendar days unless an extension is granted by the Administrator. The~~

~~Administrator may grant schedule extensions on a case-by-case basis in accordance with HSWA Permit condition II.D.~~

- III.H-C.2 The RFI report shall include an analysis and summary of all facility investigations and the results of such investigations including quality assured results of all analytical tests, and laboratory detection limits achieved for each constituent.
- III.H-C.3 The Agency will review, and then approve or disapprove the RFI workplan and RFI report. The Agency will distribute review comments and determinations to the Permittee and appropriate Lessee(s). If disapproved, the Permittee will be directed to modify the RFI workplan and/or RFI report to meet the Agency's concerns.
- III.H-C.4 Final acceptance of the RFI workplan and the RFI report shall not require a permit modification. The Permittee shall implement this RFI workplan in accordance with its terms and schedules upon acceptance or modification of the workplan by the Agency.
- III.H-C.5 The Permittee shall maintain the final RFI report in the information repository as required by HSWA permit condition I.M.5 during the life of the permit, including the term of any reissued permits.

III.I-D CORRECTIVE MEASURES STUDY AND IMPLEMENTATION

- III.I-D.1 If the Administrator determines, on the basis of the RFI report, and appropriate action levels described in HSWA permit condition III.G, that corrective measures to remediate releases of hazardous waste or hazardous constituents from units identified in HSWA permit condition III.B.1 are necessary to protect human health and the environment, the Administrator will advise the Permittee and appropriate Lessee(s) of this determination, and the reasons therefore, in writing.
- III.I-D.1.a. Within one hundred and eighty (180) calendar days of receipt of the Administrator's notification of determination, the Permittee shall submit a corrective measures implementation (CMI) workplan to remediate releases documented by the RFI report. The CMI workplan shall include a description of the proposed corrective measures, a sampling program to confirm the extent of each corrective measure, and a schedule for implementation of these corrective measures and the sampling program. Alternatively, the Permittee may submit a corrective measures study

(CMS) workplan to evaluate the effectiveness of various technologies. Such a CMS plan must include thorough procedures for testing and verification of test results, as well as a schedule for CMS completion and submittal of final report.

III.H-D.1.b. The Agency will review, and then approve or disapprove the CMI or CMS workplan (or CMS report). If disapproved, the Permittee will be directed to modify the CMI or CMS workplan (or CMS report) to meet the Agency's concerns. The Agency will distribute review comments and determinations to the Permittee and appropriate Lessee(s).

III.H-D.1.c. Should the Permittee choose to submit a CMS workplan for all or part of the remediation needs, the Permittee shall, upon Agency acceptance of the CMS report, commence the CMI workplan approval process described under HSWA Permit Conditions III.H-D.1.

III.H-D.1.d. Upon Agency approval of the CMI workplan, the Permittee shall request a permit modification pursuant to 40 CFR § 270.42 to implement the workplan.

III.H-D.2 Upon the effective date of the permit modification required by HSWA permit condition III.H-D.1 (d), the CMI workplan shall be implemented by the Permittee according to its terms and schedule.

III.J-E. INTERIM MEASURES

III.J-E.1 If the Administrator or the Permittee determine, on the basis of information submitted by the Permittee pursuant to HSWA permit condition III.B, or any other information, that interim measures are necessary to protect human health and the environment from a release of hazardous waste or hazardous constituents from a solid waste management unit ~~which is not subject to the FFACG~~, the Permittee may be required to implement interim measures. Such interim measures will be included in this permit pursuant to 40 CFR § 270.41 or § 270.42.

III.J-E.2 *When required by the Regional Administrator, the*
Permittee shall implement interim measures in cases of an immediate response, without an approved Interim Measures plan or revisions to an approved plan, when necessary to protect human health and the environment.

III.J-E.3 Within thirty (30) calendar days of receipt of written request from the Administrator, the Permittee shall submit an Interim Measures Plan for

- Neco to DISCUSS

Delete
Permittee and Reg. it is EPA's job to determine what interim measures are required, not permittee

Delate

approval. The Administrator may grant schedule extensions on a case-by-case basis in accordance with HSWA permit condition II.D.

~~III.E.4~~ The interim measures plan shall identify specific action(s) to be taken to implement the interim measures and a schedule for implementing the required measures. At a minimum, the interim measures plan shall consider, but not be limited to, the following factors:

~~III.E.4.a.~~ Time required to develop and implement a final remedy;

~~III.E.4.b.~~ Actual and potential exposure of human and environmental receptors;

~~III.E.4.c.~~ Actual and potential contamination of drinking water supplies and sensitive ecosystems;

~~III.E.4.d.~~ The potential for further degradation of the medium absent the interim measures;

~~III.E.4.e.~~ Presence of hazardous waste in containers that may pose a threat of release;

~~III.E.4.f.~~ Presence and concentration of hazardous waste including hazardous waste constituent(s) in soils that have the potential to migrate to ground or surface water.

~~III.E.4.g.~~ Weather conditions that may affect the current levels of contamination;

~~III.E.4.h.~~ Risks of fire, explosion, or accident; and

~~III.E.4.i.~~ Other situations that may pose threats to human health and the environment.

~~III.E.5~~ The interim measures plan shall be incorporated into this HSWA permit in accordance with HSWA permit condition I.C.1.

~~III.E.F~~ DISCOVERY OF NEW SOLID WASTE MANAGEMENT UNITS

~~III.E.F.1~~ The Permittee shall notify the Administrator in writing of ^{the FRA CO} any newly-identified SWMU ~~at areas~~ ^{within all areas} ~~covered by this HSWA permit~~ ^{of the facility not} no later than thirty (30) calendar days after the date of discovery. The notification shall include, ~~but not be limited to,~~ the following information:

required by 40 CFR 270.14 d

~~III.E.F.1.a.~~ A description of the SWMU's type, function, dates of operation, location (including a map), design

The Administrator may conduct a follow-up assessment of the newly identified SWMU to determine if any further action is warranted

criteria, dimensions, materials of construction, capacity, ancillary systems (e.g., piping), release controls, alterations made to the unit, engineering drawings, and all closure and post-closure information available, particularly whether wastes were left in place;

~~III.E.F.1.b. A description of the composition and quantities of solid wastes processed by the units with emphasis on hazardous wastes and hazardous constituents; and~~

~~III.E.F.1.c. A description of any release (or potential release) of hazardous waste or hazardous constituents originating from the unit. Include information on the date(s) of release, type of hazardous waste or hazardous constituents, quantity released, nature of the release, extent of release migration, and cause of release (e.g., overflow, broken pipe, tank leak, etc.). Also provide any available data which would quantify the nature and extent of environmental contamination, including the results of soil and/or groundwater sampling and analysis efforts. Likewise, submit any existing monitoring information that indicates releases of hazardous waste or hazardous constituents have not occurred or are not occurring.~~

III.E.F.1.d. The additional solid waste management units may be added to those listed in HSWA permit condition III.B.1.a. through III.B.1.c. based upon additional information received by the Permittee, the Administrator, or any other knowledgeable source. ~~Additional solid waste management units subject to corrective action under the FPACO may also be added in accordance with HSWA Permit condition III.A.1 for corrective action.~~

III.E.F.2. Upon receipt of the notification of any newly-identified SWMU, ^{AND ONLY SUBSEQUENT ASSESSMENT} the Administrator may request the Permittee to submit a draft RFI workplan and/or perform corrective measures in accordance with the specifications contained in HSWA Permit conditions III.X through III.Y.

III.E.F.3. In lieu of a RCRA Facility Investigation, the Permittee may propose either to incorporate any newly-identified SWMU into an ongoing RCRA Facility Investigation or to submit a proposal for the performance of corrective measures at such newly-identified SWMU in accordance with the provisions of HSWA Permit condition III.Z or interim measures in accordance with the provisions of HSWA Permit condition III.AA. Any such

new

AND A DETERMINATION THAT A RELEASE OF HAZARDOUS WASTES OR HAZARDOUS CONSTITUENTS HAS OCCURRED

E

proposal shall be submitted to the Administrator along with notification of the discovery of the SWMU(s).
or following the determination of a release by the monitoring program.

III.D-G. ACTION LEVELS

III.D-G.1. The Permittee shall consider the Washington State Model Toxics Control Act Standards, and Federal regulatory requirements including EPA health-based values¹, in all recommendations for investigatory/corrective actions conducted pursuant to.

III.E-H. TECHNICAL IMPRACTICABILITY

The Agency may determine, based on information developed by the Permittee, that compliance with a requirement(s) for a remedy is not technically practicable. The Permittee shall submit the following information to the Agency:

III.E-H.1 The Permittee's efforts to achieve compliance with the requirement(s); and

III.E-H.2 Whether other currently available or new and innovative methods or technologies could practicably achieve compliance with the requirements;

III.E-H.3 If the Agency determines that compliance with a remedy requirement is not technically practicable, the HSWA Permit shall be modified to include schedules of compliance to specify as necessary and appropriate:

¹ The EPA-health based concentration levels for hazardous wastes and constituents are derived in a manner consistent with guidelines set forth in 51 FR 33992, 34006, 34104 and 34028. The health based level for carcinogens represents a concentration associated with an excess upper bound lifetime risk of 10⁻⁶ due to a continuous as well as constant. "The target health-based level for carcinogens represents a concentration associated with an excess upper bound lifetime risk of 10⁻⁶. In cases where practical constraints preclude attainment of this level, it may be necessary to accept a different health-based risk level. In general, carcinogen risk from hazardous constituents should not exceed approximately 10⁻⁴."

values are available in the proposed rule for "Corrective Action For Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities" (EPA 33 FR 30798-30884 (July 27, 1990)). Sources may be revised at any time. The Permittee should contact EPA before consulting such sources to verify that the most recent editions are being used.

Handwritten notes:
Requirements language
values are available in the proposed rule for "Corrective Action For Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities" (EPA 33 FR 30798-30884 (July 27, 1990)). Sources may be revised at any time. The Permittee should contact EPA before consulting such sources to verify that the most recent editions are being used.

Lead cite

- III.E-II.3.a. Further measures that may be required of the Permittee to control exposure of humans or the environment to residual contamination, as necessary to protect human health and the environment; and
- III.E-II.3.b. Alternate levels or measures for cleaning up contamination media, controlling the source(s) of contamination, or for the removal or decontamination of equipment, units, devices, or structures required to implement the remedy.

III.I CORRECTIVE ACTION MANAGEMENT UNIT (B) AND TEMPORARY UNITS.

The Permittee may propose the use of a either a corrective action management unit (CAMU) and/or a temporary unit (TU) to the Agency during the corrective action process. Upon Agency approval and designation, such units must be operated in accordance with all operating requirements, federal regulations, and applicable state laws and regulations.

AND MAY BE
USED ~~FOR~~ FOR
CERCLA REMEDIATION
WASTE FROM THE
FACILITY.

Oct 1 -
he does need to check
circumstances as correct
one be done under [unclear]



U.S. Department of Energy
Richland Field Office
P. O. Box 550, Mail Stop A4-52
Richland, Washington 99352

DATE:

PRIVILEGED AND CONFIDENTIAL. The documents accompanying this facsimile transmission may contain confidential and/or privileged information. The information is intended only for use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of the information contained in and transmitted with this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone, and return the original documents to us at the above address via the United States Postal Service.

TO: DAN DUNCAN EPA Region X
FAX # 206-553-0957

FROM: Bob Caserio

MESSAGE: Re: Draft corrective action language
Dan Jack Waite & J

worked on this markup. Feel free to
call either of us if you have a question
cc J. Waite Bob Caserio

Number of Pages: 31
Including cover sheet

Facsimile Number: (509) 376-4590

Confirmation Number: (509) 376-7874

Legal Department

