Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

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07-SED-0304

JUL 2 2007

Ms. Elin D. Miller, Regional Administrator
U.S. Environmental Protection Agency
Region 10
1200 Sixth Avenue, RA-140
Seattle, Washington 98101

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Dear Ms. Miller:

TOXIC SUBSTANCES CONTROL ACT (TSCA) NOTIFICATION OF SELF-IMPLEMENTING DISPOSAL OF THE BACKLOG SOIL POLYCHLORINATED BIPHENYL (PCB) REMEDIATION WASTE AT HANFORD

The following information describes the U.S. Department of Energy's proposed disposal plans for TSCA regulated PCB remediation waste generated from Tank Farms and associated Tank Farms facilities operations during the time period from 1989 through early 1993. These plans support removal and disposal of materials from the Hanford Site Solid Waste Operations Complex (SWOC) pursuant to the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Milestone M-91-42. Fluor Hanford, Inc. and the U.S. Department of Energy, Richland Operations Office (RL) plan to remove this waste from storage at the SWOC and dispose of it into the mixed waste trenches, a Resource Conservation and Recovery Act (RCRA) Subtitle C landfill, at the Low-Level Burial Grounds. This waste is PCB remediation waste with a radioactive component but is not designated as dangerous waste.

The waste is soil and gravel removed from the Hanford Tank Farms. Some of the drums also contain debris such as concrete, plastic, asphalt, cloth, etc. In 1997, the State of Washington, Department of Ecology, granted a "contained-in" determination for the tank farm backlog soil drums; therefore, the waste is not regulated as a dangerous waste. This notification covers disposal of backlog soil wastes that are PCB remediation waste currently being stored in the SWOC. This activity is not meant to decontaminate any portion of the SWOC or the original location of the source of the waste. Disposal of PCB remediation waste into a RCRA Subtitle C landfill is allowed by 40 CFR 761.61(a). Hanford has available a RCRA Subtitle C landfill that can accept this radioactive waste.

According to 40 CFR 761.61(a)(3)(ii), the U.S. Environmental Protection Agency (EPA) has 30 days to respond to the notification. If EPA does not respond within 30 days, the notification is considered complete and acceptable, and disposal of the bulk PCB remediation waste will proceed as described. Any change to information provided in the notification will be transmitted to EPA, as required, no less than 14 days prior to the change being implemented. If EPA does not respond to the proposed change within the 14 days, the change will be considered acceptable and implemented as described.

If you have any questions, you may contact me, or your staff may contact DougS. Shoop, Assistant Manager for Safety and Engineering, on (509) 376-0108.

Sincerely,

Michael J. Weis for
Acting Manager

SED:ACM

Enclosure

cc w/encl:
D. Bartus, EPA
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Administrative Record H6-08 D-2-9
Environmental Portal

ENCLOSURE

TOXIC SUBSTANCES CONTROL ACT
NOTIFICATION OF SELF-IMPLEMENTING DISPOSAL OF THE BACKLOG SOIL POLYCHLORINATED BIPHENYL REMEDIATION WASTE AT HANFORD

TOXIC SUBSTANCES CONTROL ACT (TSCA)
NOTIFICATION OF SELF-IMPLEMENTING DISPOSAL OF THE BACKLOG SOIL POLYCHLORINATED BIPHENYL (PCB) REMEDIATION WASTE AT HANFORD

This information is provided by the U.S. Department of Energy, Richland Operations Office and Fluor Hanford, Inc. (FHI) in support of plans to dispose of bulk PCB remediation waste in compliance with the Code of Federal Regulations (CFR), Title 40, Section 761.61.

BACKGROUND

FH Waste Stabilization and Disposition (WSD) Project personnel intend to remove PCB remediation waste from storage at the Solid Waste Operations Complex (SWOC) and dispose of the waste into the Hanford Site Mixed Waste Disposal trenches, a *Resource Conservation and Recovery Act* (RCRA) *of 1976* Subtitle C permitted landfill. The information provided herein is to address the requirements of 40 CFR 761.61(a) *Self-implementing on-site cleanup and disposal of PCB remediation waste.* The only activity covered by this notification is disposal of PCB remediation waste. This activity is not meant to decontaminate any portion of the SWOC or the original location of the waste. As this is not a site cleanup, many of the requirements noted in 40 CFR 761.61(a) do not apply. Only information necessary for evaluation of the disposal of the waste is presented.

The containers of waste soil were generated from Tank Farms and associated Tank Farms facilities operations during the time period from 1989 through early 1993. The waste is soil and gravel removed from the Hanford Tank Farms. Some of the drums also contain debris such as concrete, plastic, asphalt, cloth, etc. In 1997, the State of Washington, Department of Ecology, granted a "contained-in" determination for the backlog soil drums (Reference 1) stating that the soil did not contain the F001 through F005 hazardous waste codes; therefore, the waste is not regulated as a dangerous waste.

The waste is contaminated with PCB and low levels of radioactivity. In addition, some Hanford tank waste has been declared PCB remediation waste (Reference 2). The portion of this waste with an as-found PCB concentration of 1 ppm or greater is being managed as PCB remediation waste. Waste soil with a PCB concentration of less than 1 ppm is unregulated for disposal under TSCA and is not addressed by this notification. The TSCA regulated PCB waste is contained in 226 drums and five 9 feet x 5 feet x 5 feet boxes containing 10 - 13 drums each. All waste is being, and will continue to be, managed at its as-found concentration through disposal into the Mixed Waste Disposal trenches.

SAMPLING AND ANALYSIS ACTIVITIES

Three sampling events have taken place. Sampling and analyses took place in 1992 to characterize the waste and in 1996 to support the contained-in determination. In 1999, another sampling event took place. A total of 188 drums were sampled. The majority of all drums sampled showed no detectable PCB contamination. Only three containers of waste showed concentrations near or above 50 ppm. Each of the three was analyzed in triplicate; the highest concentrations were: 52 ppm, 60 ppm, and 140 ppm PCB. The total weight of this waste is 78,500 kilograms of which 0.34 kilograms is PCB. Some sampling has been performed and most of the waste is in the low ppm PCB concentration range. Only three of the containers showed concentrations greater than 50 ppm PCB and all are less than 500 ppm PCB. No additional PCB sampling or analysis is proposed for the waste.

RATIONALE FOR DISPOSAL AT THE MIXED WASTE TRENCHES

All of the waste covered by this notification will be disposed into the Mixed Waste Trenches, a RCRA Subtitle C landfill, that can accept radioactive waste in the Hanford Low-Level Burial Grounds. The three containers greater than 50 ppm are allowed to be disposed into the mixed waste trenches according to 40 CFR 761.61(a)(5)(i)(B)*(2)(iii)* which allows disposal of greater than or equal to 50 ppm PCB remediation waste into a RCRA permitted subtitle C landfill. The remaining containers of waste that are greater than or equal to 1 ppm and less than 50 ppm can be disposed into the mixed waste trenches according to 40 CFR 761.61(a)(5)(i)(B)*(2)(ii)* which allows disposal of less than 50 ppm PCB remediation waste into a facility permitted, licensed, or registered by the state to manage municipal solid waste subject to part 40 CFR 258. As discussed below, 40 CFR 761.50(b)(7)(ii) allows for disposal of waste, for which the PCBs qualify for disposal into a municipal landfill, into a landfill authorized to accept radionuclides. The mixed waste trenches are authorized to accept radionuclides.

In accordance with §761.50(b)(7)(ii), any person disposing of PCB/radioactive waste must do so taking into account both its PCB concentration and its radioactive properties. If, taking into account only the properties of the PCBs in the waste (and not the radioactive properties of the waste), the waste meets the requirements for disposal in a facility permitted, licensed, or registered by a state as a municipal or non-municipal non-hazardous waste landfill, then the person may dispose of the PCB/radioactive waste, without regard to the PCB component of the waste, on the basis of its radioactive properties in accordance with all applicable requirements for the radioactive component of the waste.

As noted in the U.S. Environmental Protection Agency (EPA) guidance, "disposal of these low-concentration or nonleaching PCBs in a radioactive waste disposal facility would not present an unreasonable risk of injury to human health or the environment." Additionally, the EPA guidance continues by stating that "EPA's concern is not that a particular municipal or nonmunicipal non-hazardous waste landfill be available and permitted to accept the PCB/radioactive waste, but rather that the PCB characteristics of the waste are such that they can be managed in a radioactive waste disposal facility."

REFERENCES

1) Letter, "*Re: Contained-In Determination for 828 Tank Farm Backlog Soil Drums*" from Ron Skinnarland, Ecology, to Tom Teynor, U.S. Department of Energy, PO Box 550, Richland, WA, dated February 12, 1997.

2) "Framework Agreement for Management of Polychlorinated Biphenyls in Hanford Tank Waste," signed on August 31, 2000, signed by Tom Fitzsimmons, Director State of Washington, Department of Ecology, Harry Boston, Acting Manager U. S. Department of Energy Office of River Protection, Chuck Findley, Acting Administrator U. S. Environmental Protection Agency Region 10, and Keith A. Klein, Manager U. S. Department of Energy Richland Operations Office (http://yosemite.epa.gov/R10/OWCM.NSF/1931ef1026e96f6f8825651c00804023/ce50d3fe12e371f488256a00006ffa0f!OpenDocument&Highlight=0,framework