



Department of Energy

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APR 24 1992

91-RPB-001

Mr. Al W. Conklin
Air Emissions & Defense Waste Section
Division of Radiation Protection
State of Washington
Department of Health
P. O. Box 47827
Olympia, Washington 98504-7827



Mr. Paul T. Day
Hanford Project Manager
U.S. Environmental Protection Agency
712 Swift Blvd., Suite 5
Richland, WA 99352



Mr. David B. Jansen, P.E.
Hanford Project Manager
State of Washington
Department of Ecology
P. O. Box 47600
Olympia, Washington 98504-7600

Dear Messrs. Conklin, Day, and Jansen:

HANFORD SITE ENTRY PROTOCOL FOR REGULATORY AGENCY PERSONNEL

As a result of problems associated with the access for regulatory compliance inspections, a proposal was made for the development of a Hanford Site entry protocol. Attached you will find a proposed Memorandum of Understanding (MOU) between the U.S. Department of Energy Richland Field Office (RL) and your agency, and the Hanford Site Entry Protocol for Regulatory Agency Personnel (Protocol). The Protocol has been drafted in an attempt to clearly communicate the necessary Hanford Site access requirements which are applicable to your agency personnel.

Please review these documents and provide any comments or concerns that you might have to RL within 14 days of receipt of this letter. Upon agreement of the Protocol and the MOU by all parties, the signing of the MOU will take place and a copy of the documents will be provided to you for your files.

Messrs. Conklin, Day, & Jansen
91-RPB-001

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APR 24 1992

It is our goal to help provide a clear understanding of the existing Hanford Site access requirements, and to provide cooperation during our agencies' interactions. Please address any questions to me or Mr. A. E. Teimouri of my staff on (509)376-6222.

Sincerely,



R. D. Izatt, Program Manager
Office of Environmental Assurance,
Permits, and Policy

EAP:AET

Attachments

cc w/attach:

R. E. Lerch, WHC

B. G. Erlandson, WHC

J. N. Stewart, USACOE

S. R. Coleman, KEH

W. J. Bjorklund, PNL

L. J. Maas, HEHF

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HANFORD SITE ENTRY PROTOCOL FOR REGULATORY AGENCY PERSONNEL

I. PURPOSE

This protocol identifies requirements and procedures that will ensure regulatory agency personnel safe and convenient access to the Hanford Site consistent with applicable statutes, regulations, and agreements. It also provides information on various types of general interface areas in order to clearly indicate how these areas will be dealt with.

Regulatory personnel may enter the Hanford Site at all reasonable times for the purposes of: performing inspections, reviewing the progress of the Department of Energy (DOE) and its contractors in implementing agreements, verifying data, and other activities authorized by applicable statutes or regulations.

RL shall generally honor all requests for access by regulatory agency personnel, conditioned upon presentation of proper credentials, conformance with Hanford Site safety and security requirements, and conduct that minimizes interference with Hanford Site operations. Any denial of access will be justified in writing within fourteen (14) days of such denial, and arrangements shall be made for access to the facility or area in question as soon as practicable. DOE reserves the right to require regulatory agency personnel to be escorted while on the Hanford Site.

II. SCOPE

This site entry protocol covers all areas on the Hanford Site that are accessible to regulatory agency personnel. Visitors or contractors of regulatory agencies shall meet the requirements applicable to any other site visitor. For more information contact the U.S. Department of Energy, Richland Field Office (RL) Point of Contact (POC) identified on page 7 of this protocol.

NOTE: The requirements of this protocol do not apply to certain entities of the Regulatory Agencies such as the provisions stated in Washington State Department of Health (DOH) Environmental Monitoring Grant. Visits to non-RL owned and operated facilities, located on the Hanford Site, are not subject to this protocol. Visits to non-RL facilities (i.e., Washington Public Power Supply System, Bonneville Power Administration, US Ecology, etc.) must be coordinated through those facilities.

III. ROUTINE ACCESS REQUIREMENTS

Regulatory agency personnel will contact the RL Point of Contact or the Operations and Engineering Contractor (OEC) POC (Enclosure 1) before accessing the Hanford Site access. It is recognized that regulators who meet the

requirements of this protocol have generally unencumbered access to regulated facilities on the Hanford Site. However, it is the intent and purpose of this document to enhance regulatory agency visits by requesting prenotification. It is recommended, depending on the requested access area, that points of contact receive a minimum of 24 hours notice of an ensuing visit. This includes access to areas operated by contractors other than the OEC. The OEC POC will arrange for access to other contractor facilities through the other contractor's management. Notice is required to identify an appropriate escort for regulatory personnel. RL reserves the right to require escorting of regulatory personnel while on the Hanford Site. Notwithstanding, regulatory agencies can be denied unannounced access, based on safety concerns (e.g., the venting of Tank 101-SY).

RL and/or its contractor personnel will accompany the regulatory personnel to ensure that: (1) access is provided to the facility consistent with the provisions of this protocol, (2) appropriate personnel (RL or its contractor representative) are identified who can respond to questions regarding facility operation, (3) information required by the regulatory personnel is provided in a timely manner, (4) any potential problems are clearly identified and/or corrected and (5) the visit is conducted in a safe and secure manner.

Questions regarding this protocol shall be referred to the RL POC (Enclosure 1).

IV. SPECIFIC ACCESS REQUIREMENTS

Regulatory agency personnel must meet the appropriate security, safety, and training requirements, and/or other qualifications as necessary for the RL facility to be entered. RL reserves the right to amend specific access requirements as determined by revisions to DOE policy, Orders, and/or codified rules and requirements.

A. Security Badge

Permanent or visitor security badge forms can be obtained by contacting the RL POC (Enclosure 1). Where security badge request forms require a payroll number, regulatory agency personnel shall provide their social security number. The completed form is then forwarded to RL's Regulatory Policy, Planning and Analysis Branch Chief (Enclosure 1) for approval.

B. Prohibited Article Pass

A prohibited article pass is required for bringing prohibited articles onto the Hanford Site. For information on prohibited articles and to obtain a prohibited article pass, contact the RL POC (Enclosure 1).

C. Radiation Protection

Radiation protection requirements for the RL visitors are detailed in RL Implementing Procedure (RLIP) 5480.11, dated April 4, 1991. Radiation protection requirements vary depending on the frequency of visits, the purpose of the entry, and the radiological conditions existing at the time of the visit.

All regulatory personnel requiring routine access to radiation areas shall complete a Personal Radiation Exposure History form which will place them in a resident non-employee status. In accordance with RLIP 5480.11, these personnel will be issued a multipurpose dosimeter and will be required to obtain a baseline whole body count and DOE approved Radiation Worker Training. Additional bioassay requirements may be required depending on the existing radiological conditions at the time of the visit and will be identified by the pertinent Radiation Work Permit.

All regulatory personnel requiring infrequent access to radiation areas shall complete a Visitor Radiation Exposure Disclosure form which is an acknowledgment of the visitors radiation exposure for the current calendar year. In accordance with RLIP 5480.11, infrequent visitors will be issued appropriate dosimetry for the radiological conditions existing at the visited areas and will be required to view the Hanford Visitor Vendor Video and obtain a whole body count before and after each visit. Additional bioassay requirements may be required depending on the existing radiological conditions at the time of the visit and will be identified by the pertinent Radiation Work Permit.

The RL or OEC POC identified in Enclosure 1 can assist regulatory agency personnel in determining radiological access requirements.

D. Medical Surveillance

Federal Occupational Safety and Health Regulations in 29 Code of Federal Regulations (CFR) 1910.120 identify that employers of employees engaged in applicable hazardous waste operations shall institute a medical surveillance program in accordance with the specified regulations. It is understood that the regulatory agencies will be responsible for providing this medical surveillance for their employees, and for ensuring that their employees are actively participating in the medical surveillance program. RL or its contractors shall have no responsibility regarding medical surveillance for regulatory agency personnel, and shall assume that those regulatory agency personnel who enter applicable hazardous waste operations areas are participating in their employers program.

E. Training

The following sections identify the specific training requirements that apply to regulatory agency personnel. For additional information on more specific training requirements, contact the RL POC (Enclosure 1).

1. Radiological Safety

In accordance with RLIP 5480.11, all regulatory personnel requiring routine access will require DOE approved Radiation Worker Training. Recertification as a DOE Radiation Worker is required every two years. Those accessing as a visitor on an infrequent basis will require annual viewing of the Hanford Visitor Vendor Video.

2. Safety and Health Program

Federal Occupational Safety and Health Regulations, 29 CFR 1910.120, require that employees be fully trained before they are permitted to enter into areas where Resource Conservation and Recovery Act (RCRA) hazardous/dangerous waste management activities are being conducted or intrusive field characterization work is underway pursuant to the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The regulatory agencies, as employers, shall be responsible for providing this training for their employees, and for ensuring that their employees are properly certified. RL and its contractors shall have no responsibility regarding the occupational safety and health training requirements for regulatory agency personnel, and shall assume that those regulatory agency personnel who enter known hazardous waste operations are properly trained by their employers.

a. Site Specific Safety and Health Plan

A site specific safety and health plan is required to be developed per 29 CFR 1910.120 for certain hazardous waste operations. These plans are developed for the applicable Hanford Site hazardous waste operations areas and are identified as Hazardous Waste Operation Plans. The site specific safety and health plans will be provided during pre-entry briefings and at such other times as necessary to ensure the individuals are apprised of the site safety and health plans and that the plans are properly implemented. All personnel shall document their review of the plans by signing the site specific log book.

3. Facility Specific Training

Facility specific training may be required depending on the area, facility, or hazard. Additional facility specific training information will be provided to the regulatory personnel by RL or OEC POC (Enclosure 1).

4. Security

Regulatory personnel must be given an initial security briefing (which includes the Hanford Visitor/Vendor Video) prior to issuance of a security badge. The Visitor/Vendor Video must be viewed annually thereafter by infrequent visitors. Contact the RL POC (Enclosure 1) for this security information.

V. GENERAL INTERFACE AREAS

A. Sampling

If samples are needed, regulatory agency personnel shall provide at least one week advance notice to RL or the OEC POC of the intent to sample and the location of the sample point. The advance notice is necessary in order to schedule and coordinate Hanford Site personnel and equipment necessary to obtain said samples. Arrangements can be made for sampling during emergencies (i.e., spills, etc...), which occur under the jurisdiction of the regulatory agency. The RL or its contractors will facilitate site sampling and inspection by providing a sampling team along with the necessary equipment to meet regulatory agency personnel needs. Regulatory personnel may take direct area field measurements, however, the recorded data shall be forwarded to the appropriate RL contractor responsible for the area where the measurements were taken.

If a sample area is in a Hazardous Waste Operations exclusion zone, and regulatory agency personnel need to be in the exclusion zone to observe sampling, additional training and equipment may be required. In this situation, the RL contractors will provide the necessary equipment and trained sampling personnel for obtaining the samples while the regulatory personnel observes the process.

Once an agreement has been made on the type(s) of analysis to be performed, split samples will be provided to RL or its contractor representative and regulatory personnel. RL or its contractor personnel will assist in obtaining radiological clearance for the sample during chain of custody proceedings. Following appropriate chain of custody procedures the sample will be released to the regulatory agency.

B. Documents

Facility Regulatory documentation files will be established that will contain cleared information required to demonstrate compliance at each waste management unit (e.g., RCRA treatment, storage, and disposal units). When information is requested that is not identified in the Facility regulatory files, the documents will be cleared in accordance with existing RL and contractor procedures. Access to classified and Unclassified Controlled Nuclear information will only be provided to those individuals with the proper security clearance and need to know. RL reserves the right to ask regulatory personnel to provide a written request for documents.

C. Meetings

Upon agreement by all parties, an exit meeting will be scheduled to allow Hanford Site personnel and regulatory personnel to exchange information and to discuss compliance issues based on the inspection/visit. Any actions and/or potential findings resulting from the meeting will be documented in order for each representative to have a signed copy of the main issues before leaving.

D. Emergencies

In the event of an emergency response, as defined in 29 CFR 1910.120 (a)(3), access to the exclusion zone shall not be permitted until the emergency is declared stabilized by the Emergency Response Senior Official, as defined by 29 CFR 1910.120 (q)(3). Upon being declared stabilized, the exclusion zone will be opened only at the discretion of the "senior official" (Occupational Safety and Health Administration, 29 CFR 1910.120 [q][3][I]). These measures are to protect the safety of the regulatory agency and emergency response personnel.

E. Record Keeping

Regulatory agencies shall be responsible for maintaining records which demonstrate compliance with the requirements of this protocol, and for notifying their personnel of necessary training, refresher training, renewals, etc. RL and its contractors will maintain copies of all Hanford generated records to ensure that the proper and applicable requirements have been met by regulatory agency personnel in order for them to enter accessible areas on the Hanford Site.

RL will maintain regulatory agency personnel radiation exposure records, as applicable, for exposure obtained only at the Hanford Site. Regulatory agency personnel may obtain a copy of their Hanford Site radiation exposure records by contacting the RL POC.

VI.

POINTS OF CONTACT

U.S. Department of Energy Richland Field Office

| | | | | |
|------------------|----|-----------|--------|--|
| Alex E. Teimouri | RL | Primary | 6-6222 | Regulatory Policy, Planning, & Analysis |
| Robert G. Holt | RL | Secondary | 6-9989 | Branch Chief |

Operations and Engineering Contractor

| | | | | |
|----------------|-----|-----------|--------|---------------------|
| Mike Hall | WHC | Primary | 6-3664 | Facility Compliance |
| Brad Erlandson | WHC | Secondary | 6-5969 | Facility Compliance |

**Hanford Site Access Memorandum of Understanding
Between
The U.S. Department of Energy, Richland Field Office,
The U.S. Environmental Protection Agency, Region 10,
The State of Washington Department of Ecology,
And
The State of Washington Department of Health**

This Memorandum of Understanding (MOU) is by and between the United States, acting through the Department of Energy, Richland Field Office (hereinafter referred to as RL), and the U.S. Environmental Protection Agency, Region 10 (hereinafter referred to as EPA), and Washington State, acting through the State of Washington Department of Ecology (hereinafter referred to as Ecology), and the State of Washington Department of Health (hereinafter referred to as the DOH).

RL is the owner and operator of the hazardous waste facilities and cleanup activities at the Hanford Site. It is the goal of RL to conduct operations at the Hanford Site in an environmentally acceptable manner and in full compliance with applicable environmental requirements. This MOU and the Hanford Site Access Protocol identify requirements and procedures that will ensure regulatory agency personnel safe and convenient access to the Hanford Site consistent with applicable statutes, regulations, and agreements.

EPA, Ecology, and DOH require access to certain hazardous waste operations and cleanup activities on the Hanford Site to ensure compliance with applicable environmental laws and regulations, to ensure environmental impacts associated with past and present activities at the Hanford Site are thoroughly investigated, and to ensure appropriate response actions are taken to protect the environment and public health and welfare.

Hanford Site access was addressed by EPA, Ecology, and RL in the Hanford Federal Facility Agreement and Consent Order (HFFACO), Article XXXVII.

All parties to this MOU desire to further the implementation of Hanford Site access for EPA, Ecology, and DOH regulatory personnel for the purposes of performing inspections, reviewing the progress of the RL in implementing agreements, verifying data, and other activities authorized by applicable statutes or regulations.

It is the agreed philosophy of the parties to work in a cooperative spirit with each other to achieve their respective goals. To achieve and maintain this relationship the parties to this MOU agree as follows:

A. Generally

1. All parties recognize that certain statutes and regulations authorize Site access for regulatory agency personnel to perform their duties.
2. EPA, Ecology, or DOH regulatory personnel may enter the Hanford Site at all reasonable times for authorized regulatory purposes if the regulatory personnel have obtained the appropriate security badge, training, and/or other qualifications, such as, a prohibited article pass or appropriate dosimeter, as necessary, to enter the Hanford Site, unit, or facility. Visitors, representatives or contractors of the EPA, Ecology, and DOH shall meet the RL access requirements.
3. The RL will honor all requests for access to the Hanford Site, units, or facilities by EPA, Ecology, and DOH regulatory personnel, conditioned upon presentation of proper credentials, conformance with Hanford Site safety and security requirements, and conduct that minimizes interference with Hanford Site operations. Any denial of consent to access the Hanford Site will be justified in writing by RL within fourteen (14) days of such denial, and arrangements shall be made for access to the unit, facility, or area in question as soon as practicable.
4. EPA, Ecology, and DOH will be responsible for providing medical surveillance for their employees entering into hazardous waste areas and for ensuring that their employees entering into hazardous waste areas are actively participating in the medical surveillance program.

B. Routine Access

5. EPA, Ecology, and DOH regulatory personnel will contact the RL or its contractor personnel point of contact designated in the Hanford Site Entry Protocol for Regulatory Agency Personnel prior to entering the Hanford Site. The RL point of contact will make arrangements for access to appropriate areas of the Hanford Site. The requirements of this protocol do not apply to certain entities of the Regulatory Agencies such as the provisions stated in DOH Environmental Monitoring Grant.
6. RL or its contractor personnel will provide an escort to accompany the EPA, Ecology, or DOH regulatory personnel to ensure: 1) access is provided in accordance with this agreement, 2) appropriate personnel (RL or RL contractors) are identified who can respond to questions posed by the EPA, Ecology, or DOH regulators, 3) appropriate information is provided in a timely manner, 4) any potential problems are clearly identified and/or corrected, and (5) the visit is conducted in a safe and secure manner.

C. Specific Access

7. In addition to the general and routine access requirements, the EPA, Ecology, and DOH regulatory personnel will obtain any additional security clearance, training, and other qualifications, as necessary, for the specific RL unit or facility to be entered.
8. EPA, Ecology, and DOH will train their personnel in hazardous waste safety prior to entry into the specific Hanford Site unit or facility. When a specific Hanford Site unit or facility requires a Hazardous Waste Operation Plan and/or unit or facility specific training, the EPA, Ecology, and DOH regulatory personnel requesting access to the specific site will: 1) review the Hazardous Waste Operation Plan, 2) document the Hazardous Waste Operation Plan review by signing the site specific log, and/or 3) pass the unit or facility specific training before entering into the hazardous waste operation site.

D. Interfaces

9. RL, EPA, Ecology, and DOH agree to abide by the sample guidelines identified in the site entry protocol.
10. RL, EPA, Ecology, and DOH agree to abide by the document request and release guidelines identified in the site entry protocol.
11. In the event of an emergency response, as defined in 29 Code of Federal Regulations (CFR) 1910.120 (a)(3), access to the exclusion zone shall not be permitted until the emergency is declared stabilized by the Emergency Response Senior Official, as defined by 29 CFR 1910.120 (q)(3).
12. EPA, Ecology, and DOH shall be responsible for maintaining records demonstrating compliance with the Hanford Site requirements and for notifying their regulatory personnel of necessary training, refresher training, renewals, or other requirements. Documentation of compliance with access requirements must be submitted to the RL point of contact in advance of entry to the Hanford Site, unit, or facility for each EPA, Ecology, and DOH representative requesting access.
13. RL will maintain EPA, Ecology, and DOH personnel radiation exposure records, as applicable, for exposure obtained only at the Hanford Site. EPA, Ecology, and DOH regulatory personnel may obtain a copy of their Hanford Site radiation exposure records by contacting the RL point of contact.

14. This MOU shall not be modified except in writing which is signed by the duly authorized representatives of all parties. All modifications requests to the MOU shall be sent to the following addresses:

If to RL: Steve H. Wisness, Hanford Project Manager
U.S. Department of Energy, Richland Field Office
P.O. 550
Richland, Washington 99352

If to EPA: Paul T. Day, Hanford Project Manager
U. S. Environmental Protection Agency
Region 10
712 Swift Boulevard, Suite 5, B5-01
Richland, Washington 99352

If to Ecology: David B. Jansen, Hanford Project Manager
State of Washington Department of Ecology
South Sound Building
99 South Sound Center
Lacey, Washington 98503

If to DOH: Allen W. Conklin
Head, Air Emissions & Defense Waste Section
State of Washington Department of Health
Mail Stop LE-13
Olympia, Washington 98504

15. This MOU shall be effective upon signatures of the parties and shall be effective until terminated by any party. Any such termination shall not be effective until 30 days after written notice of intent to terminate the agreement is provided to the other parties. Signatures are on the following page.

E. Signatures

UNITED STATES DEPARTMENT
OF ENERGY

By: _____
(Signature)

Name: Steve H. Wisness

(Printed or typed Name)

Title: Hanford Project Manager

Date: _____

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY

By: _____
(Signature)

Name: Paul T. Day

(Printed or typed Name)

Title: Hanford Project Manager

Date: _____

STATE OF WASHINGTON DEPARTMENT
OF ECOLOGY

By: _____
(Signature)

Name: David B. Jansen

(Printed or typed Name)

Title: Hanford Project Manager

Date: _____

STATE OF WASHINGTON DEPARTMENT
OF HEALTH

By: _____
(Signature)

Name: Allen W. Conklin

(Printed or typed Name)

Title: Head, Air Emissions & Defense
Waste Section

Date: _____

CORRESPONDENCE DISTRIBUTION COVERSHEET

| | | |
|-----------------|---|--------------------|
| Author | Addressee | Correspondence No. |
| R. D. Izatt, RL | A. W. Conklin, DOH P. T. Day, EPA D. B. Jansen, Ecology | Incoming: 9203600 |

Subject: HANFORD SITE ENTRY PROTOCOL FOR REGULATORY AGENCY PERSONNEL

INTERNAL DISTRIBUTION

| Approval | Date | Name | Location | w/att |
|----------|------|------------------------|----------|-------|
| | | Correspondence Control | A3-01 | X |
| | | J. A. Bates | B2-19 | X |
| | | G. D. Carpenter | B2-16 | |
| | | C. Corbin | S0-06 | X |
| | | W. A. Decker | R3-12 | X |
| | | C. K. DiSibio | B3-03 | |
| | | D. J. Donnelly | G6-57 | X |
| | | B. G. Erlandson | B2-19 | X |
| | | C. J. Geier | B2-19 | X |
| | | M. J. Hall | B2-19 | X |
| | | R. E. Heineman | R3-12 | X |
| | | S. R. Johnson | S5-20 | X |
| | | R. J. Landon | B2-19 | X |
| | | R. E. Lerch, Assignee | B2-35 | X |
| | | B. H. Lueck | R3-12 | X |
| | | P. J. Mackey | B3-15 | |
| | | W. C. Mallory | R3-12 | X |
| | | H. E. McGuire, Level I | B3-63 | |
| | | I. L. Scrimsher | S0-06 | X |
| | | S. A. Szendre | B2-19 | X |
| | | R. L. Watts | L6-52 | X |
| | | EDMC | H4-22 | X |
| | | File/LB (2) | B2-19 | X |

