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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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December 29, 1997

Mr. James E. Rasmussen, Director
U.S. Department of Energy
P.O. Box 550
Richland, WA 99352

Mr. William D. Adair, Director
Fluor Daniel Hanford, Inc.
2440 Stevens Center
Richland, WA 99352

Mr. Kenneth C. Brog, Director
Pacific Northwest National Laboratory
P.O. Box 999
Richland, WA 99352

Mr. Michael C. Hughes, Vice President
Bechtel Hanford, Inc.
3350 George Washington Way
Richland, WA 99352



Dear Messrs Rasmussen, Adair, Brog, and Hughes:

Re: Class 1 Modifications to the Hanford Facility Resource conservation and Recovery Act (RCRA) Permit (October 1994-October 1997)

The Washington State Department of Ecology (Ecology) has reviewed the proposed modifications to the Hanford Facility RCRA Permit (Permit). Ecology disagrees with the U.S. Department of Energy's (USDOE's) assessment that these are all Class 1 Modifications in accordance with Appendix I of Washington Administrative Code (WAC) 173-303-830. The enclosure specifies those modifications that are not Class 1 Modifications. In general, the permittees have consistently used the Class 1 Modification process improperly. USDOE should follow these guidelines when submitting quarterly modifications:

- Specific changes should be individually identified;
- Each change should be compared to Appendix I of WAC 173-303-830, and the justification for being classified as a Class 1 Modification should be identified;

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- If changes are not specifically listed in Appendix I, the change should be submitted as a Class 3 with a request to downgrade if appropriate; and
- Redline/strikeout versions of affected documents should be submitted with the quarterly submittal.

In the future, USDOE should use the new Modification Notification Form, generated by Ecology, and discuss proposed non-routine changes with Ecology prior to the quarterly submittals to ensure the modification process is efficient, effective, and in compliance with the existing Permit condition I.C.1. Failure to properly classify changes and propose modifications may result in the permittees being out of compliance with the Permit and may prompt Ecology to take compliance actions.

Based on the results of Ecology's review, Revision 3 of the 616 Non Radioactive Dangerous Waste Storage Facility Part B Permit is not approved. Hence, the Permit Conditions in Part III, Chapter 1 of the Permit will not be deleted in this modification. Furthermore, the permittees are to comply with Revision 2 of the Part B Permit until Revision 3 is formally approved by Ecology.

If you have any questions, please contact me at (509) 736-3038.

Sincerely,



Laura J. Cusack, P.E.
Nuclear Waste Program

LJC:ch

Enclosure

By certified mail

cc: Sue Price, FDH
Fred Ruck III, FDH
Roger Bowman, WMH
Administrative Record

bcc: Moses Jaraysi, Ecology
Ron Skinnarland, Ecology

Enclosure 1: Proposed Modifications that are Greater than Class 1

Date	Facility	Modification	Class	Reason
October 1994	616 NRDWSF	Page 3-1, Lines 12 and 20	Class 3	The conditions in the 616 permit (III.1.B.oo) would allow for receipt of waste from non-contiguous USDOE-RL owned and operated facilities only.
		Replace Appendix 7A	Class 3	The Building Emergency Plan is stamped "Uncontrolled Copy to be used for reference only." Without redline/strikeout or identification of specific changes, the entire document will have to be reviewed and approved. This is inappropriate for a Class 1 Modification.
		Modification of permit conditions III.1.B.w and III.1.B.x	Class 3	Modification of Ecology specified conditions without prior negotiation/approval from Ecology is inappropriate for a Class 1 modification.
January 1995	616 NRDWSF	Page 3-1, line 12 through 14	Class 3	Is an attempt to incorporate Condition III.1.B.nn, but uses different language. The intent of the condition is changed to allow receipt of any off-site waste not just USDOE-RL owned and operated facilities.
		Page 3-8, Lines 37-40	Class 3	Allows receipt of waste from any off site facilities.
		New Appendix 7A	Class 3	Without redline/strikeout or identification of specific changes, the entire document will have to be reviewed and approved. This is inappropriate for a Class 1 Modification.
July 1995	616 NRDWSF	"Solid Waste Engineering" changes to "Solid Waste Management"	Class 3	Removes accountability and in some instances is considered a class 3 change. Without identification of each change, Ecology must consider it a Class 3 Modification.
		Replace Chapter 2 – General Description	Class 3	Removes accountability and in some instances is considered a class 3 change. Without identification of each change, Ecology must consider all a Class 3 Modification.
		Section 2.2 Delete legal description	Class 3	Not Specified in Appendix I of WAC 173-303-830.

Date	Facility	Modification	Class	Reason
		Section 2.5 Added detail of when a liquid is analyzed for contaminants	Class 2	WAC 173-303-830 Appendix 1, A.4.b.
		Replace Chapter 3 – Waste Analysis	Class 3	Removes accountability and in some instances is considered a class 3 change. Without identification of each change, Ecology must consider it a Class 3 Modification.
		Section 3.2.6 Deleted discussion regarding bomb disposal.	Class 2	Change of procedures 173-303-830 Appendix 1, B.6.a.
		Table T3-1 Update type of containers to be used.	Class 1	Approved
		Replace Chapter 4 – Process Information	Class 3	Removes accountability and in some instances is considered a class 3 changes. Without identification of each change, Ecology must consider it a Class 3 Modification.
		Table T4-1 Update type of containers to be used.	Class 1	Approved
		Replace Chapter 6 – Procedures to Prevent Hazards	Class 3	Removes accountability and in some instances is considered a class 3 change. Without identification of each change, Ecology must consider it a Class 3 Modification.
		Replace Chapter 12 – Reporting and Recordkeeping	Class 3	Removes accountability and in some instances is considered a class 3 change. Without identification of each change, Ecology must consider all a Class 3 Modification.
		Section 12.0, Page 12-1 Delete where records are kept	Class 3	Not Specified in Appendix I of WAC 173-303-830.
		Section 12.4.2 Removes information on how to retrieve records	Class 3	Not Specified in Appendix I of WAC 173-303-830.
		Appendix 2A Removes legal description	Class 3	Not Specified in Appendix I of WAC 173-303-830.

Date	Facility	Modification	Class	Reason
January 1996	616 NRDWSF	Replaces Chapter 8 – Training, with new Chapter 8 and Appendix 8A	Class 3	Without redline/strikeout or identification of specific changes, the entire document will have to be reviewed and approved. This is inappropriate for a Class 1 Modification.
July 1997	300 Area Trenches	Delete portions of Conditions VI.1.B.b and VI.1.B.p	Class 1	Ecology believes that the proposed change is not correct. Some clarification is required at the Project Manager level. Change not approved.
October 1997	616 NRDWSF	Replaces Appendix 8A– Training Plan	Class 3	The revisions are based on Appendix 8A, Revision 4 which was previously denied as a Class 1 Modification.
	616 NRDWSF	Replaces Appendix 7A – Building Emergency Plan.	Class 3	The revisions are based on Appendix 7A, submitted as part of the January 1995 quarterly modification, which is, in this letter, denied as a Class 1 Modification.