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FLUOR DANIEL

Fluor Daniel Hanford, Inc.
P.O. Box 1000
Richland, WA 99352

December 20, 1999

FDH-9957886.R1

Ms. L. E. Ruud, Permit Specialist
Nuclear Waste Program
State of Washington
Department of Ecology
1315 West Fourth Avenue
Kennewick, Washington 99336

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Dear Ms. Ruud:

RESPONSE TO THE PROPOSED MODIFICATIONS OF THE HANFORD FACILITY RCRA PERMIT FOR THE TREATMENT, STORAGE, AND DISPOSAL (TSD) OF DANGEROUS WASTE (PERMIT) FOR CORRECTIVE ACTION, NO. WA7890008967

Reference: Letter, M..A. Wilson, Ecology, to Messrs: Klein, Hanson, Liedle, and Dr. Madia, "Proposed Modifications of the Hanford Facility RCRA Permit for the Treatment, Storage, and Disposal (TSD) of Dangerous Waste (Permit)," dated October 13, 1999.

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Flour Daniel Hanford, Inc. (FDH) appreciates the opportunity to comment on the proposed corrective action Permit. FDH has examined and endorses the comments prepared and submitted by the U.S. Department of Energy (DOE), Richland Operations Office (RL), with the support of the Hanford Site Contractors to the Washington State Department of Ecology.

In particular, FDH believes that the definition of "Permittee" for purposes of the corrective action Permit should be limited to the DOE. While FDH has been and continues to be co-operators with DOE for current operation of several treatment, storage, and disposal units on the Hanford Site, the corrective action Permit that was issued by the U.S. Environmental Protection Agency has always defined "Permittee" to refer only to DOE. It would not be appropriate now to change this by placing liability for corrective action directly on contractor companies who did not create the problem of legacy contamination. Such contamination is a pre-existing condition, under our contract with DOE. Corrective action liability is based on contiguous ownership of contaminated areas, but this does not apply to contractors, who do not own the Hanford Facility. Finally, FDH believes that such liability would be contrary to response actions taken by contractors to mitigate pre-existing contamination.





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FDH will work with RL to address any questions you may have regarding the comments. The FDH point of contact regarding this transmittal is Mr. R. H. Engelmann, of my staff on 376-7485.

Sincerely,

Richard H. Gurske, Project Manager
Environmental Services
Fluor Daniel Hanford, Inc.

sat

cc: M. A. Wilson, Ecology
E. McManus, Ecology
Ecology NWP Kennewick Library



RECEIPT

L. E. Ruud
Washington State Department of Ecology
1315 West Fourth Avenue
Kennewick, Washington 99336

I have received the following document:

**Response to the Proposed Modifications of the Hanford Facility RCRA Permit
for the Treatment, Storage, and Disposal (TSD) of Dangerous Waste (Permit)
for Corrective Action, No. WA7890008967**



Signature



Date

CORRESPONDENCE DISTRIBUTION COVERSHEET

Author
R. H. Gurske, FDH
S. A. Thompson, FDH 372-0958

Addressee
L. E. Ruud, Ecology

Correspondence No.
FDH-9957886.R1

Subject: RESPONSE TO THE PROPOSED MODIFICATIONS OF THE HANFORD FACILITY RCRA PERMIT FOR THE TREATMENT, STORAGE, AND DISPOSAL (TSD) OF DANGEROUS WASTE (PERMIT) FOR CORRECTIVE ACTION," NO. WA7890008967

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