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TRI-PARTY AGREEMENT

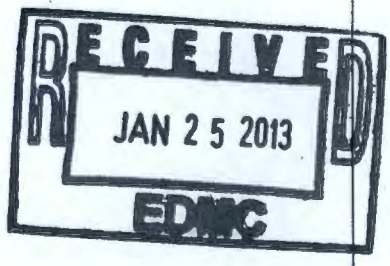
Change Notice Number TPA-CN- 517	TPA CHANGE NOTICE FORM	Date: 10/30/12
Document Number, Title, and Revision: DOE/RL-2005-26, Rev 1., *Removal Action Work Plan for 105-KE/105-KW Reactor Facilities and Ancillary Facilities* 0072338		Date Document Last Issued: 02/05/07
Originator: W.E. Toebe		Phone: 372-2359

Description of Change:
Modify the DOE/RL-2005-26 Removal Action Work Plan to remove language that is not a regulatory requirement and is inconsistent with recently approved removal action work plans.

T.K. Teynor (DOE) and ~~Dennis Faulk~~ Rod Lobos (Lead Regulatory Agency) agree that the proposed change modifies an approved workplan/document and will be processed in accordance with the Tri-Party Agreement Action Plan, Section 9.0, *Documentation and Records*, and not Chapter 12.0, *Changes to the Agreement*.

DOE/RL-2005-26, Rev. 1, *Removal Action Work Plan for 105-KE/105-KW Reactor Facilities and Ancillary Facilities* will be modified to eliminate language regarding alternate emission control and waste treatment methods. The language is inconsistent with requirements stated in 29 CFR 1926.1101. Language agreed to by DOE and EPA will also be added to the document to ensure clarity regarding application of NESHAP standards.

See attached redline-strikeout language.



Note: Include affected page number(s) Affected page numbers are 4-7 and 4-8.

Justification and Impacts of Change:
The attached change will eliminate inconsistency between the requirements of 29 CFR 1926.1101 and DOE/RL-2005-26 and will make the document consistent with other RAWPs.

Approvals:

DOE Project Manager	Nov 9, 2012 Date	[X] Approved [ ] Disapproved
EPA Project Manager	11-13-2012 Date	[X] Approved [ ] Disapproved
Ecology Project Manager	Date	[ ] Approved [ ] Disapproved

Hazardous/Dangerous Waste. Hazardous/dangerous waste managed outside of the BFA will be packaged and stored to prevent dispersion and public exposures as required by WAC 173-303. Management of hazardous/dangerous waste outside of the BFA may include use of staging piles as described in Section 4.2.3.2 or storage within onsite container storage areas operated in accordance with the substantive provisions of WAC 173-303-630. Waste-specific storage and packaging requirements will be described in the contractor's site-specific waste management instruction, as appropriate, to address WAC and U.S. Department of Transportation requirements.

Mixed Waste. Mixed waste will be managed in compliance with the substantive requirements for both hazardous/dangerous wastes and radioactive waste in accordance the contractor site-specific waste management instruction.

Storage, pending final disposal of waste not qualifying for placement in ERDF, will be allowed at the Hanford Site's CWC per the offsite approval granted by the EPA (EPA 2002) in accordance with 40 CFR Part 300.440.

Asbestos. Multiple forms of asbestos are expected to be encountered. Removal and disposal of asbestos and ACM are regulated under the *Clean Air Act Amendments of 1977* (implemented via 40 CFR Part 61, Subpart M) and under health and safety regulations promulgated pursuant to the OSHA regulations (implemented via 29 CFR Part 1926.1101, 29 CFR Part 1910.1001 and WAC 296-62 Part I). The 40 CFR Part 61 requirements applicable to this removal action are contained in 40 CFR Part 61.145(c) and 40 CFR Part 61.150. These regulations establish removal requirements based on quantity present and handling requirements. These regulations also specify handling, packaging, and disposal requirements for regulated sources having the potential to emit asbestos. There could be instances where the facility is structurally unsound and in danger of imminent collapse. In these cases only the requirements of 40 CFR Part 61.145(c)(4) through (c)(9) would apply, in accordance with 40 CFR Part 61.145(a)(3). The substantive requirements of the *Clean Air Act Amendments of 1977* standards are applicable to the abatement of asbestos and ACMs. Both the substantive and administrative requirements of the OSHA standards are applicable to the removal of asbestos and ACM. Asbestos removal and waste management practices will be further addressed in work-specific documents.

All friable and most nonfriable ACMs and presumed ACMs will be removed prior to demolition of the area. ACM typically consists of insulation for piping, floor tiles, and cement asbestos board. Insulation on piping and surfacing materials (e.g., sprayed on fire stop) will be removed as Class I asbestos work, and nearly all other ACM in the facilities will be removed as Class II (e.g., floor tiles and cement asbestos board). Asbestos work, air monitoring, and worker safety requirements will be performed in accordance with 40 CFR Part 61.145(c), 40 CFR Part 61.150, 29 CFR Part 1926.1101, and the contractor's procedures for ACM removal.

~~If alternate emission control and waste treatment methods for friable asbestos are developed or if nonfriable asbestos is to be left in place during demolition, a certified industrial hygienist or licensed professional engineer who is also qualified as a certified *Asbestos Hazard Emergency*~~

~~*Response Act of 1986* (40 CFR Part 763) project designer a certified industrial hygienist or licensed professional engineer who is also qualified as a certified *Asbestos Hazard Emergency Response Act of 1986* (40 CFR Part 763) project designer shall evaluate the work area, projected work practices, and engineering controls and shall certify in writing that the planned control method is adequate and meets the requirements of 40 CFR Part 61.145(c), 40 CFR Part 61.150, and 29 CFR Part 1926.1101.~~

Asbestos abatement activities will be performed in full compliance with all substantive NESHAP standards that are ARAR for the work. Prior to the commencement of the demolition a thorough inspection of the affected facility will be performed for the presence of asbestos , including Category I and Category II nonfriable asbestos containing material (ACM). All Category II nonfriable ACM will generally be presumed to be potentially friable and will be removed prior to the start of actual demolition activities. If DOE identifies any Category II ACM that should be allowed to remain in place during demolition based on knowledge that the demolition will not render it friable, information identifying the planned demolition approach and describing how the Category II ACM will not become crumbled, pulverized or reduced to powder, by the forces expected to act on it during the demolition or otherwise friable will be provided in advance to EPA for approval. Category I nonfriable ACM will also be removed prior to the start of actual demolition activities, except in situations where demolition practices will be used that can be or have been demonstrated to the satisfaction of EPA to not render the Category I ACM friable, consistent with NESHAP standards. Demonstration can be performed using existing EPA or Washington State guidance regarding asbestos abatement under NESHAP. Such Category I nonfriable ACM must not be in poor condition and planned demolition activities must not subject the ACM to sanding, grinding, cutting, or abrading. In all cases, ACM that is either friable or cannot be demonstrated to remain nonfriable during a demolition will be removed prior to such demolition as required by NESHAP.

Ozone-Depleting Substances. 40 CFR Part 82, Subpart F establishes requirements for the recovery, recycling, and reclamation of ozone depleting substances from refrigeration equipment that may be present within facilities addressed by the removal action. The substantive requirements of Subpart F will apply to actions being taken within the onsite area. The substantive and administrative requirements are applicable for any actions taken at an offsite facility. As with any other waste, offsite treatment and/or disposal would require an offsite acceptability determination from EPA in accordance with 40 CFR Part 300.440.

PCBs. PCBs are identified as potential contaminants in the 100-K ISS facilities, and PCB-contaminated waste will likely be generated. The various waste matrixes that may contain PCBs include PCB oils, PCB solids in paint, PCB remediation waste, and PCB-contaminated items.

Staging of PCB waste at the 100-K Area ISS facilities must be done in a manner that satisfies substantive provisions of 40 CFR Part 761.65(b). PCB bulk product waste or remediation waste will be managed within the BFA or the onsite area. PCB liquids may be managed within the facility of origination or a centralized area within the CERCLA onsite area (following approval of a centralized area by the EPA). Outside the BFA, containers will be marked with a M_L marking (CAUTION – CONTAINS PCBs) as required by the TSCA.

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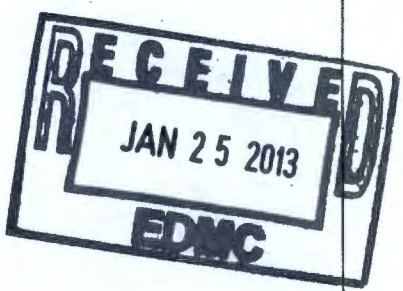

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