



0072677



APR 12 2007

07-ESQ-047

CCN:149986

Mr. Jay Manning, Director
Washington State
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504



Dear Mr. Manning:

HANFORD TANK WASTE TREATMENT AND IMMOBILIZATION PLANT (WTP)
DANGEROUS WASTE PERMIT (DWP) COMPLIANCE SCHEDULE ITEMS 3, 4, 5, 6, 7, 8,
11, 15, 17, 21, 25, AND 30

Reference: WA7890008967, "Dangerous Waste Portion of the Hanford Facility Resource Conservation and Recovery Act Permit for the Treatment, Storage, and Disposal of Dangerous Waste, Chapter 10 and Attachment 51, 'Waste Treatment and Immobilization Plant.'" *0062811*

This letter provides you with notice that Compliance Schedule Items 3, 4, 5, 6, 7, 8, 11, 15, 17, 21, 25, and 30 identified in the Reference, due April 1, 2007, and listed below, were not completed as scheduled. These compliance schedule items pertain to updating DWP documentation already contained in the permit and/or descriptions of operating practices required prior to the initial receipt of dangerous waste in support of WTP operations.

- Item 3: Waste Analysis Plan (Chapter 3) and Quality Assurance Project Plan (Appendix 6A)
- Item 4: Procedures to Prevent Hazards (Chapter 6) and Inspection Schedules
- Item 5: Contingency Plan
- Item 6: Training Program Description (Chapter 8)
- Item 7: Dangerous Waste Training Plan (actual plan to be submitted to administrative record)

- Item 8: Closure Plan (Chapter 11)
- Item 11: Description of container management practices
- Item 15: Description of tank management practices
- Item 17: Description of containment building management practices
- Item 21: Description of pretreatment facility miscellaneous treatment system management practices
- Item 25: Description of Low-Activity Waste miscellaneous treatment system management practices
- Item 30: Description of High-Level Waste (HLW) miscellaneous treatment system management practices

Compliance schedule dates for these items were originally established when the project was scheduled to begin operations in 2007. DWP conditions III.10.C.3, III.10.C.5, III.10.C.6, III.10.C.7, III.10.C.8, III.10.D.4, III.10.E.5, and III.10.F.3 require submittal of updated DWP chapters or other documents prior to initial receipt of dangerous and/or mixed waste in the WTP unit.

Technical considerations described in Attachment 1 delayed completion of these compliance schedule items. Discussions on the revised design and construction schedules in support of Hanford Federal Facility Agreement and Consent Order (HFFACO) milestone discussions have occurred. Revision to the compliance schedule dates will be proposed after the HFFACO negotiations are completed.

A proposed Class 1 permit modification (Attachment 2) establishing a date for submittal of a progress report in accordance with Permit Condition III.10.C.2.h is attached for the Washington State Department of Ecology review and approval. The proposed interim compliance date of June 16, 2007, is 12 months after the submittal of Compliance Schedule Item 28, "Submit engineering information for HLW Vitriification Miscellaneous Treatment Unit sub-system."

Mr. Jay Manning
07-ESQ-047

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If you have any questions, please contact Lori A. Huffman, Office of Environmental Safety and Quality, (509) 376-0104, or Brad G. Erlandson, BNI, (509) 371-3826.



Shirley J. Olinger, Acting Manager
Office of River Protection



W. S. Elkins, Project Director
Bechtel National, Inc.

ESQ:LAH

Attachments:

1. 06-WTP-011
2. Permit Mod 24590-WTP-PCN-ENV-07-001

cc w/attachs:

C. M. Albert, BNI
J. M. Atwood, BNI
W. S. Elkins, BNI
B. G. Erlandson, BNI
P. A. Fisher, BNI
D. A. Klein, BNI
L. T. Lamm, BNI
P. E. Peistrup, BNI
M. Anderson-Moore, Ecology
B. Becker-Khaleel, Ecology
L. J. Cusack, Ecology
S. L. Dahl, Ecology
G. P. Davis, Ecology
K. Elsethagen, Ecology
E. A. Fredenburg, Ecology
A. Hamar, Ecology
J. Hedges, Ecology
S. A. Thompson, FHI
K. Niles, Oregon Energy
A. C. McKarns, RL
Administrative Record (WTP H-0-8)
BNI Correspondence
Environmental Portal, LMSI

Attachment 1
07-ESQ-047

ORP letter from R. J. Schepens and J. P. Henschel, BNI, to
J. Hedges, Ecology, "Waste Treatment and Immobilization
Plant (WTP) Dangerous Waste Permit Compliance Schedule,"
06-WTP-011, dated February 1, 2006

U.S. Department of Energy

Office of River Protection

FEB 01 2006

06-WTP-011

Ms. Jane Hedges, Program Manager
 Nuclear Waste Program
 State of Washington
 Department of Ecology
 3100 Port of Benton Blvd.
 Richland, Washington 99352

Dear Ms. Hedges:

**WASTE TREATMENT AND IMMOBILIZATION PLANT (WTP) DANGEROUS WASTE
 PERMIT COMPLIANCE SCHEDULE**

- References:
1. WA7890008967, "Dangerous Waste Portion of the Hanford Facility Resource Conservation and Recovery Act Permit for the Treatment, Storage, and Disposal of Dangerous Waste, Chapter 10 and Attachment 51, Waste Treatment and Immobilization Plant."
 2. ORP letter from R. J. Schepens to M. A. Wilson, Ecology, "Independent Qualified Registered Professional Engineer (IQRPE) Reports for the Hanford Tank Waste Treatment and Immobilization Plant (WTP)," 05-ED-052, dated June 17, 2005.

The purpose of this letter is to provide you with notice that the near term items in the Compliance Schedule of the WTP portion of the Hanford Facility Resource Conservation and Recovery Act of 1976 Permit are in jeopardy and are unrecoverable. In addition, this letter is also intended to provide notification to the U.S. Department of the Ecology (Ecology) pursuant to WAC 173-303-815(3)(a)(iii). Though the resulting final WTP cost and schedule are still not known, based on the initial revised Estimate at Completion (EAC) submittal from Bechtel National, Inc. (BNI) December 22, 2005, the remaining Compliance Schedule Items in the attachment incorporated into the permit as of January 17, 2006 (Reference 1) will not be met. Though the work could potentially be re-sequenced to accomplish some items, this would negate the necessary consistency required between facilities as designs are advanced. Completion of the remaining compliance schedule items is dependent upon the finalization of the WTP EAC, and resolution of related Hanford Federal Facility Agreement and Consent Order (HFFACO) milestone issues.

Factors affecting our ability to meet the compliance due dates include:

- Commodity growth;
- Revised seismic criteria affecting structural design of the Pretreatment (PT) and High-Level Waste Facilities;
- Evaluation of hydrogen buildup in piping and vessels in the PT Facility;
- Difficulty in mixing slurries in the PT Facility;
- A reduced Fiscal Year 2006 funding level; and
- Use of final rather than initial design for permit packages.

Office of River Protection
 P.O. Box 450 MS H6-60
 Richland, Washington 99352

Bechtel National, Inc.
 2435 Stevens Center Place
 Richland, Washington 99352

FEB 01 2006

Ms. Jane Hedges
06-WTP-011

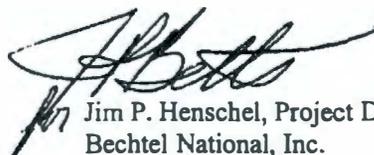
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As Ecology is aware, the compliance schedule was based on submittal of permit design packages, and IQRPE reports, based on initial design information, not final vendor information. This approach resulted in the IQRPE including words regarding "design intent" in their reports. Ecology has advised the U.S. Department of Energy (DOE), Office of River Protection (ORP) and BNI that they will not accept permit packages based on initial design information any longer. ORP and BNI have agreed to provide permit design packages based on vendor information and calculations, so that the "design intent" language can be deleted from IQRPE certifications (Reference 2). As part of these discussions, Ecology was advised that this would impact the schedule for permit design package submittal.

DOE, BNI, and the U. S. Army Corps of Engineers are in the process of evaluating the impact of these changes through the development of a revised cost and schedule estimate with completion scheduled for the summer of 2006. Additional information is contained in the Semi-Annual Compliance Report for the period July - December 2005 to be submitted in accordance with HFFACO milestone M-62-01 under separate cover. DOE and BNI will continue to constrain construction activities to those elements that have been incorporated into the permit or are authorized by Ecology.

Should you have any questions, please contact us, or your staffs may contact Lori Huffman, ORP, (509) 376-0104 or Bradley Erlandson, BNI, (509) 371-3826.


Roy J. Schepens, Manager
Office of River Protection


Jim P. Henschel, Project Director
Bechtel National, Inc.

WPD:JLS

Attachment

cc: See page 3

FEB 01 2006

Ms. Jane Hedges
06-WTP-011

-3-

cc w/attach:

B. G. Erlandson, BNI
J. P. Henschel, BNI
R. E. Lawrence, BNI
J. Markillie, BNI
J. Cox, CTUIR
S. Harris, CTUIR
M. Anderson-Moore, Ecology
B. L. Becker-Khaleel, Ecology
R. K. Biyani, Ecology
L. Cusack, Ecology
S. L. Dahl, Ecology
G. P. Davis, Ecology
K. Elsethagen, Ecology
E. A. Fredenburg, Ecology
T. Z. Gao, Ecology
J. Hensley, Ecology
G. Bohnee, NPT
K. Niles, Oregon Energy
A. C. McKarns, RL
R. Jim, YN
Administrative Record
Environmental Portal, LMSI

Near Term WTP Compliance Schedule Items

Item Number	Description	Due Date
Item 10	Submit detailed information associated with containers and container management area	03/22/06
Item 13	Submit engineering information for each dangerous waste tank and primary sump to be included in the permit	04/29/06
Item 14	Submit engineering information for each tank system ancillary equipment to be included in the permit	04/29/06
Item 19	Submit engineering information for Pretreatment Plant Miscellaneous Unit Systems	02/11/06
Item 20	Submit engineering information for Pretreatment Plant Miscellaneous Unit Systems equipment	04/12/06
Item 24	Submit engineering information for equipment for each LAW Vitrification Miscellaneous Treatment Unit subsystem	06/02/06
Item 28,	Submit engineering information for HLW Vitrification Miscellaneous Treatment Unit sub-system	06/18/06
Item 29	Submit engineering information for equipment for each HLW Vitrification Miscellaneous Treatment Unit sub-system	06/18/06

Attachment 2
07-ESQ-047

Hanford Facility RCRA Permit Modification Notification Form
24590-WTP-PCN-ENV-07-001

Quarter Ending June 2007

24590-WTP-PCN-ENV-07-001

Hanford Facility RCRA Permit Modification Notification Form
Part III, Chapter 10 and Attachment 51
Waste Treatment and Immobilization Plant

Index

Page 2 of 2: Hanford Facility RCRA Permit, Part III, Chapter 10, and Attachment 51

Add interim compliance date for submittal of a 2007 Progress Report to DWP Compliance Schedule in Appendix 1.

Submitted by Co-Operator:

Reviewed by ORP Program Office:

D. A. Klein
D. A. Klein

4/3/07
Date

S. J. Olinger
S. J. Olinger

4/12/07
Date

Quarter Ending June 2007

24590-WTP-PCN-ENV-07-001

Hanford Facility RCRA Permit Modification Notification Form				
Unit: Waste Treatment and Immobilization Plant	Permit Part & Chapter: Part III, Chapter 10 and Attachment 51			
<u>Description of Modification:</u> The purpose of this modification is to update the DWP Compliance Schedule located in Attachment 51, Appendix 1, to add an interim compliance schedule date for submittal of a 2007 progress report. Permit condition III.10.C.2.h requires the permittees to establish a compliance schedule date for submittal of a report of progress "if no interim requirement will be completed within a 12 month period." The proposed interim compliance date for a 2007 progress report is June 16, 2007. This date is 12 months after the last completed compliance schedule item, item 28, "Submit engineering information for HLW Vitrification Miscellaneous Treatment Unit sub-system," submitted to Ecology June 16, 2006. The proposed interim compliance schedule item is: 36. Submit 2007 Report of Progress - 6/16/2007				
WAC 173-303-830 Modification Class: ^{1 2}	Class 1	Class ¹ 1	Class 2	Class 3
Please mark the Modification Class:		x		
Enter Relevant WAC 173-303-830, Appendix I Modification citation number: A.5.a. Enter wording of WAC 173-303-830, Appendix I Modification citation: " <i>Changes in interim compliance dates, with prior approval of the director,</i> " also permit condition III.10.C.2.h, "Progress report Compliance Schedule dates shall be submitted to Ecology as a Class '1...'"				
Modification Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No (state reason for denial) <u>Reason for denial:</u> 			Reviewed by Ecology: 	
			S. Dahl	Date

¹ Class 1 modifications requiring prior Agency approval.

² If the proposed modification does not match any modification listed in WAC 173-303-830 Appendix I, then the proposed modification should automatically be given a Class 3 status. This status may be maintained by the Department of Ecology, or down graded to a Class '1, if applicable.