



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

0073204

MAY 23 2000

00-ORL-055

Mr. Tom C. Fitzsimmons, Director  
State of Washington  
Department of Ecology  
P.O. Box 47600  
Olympia, Washington 98504

Mr. Charles C. Clarke, Regional Administrator  
U.S. Environmental Protection Agency  
Region 10  
1200 Sixth Avenue  
Seattle, Washington 98101

**RECEIVED**  
JUN 19 2000

**EDMC**

Addressees:

**SUBMITTAL OF SIXTY-DAY NOTIFICATIONS REQUIRED BY FINAL DETERMINATION**

In reference to your letter to Richard T. French, Office of River Protection (ORP), and Keith A. Klein, U.S. Department of Energy, Richland Operations Office (RL), "Final Determination Pursuant to the Hanford Federal Facility Agreement and Consent Order (HFFACO) regarding the U.S. Department of Energy's (DOE) Compliance Land Disposal Restriction (LDR) Requirements of Washington State's Hazardous Waste Management Act (HWMA) and the Federal Resource Conservation and Recovery Act (RCRA), DOE's Annual Land Disposal Restrictions Report, and HFFACO Milestone M-26-01," dated March 29, 2000, this Final Determination requires that DOE make certain written notification within sixty days of letter issuance. In particular, DOE is required to "provide written notification of specific organizational units tasked with the responsibility to perform these required storage method compliance assessments." DOE is also required to submit a "schedule for the performance of these assessments.... and a copy of DOE's written procedure to be used in assessing the compliance status of mixed waste storage methods."

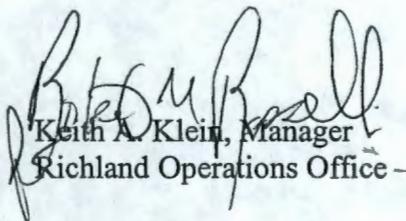
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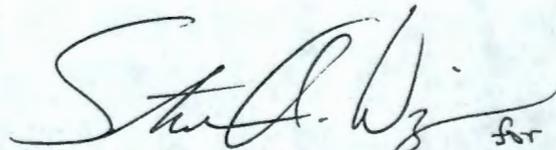
MAY 23 2000

To this end, RL has tasked its Office of Performance Evaluation, Analysis and Evaluation Division, and ORP has tasked its Tank Farm Oversight Division with this responsibility. Attachments A and B contain the procedures and schedule information for RL and ORP, respectively.

If you have questions, please contact us, or your staff may contact Mary Jarvis, Office of Regulatory Liaison, on (509) 376-2256, or Ami Sidpara, Office of Assistant Manager for Operations, on (509) 376-0933.



Keith A. Klein, Manager  
Richland Operations Office -



Richard T. French, Manager  
Office of River Protection

Attachments

cc w/attachs:

L. M. Dittmer, BHI  
R. J. Landon, BHI  
W.T. Dixon, CHG  
B. G. Erlandson, CHG  
P. A. Powell, CHG  
W. Burke, CTUIR  
L. Ruud, Ecology  
R. Stanley, Ecology  
M. Wilson, Ecology  
D. Bartus, EPA  
D. Sherwood, EPA  
J. S. Hertzell, FHI  
K. M. McDonald, FHI  
D. E. McKenney, FHI  
R. D. Morrison, FHI  
F. A. Ruck, III, FHI  
J. D. Williams, FHI  
TPA Administrative Record, FHI  
M. B. Reeves, HAB  
Ecology Library, Kennewick  
M. L. Blazek, Oregon Energy  
P. Sobotta, NPT  
R. Jim, YN  
H.T. Tilden, III, PNNL  
J. E. Shorin, III, WA. Attorney General's Office

Attachment A



U.S. DEPARTMENT OF ENERGY  
RICHLAND OPERATIONS OFFICE

**TITLE:** Evaluation of Contractor Performance in Meeting  
Mixed Waste Storage Requirements

Number: A&E 01  
Effective Date: 5-30-00  
Page: 1 of 6  
Prepared by: A&E

### 1.0 PURPOSE

This procedure describes the process and defines the responsibilities for scheduling, planning, performing and documenting RL evaluations of contractor performance in meeting environmental requirements for mixed waste storage. The RL Analysis and Evaluation Division (A&E) has the lead responsibility for RL for compliance with this procedure.

DOE and its Contractors monitor and evaluate work by using a layered approach to assessments. Level A is the actual performance of the storage activities and Level D is the highest level of oversight function. (see Attachment 1)

#### Level A:

At this level, the Contractor performs activities necessary to manage generation and storage of mixed waste (MW) in accordance with applicable regulations and permits. Such activities include, identifying the potential generator activities (satellite accumulation areas (SAA), 90-day accumulation areas), and arrangement to transfer MW to a treatment, storage, and disposal facility (TSD) upon generation. The contractor that performs the activity carries out the required inspections to verify storage requirements are being met.

The contractor organization performing the work also does self-assessments periodically of the work. Contractor records, including all self-assessment reports, are generated, reviewed, and maintained to demonstrate and document compliance to the applicable regulations. They are maintained at the facility as specified in applicable regulations. These self-assessments can be Management Assessments and/or Worker Assessments. Worker Assessments are performed by worker's responsible for, or familiar with, the process. Supervisory reviews of daily tasks provide near-term monitoring of MW storage area procedure compliance. Managers cognizant of the process, perform Management Assessments.

#### Level B:

The Contractor performs internal independent oversight review of operations to ensure requirements are being met. The records generated from each of the described assessments are maintained as required by their implementing procedures. The Contractor's review of operation can be accomplished in a variety of ways. At this level the assessments are performed independently from those that are performed at the work level. Subject matter experts who have been specifically tasked with the review of field activities perform these assessments. In addition, a team of qualified individuals who are independent from the performing organization will conduct performance reviews.

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### **Level C:**

The DOE Programs are responsible for monitoring performance of the Contractors in Level A and B. This is accomplished through RL Program and Support personnel operational observations. In addition, the Operations Oversight Division Facility Representatives monitor activities in these areas.

### **Level D:**

The DOE-RL Office of Performance Evaluation's Analysis and Evaluation Division (A&E) is responsible for an overall evaluation of compliance including lower level assessment activities, with the established programs, systems and applicable regulations. These evaluations may be conducted in a variety of ways based on the specific activity being reviewed and the results of the level A, B and C assessment activities. Any combination of field observation, documents and record review, and interview of responsible personnel may be used to conduct an assessment.

## **2.0 CANCELLATION**

None

## **3.0 APPLICABILITY**

The assessments by A&E will include MW facility storage areas and activities managed by DOE RL contractors. This procedure applies to Level D assessments conducted by, or for, A&E on Hanford Site MW satellite accumulation areas, 90-day accumulation areas, and interim and/or final permit status storage locations. This procedure does not apply to activities performed at Levels A, B, and C.

## **4.0 DEFINITIONS**

### **4.1 ACRONYMS**

A&E - Analysis and Evaluation Division  
MW - Mixed Waste  
TSD - Treatment, Storage, and Disposal  
WAC - Washington Administrative Code  
LDR - Land Disposal Restrictions  
SAA - Satellite Accumulation Area

### **4.2 DEFINITION OF TERMS**

- Satellite Accumulation Area - As defined in WAC 173-303-040.

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- Ninety (90) day accumulation area - as defined in WAC 173-303-200.
- Interim Status - As defined in WAC 173-303-400.
- Final Status - As defined in WAC 173-303-806.
- Storage – As defined in WAC 173-303-040
- Mixed Waste – Hazardous or Dangerous Waste with a radioactive component
- Mixed Waste Compliance Assessment - An A&E managed oversight activity that is performed through A&E audit or surveillances to assess contractor MW management practices for their adherence to applicable environmental requirements.

Note: "Accumulation" refers to generator activities. "Storage" refers to permitted/interim status TSD activities.

## **5.0 PROCEDURE FOR LEVEL "D" ACTIVITIES (A&E)**

### **5.1 Responsibilities**

Director, A&E is responsible for ensuring:

- A&E MW compliance assessments/evaluations are scheduled and conducted in accordance with the guidance of this procedure.
- Personnel conducting these assessments have appropriate skills to carry out the evaluations assigned.

### **5.2 MIXED WASTE COMPLIANCE ASSESSMENT SCHEDULE**

The A&E Director, or designee, develops an A&E MW assessment schedule no later than 30 days prior to the start of each quarter. Based on contractor self-assessment and independent oversight review results, up to five assessments on TSDs and one 90-Day Storage Pad or SAA may be performed per quarter.

Selection of the MW storage locations to be assessed may be based on:

- Waste storage issues based on findings from RL Facility Representative and contractor self-assessment and independent oversight activities,
- Contractor's/facility's past performance in managing the storage locations,
- Results from external regulatory inspection activities,

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- Significant changes to a contractor/facility MW management program.

### 5.3 ASSESSMENT PLANNING

The A&E Director, or designee, will assign an individual to lead the MW compliance assessment. At the Director's discretion, an assessment team may be formed to help the Assessment Lead conduct the assessment. Individuals outside of A&E, or even outside of DOE-RL, may be selected as long as they satisfy the skill requirements.

The individual assigned the responsibility to lead the assessment will perform the activity in accordance with this procedure.

The Assessment Lead/Team will review the following sections from the environmental regulations, depending on the scope and type of activities being assessed, in order to prepare for the assessment:

- Interim Status Storage Locations - Refer to WAC 173-303-400(3), 173-303-630 (3), 173-303-630 (7) 40CFR265 Subparts B, F through R, W, AA, BB, and DD.
- Final Status Storage Locations - Refer to WAC 173-303-600 through 680.
- Facility-specific information can also be found in the TSD Unit-Specific Portion (Part III) of WA7890008967 "Hanford Facility RCRA Permit", Dangerous Waste Portion.
- Additional information can also be found in contractor /facility-specific implementing procedures associate with MW management and storage.
- Satellite Accumulation Areas – Refer to WAC 173-303-200(2)
- 90-Day Accumulation Areas - Refer to WAC 173-303-200 (1).

### 5.4 ASSESSMENT NOTIFICATION

Prior to conducting the assessment, the Assessment Lead should coordinate with an applicable program/contractor point of contact to gain access to the MW storage locations that will be evaluated. The Assessment Leads will be responsible to make any arrangements for the appropriate access training for themselves and other members of the assessment team when applicable to gain facility access.

The Assessment Lead will provide formal notification of the pending assessment, via the program office as appropriate, for the scope of the evaluation.

### 5.5 CONDUCTING THE ASSESSMENT

The assessment personnel will conduct the MW compliance assessment through any one or more of the following methods:

- Review contractor implementing procedures, work instructions, training records and other documentation for adherence to applicable regulations and requirements,

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- Review contractor procedures and work activities for conformance with applicable regulations and requirements
- Performing visual inspection of the MW storage location(s),
- Directly observe contractor MW storage inspection activities,
- Interview appropriate personnel associated with MW management activities,
- Oversees contractor inspection and evaluation activities.

The assessment personnel shall record the results of the assessment using a previously prepared checklist, as appropriate. Information such as the following shall be collected to aid personnel in the preparation of the final report:

- (a) Identification of individuals interviewed,
- (b) Identification of procedures, work packages, inspection data sheets and other documents that were reviewed,
- (c) Potential areas of concern or deficiencies.

The individuals conducting the assessments/evaluations should notify the contractor in a timely manner of potentially significant issues discovered during the review.

#### 5.6 ASSESSMENT EXIT

At the completion of the review, the assessor should brief the cognizant RL program and contractor management of the results, including detailed information on deficiencies.

In the event the assessment is conducted as part of an audit, a formal exit meeting will be conducted in accordance with A&E procedures.

#### 5.7 DOCUMENTATION AND CORRECTIVE ACTION MANAGEMENT

The results of the assessments will be documented in a report, distributed and managed in accordance with established RL Program/Contractor procedures and processes. The reports will be formally transmitted to the contractor for appropriate corrective actions as necessary. Corrective actions taken as a result of the reviews shall be tracked to completion in accordance with established contractor procedures and processes.

#### 6.0 RECORDS

This procedure does not generate any new records. Records identified as a result of this process are identified in A&E procedures.

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**7.0 ATTACHMENTS**

Compliance Assessment Pyramid (See attachment 1)

**8.0 REFERENCES (optional)**

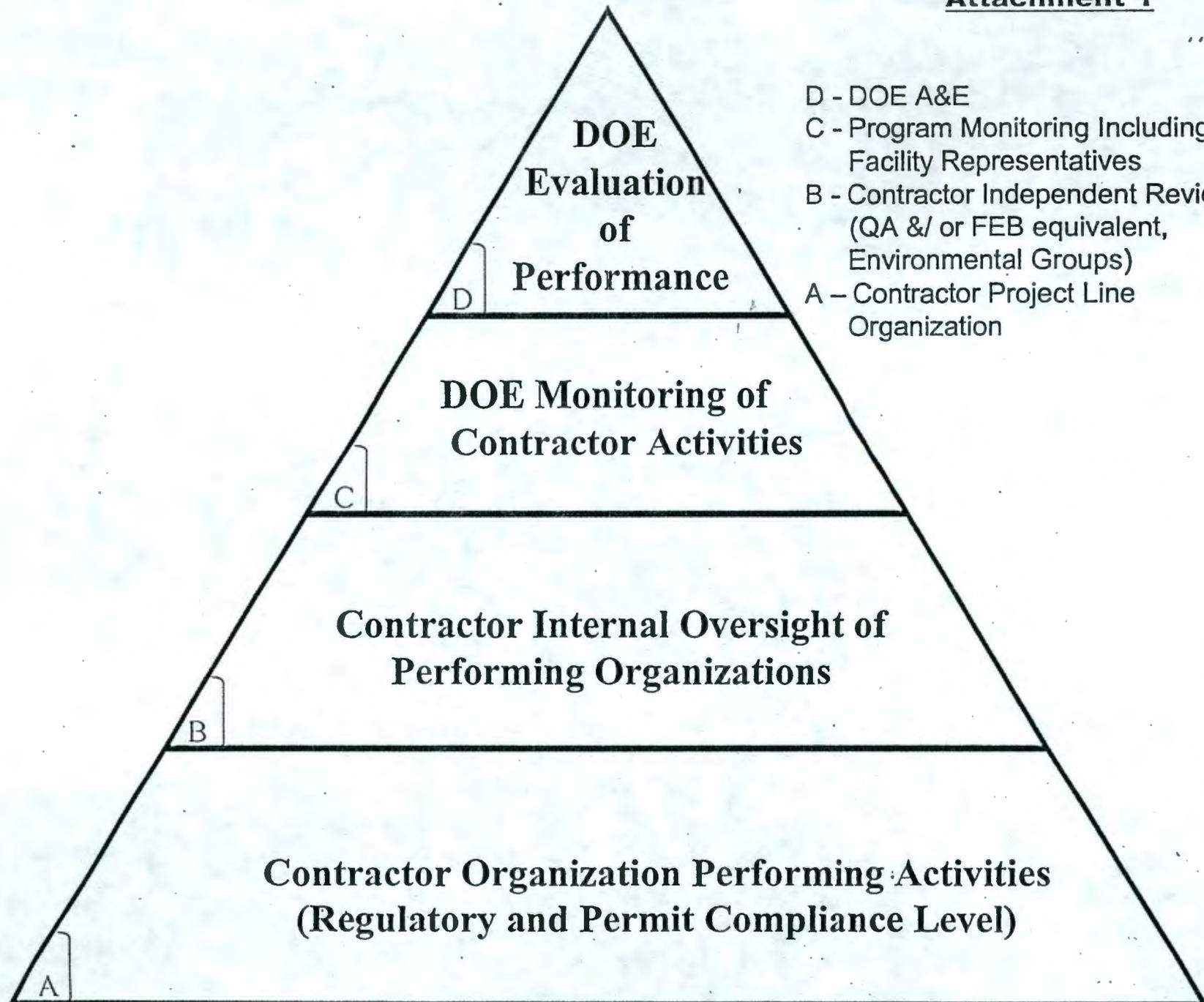
- a) 40CFR265, "Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"
- b) WAC 173-303, "Dangerous Waste Regulation"
- c) Ecology "Hanford Facility RCRA Permit", Dangerous Waste Portion, WA7890008967
- d) State of Washington Department of Ecology letter to R.T. French, DOE and K.A. Klein, DOE, from T. Fitzsimmons and C. Clarke, "Final Determination pursuant to the Hanford Federal Facility Agreement and Consent Order (HFFACO) regarding the U.S. Department of Energy's (DOE) compliance with Land Disposal Restriction (LDR) requirements of Washington State's Hazardous Waste Management Act (HWMA) and the federal Resource Conservation and Recovery Act (RCRA), DOE's annual Land Disposal Restrictions Report, and HFFACO milestone M-26-01," dated March 29, 2000.

Prepared by Paul Hernandez Date 5/23/00  
Paul R. Hernandez

Reviewed by GMBell Date 23 MAY 00  
Gerald M. Bell

Approved by Lloyd L. Piper Date 5/23/00  
Lloyd L. Piper

**Attachment 1**



Attachment B

# **Office of River Protection**

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**TITLE: Mixed Waste Storage Evaluations**

Number: ORPID 435.1

Effective Date: May 22, 2000

Prepared by: TOD/OSD

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## **1.0 PURPOSE**

To describe the process and define the responsibilities for scheduling, planning, performing and documenting mixed waste storage evaluations to determine whether the contractor is performing activities in accordance with environmental regulations and requirements. This directive meets requirements detailed in a Washington Department of Ecology Final Determination letter (Reference (c) of section 5.3 of this ORPID).

## **2.0 CANCELLATION**

None.

## **3.0 APPLICABILITY**

This procedure applies to mixed waste storage evaluations conducted by or for ORP on River Protection Project (RPP) mixed waste in satellite accumulation areas (SAA), less than ninety day accumulation areas, interim status storage locations and final status storage locations.

Note:

Satellite Accumulation Areas and Less than ninety day accumulation areas will be reviewed to determine if the contractor is controlling these areas in accordance with generator procedures and requirements (i.e. not to storage requirements).

## **4.0 ACRONYMS AND TERMS**

### **4.1 ACRONYMS**

AMO--Assistant Manager for Operations  
ESHQ--Assistant Manager for Environment, Safety, Health & Quality  
EVD--Environmental Division  
FRI--Facility Representative Instruction  
ORP--Office of River Protection  
ORPID--ORP Implementing Directive  
OSD--Operations Support Division  
RPP--River Protection Project  
TOD--Tank Farm Oversight Division

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TITLE: **Mixed Waste Storage Evaluations**

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## 4.2 DEFINITION OF TERMS

- a. Less than 90 Day Accumulation Area – As defined in WAC 173-303.
- b. Final Status – As defined in WAC 173-303
- c. Interim Status -As defined in WAC 173-303-400.
- d. Mixed Waste Storage Evaluation - A DOE-ORP review conducted as an assessment or surveillance to determine the contractor's compliance with environmental requirements identified in this procedure.
- e. ORP Master Assessment Plan--An annual assessment and surveillance plan developed by TOD consisting of a month-by-month list of assigned reviews to be conducted by DOE-ORP personnel (primarily Facility Representatives), the areas of reviews, and the individuals responsible for conducting the reviews.
- f. Storage -- means the holding of dangerous waste for a temporary period. "Accumulation" of dangerous waste, by the generator on the site of generation, is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.
- g. Satellite Accumulation Areas - As defined in WAC 173-303

Note: "Accumulation" as used herein means generator activities, which includes satellite accumulation areas and less than 90 day accumulation areas. As used herein "Storage" means permitted/interim status Treatment, Storage and Disposal (TSD) activities.

## 5.0 PROCEDURE

### 5.1 Responsibilities

- 5.1.1 Director, Operations Support Division (OSD) is responsible for ensuring ORP compliance with the requirements of this procedure as the responsible DOE line manager for RPP operations. OSD is the customer for the products developed from this procedure.
- 5.1.2 Assistant Manager, Environment, Safety, Health & Quality (ESHQ) is responsible to ensure the Environmental Division, under their direction, carries out the requirements of this directive.
- 5.1.3 Director, Environmental Division (EVD) is responsible for:
  - a. Ensuring mixed waste storage evaluations are scheduled and performed in accordance with the requirements in this procedure to support the determination described in paragraph c. below.

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**TITLE: Mixed Waste Storage Evaluations**

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- b. Ensuring personnel conducting these assessments are appropriately trained and qualified.
- c. Conducting an annual determination as to the conformance of RPP mixed waste storage to applicable regulations and requirements based on the evaluations conducted in accordance with this procedure and the ORP Master Assessment Plan.

**5.1.4** Assistant Manager for Operations (AMO) is responsible for ensuring OSD and TOD, under their direction carry out the requirements of this directive.

**5.1.5** Director, Tank Farm Oversight Division is responsible for:

- a. Ensuring mixed waste storage evaluations conducted by TOD personnel are performed in accordance with the ORP Facility Representative Instructions, this procedure, and the ORP Master Assessment Plan.
- b. Ensuring the mixed waste storage evaluation schedule developed by EVD is included/incorporated into the ORP Master Assessment Plan.

## **5.2 SPECIFIC REQUIREMENTS**

### **5.2.1 Mixed Waste Storage Assessment Schedule**

The Director, EVD, in collaboration with the Director, TOD, develops an annual schedule for mixed waste storage compliance evaluations as appropriate.

Note: Satellite accumulation areas, less than 90 day accumulation areas, interim status and final status storage locations may be obtained through the contractor's environmental organization.

Selection of the mixed waste storage locations to be evaluated may be based on:

- Waste storage findings,
- Contractor's /facility performance in managing the storage locations,
- Planned regulatory inspection schedules,
- Significant changes made to a contractor/facility waste management program.

### **5.2.2 Assessment Planning**

The Master Assessment Plan will indicate the individual responsible for conducting the mixed waste storage area conformity reviews. The assigned individual may conduct the

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review themselves, obtain the services of others to conduct the review, or may enlist the assistance of others to conduct the review as a team. Members of TOD routinely conduct various assessment activities and should be considered as a possible resource.

Individuals assigned responsibility to conduct evaluations will perform the review in accordance with standard DOE surveillance or assessment processes. A typical process for these reviews is detailed in the DOE-ORP FRIs.

The individual responsible for conducting the reviews should prepare for the evaluation by conducting a review of applicable sections from the appropriate environmental regulations, and requirements, depending on the scope and types of activities being evaluated. One or more of the following source documents may be reviewed as appropriate:

- (a) 90 Day Accumulation Areas - Refer to WAC 173-303-200 (1).
- (b) Interim Status Storage Locations - Refer to WAC 173-303-400(3), 173-303-630 (3), 173-303-630 (7) 40CFR265 Subparts B, F through R, W, AA, BB, DD.
- (c) Final Status Storage Locations - Refer to WAC 173-303-600 through 680.
- (d) Dangerous Waste Portion of the Resource Conservation and Recovery Act Permit for the Treatment, Storage, and Disposal of Dangerous Waste at the Hanford Facility, Permit Number WA7890008967, dated May 18, 1999.
- (e) Contractor facility specific implementing procedures associated with mixed waste management and storage.
- (f) Satellite Accumulation Areas - Refer to WAC 173-303-200(2).

### 5.2.3 Assessment Notification

Individuals responsible for conducting the reviews shall notify contractor environmental and facility personnel of the planned evaluations.

### 5.2.4 Conducting the Evaluation

Individuals responsible for conducting the reviews will use one or more of the following methods:

- Review contractor implementing procedures, work instructions, training records and other documentation for adherence to applicable regulations and requirements;
- Review contractor procedures and work activities for conformance with applicable regulations and requirements
- Performing visual inspection of the waste storage location(s);
- Directly observe contractor waste storage inspection activities;

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- Interview appropriate personnel associated with waste management activities;
- Oversee contractor inspection and evaluation activities.

Personnel shall record the results of the reviews. Types of information identified below should be collected to aid preparation of the final report:

- (a) Identification of individuals, by position, interviewed ,
- (b) Identification of procedures, work packages, inspection data sheets and other documents that were reviewed,
- (c) Potential areas of concern or deficiencies.

The individuals conducting the evaluations should notify the contractor in a timely manner of potential issues discovered during the review.

#### **5.2.5 Debriefing Results**

At the completion of the review, the assessor should brief appropriate contractor management on the results, including detailed information on identified deficiencies.

#### **5.2.6 Documentation and Corrective Action Management**

The results of the evaluations will be documented in accordance with established procedures and processes. The reports will be formally transmitted to the contractor for corrective action as necessary. Corrective actions taken as a result of the reviews shall be tracked to completion in accordance with established procedures and processes.

#### **5.2.7 Records**

Records will be maintained in accordance with ORP procedures.

#### **5.3 References**

- a. U.S. Code of Federal Regulations 40 CFR 265, "Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"
- b. Washington Administrative Code 173-303, "Dangerous Waste Regulation"

## **Office of River Protection**

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**TITLE: Mixed Waste Storage Evaluations**

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- c. State of Washington Department of Ecology letter to R.T. French, DOE, and K. A. Klein, DOE, from T. Fitzsimmons and C. Clarke, "Final Determination pursuant to the Hanford Federal Facility Agreement and Consent Order (HFFACO) regarding the U.S. Department of Energy's (DOE) compliance with Land Disposal Restriction (LDR) requirements of Washington State's *Hazardous Waste Management Act* (HWMA) and the federal *Resource Conservation and Recovery Act* (RCRA), DOE's annual Land Disposal Restrictions Report, and HFFACO milestone M-26-01," dated March 29, 2000.
  
- d. Dangerous Waste Portion of the Resource Conservation and Recovery Act Permit for the Treatment, Storage, and Disposal of Dangerous Waste at the Hanford Facility, Permit Number WA7890008967, dated May 18, 1999.