



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

March 12, 1998

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



Dear Mr. Rasmussen:

Re: Waste Acid Treatment System Closure Outstanding Notice of Deficiency (NOD)
Comments

A meeting was conducted on February 5, 1998, between the Washington State Department of Ecology (Ecology) and the Environmental Protection Agency (EPA). This meeting was conducted to discuss issues regarding Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) integration potentially impacting the Waste Acid Treatment System (WATS) Closure Plan NOD issued October 8, 1996.

Enclosed are the Ecology and EPA agreements regarding coordination of regulatory activities reached during this meeting. This information is being provided to assist the U.S. Department of Energy (USDOE) in developing a path forward for the closure of the WATS Treatment Storage and Disposal (TSD) unit. Widespread soil and groundwater contamination exists under and around the WATS unit. For this reason, Ecology and EPA would like to present these agreements, and perhaps a clearer understanding of what would be acceptable by both regulatory agencies, to close the outstanding NOD comments.

Ecology and EPA agree that USDOE's proposal to omit subfloor contamination and/or remediation from the scope of the RCRA closure and to transfer numerous structures, without funding, to Environmental Restoration (ER) is unacceptable. It is important to consider in developing a path forward that there is no date defined when the 300-FF-2 Operable Unit (OU) will actually start remediation. Very limited groundwater monitoring is occurring in the 300-FF-5 OU. Further, 300-FF-5 monitors only 300-FF-1 sites and currently does not meet RCRA monitoring requirements.

If you have any questions regarding the above information, please contact me at (509) 736-3025.

Sincerely,

Greta P. Davis, 300 Area WATS Sub-Project Manager
Nuclear Waste Program

GPD:skr

cc: Ellen Mattlin, USDOE
Russell Jim, YIN
Mary Lou Blazek, ODOE
Jon Remaize, B&W
Dave Einan, EPA
Scott Luke, RFSH
Administrative Record: 300 Area Waste Acid Treatment System (WATS), 300-FF-2, and 300-FF-5

WASTE ACID TREATMENT SYSTEM
Workshop Meeting
2/5/98

Attendees: Greta Davis, Ecology
 Jeanne Wallace, Ecology
 Dave Einan, EPA

This meeting was conducted to address Resource Conservation and Recovery Act/ Comprehensive Environmental Response, Compensation, and Liability Act (RCRA/CERCLA) integration issues still outstanding in the Waste Acid Treatment System (WATS) Closure Plan Notice Of Deficiencies (NOD's) dated October 8, 1996. The following tentative agreements were reached during this meeting, pending Department Of Energy – Environmental Restoration (DOE-ER) acceptance, and Ecology and EPA acceptance of proposals. ALL AGREEMENTS REACHED ARE CONTINGENT UPON DOE-ER ACCEPTANCE, ADMINISTRATIVE DEVELOPMENTS, ARAR's, TPA MILESTONES, WATS CLOSURE PLAN, AND 300-FF-2 and 300-FF-5 RECORD OF DECISION MODIFICATIONS.

General Comment # 1 b

General NOD comment # 1 b will remain open until specific NOD's are closed out. The following discussion relates to General NOD comment # 1 b.

A table containing a number of documented releases related to WATS, were identified in the closure plan. After going over the table, it was agreed that most of the releases identified were either non-significant or were no longer of a concern. The Process Trenches were identified as the main recipient of the released waste, in most cases, and is currently being addressed by cleanup activities in that area. However, three (3) WATS related releases during RCRA operations were identified, as follows: The 311 tank farm, the 333 building, and the 313 building. Each spill was discussed, the following is the agreements made.

The 311 Tank Farm spill was a small quantity of caustic solution mixed with weak etch acids. The solution was collected along with rinse water used for cleanup of the area, and re-circulated through the 313 building WATS process. A visual inspection performed by Washington State Department of Ecology (Ecology) identified no visual signs of damage to the basin that could have occurred due to contact of the etching materials. An agreement was made that scabbling of the bermed area is acceptable, and that the structure could be left in place for future use or demolition at a later date.

The documented spill in the 333 building resulted from a faulty valve located on the bottom of tank 11. This decontamination solution flowed directly into the process sewer trench (do not confuse with the 300 Area Process Trenches), downgradient of tank 11. A visual inspection by Greta Davis, Ecology, of the floor in this area, indicated no etching

or staining of the floor, was caused by this spill. Agreement was made that deacon is adequate to mitigate the spill.

The 313 building WATS related spill was determined to be beneath the floor on the southwest end of the 313 building. Due to pre-existing contamination in this area, characterization for the extent of WATS contribution of contamination in this area is impossible to distinguish. Early in the 1970's, the process sewer was found to be leaking in this same area. The amount leaked, and the period of time involved is undetermined. Complicating factors regarding this soil contamination is compounded by historical documentation of a waste discharge pit used in previous operations un-related to WATS, but using similar materials, along with discharges of the co-located U Bearing system. (This spill was questionable, weather it was from U Bearing operations, WATS, or previous operations. A determination was made because of the likeness in materials, that it could not be determined through soil characterization which operation was the contributor so WATS was forced into taking ownership through default.) It was agreed that because of the documented circumstances, location, and extent of contamination, that the Environmental Protection Agency (EPA) would accept the scope of work for cleanup in this area through the CERCLA 300-FF-2 Record Of Decision (ROD).¹ We also discussed partial closure pending this remediation while maintaining interim status.

Specific NOD's addressed, #'s 3, 5, 12, 16, 28, 33, 34, 35, & 58

NOD #3 Future disposition of the 334 building is unknown. After considerable discussion of this area, an agreed upon determination is as follows. If the inside of the building (the WATS pit area only) is cleaned according to the closure plan and the Decontamination and Inspection Plan (DIP), the building will be left for restoration through future transition into Environmental Restoration/Decontamination & Decommission (ER/D&D).

This agreement was made, provided that documentation is made available for Ecology review and acceptance, and demonstrates integrity of the impermeable liner installed prior to WATS operations. (Documentation from previous contractor stating what scope of work was performed during cleanup from previous operations and identification of liner used.)

NOD #5 The pipe trench holds numerous lines, some of which are still active. Documentation in the 300-FF-2 Operable Unit Technical Baseline Report, Revision 00, dated August 1994, shows that the trenches were constructed with weep holes so that condensate could dissipate through the soil. It has also been identified that WATS operations did have a release inside of the trenches and released to the soils through the weep holes.

Ecology and EPA will require a current list of facilities, which are still utilizing the pipe trench, including sewer service, and the expected duration of operation.

DOE must further verify a future use and a reason to leave the existing WATS buildings in place. Ecology must develop and transmit a letter to EPA identifying all ARAR's for WATS. (**ARAR** requirements for activities; i.e., groundwater, all deferred activities, cleanup levels, constituents list, but is not limited to just these items). A copy of the ARAR, scope and schedule identifying the scope of work referred to the 300-FF-2 and FF-5 RODs must be identified and verified as being documented in the Waste Information Discharge System (WIDS). ARAR's need to be generated and reflected in letters, closure plan, and ROD. (Also applicable to NOD # 16.)

Schedule coordination – Action item

CERCLA requirements for deferred activities (i.e., WIDS verification within 1 yr., agreement by ER to accept scope, TPA change package to append C. Just < proposed plan – 1.5 yr. away, but is not limited to just these items).

Concurring EPA and Ecology agreement is that the 313 building should be demolished by the year 2000, after privatization of the 333 building to allow the current resident (Kaiser) to relocate. Regarding the waterline break outside the 313 building, all parties agreed that subsurface contamination exists outside and under the 313 building, and that EPA will address the contaminated soil cleanup in the CERCLA work scope with ARARs. (Also applicable to NOD #16.)

NOD #12 The WATS closure plan table 3-2 lists spills to the pipe trench. An agreement was made that CERCLA will accept cleanup of this soil, but that RL is responsible for characterization and documentation of spills into WIDS of this area for the 300-FF-2 ROD. RL will also be responsible for supplying correspondence to Ecology, EPA, and Administrative Record for WATS, and Operable Units.

After review of the table information, it was agreed that most of the releases related to WATS operations went to the process sewer, and that it is appropriate for DOE-RL to leave the pipe trench for Environmental Restoration, contingent upon continued use.

NOD #16 After review of the WATS closure plan and supporting documents; Ecology and EPA concur that partial closure instead of clean closure is appropriate. It was further suggested that another phase, addendum, or modification of the proposal for the Phase 3 DIP activities, might be needed in order to address activities to be conducted concurrently with the 300-FF-2 ROD.

NOD #28 DISAP changed to DIP (From: Decontamination Implementation Sampling and Analysis Plan To: Decontamination Implementation Plan.)

¹ Ecology and EPA are in concurrence that partial closure is more appropriate for cleanup pending facility transition of buildings to ER, and pending remediation while maintaining interim status.

Dave Einan stressed that a sampling plan was necessary for verification. However, if using the debris rule, it is acceptable that sampling is not required by the debris rule.

Visual inspections - DOE must demonstrate their capability to achieve resolution necessary, in regard to the debris rule, to determine if the performance standard has been met.

NOD #33 & 34 A 5 – 10 Percent CERCLA validation will be necessary. ARAR's addressing a contaminant list and cleanup levels must be developed and presented in the closure plan.

NOD #35 Resolution of Notice of Deficiency #35 is dependent on the resolution of General Comment #1b with the action levels specified by Ecology.

NOD #58 Soil as part of the closure scope. Ecology and EPA concur that the WATS soil will not be clean closed until the 300-FF-2 completes remediation of the soils. Agreement is that the scope of work for WATS does include soil cleanup and that the 313 releases must be addressed in the closure plan. However, Environmental Restoration will do physical remediation, but RCRA interim status will not be revoked until this work is completed. (Also applicable to NOD #'s 16, 33, and 34.)
