

START

9 13304.2116

0039576



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1315 W. 4th Avenue • Kennewick, Washington 99336-6018 • (509) 735-7581

December 20, 1994

Mr. James Rasmussen
U. S. Department of Energy, Richland Operations Office
P.O. Box 550 MSIN: A5-15
Richland, WA 99352



Dear Mr. Rasmussen:

Washington State Department of Ecology technical staff have completed the review of your letter dated September 23, 1994, regarding the applicability of WAC 173-303 to the nitric acid at the PUREX facility. It is our understanding the nitric acid is to be shipped off site for use as a raw material in a process similar to the PUREX process.

The regulatory analysis provided by the U. S. Department of Energy of the applicability of the pertinent regulations (WAC 173-303-16, 17, and 40) was closely reviewed by our staff to ensure consideration of all aspects of these regulations to the nitric acid. As discussed in the letter, materials which are used or reused as substitutes for raw materials or ingredients in industrial processes are not considered solid waste, provided no reclamation of the material is necessary and the process in which the material is to be used is not itself a reclamation process (see WAC 173-303-017(2)(a)).

Although not currently classified as a solid waste, the material is a hazardous substance and should be managed in a manner which ensures that releases will not occur, and human health and the environment will be protected. Additionally, to avoid regulation of this material under the provisions for speculative accumulation, at least 75% of the material must be transferred for recycling within the next calendar year (see WAC 173-303-16(5)(d)).

Our review was strictly directed towards technical regulatory aspects based on the information submitted in the letter. Please carefully consider the comments that you have received from the stakeholders regarding the shipping plan for the acid, and other issues they may have raised.

If you have any questions, please contact Moses Jaraysi at (509)736-3016.

Sincerely,

David Lundstrom
Nuclear Waste Program

DL:MJ:mf

cc: Paul Krupin, USDOE
Gene Senat, USDOE
Jack Waite, USDOE

Dan Duncan, EPA
Doug Sherwood, EPA
Doug Hamrick, WHC

Julie Robertson, WHC
Administrative Record