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STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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April 5, 2004

Mr. Roy J. Schepens, Manager
Office of River Protection
United States Department of Energy
P.O. Box 450, MSIN: H6-60
Richland, Washington 99352

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EDMC

Dear Mr. Schepens:

Re: Single-Shell Tank 241-C-106

1. Letter, Roy Schepens to Michael A. Wilson, "Completion of Tank 241-C-106 Waste Retrieval," March 11, 2004 ✓
2. Letter, Roy Schepens to Michael A. Wilson, "Completion of Hanford Federal Facility Agreement and Consent Order (HFFACO) Target Date M-45-05L-T01 and Partial Completion of Target Date M-45-05M-T01," February 27, 2004 ✓
3. Calculation for the Post Retrieval Waste Volume Determination for Tank 241-C-106, RPP-19866, Rev. 1, February 26, 2004 ✓
4. Campaign Report for the Retrieval of Waste Heel from Tank 241-C-106, RPP-19919, Rev. 0, February 12, 2004 ✓
5. Letter, Roy Schepens to Michael A. Wilson, "Technical Basis for Residual Waste Stabilization With a Grout Layer," 04-TPD-019, February 6, 2004 ✓
6. Letter, Roy Schepens to Michael A. Wilson, "Submittal of RPP-19659, Revision 0, Site-Specific Treatability Variance for Tank C-106," 04-TPD-018, February 6, 2004 ✓
7. Single-Shell Tank Closure Plan Application, December 2003 ✓
8. Environmental Assessment, DOE/EA-14762, Rev. 0, June 2003 ✓

The Washington State Department of Ecology (Ecology) appreciates your letter dated March 11, 2004, informing us that the United States Department of Energy (USDOE) is reconsidering its earlier volume estimates of waste retrieved from Single-Shell Tank (SST) 241-C-106. We agree that the residual volume in that tank exceeds the Hanford Federal Facility Agreement and Consent Order (HFFACO) criteria that appear in Milestone M-45-00. As may be appropriate, Ecology will consider USDOE proposals for determining and reporting tank volume measurements when you submit them to us.

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The USDOE-Office of River Protection (ORP) should continue evaluating the feasibility of deploying another retrieval technology in SST 241-C-106 and make a decision regarding submission of an HFFACO Appendix H waiver request. In considering an Appendix H waiver request, no other retrieval demonstrations have been completed, nor has ORP completed actions required in HFFACO Appendix H, Step 2(b). If ORP decides to initiate the Appendix H process for SST 241-C-106, Ecology will require the following:

1. A very rigorous, complete presentation of the information required in Attachment 2 of Appendix H. Specifically, to meet the requirements of Appendix H, Attachment 2, Step 3, ORP must provide a substantive, technically supported evaluation of retrieval technology developments that could achieve the criteria. This evaluation must include those forms of technology that are currently under consideration (i.e., the mobile retrieval system and the vacuum process).
2. For Appendix H, Step 2.b), a formal notification that USDOE has established an interface with the Nuclear Regulatory Commission (NRC) and reached "formal agreement" with NRC on "the necessary retrieval and closure actions for single shell tanks with respect to allowable waste residuals in the tank and soil column." ORP's notification to Ecology should include submission of this formal agreement with NRC.

Based on Ecology's review of the referenced Closure Plan permit application, Ecology and ORP need to continue to work collaboratively to develop a complete closure plan application. Within two weeks of receipt of this letter, Ecology expects that ORP representatives will meet with our staff and clarify what information and actions are required to complete the closure plan application by June 30, 2004. Key items necessary to complete the application are:

- a. Information required for final status permitting. Provide Ecology sufficient detail so that this application will satisfy the closure plan requirements necessary to adequately manage that level of SST system operation which is necessary through the duration of the Hanford Tank System closure process
- b. Resolution of the outstanding issues identified in the Notice of Deficiency (NOD) process (see HFFACO Figure 9-2). I urge your staff to work with Ecology staff to resolve the NODs, which include comments specific to risk, groundwater, waste analysis plans, sampling and analysis plans, and SST operating conditions. A summary of each of these issues will be provided upon request.

After resolution of the two items above, Ecology will need additional information to comply with the Washington State Environmental Policy Act (SEPA) requirements. Ecology cannot support the incorporation of the Single Shell System and 241-C-106 Tank Demonstration Closure Plan into the Hanford Sitewide Permit until at least after the Tank Closure Environmental Impact Statement (TCEIS) is completed and, if deemed appropriate, adopted by Ecology to comply with SEPA.

Mr. Roy J. Schepens

April 5, 2004

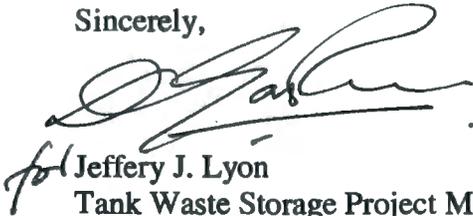
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Ecology reviewed the documents referenced above and considered addition of grout to SST 241-C-106. Based on our reviews, Ecology has determined that grout addition does not meet the criteria necessary to be undertaken for the purposes of a demonstration.

Ecology will consider a change in the HFFACO Milestone M-45-05H due date that currently requires completion of the milestone by April 30, 2004. Ecology would agree to work toward completion of the NOD process and receipt of a complete application, together with ORP submission of the other deliverables required by the milestone, by June 30, 2004. Ecology will continue to work with ORP to develop a Draft Closure Plan for incorporation into the Hanford Site Wide Permit.

Should you have any questions, please contact me at (509) 736-3098.

Sincerely,



for Jeffery J. Lyon
Tank Waste Storage Project Manager
Nuclear Waste Programs

JJL:lkd

cc: Delmar Noyes, USDOE
Roger Quintero, USDOE
Jim Rasmussen, USDOE
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