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Oregon

Theodore R. Kulongoski, Governor



OREGON OFFICE
OF ENERGY

625 Marion St. NE, Suite 1
Salem, OR 97301-3742
Phone: 503-378-4040
Toll Free: 1-800-221-8035
FAX: 503-373-7806
www.energy.state.or.us

April 15, 2003

Mr. R.F. Guercia
U.S. Department of Energy
Richland Operations Office
P.O. Box 550 (A3-04)
Richland, WA 99352

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SEP 30 2003

EDMC

Subject: Engineering Evaluation/Cost Analysis (EE/CA) for Disposition of Mixed Waste from the 183-H Solar Evaporation Basins (DOE/RL-2002-63)

Dear Mr. Guercia:

The Oregon Office of Energy (Oregon) reviewed the above referenced document and provides the following opinion on the management of Mixed Low Level Waste (MLLW) generated during the remediation of the 183-H Solar Evaporation Pond.

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The EE/CA indicates that the barrels already in storage in the Central Waste Complex are being managed as RCRA past practice waste that may contain listed, hazardous, and radioactive substances. In order to dispose of waste into the Environmental Restoration Disposal Facility (ERDF) the waste must result from a CERCLA or RCRA cleanup conducted on the Hanford Site (1996 ERDF Explanation of Significant Difference, 2002 Amendment ERDF Record of Decision). Since waste from the 183-H site was generated under RCRA past practice authority it may be acceptable for disposal in ERDF. DOE must demonstrate that the 183-H wastes meet the ERDF Waste Acceptance Criteria prior to disposal and provide appropriate CERCLA decision documentation.

Oregon acknowledges that some of the previously containerized waste may not meet waste acceptance criteria. If, after treatment, the waste still fails requirements, then DOE will have to continue to store the waste until a suitable treatment option is developed, or a suitable offsite disposal option is negotiated. Oregon suggests that DOE agree to a series of milestones for either the treatment or storage of any unacceptable barrels, including stipulated penalties.

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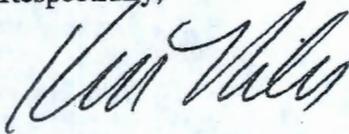
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DOE-RL/RLCC

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Oregon recommends that the Tri-Party agencies concur on this EE/CA and thereby generate the appropriate CERCLA Action Memorandum to allow disposal of 183-H Waste into the ERDF. This proposed strategy promotes the timely restoration of the Hanford Site, which Oregon supports. If you have any questions, please contact Tom Stoops at (503) 378-8328.

Respectfully,



Ken Niles, Administrator
Nuclear Safety Division

Cc: John Morse, U.S. Department of Energy, Richland Office
Jane Hedges, Washington State Department of Ecology
Nick Ceto, U.S. Environmental Protection Agency, Region 10
Shelley Cimon, Oregon Hanford Waste Board
Armond Minthorn, Confederated Tribes of the Umatilla Indian Reservation
Russell Jim, Yakama Nation
Patrick Sobotta, Nez Perce Tribe
Thomas M. Stoops, Oregon Office of Energy