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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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October 18, 1999

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



Dear Mr. Rasmussen

The U.S. Department of Energy - Richland Operations (USDOE-RL), Fluor Daniel Hanford, Inc. (FDH), and Waste Management Hanford (WMH) have raised concerns regarding the closure process for clean closing the 2401-W Waste Storage Building located at the Central Waste Complex (CWC). The Washington State Department of Ecology (Ecology) has attempted to clarify the closure process for 2401-W, both verbally and through written communication (letter, Ecology to USDOE, "Transmittal of the 2401-W Waste Storage Building Closure Plan," dated August 16, 1999). This letter will hopefully clear up any remaining questions or concerns regarding the closure process.

The most recent version of the 2401-W Closure Plan (DOR-RI-99-46) was granted a conditional approval by Ecology on August 16, 1999. Full approval could not be granted because, although the closure plan had been finalized and implemented, the plan had not been presented to the public for review. Chapter 11 (Closure and Financial Assurance) of the CWC Part B Dangerous Waste Permit Application did go through public involvement as part of Modification D of the Hanford Facility Dangerous Waste Permit. However, since the actual closure plan used to close 2401-W was significantly different from the original CWC generic closure plan, additional public involvement (pursuant to Washington Administrative Code [WAC] 173-303-830) is necessary. Another reason for public involvement is based on the fact that meeting clean closure standards under WAC-173-303-610 will remove 2401-W from the CWC Part A Form 3.

WAC-173-303-830 requires a sixty (60) day comment period on the permit modification request. Ecology recognizes that the *Hanford Federal Facility Agreement and Consent Order* has language that supports a shorter comment period of forty-five (45) days. According to WAC-173-303-840, the forty-five (45) day public comment period applies to new draft permits rather than modifications of existing permits. Ecology is currently reviewing the various requirements for public involvement and will discuss these at an upcoming steering committee meeting.

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Modification E of the Site Wide Permit started October 4, 1999; therefore, providing a separate public involvement process for 2401-W would be of no benefit in terms of accelerating the closure process.

In addition, the CWC Part A Form 3 will need to be revised with respect to closure of 2401-W. USDOE will need to submit to Ecology the revised CWC Part A Form 3, excluding 2401-W, by December 13, 1999. Please note that Ecology must review and consider all public comments on the 2401-W prior to granting final approval. However, once Ecology grants final approval on the 2401-W Closure Plan, and after the revised CWC Part A has been received and accepted by Ecology, USDOE may indicate closure of the Part A covering 2401-W by stamping "2401-W, Closed" across the face of the current Part A for CWC. This stamped, closed Part A for CWC will go with the 2401-W Closure Plan in Chapter 21 of the Site Wide Permit.

If you have any questions, please feel free to contact me at (509) 736-3012.

Sincerely,



Ted Wooley, CWC Unit Manager
Nuclear Waste Program

cc: Tony McCarns, USDOE
Tony Miskho, FDH
Jim Buckley, WMH
Mary Lou Blazek, OOE

Administrative Record: 2401-W, CWC, and SWP