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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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November 18, 1999

Mr. Richard French
United States Department of Energy
P.O. Box 550, MSIN: A6-54
Richland, Washington 99352

Ms. Mary Delozier
Lockheed Martin Hanford Corporation
P.O. Box 1500, MSIN: H7-07
Richland, Washington 99352



Dear Ms. Delozier and Mr. French:

Re: Completion of Corrective Measure #3 per July 8, 1998 SY Tank Farm
Notice of Correction.

The Washington State Department of Ecology (Ecology) performed a dangerous waste compliance inspection of the SY double-shelled tank (DST) farm on March 28, 1998. This inspection resulted in five (5) violations of Chapter 40, Code of Federal Regulations (CFR), as referenced by Washington Administrative Code (WAC) Chapter 173-303, Dangerous Waste Regulations. Ecology issued a Notice of Correction (NOC) to the United States Department of Energy (USDOE), Fluor Daniel Hanford Company (FDH), and Lockheed Martin Hanford Corporation (LMHC) on July 8, 1998, describing corrective measures for voluntary resolution corresponding to each of the violations revealed during the March 28, 1998 inspection. The violations were:

1. Failure to assess the integrity of the 244 -S Double Contained Receiver Tank (244-S DCRT).
2. Failure to provide adequate leak detection in Double Shelled Tanks (DSTs).
3. Failure to operate the secondary containment of DSTs to remove waste within 24-hours, or in as timely a manner as possible.
4. Failure to adequately inspect all tank monitoring equipment.
5. Failure to adequately document data gathered from leak detection monitoring equipment.

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The USDOE and LMHC have satisfactorily addressed resolution to violations 2, 4 and 5 above. Resolution to violation #1 is currently under review by Ecology. Ecology met with the USDOE and LMHC throughout 1998, and most recently on November 9, 1999. The focus of these meetings was to arrive at a voluntary resolution to violation #3; failure to operate the secondary containment of double-shelled tanks to remove waste within 24-hours or in as timely a manner as possible. During the November 9, 1999, meeting Ecology requested clarification of the USDOE's October 30, 1999, correspondence (99-MSO-041). As a result of this meeting, and the clarification provided, Ecology is willing to continue withholding formal enforcement (penalties and/or orders) on this violation contingent on the following conditions:

1. The schedule for Phase I (all actions described in the schedule for FY 2000) presented in the USDOE's October 30, 1999, letter will be implemented without delay. Any delay to any part of this schedule must be reported to Ecology immediately.
2. Ecology must receive a copy of the Time Deployment Study described in the schedule attached to USDOE's October 30, 1999, letter, on or before the date of February 28, 2000. The scope of the Time Deployment Study must include time to deploy emergency pumping equipment to each of the 28 DSTs, including those DSTs equipped with existing as-built pumps and those without existing as-built pumps.
3. Ecology will review the Time Deployment Study to determine if it satisfactorily addresses regulatory requirements to remove liquids from the secondary containment of DSTs in a timely manner and to assess if implementation of Phase II of the schedule attached to USDOE's October 30, 1999, letter is warranted.
4. Section 3.6 of the DST Emergency Pumping Guide (HNF-3484, Rev. 1) shall be revised by May 30, 2000, to reflect operation of each of the DSTs according to items 2 and 3 above.

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Please be advised that Ecology considers preparedness to remove liquids from DST secondary containment an open violation until all the actions described above have been completed. In the interim, regarding preparedness to pump liquids from secondary containment, the DSTs shall be operated to HNF-3484, Rev. 1.

If you have any questions regarding this letter please contact me at (509) 736-3031.

Sincerely,

Bob Wilson

Bob Wilson,
Nuclear Waste Program

cc: James Rasmussen, USDOE
Dana Bryson, USDOE
Brad Erlandson, LMHC
Mary Lou Blazek, OOE
Administrative Record: DST & 204-AR