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

01-RCA-133

FEB 14 2001

Mr. Michael A. Wilson, Program Manager  
Nuclear Waste Program  
State of Washington  
Department of Ecology  
P.O. Box 47600  
Olympia, Washington 98504

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FEB 27 2001

EDMC

CLOSE OUT OF 2000 INTERIM LAND DISPOSAL RESTRICTION (LDR) REPORT  
PREPARED AND SUBMITTED IN ACCORDANCE WITH HANFORD FEDERAL  
FACILITY AGREEMENT AND CONSENT ORDER (TRI-PARTY AGREEMENT) INTERIM  
MILESTONE M-26-01J

- References: (1) Ecology ltr. to W. W. Ballard, RL, from M. A. Wilson, "Washington State Department of Ecology's Second Response to the U.S. Department of Energy's Submittal of the Interim Report on Hanford Site Land Disposal Restriction (LDR) for Mixed Waste in Accordance with Milestone M-26-01J," dtd. December 1, 2000. 54165
- (2) RL ltr. to M. A. Wilson, Ecology, from S. H. Wisness, "Response to State of Washington Department of Ecology (Ecology) September 28, 2000, Primary Document Comments Regarding the Interim Land Disposal Restriction (LDR) Report Submitted in Accordance with Milestone M-26-01J," 01-RCA-022, dtd. October 25, 2000.

As a follow-on to our discussions, this letter formalizes the agreements reached between our agencies on the 2000 Interim LDR Report for Mixed Waste submitted in July 2000 in support of Tri-Party Agreement Milestone M-26-01J. The U.S. Department of Energy (DOE) (Richland Operations Office [RL] and the Office of River Protection) submitted the 2000 Interim Report to the State of Washington Department of Ecology (Ecology) as a primary document. In September, Ecology provided comments to RL and required specific actions be taken in response to the July submittal. DOE responded to Ecology on October 25, 2000. Ecology notified DOE on December 1, 2000, that the 2000 Interim LDR Report was inadequate. Ecology's comments and the proposed resolution reached between the agencies on the 2000 Interim LDR Report are attached.

Ecology and DOE have worked collaboratively to resolve the issues associated with the preparation and submittal of the annual LDR report. DOE is confident that the 2000 Interim LDR Report and associated issues have been resolved to all parties' satisfaction.

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Please return the signed Primary Document Statement (Attachment 2), at your earliest convenience. When signed, both parties agree that the 2000 Interim LDR Report is complete and no further action will be taken. If you have questions or concerns, please contact Astrid Larsen, of my staff, on (509) 372-0477.

Sincerely,



Clifford E. Clark, Acting Program Manager  
Office of Regulatory Liaison

RCA:APL

Attachments:

1. Comments on the 2000 LDR Report
2. Primary Document

cc w/attachs:

Administrative Record, H6-08  
J. H. Richards, CTUIR  
L. J. Cusack, Ecology  
L. E. Ruud, Ecology  
R. R. Skinnarland, Ecology  
R. F. Stanley, Ecology  
D. R. Sherwood, EPA  
J. S. Hertzell, FHI  
O. S. Kramer, FHI  
E. J. Murphy-Fitch, FHI  
T. Martin, HAB  
P. Sobotta, NPT  
M. L. Blazek, Oregon Energy  
R. Jim, YN

## COMMENTS ON 2000 LDR REPORT

1. The 2000 LDR must be revised to identify and reference (by document number) any assessments completed during the 2000 LDR reporting period (i.e., January – December 1999), and the schedule for performing assessments at all mixed waste locations for the 2001 reporting period (i.e., January – December 2000).

RESOLUTION: On December 20, 2000, DOE submitted to Ecology supplemental information that included a listing of assessments conducted in calendar year (CY) 1999, statements on personnel qualifications, the CY 2001 assessments schedule, and the draft Department of Energy procedures that cover LDR assessments. *Ecology concurred that the supplemental information was adequate/acceptable and that the 2000 Interim LDR Report would not need to be revised and/or republished.*

2. Procedures submitted by way of USDOE's sixty (60) day notification must be revised to address deficiencies noted below:
  - The "appropriate skills" that are required for personnel conducting the assessments need to be identified.
  - The assessment lead needs to be identified.
  - The criteria for selecting a particular method for conducting assessments needs to be identified.
  - The process for clearly documenting the assessments and taking appropriate corrective action needs to be identified.

RESOLUTION: *See Item 1 above.*

3. The 2000 LDR Report must be revised to contain the primary document statement and signature blocks as required by the Final Determination, Section IV.3.B.f.

RESOLUTION: The primary document statement and signature blocks for the Inter-Agency Management Integration Team (IAMIT) representatives is attached. When signed, the document becomes a binding and enforceable document under the Tri-Party Agreement.

**PRIMARY DOCUMENT STATEMENT  
2000 INTERIM LAND DISPOSAL RESTRICTION REPORT**

*This document was prepared, submitted, revised and approved as a primary document in response to the requirements of HFFACO milestone series M-26-01 and related RCRA Land Disposal Restriction (LDR) and HFFACO requirements. As such, this document serves as a binding and enforceable document under the HFFACO.*

Approved and issued this \_\_\_\_\_ day of February 2001:

W. Wade Ballard

W. Wade Ballard, Assistant Manager,  
for Planning and Integration  
U.S. Department of Energy  
Richland Operations Office  
Department of Energy IAMIT Representative

\_\_\_\_\_  
M. A. Wilson, Program Manager  
Nuclear Waste Program  
State of Washington  
Department of Ecology  
Ecology IAMIT Representative