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

00-OSS-414

JUL 03 2000

Mr. E. R. Skinnarland
Waste Management Section Manager
State of Washington
Department of Ecology
1315 West 4th Avenue
Kennewick, Washington 99336

RECEIVED
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EDMC

Dear Mr. Skinnerland:

REQUEST FOR AN EXTENSION TO COMPLETE CERTAIN CORRECTIVE MEASURES CONTAINED IN THE JUNE 12, 2000, STATE OF WASHINGTON, DEPARTMENT OF ECOLOGY NOTICE OF CORRECTION (NOC), DOCKET NUMBER 00NWPKW-1204

Reference is made to the letter from Kathy Conaway, State of Washington Department of Ecology (Ecology) to Keith Klein, U.S. Department of Energy, Richland Operations Office (RL) D. B. Van Leuven, Fluor Hanford, Inc. (FHI), "Notice of Correction (NOC) from August 8, 1999, Dangerous Waste Compliance Inspection of the Waste Encapsulation Storage Facility (WESF), 200 East Area of Hanford – Docket Number 00NWPKW-1204," dated June 12, 2000. The letter alleged five violations of requirements contained in the Washington Dangerous Waste Regulations, Chapter 173-303 Washington Administrative Code (WAC), and 40 Code of Federal Regulations (CFR) Part 265. It further specified corrective measures for the violations, time frames for completing the measures, and additionally listed five concerns.

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With respect to the corrective measures, RL is planning to complete the following corrective measures by the specified due dates:

- Corrective Measure 1, requiring the submittal to Ecology of a revised Part A, Form 3 for WESF. A certified Part A, Form 3, Revision 1 will be submitted to Ecology by July 13, 2000. Revision 1 will incorporate changes previously discussed at a meeting held with Ecology on May 16, 2000. These changes will provide additional descriptive detail in Section III.C. on the WESF capsules, storage areas and equipment, and ancillary systems used for dangerous waste management. In addition, changes will be made in Section IV to reduce the annual estimated quantity of waste stored, from 10,000 to 5,000 kg. Revision 1 will not, however, incorporate the additional information required by recent amendments to WAC 173-303 that took effect on June 10, 2000. We would like to discuss an appropriate format for submittal of the additional information. When we have agreement on an appropriate format, the additional information will be provided in a separate transmittal.
- Corrective Measure 2, requiring development of a waste analysis plan. By December 13, 2000, RL will complete a waste analysis plan designed to comply with the requirements of WAC 173-303-300. The plan will be placed in the facility operating record.

- Corrective Measure 5, requiring the preparation of a closure plan for WESF. By December 13, 2000, RL will complete an initial closure plan for the WESF TSD. The plan will be placed in the facility operating record. To coordinate with the upcoming preparation of the WESF Part B permit application, the plan will be prepared in a typical Part B permit application, Chapter 11 format. It will be prepared to address 40 CFR 265, Subpart G requirements. At the time actual closure of the unit is pursued, the closure plan will be reviewed and revised as necessary to ensure compliance with WAC 173-303-610 regulations, pursuant to Section 5.3 of the Tri-Party Agreement Action Plan.

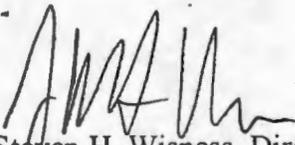
For the following corrective measures, RL and FHI are requesting an extension of time for their completion:

- Corrective Measure 3, requiring submittal to Ecology of a container inspection program description by September 11, 2000, submittal to Ecology of a technology needs report by November 15, 2000, and submittal of an updated technology needs report by April 15, 2001, (with updates submitted every six months thereafter). RL and FHI are requesting a three month extension to all of these due dates for two primary reasons. First, additional time is needed to discuss with Ecology the current capsule monitoring program and program changes RL and FHI are currently considering. It appears that RL and FHI have not fully and adequately described the existing program. For example, contrary to your letter, FHI does not perform annual inner-capsule movement tests (clunk tests) on all capsules. These are conducted on just a portion of the capsules. Secondly, RL and FHI would like additional time to discuss and clarify with Ecology its expectations for future capsule monitoring and to better define the scope of this corrective measure. RL and FHI believe the additional three months would be of benefit to both parties to better address this corrective measure.
- Corrective Measure 4, requiring submittal to Ecology of a written description of the labeling and identification system currently in use at WESF and additional placarding at WESF. To complete this corrective measure, RL and FHI are planning to submit the requested description and to post at all points of entry into the 225B Building and into the TSD area placards that describe the toxicity characteristic of the waste. These placards will be in addition to the radiological hazards placards currently posted at WESF. RL and FHI request, however, an extension of time to August 14, 2000, to complete these actions. In consideration of many personnel being gone during the July 4th holiday week, additional time is needed to schedule and accomplish the placard preparation and installation work.

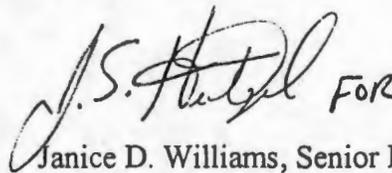
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WESF is storing byproduct material regulated by Department of Energy under the Atomic Energy Act. RL, FHI and Ecology have been engaged for the past several months in discussions concerning the unique mission of the WESF facility and the appropriate application, if any, of dangerous waste requirements. We were disappointed that Ecology would pursue the course of issuing a NOC citing violations in light of these ongoing discussions. In a separate letter, RL and FHI will be providing details on their concerns with the cited alleged violations. The letter will also respond to the five concerns listed in the letter.

RL and FHI would appreciate your earliest possible response to the request for extension. If you have any questions, please contact Greg Sinton, RL, on (509) 373-7939, or Ellen Mattlin, RL, on (509) 376-2385.



Steven H. Wisness, Director
Office of Site Services
DOE Richland Operations Office



Janice D. Williams, Senior Director
Environment and Regulation
Responsible Party for
Fluor Hanford, Inc.

OSS: GAW

cc w/encl:

EDMC, H6-08

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