



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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September 14, 1995

Mr. James Rasmussen, Program Manager  
Office of Environmental Assurance, Permits, and Policy  
U. S. Department of Energy  
P. O. Box 550, MSIN A5-15  
Richland, WA 99352

Mr. William T. Dixon, Director  
Environmental Services  
Westinghouse Hanford Company  
P. O. Box 1970, MSIN H6-21  
Richland, WA 99352



Dear Messrs. Rasmussen and Dixon:

Re: Completion of Corrective Measures Per Compliance Letter of May 15, 1995,  
"Acceptance and Storage of Incompatible Wastes in Central Waste Complex."

The Washington State Department of Ecology (Ecology) identified six violations of the Washington Administrative Code (WAC) Chapter 173-303, Dangerous Waste Regulations, during its 1995 investigation of the acceptance of potentially incompatible waste into the Central Waste Complex (CWC). These violations resulted in eight corrective measures. To date corrective measures 3, 4, 5, 6, 7, and 8 have been satisfactorily completed; however, the responses to corrective measures 1 and 2 have not.

Enclosed is an attachment summarizing deficiencies in the U. S. Department of Energy's (USDOE) and Westinghouse Hanford Company's (WHC) response to corrective measures 1 and 2. In order to correct the deficiencies identified in this letter, please complete the following corrective measures within the time frames specified.

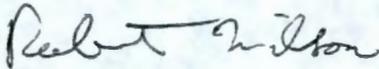
1. Within fifteen (15) days of receipt of this letter, USDOE/WHC must complete the requirements set forth in the enclosed Summary of Deficiencies.
2. Within thirty (30) days of receipt of this letter, USDOE/WHC shall confirm to Ecology by letter the completion of all requirements of the enclosure.

Mr. James Rasmussen  
Mr. Willian T. Dixon  
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In order to correct the violations identified in this letter, please complete the items listed in the enclosed Summary of Deficiencies within the time frames specified. Please be advised that failure to correct these noncompliant items may result in the issuance of an administrative order and/or penalty under the Hazardous Waste Management Act (RCW 70.105.080 and .095).

Do not hesitate to call me at (509) 736-3031 if you have questions regarding this letter.

Sincerely,



Robert Wilson  
Nuclear Waste Program

RW:mf  
Enclosure

cc: Randy Garcia, USDOE  
William Hamilton, WHC

Enclosure

Summary of Deficiencies  
USDOE/WHC Response to Compliance Letter of  
May 15, 1995

1. CORRECTIVE MEASURE 1, GENERAL WASTE ANALYSIS

Corrective measure number one requires verification of labpack containers by visually examining and chemically screening ten percent of incoming waste per manifest. To satisfy this requirement, USDOE/WHC supplied Ecology with a document entitled, "Verification Program Manual for Solid Waste Disposal Facilities" (verification manual).

Ecology performed a follow up inspection of WHC's Solid Waste Disposal (SWD) verification program on August 17, 1995. This inspection included interviews with WHC Solid Waste Management (SWM) staff, review of the verification manual, and review of the "Working Draft" Waste Analysis Plan DOE/RL-91-17, WD-1 (WAP) for CWC, and revealed the following deficiencies in SWD's verification program: 17658

- Section 4.3 of the verification manual describes a process for assessing differences between generator waste information and actual waste condition as discovered through verification by SWD. The verification manual divides such differences into two categories: Significant Discrepancies and General Conformance Issues.

1. General Conformance Issues

*While WHC may have developed a category to address minor waste documentation and shipping issues, the term "general conformance issue" has no regulatory significance. Furthermore, some items referred to in the verification manual as general conformance issues are actually "significant discrepancies" and subject to all requirements of WAC 173-303-370, 40 CFR, 265 subpart E, and the requirements of the May 15, 1995, compliance letter.*

2. Significant Discrepancies

*Significant discrepancies include obvious differences in quantity or type of hazardous waste as described in generator information such as the manifest or shipping paper OR differences which can be discovered by inspection or waste analysis. For labpacks, significant discrepancies include differences in interior container piece count to generator container inventory sheets; discovery of unexpected physical or chemical phases, inner container contents not compatible with their containers, and other obvious differences between generator information and actual inner container contents.*

*Within fifteen (15) days of receipt of this letter, USDOE and WHC must revise its acceptance procedures and verification operations to properly assess significant discrepancies which can be discovered through receipt inspections, review of generator documentation, chemical field screening, or by laboratory waste analysis.*

- SWD has no procedures in place to describe how a random selection would be accomplished.

*A random selection of incoming labpacks is essential to unbiased waste verification. WHC staff, other than verification personnel, were sometimes selecting containers for verification without guidance or training in random selection. Random selection may be performed in a simple, cost-effective, common sense manner and must avoid container selection for reasons other than verification, such as ease of access to containers. Selection of containers for verification must be performed by personnel trained in waste analysis and sampling techniques, and should be under direct control of SWD's verification group.*

*Within fifteen (15) days of receipt of this letter, USDOE and WHC must incorporate selection procedures for incoming labpack wastes into their verification program maintaining container selection under the direct control of the verification group and specify how a simple random selection will be accomplished.*

- Section 5.4.1 of the verification manual states "combination packs will only be opened and chemically screened if the material is found to be different."

*Corrective Measure number 1 of Ecology's May 15, 1995, compliance letter states ten percent of all incoming labpack containers per manifest will be visually examined and their inner containers chemically screened. This verification is required regardless of "differences."*

*Within fifteen (15) days of receipt of this letter, USDOE and WHC must revise their verification procedures to clarify that ten percent of incoming labpack waste per manifest, or at least one container which ever is more, will be subject to the verification procedures of the May 15, 1995, compliance letter.*

- Ecology's May 15, 1995, compliance letter states labpack waste must be verified according to WAP waste group I requirements. The WAP delineates waste group I requirements in Table 3, which includes testing for ignitability. Section 2.1.2 of the WAP states verification may occur at the generator's facility, but, "The fingerprint sampling is the same regardless of where it is performed." However, an August 17, 1995, inspection revealed ignitability is sometimes not checked when wastes are verified at generating facilities with restrictions against open flames.

*To meet its own requirements, SWD could pursue any of the following methods:*

- 1. Employ tests that indicate ignitability which do not require an open flame.*
- 2. Perform the test at a facility that allows the full range of fingerprinting to occur.*
- 3. Employ a portable hood in which to perform ignitability tests.*
- 4. Negotiate a safe area within the generating facility in which to perform all verification testing.*

*Within fifteen (15) days of receipt of this letter, USDOE and WHC must establish reasonable means to perform the full portfolio of required verification testing for all incoming labpack waste.*

- *WHC staff have indicated some labpack containers selected for verification may not be appropriate to verify due to radiation hazards. It was unclear if subsequent rounds of container selection and verification would then be undertaken.*

*USDOE and SWD are required to perform a second round of container selection to meet verification requirements. Should a second container selection yield additional containers which cannot be physically or chemically screened due to radiation or other reasons, further rounds of container selection shall be undertaken until the requirement for ten percent verification of incoming labpack wastes per manifest is reached, or until as many containers as possible are verified if unable to meet the ten percent requirement..*

*Within fifteen (15) days of receipt of this letter, USDOE and WHC must clarify verification procedures to incorporate diligent container selection which will attain a ten percent sampling of incoming labpack containers per manifest. Reasons for failure to meet the ten percent verification requirement for incoming labpack wastes per manifest must be documented in the CWC operating record.*

Section 1.4 of the verification manual states, "It may be necessary to deviate from the agreed upon procedures outlined in the WAP's." A listing of possible reasons for deviating from the WAP follows this statement which includes: equipment breakdowns, lack of available manpower, or insufficient waste received to perform verification screening.

*Although waste verification could conceivably be delayed due to equipment breakdowns or lack of manpower, USDOE and SWD are not relieved of waste verification responsibilities in these cases. The compliance letter of May 15, 1995, requires verification of incoming labpack wastes regardless of shipment size.*

*Within fifteen (15) days of receipt of this letter, USDOE and WHC must revise their verification procedures to eliminate unacceptable reasons for deviation from the WAP.*

## 2. CORRECTIVE MEASURE 2, GENERAL WASTE ANALYSIS

Corrective Measure 2 of the May 15, 1995, compliance letter requires USDOE and SWD to subject all labpack waste received from Lawrence Berkeley Laboratories (LBL) and in storage within the CWC to the verification requirements of Corrective Measure 1 above. USDOE and WHC responded to this requirement with the submission of a table attached to a July 17, 1995, letter to Ecology entitled, "Response to Corrective Measures 2 and 5 from the May 15, 1995, Voluntary Compliance Letter from Ecology." This table summarizes the significant discrepancies discovered, but also lists the category, "General Conformance Issues."

*The term, "general conformance issue" has no regulatory significance. Some of the items referred to as general conformance issues in the table, "Response to Corrective Measures 2 . . . ," are significant discrepancies and subject to all requirements of WAC 173-303-370, 40 CFR, 265 subpart E, and the requirements of the May 15, 1995, compliance letter. Significant discrepancies include obvious differences in quantity or type of hazardous waste as described on the manifest or shipping paper OR differences which can be discovered by inspection or waste analysis. For labpacks, significant discrepancies include differences in interior container piece count to generator container inventory sheets; discovery of unexpected physical or chemical phases, inner container contents not compatible with their containers, and other obvious differences between generator information and actual inner container contents.*

*Within fifteen (15) days of receipt of this letter, USDOE and WHC must re-issue its response to Ecology regarding corrective measure 2 to reflect the significant discrepancies discovered.*

## CORRESPONDENCE DISTRIBUTION COVERSHEET

Author: R. W. Wilson, Ecology      Addressee: J. E. Rasmussen, RL      Correspondence No.: Incoming:9504243

Subject: COMPLETION OF CORRECTIVE MEASURES PER COMPLIANCE LETTER OF  
MAY 15, 1995, "ACCEPTANCE AND STORAGE OF INCOMPATIBLE WASTES IN  
CENTRAL WASTE COMPLEX"

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