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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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February 23, 2016

16-NWP-042

By certified mail

Ms. Stacy Charboneau, Manager
Richland Operations Office
United States Department of Energy
PO Box 550, MSIN: A7-50
Richland, Washington 99352

Mr. John A. Ciucci, President and CEO
CH2M HILL Plateau Remediation Company
PO Box 1600, MSIN: H7-30
Richland, Washington 99352

1235593
Re: Response to Letter 16-ESQ-0027, dated January 27, 2016, from S. C. Charboneau, USDOE-RL, to J. A. Hedges, Ecology, "Response to Inspection Report Groundwater Operation and Maintenance Dangerous Waste Compliance Inspections on May 19, 20, 21, and 27, 2015 at the Hanford Site, Resource Conservation and Recovery Act (RCRA) Site ID: WA7890008967, Nuclear Waste Program (NWP) Compliance Index Nos. 15.521 thru 15.533 (15-NWP-174)" 1231428

Dear Ms. Charboneau and Mr. Ciucci:

The Department of Ecology (Ecology) inspected the below dangerous waste management unit (DWMU) groups on the following dates, to determine compliance with the Washington State Dangerous Waste Regulations (Chapter 173-303 Washington Administrative Code) and the Minimum Standards for Construction and Maintenance of Wells (Chapter 173-160 WAC). These regulations establish a system for safe and responsible management of dangerous waste and standards for construction and maintenance of resource protection wells.

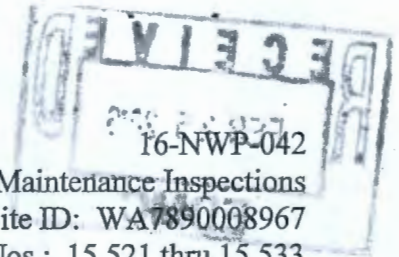
- 15.521 – 300 Area Process Trenches – Inspected May 19, 2015
- 15.522 – 216-A-29 Ditch – Inspected May 20, 2015
- 15.523 – 216-A-36B Crib – Inspected May 20, 2015
- 15.524 – 216-A-37-1 Crib – Inspected May 20, 2015
- 15.525 – 216-B-63 Trench – Inspected May 20, 2015
- 15.526 – 216-S-10 Pond & Ditch – Inspected May 20, 2015
- 15.527 – 216-B-3 Main Pond – Inspected May 20, 2015
- 15.528 – 1301-N Liquid Waste Disposal Facility – Inspected May 21, 2015
- 15.529 – 183-H Solar Evaporator Basins – Inspected May 21, 2015
- 15.530 – 1325-N Liquid Waste Disposal Facility – Inspected May 21, 2015
- 15.531 – 1324-N Impoundment and 1324-NA Percolation Pond – Inspected May 21, 2015
- 15.532 – Low Level Burial Grounds Used Trenches (Green Islands) – Inspected May 27, 2015
- 15.533 – Non-Radioactive Dangerous Waste Landfill – Inspected May 27, 2015

Ecology received your letter with enclosure, which described actions to correct the areas of non-compliance identified in Ecology's September 30, 2015, letter and compliance report.



Ms. Charboneau and Mr. Ciucci
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Groundwater Operation and Maintenance Inspections
RCRA Site ID: WA7890008967
NWP Compliance Index Nos.: 15.521 thru 15.533
Inspection Dates: May 19, 20, 21, and 27, 2015



You were required to correct the areas of non-compliance by January 18, 2016. Ecology received your response letter on January 28, 2016. As of January 28, 2016, Ecology has received documentation indicating that all six areas of non-compliance have returned to compliance. Below are my responses to your letter with attachment for the six areas of non-compliance.

Violation 1 - WAC 173-303-320(2)(d): Ecology is satisfied that the actions taken are sufficient to close out this area of non-compliance.

Violations 2 and 3 - WAC 173-303-400(3), 40 CFR 265.90(b), 40 CFR 265.92(b)(3), 40 CFR 265.93(b), and 40 CFR 265.93(c)(2): Ecology is satisfied that the actions taken are sufficient to close out these areas of non-compliance. In response to your additional action considered, Ecology understands that well maintenance activities such as replacing the well pumps can cause dislodged material from the well casing to enter the groundwater potentially causing false exceedance values when sampling occurs. This however does not relieve you from following the requirements of the interim status groundwater monitoring regulations. This is especially the case, because many of these potentially false exceedances are being caused by the fact that CH2M HILL Plateau Remediation Company and the U.S. Department of Energy are not doing preventative maintenance on the groundwater wells. Ecology recommends you institute a preventative maintenance procedure, such as well redevelopment, in cases where a regular maintenance activity has the potential to result in a false exceedance during groundwater sampling. Ecology does not support new Tri-Party Agreement (TPA) language changes to excuse you from complying with the regulatory requirements for interim status groundwater monitoring.

Violation 4 - WAC 173-303-400(3), 40 CFR 265.90(b), 40 CFR 265.92(b)(3), 40 CFR 265.92(c)(2), and 40 CFR 265.92(d) and Violation 6 - WAC 173-303-400(3), 40 CFR 265.90(b), 40 CFR 265.92(b)(3), and 40 CFR 265.92(d): Ecology received DOE/RL-2008-61 Draft Revision 1 "Interim Status Groundwater Monitoring Plan for the 216-S-10 Pond and Ditch" on October 13, 2015 and DOE/RL-2008-58 Draft Revision 1 "Interim Status Groundwater Monitoring Plan for the 216-A-29 Ditch" on December 10, 2015. Both of these draft plans included updates to address the areas of non-compliance and Ecology is satisfied that the actions taken are sufficient to close out these violations. Please note, Ecology is still reviewing all of the interim status groundwater monitoring plans that have been submitted for complete regulatory compliance.

Violation 5 - WAC 173-303-400(3), 40 CFR 265.90(b), 40 CFR 265.92(b)(3), and 40 CFR 265.92(d): Understanding that statistics are improved from properly spaced out well sampling events, missed sampling events should be completed within the required regulatory timeframes. Outside of provisions allowed in 40 CFR 265.90(c) and (d), the interim status groundwater monitoring regulations do not allow for variances for missed sampling events. If missed regulatory required sampling events are discovered during inspections and there is no legal process to allow for the variance, Ecology will consider these as violations of the interim status groundwater monitoring regulations. Ecology will close out this area of non-compliance.

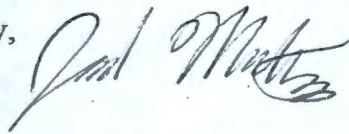
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Groundwater Operation and Maintenance Inspections
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Ecology does not support new TPA language changes to excuse you from complying with the regulatory requirements for interim status groundwater monitoring.

If you have questions or need further information regarding compliance related issues, please contact me at jared.mathey@ecy.wa.gov or (509) 372-7949.

Sincerely,



Jared Mathey
Dangerous Waste Compliance Inspector
Nuclear Waste Program

tkb

cc electronic:

Dave Bartus, EPA
Jack Boller, EPA
Dennis Faulk, EPA
Duane Carter, USDOE
Cliff Clark, USDOE
Michael Cline, USDOE
Doug Hildebrand, USDOE
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Kathy Conaway, Ecology
Dwayne Crumpler, Ecology
Suzanne Dahl, Ecology
Kelly Elsethagen, Ecology
Dib Goswami, Ecology
Jane Hedges, Ecology
Edward Holbrook, Ecology

cc electronic:

Zelma Jackson, Ecology
Brian Johnson, Ecology
Jared Mathey, Ecology
Nina Menard, Ecology
Tim Mullin, Ecology
John Price, Ecology
Nancy Ware, Ecology
Cheryl Whalen, Ecology
CHPRC Correspondence Control
Environmental Portal
Hanford Facility Operating Record

cc: Rod Skeen, CTUIR
Gabriel Bohnee, NPT
Russell, Jim, YN
Steve Hudson, HAB
Administrative Record
NWP Central File
NWP Compliance Index File:
15.521 thru 15.533
NWP Reader File