



90-PPB-316

Department of Energy

Richland Operations Office
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Received
R.E. Lerch

Mr. Stan Springer, Supervisor
State of Washington
Department of Ecology
99 South Sound PV-11
Lacey, Washington 98503

INCOMING: 9100208

Dear Mr. Springer:

REVIEW OF PROPOSED HAZARDOUS WASTE FACILITY PLANS REGULATION

Reference: Washington State Register, Issue 90-22, pages 191-196, "Chapter 173-307 WAC, Hazardous Waste Facility Plants," dated November 6, 1990

Enclosed for your consideration are comments from the U. S. Department of Energy, Richland Operations Office (DOE-RL) on the referenced proposed regulation.

Should you have any questions regarding these comments, please contact Mr. Ted P. Pietrok, of my staff, on (509) 376-9628.

Sincerely,

R. D. Izatt, Director
Environmental Restoration Division

ERD:TPP

Enclosure

cc w/encl:
Paul T. Day, EPA
Ronald E. Lerch, WHC
Timothy L. Nord, Ecology

COMMENTS ON THE PROPOSED HAZARDOUS WASTE FACILITY PLANS REGULATION

1. WAC 173-307-015, Applicability.

For those companies that already have successful waste reduction programs, or parts of programs, in place, please consider allowing existing programs to be integrated into the new plan requirements. The Department of Energy - Richland Operations (DOE-RL) recommends that Ecology include provisions that allow a company to submit a copy of its existing plan, including any supporting documents, together with a summary which details how the existing plan meets the rule objectives and which references where each required element is located in the existing plan. This would eliminate unnecessary duplication of existing reduction plans.

2. WAC 173-307-030, Plan Requirements.

a. Pilot Plans.

Although the development of pilot plans is not included in the proposed rule, DOE-RL understands that Ecology intends to develop pilot plans for use in providing information to refine the rule as necessary. If that is the case, reference to the pilot planning activity should be included in the proposed rule and language should be added to WAC 173-307-030 which states:

"The following plan elements are interim requirements which shall be made final after Ecology's review of pilot plans. Upon review of completed or developing pilot plans, Ecology shall revise the plan elements as necessary to ensure a reasonable and effective planning process. If significant revisions are made as a result of the pilot plans, Ecology shall consider allowing additional time to those persons who are unable to complete their plans on time due to the revisions to the rule."

b. Process Analysis.

The DOE-RL urges Ecology to recognize the variability in processes and allow flexibility in the plans for characterizing wastestreams and hazardous substances. For example, a wastestream could result from manufacturing processes or from site services such as vehicle maintenance, paint shops, and construction. There is no one method of waste or product characterization that is best for all types of processes. Identifying and planning for individual substances might make sense for a simple manufacturing process but it would not be the best method for paint related waste where characterizing waste into broad categories (i.e., solvents, crushed cans, solvent contaminated

bags, etc.) is more effective and easier to implement. Another example is vehicle and equipment maintenance wastes where implementation of waste reduction efforts by categories such as oils, degreasers, detergents, ethylene glycol and battery acid is more effective than trying to account for individual substances. In some instances, planning for reduction by dangerous waste number, assigned pursuant to Chapter 173-303 WAC, might be the best method.

c. Planning Priorities.

Due to the complexities of wastestreams and products that many large companies must address, it would be impractical, if not impossible, to complete a detailed analysis of all wastestreams and products by September 1, 1992. Please consider allowing a reduction program in which all wastestreams and products are analyzed at some base level to start out with and then the very detailed analysis is done over a five year period according to priority. This baseline analysis would provide information for a company to determine its priorities for reduction planning. The highest priority processes (or a certain percentage) would then be subject to the detailed analysis of "Part II" in the first year. The lesser priority processes would be subject to the detailed analyses in subsequent years. This type of approach would not have to be considered "phased planning" since all waste streams and products would be analyzed at some level by the September deadline. This type of approach would allow companies to focus their resources to their highest priority areas for reduction.

d. Determining Priorities.

Please consider allowing enough flexibility within the regulation to allow each generator discretion in determining the reduction priority of each wastestream and product used. Priority may differ among generators and can depend on various factors including: efforts currently being performed by a company, availability of technology, disposal costs, regulation governing disposal, as well as volumes and toxicity of waste generated. By allowing flexibility in determining planning priorities, generators are allowed to tailor their waste reduction programs to be most effective early on.

3. WAC 173-307-090, Review Process.

Section 090 states that Ecology will review a plan, executive summary, or an annual progress report to determine whether it is adequate. The determination is to be based solely on whether the documents are complete and prepared in accordance with the provisions of this chapter. Since a determination of inadequacy by Ecology has significant consequences, DOE-RL recommends that a completed pilot plan be available for review so that the terms such as "thoroughly researched and analyzed" and "detailed description" may be better understood.

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