



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

0053075

00-OSS-312

APR 24 2000

Mr. Michael A. Wilson, Program Manager
Nuclear Waste Program
State of Washington
Department of Ecology
P. O. Box 47600
Olympia, Washington 98504

RECEIVED
MAY 02 2000
EDMC

Dear Mr. Wilson:

HANFORD FACILITY ADDENDUM TO THE NOTICE OF INTENT UNDER INTERIM STATUS FOR THE PLUTONIUM FINISHING PLANT TREATMENT AND STORAGE UNIT (TSD: TS-2-7)

Enclosed is an addendum to the Hanford Facility Notice of Intent (NOI) Under Interim Status for the Plutonium Finishing Plant (PFP) Treatment and Storage Unit. The NOI addendum addresses the change in the container storage locations and increase of the process design capacities of dangerous waste within the PFP. The new container storage areas will store mixed waste from the cementation treatment process and packaging of the Hanford Site and Rocky Flats ash and other waste. The PFP Treatment and Storage Unit is located in the 200 West Area of the Hanford Facility.

The original NOI was submitted to Ecology for public review in June 1997, in accordance with Washington Administrative Code (WAC) 173-303-281. WAC 173-303-281 does not specifically address an addendum to the NOI process. However, in order to change the container storage area and increase in process design capacity at the PFP and meet the schedule for starting up the cementation process, it has been determined that this addendum be included in the NOI process. The addendum will go through an additional 45 days to the original 150-day public review cycle that started in June 1997. At end of the review cycle, the Part A, Form 3, will be submitted to Ecology for approval.

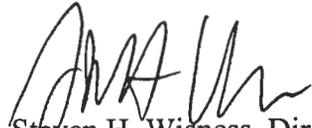
APR 24 2000

Mr. Michael A. Wilson
00-OSS-312

- 2 -

Should you have any questions regarding the Part A, Form 3, Revision 1, please contact Clifford E. Clark, of the U.S. Department of Energy, Richland Operations Office, on (509) 376-9333 or Jeff E. Bramson, of Fluor Hanford, Inc., on (509) 373-1359.

Sincerely,



Steven H. Wisness, Director
Office of Site Services

Enclosures

cc w/encl:

J. Wilkinson, CTUIR

Ecology Library, Kennewick

EDMC, H6-08

Environmental Portal, LMSI

A. Stone, Ecology

L. Ruud, Ecology

J. E. Bramson, FHI

R. H. Engelmann, FHI

G. W. Jackson, FHI

J. F. Williams Jr., FHI

P. Sobotta, NPT

R. Jim, YN

1 The following is an addendum to the *Notice of Intent for Expansion Under Interim Status, Hanford*
2 *Facility Plutonium Finishing Plant Treatment and Storage Unit, Richland, Washington* that was
3 submitted to the State of Washington Department of Ecology in July 1997.
4

5 This addendum addresses the change in location of the container storage areas that will store waste from
6 the cementation treatment process and packaging of the Hanford Site and Rocky Flats ash and other
7 waste.
8

9 1.0 INTRODUCTION

10
11 *In the second paragraph, delete reference to mixed waste storage activities at the 2736-ZB and*
12 *232-Z Buildings.*

13
14 *Revise Manager, Richland Operations Office to Mr. Keith A. Kline*

15
16 *Revise Contact Telephone number to (509) 373-9337*
17

18 2.1 LOCATION OF PROPOSED EXPANSION

19
20 Add the following:

21
22 *The topographic map (H-13-000265, Revision 1) shows the revised proposed container storage locations*
23 *and the new treatment, storage, and/or disposal unit boundary.*
24

25 2.2 DESCRIPTION OF UNIT TO BE EXPANDED

26
27 Delete the entire text section and Figure 4 and replace with the following:

28
29 *The 234-5Z Building is located in the central portion of the Plutonium Finishing Plant. The original*
30 *container storage location were identified in 234-5Z/Room 235B, the 2736-ZB Building, and 232-Z*
31 *Building. Container storage will now occur in the 234-5Z Building--Room 235B/Glovebox HA-20MB,*
32 *and Rooms 172, 192D, and 236 (Figure 4).*
33

34 2.3 DESCRIPTION OF TREATMENT AND STORAGE AT 234-5Z

35
36 Delete first paragraph and replace with the following:

37
38 *Treatment of mixed waste will occur in the 234-5Z Building, Room 235B/Glovebox HA-20MB (Figure 3).*
39 *Glovebox HA-20MB is being permitted for storage of waste until transferred or in event process*
40 *difficulties arise and the waste must remain in Glovebox HA-20MB for storage until treatment activities*
41 *resume.*
42

43 Delete third paragraph, and replace with the following:

44
45 *On completion of solidification of the cemented material in Glovebox HA-20MB, the cemented mixed*
46 *waste billet cans will be removed from the glovebox and packaged into 208-liter containers. To ensure*
47 *efficient packaging activities, the cemented waste billet cans will be stored in the glovebox until a*
48 *sufficient number of billet cans have been generated to be packaged into the 208-liter storage containers.*
49 *The 208-liter storage containers will be transferred to Rooms 172, 192D, and 236 for interim storage*
50 *until transferred to an onsite TSD unit of offsite TSD facility.*
51
52

1 Delete fourth paragraph, and replace with the following:

2
3 *The maximum process design capacity for treatment is 100 liters per day with an estimated annual*
4 *quantity of waste of 5,921 kilograms.*

5
6 Delete fifth paragraph.

7
8
9 **2.4 DESCRIPTION OF CONTAINER STORAGE IN THE 234-5Z BUILDING**

10
11 Delete the entire section and replace with the following:

12
13 *The mixed waste containers will be transferred from treatment and storage in the 234-5Z Building, Room*
14 *235B/Glovebox HA-20MB, to the proposed container storage locations in the 234-5Z Building ,*
15 *Rooms 172, 192D, and 236 (Figure 4). Containers will be transferred following the cementation process*
16 *conducted in Glovebox HA-20MB and the packaging process conducted in Glovebox 235-B-2, both*
17 *located in 234-5Z Building.*

18
19 *The maximum process design capacity for container storage in Glovebox HA-20MB is 600 liters,*
20 *Room 172 is 42,848 liters, Room 192-D is 29,952 liters, and Room 236 is 89,648 liters. The total*
21 *maximum process design capacity for container storage is 162,484 liters. The estimated annual quantity*
22 *of waste for container storage is 172,686 kilograms.*

23
24 **2.5 COMPLIANCE WITH STATE ENVIRONMENTAL POLICY ACT**

25
26 Add the following:

27
28 *An addendum to the State Environmental Policy Act of 1971 Environmental Checklist is provided in*
29 *Appendix B.*

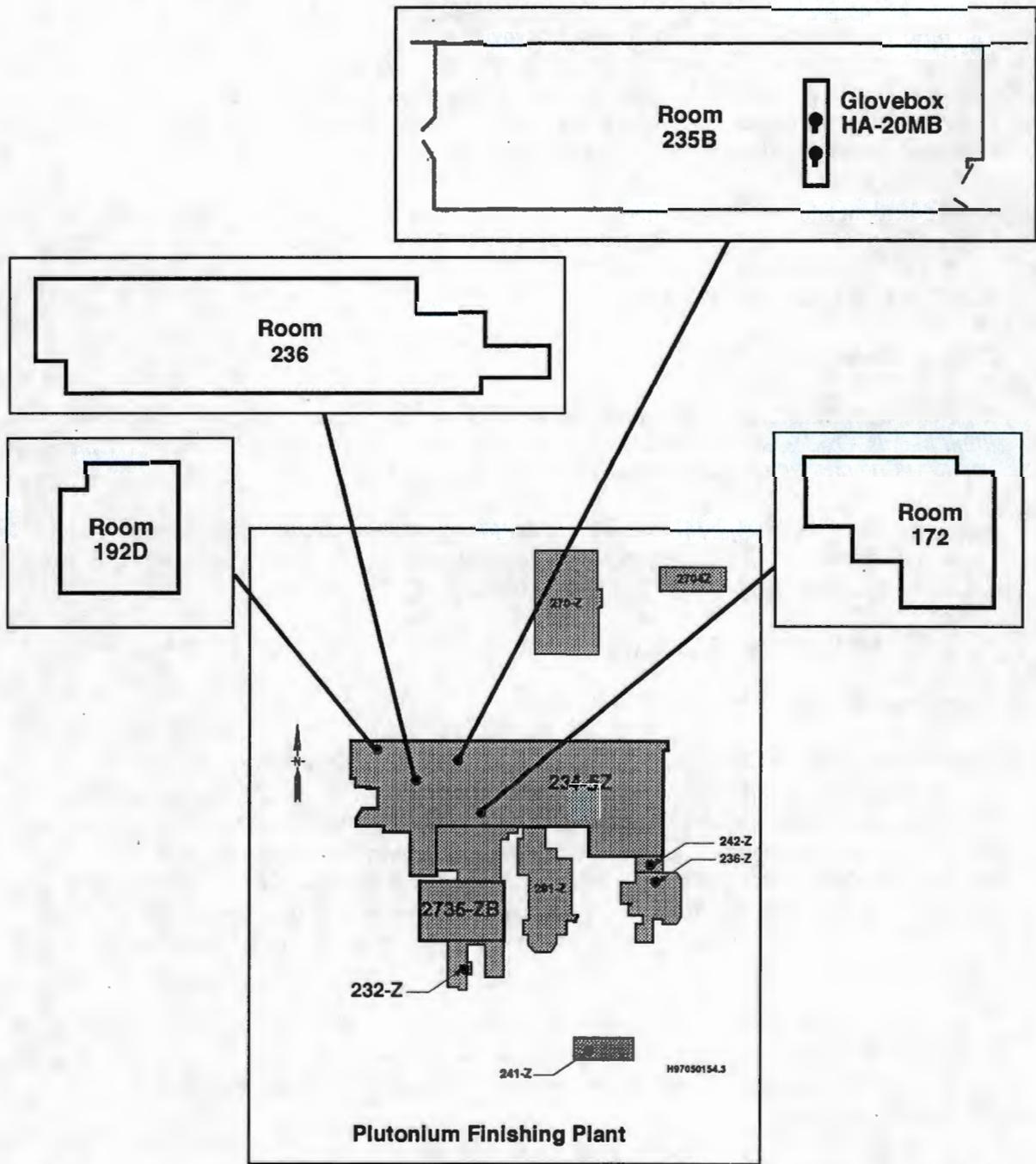
30
31 **2.6.2.3.3 ARCHEOLOGICAL SITES AND HISTORIC SITES**

32
33 Add the following:

34
35 *Add reference for 236-Z Building as a historical building.*

36
37 **3.0 TEN-YEAR COMPLIANCE HISTORY**

38
39 *A revised Appendix C has been added to this addendum.*



H00020152.1R1

Figure 4. Plutonium Finishing Plant Storage Areas.

The following is an addendum¹ to the *State Environmental Policy Act Environmental Checklist for Hanford Facility, Plutonium Finishing Plant Treatment and Storage Unit Notice of Intent* that was submitted to the State of Washington Department of Ecology in July 1997 as part of the *Notice of Intent for Expansion Under Interim Status, Hanford Facility—Plutonium Finishing Plant Treatment and Storage Unit, Richland, Washington*.

This addendum addresses the changes in the description of the project from that presented in July 1997.

A. BACKGROUND, ITEM 8

Add the following:

Supplement Analysis: Increasing Batch Size for Thermal Stabilization of Plutonium Finishing Plant Metals, Oxides, and Process Residues, 200 West Area, Hanford Site, Richland, Washington (DOE/EIS-0244-FS/SA2, dated August 1999)

Supplement Analysis: Project W-460, Plutonium Finishing Plant Plutonium Stabilization and Packaging System, 200 West Area, Hanford Site, Richland, Washington (DOE/EIS-0244-FS/SA3, dated March 2000)

A. BACKGROUND, ITEM 11

Delete the entire section and add the following:

The DOE-RL proposes to initiate mixed waste treatment and storage activities at the 234-5Z Building of the Plutonium Finishing Plant (PFP) located in the 200 West Area of the Hanford Facility, Richland, Washington. This process has been used in the past to treat similar materials. Agreements with Ecology have resulted in the conclusion that resumed treatment and storage activities will be conducted pursuant to applicable dangerous waste requirements of WAC 173-303. It should be noted that pending negotiations with Ecology, resultant agreements could result in the future need for further expansion of treatment and storage activities under interim status at PFP.

The 234-5Z Building is located in the central portion of PFP. Glovebox HA-20MB in Room 235B of the 234-5Z Building will be used to treat mixed waste in a cementation process and to store the treated mixed waste before the waste is transferred to Rooms 172, 192D, and/or 236 in the 234-5Z Building at the PFP.

Glovebox HA-20MB also will be permitted for greater-than-90-day storage.

Varying forms of mixed waste could be treated in glovebox HA-20MB using a cementation process. The cementation process will be performed by mixing a standard cement material with appropriate amounts of the mixed waste and water to form a slurry. The cement mixture will be poured into mixed waste containers and allowed to solidify into a chemically stable material, sealed out of the glovebox, and packaged for storage.

¹ This SEPA addendum should be considered as a subsection to the Notice of Intent for Expansion Under Interim Status Addendum, which is being submitted to the State of Washington Department of Ecology simultaneously as a single transmittal.

The current plan is to dispose of the ash portion of the mixed waste inventory using a pipe-and-go method, not solidifying the ash portion in the cementation process. Ash is included in this description of the project to enable the option to cement ash should the pipe-and-go method not be viable.

When the contents of the cemented material have solidified, the mixed waste containers are removed from the glovebox and placed in 208-liter containers. The 208-liter containers will be transferred to either an onsite treatment, storage, and disposal (TSD) unit for storage or to an offsite TSD facility for final disposition.

Description of Container Storage at the 234-5Z Building

Mixed waste container storage will occur in Rooms 172, 192D, and 236 of the 234-5Z Building. Containers will be transferred to Rooms 172, 192D, and 236 following the cementation process conducted in glovebox HA-20MB, located in 234-5Z Building.

B. Environmental Elements

- 6. Energy and Natural Resources*
 - a. Delete references to 2736-ZB and 232-Z*

- 13. Historic and Cultural Preservation*
 - b. Add reference to 236-Z*

Hanford Site Compliance Violations and Response Summary

Tuesday, April 20, 2000

Received Date: 3/20/00

Agency: Department of Health

Summary:

The State of Washington, Department of Health (DOH) has issued a Notice of Violation and Compliance Order as authorized by WAC 246-247-100(a) and RCW 70.94.332 for actions taken at the 244-AR Vault. The 244-AR Vault is located in the 200 East Area and serves as a waste transfer station. DOH identified three violations and three compliance orders.

Response(s):

DOE is evaluating the violations and compliance orders and will respond accordingly.

Received Date: 3/7/00

Agency: EPA

Summary:

The U.S. Environmental Protection Agency (EPA) has assessed penalties against RL in response to violations of CERCLA requirements that are agreed to within the Tri-Party Agreement. The penalties assessed regard waste management practices at the 221-U Facility located in the 200 West Area. The two identified violations were described previously in a letter from the EPA to RL issued on November 17, 1999. The violations concern the failure to have an approved Waste Control Plan (WCP) and failure to sample waste per the approved Sampling and Analysis Plan (SAP). The total penalty assessed for both violations equals \$55,000.

Response(s):

DOE is evaluating the violations and compliance orders and will respond accordingly.

Received Date: 11/18/99

Agency: EPA

Summary:

The U.S. Environmental Protection Agency (EPA) informed the U.S. Department of Energy and Bechtel Hanford, Incorporated (BHI) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) violations identified in letter issued November 17, 1999. Two violations were identified following an inspection of the 271-U 90-Day Accumulation area conducted by the State of Washington, Department of Ecology on September 16, 1999. The 271-U 90-day accumulation is located at U Plant in the 200 West Area.

Response(s):

00-OSS-074, dated November 24, 1999, submitted documentation seeking to confirm a request for a 20-day extension to the due date for the requested written action plan. The request was originally made verbally during a meeting with a representative of the EPA on November 19, 1999. The request sought an extension of 20 days to December 17, 1999.

00-OSS-097, dated December 16, 1999, submitted an Action Plan Identifying Corrective Actions and Responses to the EPA and Ecology in accordance with the approved extension. The Action Plan contained responses, corrective actions taken, and follow-up corrective actions for each violation. Responses were provided for each concern. Corrective actions included revising the Sampling and Analysis Plan, which was completed on February 2, 2000, to include management of unknowns. EPA and Ecology approved the revision. The Waste Control Plan was revised on February 2, 2000, to include treatment of waste as a standard practice. In addition, designation procedure BHI-FS-03, WOO2, was revised to identify criteria used to evaluate process knowledge and now includes identification of all process knowledge documentation.

Received Date: 11/18/99

Agency: Department of Ecology

Summary:

The State of Washington, Department of Ecology (Ecology) assessed a penalty of \$9,700 against the U.S. Department of Energy and Bechtel Hanford Incorporated on November 17, 1999, under the provisions of the Revised Code of Washington (RCW) 70.105.080. The penalty is the result of findings associated with an Ecology inspection of the 271-U 90-day accumulation area conducted on September 16, 1999.

Response(s):

00-OSS-085, dated December 1, 1999, submitted an Application for Relief from Penalty in accordance with the provisions outlined original Notice of Penalty issued by Ecology on November 17, 1999.

Ecology letter, dated January 12, 2000, transmitted a formal denial from relief from Penalty #99NWPKW-21/#99NWPKW-22 for reasons stipulated. RL and BHI have 30 days to either appeal the denial to the Pollution Control Hearings Board or pay the penalty in full.

00-ERD-053, dated February 9, 2000, documented remittance of \$9,700 to the Fiscal Cashier, Washington State Department of Ecology fulfilling the denial of the Application for Relief from Penalty received on January 14, 1999. Payment of the penalty does not constitute an admission by either or both respondents of the allegations of the NOP, liability under Washington State law, or of jurisdiction by Ecology over the specific subject matter of the NOP.

Ecology letter dated February 23, 2000, acknowledged receipt and accepts the Action Plan submitted by RL on December 16, 1999. Ecology has accepted the Action Plan as qualified by identified conditions, and considers the violation addressed and inspection closed.

Received Date: 7/20/99

Agency: S Carolina Dept. of Health

Summary:

Following an investigation by the South Carolina Department of Health and Environmental Control, violation of state and federal regulations were identified. On May 20, 1999, a CNS-1-13G, Type B shipping cask was discovered upon receipt at the Chem-Nuclear Systems (CNS) at Bamwell, SC, to have removable contamination levels exceeding U.S. Department of Transportation limits. In addition, another incident involving a similar cask shipment on November 24, 1999. It was discovered an unmanifested sample container rack and liquids were discovered in the cask upon receipt. Both casks had been shipped to CNS for maintenance work.

Response(s):

99-SFD-152, dated July 26, 1999, submitted RL corrective documentation to the South Carolina Department of Health as requested. The corrective action documentation included measures to prevent recurrence.

Letter, dated August 23, 1999 - The South Carolina Department of Health and Environmental Control reviewed the corrective measures submitted and found them to be adequate to preclude recurrence of the discrepancy that resulted in the Notice of Violation. This item is considered closed.

Received Date: 2/16/99

Agency: EPA

Summary:

EPA and Ecology conducted a Multi-media inspection of the Hanford Site from May through July, 1998. The inspection identified concerns that resulted in the issuance of three violations of RCRA regulations that include; storage without a permit, failure to make a hazardous waste determination, and failure to immediately amend a contingency plan. Civil penalties were assessed for each violation in the sum of \$367,078.00.

Response(s):

99-EAP-031, dated November 9, 1998, submitted supplemental information to the EPA in support of the multi-media inspection. The information consisted of supporting data regarding waste designation.

2/19/99, RL and contractor representatives meet informally with the EPA. The discussions were preliminary in nature and did not result in a settlement.

99-OCC-0118, dated March 17, 1999, provided a formal response to the Complaint and included a request for hearing. In addition, the response identified defenses for each of the three counts and made a request for dismissal.

An administrative law judge has been appointed and a pre-hearing order has been issued. The pre-hearing discovery phase is to be completed by June 22, 1999. This requires that all documents used in the defense must be identified and available and a witness list will have to be prepared, which includes a brief summary on the witness testimony. In addition, a draft settlement is being prepared that will include potential supplemental environmental projects (SEPs).

A prehearing was held in September 1999. During the prehearing, the EPA withdrew Count III, failure to have a contingency plan, with prejudice, from the complaint. A court date has been set for June 2000 and the hearing will be held in Richland, Washington.

Received Date: 1/7/99

Agency: Department of Ecology

Summary:

The State of Washington Department of Ecology (Ecology) has formally denied the Application for Relief From Penalty (98NM-007) submitted on October 3, 1997. Ecology issued Penalty #97NM-248 on September 16, 1997 in the amount of \$110,000. The penalty was assessed as the result of the failure to properly manage chemicals and for the inadequate response to the subsequent chemical release from the Plutonium Reclamation Facility.

Response(s):

An appeal was filed with the PCHB with a pre-hearing originally scheduled for March 24, 1999. Ecology has requested the pre-hearing meeting be moved to April 2, 1999. The appeal completes the action associated with this item.

Settlement Agreement, dated July 7, 1999, - The Attorney General of Washington offered RL, FDH, and BWHC to enter into a Settlement Agreement resolving the Notice of Penalty 97NM-248 issued by Ecology September 16, 1997. The proposed Settlement Agreement stipulates duration of agreement, innovative settlement payment, enforcement during the term of agreement, and dispute resolution. Pollution Control Hearings Board approval was obtained on July 7, 1999, making the Settlement Agreement effective.

Received Date: 9/24/98

Agency: Department of Ecology

Summary:

The State of Washington Department of Ecology (Ecology) issued Administrative Order No. 98NW-009 on September 24, 1998. The Administrative Order requires the U.S. Department of Energy, Fluor Daniel Hanford, and Lockheed Martin Hanford Corporation to comply with Chapter 70.105 RCW, Chapter 173-303 WAC, by reference Chapter 40, Code of Federal Regulations, and certain actions described as they apply to the management of waste at SY Tank Farm.

Response(s):

State of Washington, Attorney General issued a stay to Administrative Order 98NW-009 on October 23, 1998, following an appeal of that order by RL to the Pollution Control Hearings Board the same day. The stay remains in effect until 01/29/99. The stay was issued to aid the process of settlement of the issues in the appeal of that order to be filed by the Appellants to the Pollution Control Hearings Board.

This item has been closed per Settlement Agreement No. PCHB 98-249 and 98-250. The Settlement Agreement was reached between Ecology, RL, FDH, and LMHC on February 26, 1999. The agreement suspended Administrative Order 98NW-009, pending signature of the agreement by the Pollution Control Hearings Board (PCHB). Signature by the PCHB and Administrative Appeals Judge was secured on March 15, 1999.

Received Date: 7/23/98

Agency: Department of Ecology

Summary:

The Washington State Department of Ecology (Ecology) assessed a penalty (98NW-007) against the U.S. Department of Energy (RL), Fluor Daniel Hanford (FDH), and Lockheed Martin Hanford Corporation (LMHC) in the amount of \$75,600 under the provisions of the Revised Code of Washington (RCW) 70.105.080. RL, FDH, and LMHC failed to provide a leak detection system for double-shell tanks SY 101, 102, and 103 capable of detecting a leak from the primary or secondary structure of these tanks within 24 hours.

Response(s):

98-EAP-425, dated 08/06/98, RL submitted an Application for Relief from Penalty 98NW-007 in accordance with protocols identified in the original Notice of Penalty. 09/24/98; Ecology received and reviewed the Application for Relief from Penalty and responded with a Notice of Denial of Application for Relief from Penalty. The denial was based on the view held by Ecology and no new or extraordinary information relevant to dismissing the penalty was provided in the application. The option to appeal the denial to the Pollution Control Hearings Board (PCHB) was provided to the petitioners. On 10/23/98, the denial for Application for Relief from Penalty 98NW-007 was appealed by RL to the Pollution Control Hearings Board.

Settlement Agreement No. PCHB 98-249 and 98-250, dated February 26, 1999 - A settlement agreement was reached between Ecology, RL, FDH, and LMHC on February 26, 1999. The agreement in part, stipulated the resolution of penalty 98NW-007, pending signature of the agreement by the Pollution Control Hearings Board (PCHB). Signature by the PCHB and Administrative Appals Judge was secured on March 15, 1999.

Received Date: 7/10/98

Agency: Department of Health

Summary:

The Washington State Department of Health (DOH) has issued a Notice of Violation (NOV) and Notice of Correction (NOC) for violations of radioactive air emissions regulations at the 296-A-42 emission unit. The violation involves the intentional bypass of required controls and the lack of any notification made to DOH. Two violations and 3 corrective measures issued as compliance orders have been identified.

Response(s):

98-EAP-465, dated August 21, 1998, submitted required documentation to address Compliance Order #1.

98-EAP-422, dated August 10, 1998, submitted required documentation to address Compliance Orders #2 and #3.

AIR 99-105, dated January 13, 1999, provided written closure of the Notice of Violation following a review of the information submitted by RL.

Received Date: 6/ 8/98

Agency: Department of Ecology

Summary:

The State of Washington Department of Ecology provided a 60-day notice of the intent to sue the U.S. Department of Energy, Richland Operations Office (RL) for failing to meet Single-shell Tanks Interim Stabilization milestone due dates. RL has the option to settle with a consent decree or proceed to trial.

Response(s):

February 22, 1999, following negotiations between senior U.S. Department of Energy and State of Washington officials, the threatened law suit regarding the M-41-22 and M-41-23 Tri-Party Agreements milestones was cancelled and the parties have entered into a Consent Decree. The Consent Decree was issued by the Attorney General's Office on February 22, 1999, and contains provisions for a renegotiated schedule regarding the interim stabilization of Single Shell Tanks. The Consent Decree closes this action. Interim stabilization of the remaining single-shell tanks will be renegotiated through the Tri-Party Agreement.

Received Date: 5/13/98

Agency: Department of Health

Summary:

The State of Washington Department of Health (DOH) found the U.S. Department of Energy, Richland Operations Office (RL) in violation of radioactive air emissions regulations in the operation of the Plasma Arc Furnace in the 324 Building. DOH has issued a Notice of Violation and a Notice of Correction. RL conducted a project to treat neutron generators in the furnace during the week of April 13, 1998. RL shut down the stack tritium sampler for the duration of the project. RL did not submit a request for approval of periodic confirmatory monitoring to verify low emissions.

Response(s):

DOH letter AIR 98-706, dated July 10, 1998, provided an extension to corrective action #1 based on a meeting held June 29, 1998, during which an extension agreement was reached. Evaluation of all NoCs is now due August 25, 1998.

98-EAP-441, dated August 20, 1998, RL submitted the required report in accordance with Compliance Order, #3. The report will be reviewed by DOH to determine if revisions are needed for other Hanford Site Notices of Construction. Due dates for any such revisions will be negotiated between RL and DOH at that time.

RTAM Meeting, held on November 17, 1998, provided data to DOH regarding 324 and 327 Building tritium measurements. DOH was notified of the intent to discontinue tritium sampling associated with closure of the plasma arc furnace. Approval from DOH was sought for this discontinuation. Closure of the furnace also eliminated the need for a Notice of Construction modification prior to further operation.

Communications Summary, dated January 19, 1999, summarized communications with DOH personnel regarding a schedule for revising Notice of Construction discrepancies in accordance with the compliance order contained in the original NOV/NOC for the 324 Building.

99-EAP-260, dated April 20, 1999, submitted Notice of Construction updates to the EPA in response to the DOH issued NOV/NOC. The updates were the result of a schedule developed by RL and DOH to identify any discrepancies and resubmit applicable Notices of Construction. The updated Notices of Construction approved by DOH were submitted for approval by the EPA.

99-EAP-261, dated April 27, 1999, submitted Notice of Construction updates to the EPA in response to the DOH issued NOV/NOC. The updates were prepared in accordance with the Compliance Order issued as a part of the NOV/NOC and a schedule negotiated with DOH. The updated Notices of Construction were submitted for records purposes only.

AIR 99-609, dated June 9, 1999, provided formal closure of the NOV and Audit #555125 from DOH.

Received Date: 2/25/98

Agency: EPA

Summary:

On February 25, 1998 the EPA issued a NOV to the U.S. Department of Energy, Richland Operations Office for violating the requirements defined in the Environmental Restoration Disposal Facility (ERDF) Record of Decision. Three violations of the Clean Air Act and RCRA regulatory drivers were identified.

Response(s):

RL Letter #056862, dated March 20, 1998, submitted the required response to the corrective actions identified. No response has been received from the EPA to date.

Received Date: 9/16/97

Agency: Department of Ecology

Summary:

In 1997, a chemical mixture stored for over a year in a tank located in the Plutonium Reclamation Facility underwent a spontaneous reaction rapidly generating sufficient pressure to violently rupture the tank. After concluding its investigation of the incident, Ecology served DOE's Richland Operations Office a NOP and NOC demanding payment of the sum of \$110,000 for, inter alia, alleged violation of regulations prohibiting improper storage of hazardous waste. Corrective measures (CM) described at the end of the NOC letter were developed after the meetings regarding on-going actions being performed by DOE and its contractors.

Response(s):

In January 1998, Ecology performed a compliance inspection at PFP. It is DOE's understanding that Ecology intends to incorporate further discussion regarding the disposition of the items subject to CM 6 into closure actions to be taken following issuance of the Ecology compliance inspection report. While DOE has been waiting issuance of Ecology's compliance inspection report, DOE pursued field activities to disposition the remaining items. No report has been received concerning this Ecology inspection

On February 2, 1998, DOE transmitted a letter to Ecology identifying the remaining CMs and requested an extension date of July 1, 1998. On March 16, 1998, DOE sent a letter to Ecology supplying a status related to the disposition of the items identified in CM 4. This letter also transmitted the emergency preparedness documentation being submitted for the closure of CM 1 and 2 for Ecology's review and comment. On April 15, 1998, DOE submitted final documentation to close out CM 1 and 2 that will become effective on July 1, 1998.

DOE responded to the NOP by filing with Ecology an Application for Relief from Penalty, which Ecology denied on January 7, 1999. DOE has 30 days from January 7, 1999 to appeal to the Pollution Control Hearings Board.

The Attorney General of Washington offered RL, FDH, and BWHC to enter into a Settlement Agreement resolving the Notice of Penalty 97NM-248 issued by Ecology September 16, 1997. The proposed Settlement Agreement stipulates duration of agreement, innovative settlement payment, enforcement during the term of agreement, and dispute resolution. Pollution Control Hearings Board approval was obtained on July 7, 1999, making the Settlement Agreement effective.

Received Date: 11/7/96

Agency: Department of Ecology

Summary:

On September 27, 1996, Ecology conducted an investigation of the 222-S Laboratory regarding a September 13, 1996 incident. Chemicals were mixed resulting in a breach of the container and a release of hazardous materials. During the investigation Ecology expressed concerns with the management of satellite accumulation areas (SAAs) and verification of process waste generated outside of the 222-S Laboratory. Formal correspondence was sent to DOE, FDH, and RFSH from Ecology stating that Ecology was not pursuing formal enforcement. Six violations and one concern were identified.

Response(s):

DOE issued a formal response to Ecology on February 3, 1997, indicating completed status for Corrective Measures 3, 4, 6, and portions of 2 and provided status on the remaining corrective measures

Ecology continued the inspection of the 222-S Laboratory on February 13, 1997. Following the inspection, operations of the liquid waste generating activities at the 222-S Laboratory were suspended by management. This decision was voluntary and a controlled method-by-method resumption of analytical work was implemented, which resulted in significant improvements in all waste management activities. Ecology was informed of the new process.

In February 1998, DOE and Ecology agreed in principal to a negotiated settlement of the alleged violations and pending fine. DOE and 222-S Laboratory will pay \$35,000 for a nature preserve. The 222-S Laboratory will be required to follow the operational criteria for SAA management in the 222-S Laboratory, as stipulated by Ecology in the settlement agreement. \$40,000 payment suspended during a 2-year period provided there are no material violations at the 222-S Laboratory.

Received Date: 7/24/96

Agency: Department of Ecology

Summary:

Ecology performed an inspection of the 306-E Facility to follow up an Ecology inspection that occurred on September 14, 1995. One of the issues that Ecology had at that time concerned material being stored in two cabinets that contained what Ecology said appeared to be incompatible chemicals that could pose a threat to human health and the environment. Ecology issued a VCL on July 24, 1996, for storage of incompatible waste.

Ecology issued a formal NOP to DOE and WHC that included a \$20,000 fine concerning storage of incompatible waste.

Response(s):

A formal response letter and payment of penalty was sent from WHC to Ecology on October 21, 1996. This enforcement action is considered closed.

On August 1, 1997, Ecology transmitted a letter of closure for the 306-E Facility stating that the corrective measures have been satisfied.

Received Date: 3/6/96

Agency: Department of Ecology

Summary:

The State of Washington, Department of Ecology (Ecology) issued a Notice of Violation (NOV) DE 96NM-033 to DOE alleging violation of WAC 173-400-141, -110, and -115 dealing with PSD permitting, new source review, and new source performance standards under Washington's Clean Air Act. The NOV was issued on March 6, 1996. Ecology alleges that DOE is in violation of WAC 173-400-141 for failure to apply for and obtain the required state PSD permit and then operate the 300 Area boiler package without the permit, and in violation of WAC 173-400-115 for failure to meet new source performance standards for SO₂ emission limits from the boiler. Construction of the 300 Area package boiler commenced in September 1989. Ecology determined that construction of the boiler constituted a major modification of the source subject to the PSD permit requirements. Additionally, the boiler has burned No. 6 fuel oil, and Ecology estimates that the SO₂ emission rates exceed the NSPS's SO₂ emission limits.

Response(s):

On August 12, 1996, Ecology transmitted their Agreed to Order to close this NOV. The Order proposes to close the NOV without fines or penalties if followed by DOE.

Received Date: 2/8/96

Agency: Department of Health

Summary:

The State of Washington, Department of Health (DOH) issued a Notice of Violation (NOV) to RL after two field inspectors were denied access to portions of B Plant Complex emission units. Washington Administrative Code (WAC) 246-247-100 requires facilities to "ensure all emission units are fully accessible to Department inspectors." The NOV required RL to resolve the denial of access problems.

Response(s):

On March 1, 1996, RL transmitted an interim response to DOH. The response documented a meeting conducted between RL and DOH representatives on February 27, 1996, during which an extended due date of 30 days was agreed to. On April 8, 1996, RL transmitted a final response to DOH that addressed the requirements of the compliance order.

On April 23, 1996, DOH responded to the April 8, 1996, submittal from RL. DOH provided comments to the documentation submitted by RL and requested the comments be addressed before the issue could be closed. RL responded to the comments provided by DOH and a verbal agreement was reached closing the violation.

Received Date: 1/19/96

Agency: Department of Ecology

Summary:

The State of Washington, Department of Ecology issued a Notice of Penalty (NOP) Incurred and Due (No. DE 96-NW-001) to DOE and BHI. The penalty was assessed based on a violation revealed from an investigation into dangerous waste management activities at the 183-H basins closure project. A \$5,000 fine was assessed against DOE and BHI.

Response(s):

The penalty was paid and the NOP is considered closed.

Received Date: 5/30/95

Agency: Department of Ecology

Summary:

On May 30, 1995, the State of Washington, Department of Ecology (Ecology) issued a Notice of Penalty Incurred and Due (No. DE 95NW-127) to DOE and PNL after a pressurized drum that was improperly opened damaged the facility, caused worker contamination, and released radioactive material.

Response(s):

On August 7, 1995, Ecology transmitted a letter to DOE closing this action. This item was closed before initiation of this tracking system.

Received Date: 3/ 9/94

Agency: Department of Ecology

Summary:

The State of Washington, Department of Ecology (Ecology) issued an Order (No. DE 94NM-063) and Notice of Penalty Incurred and Due (No. DE 94NM-062) against the COE for disposing dangerous waste at the Richland Landfill, and against DOE for not providing adequate dangerous waste training to COE employees. Ecology assessed a penalty of \$9,500 against DOE and a \$6,000 penalty against COE. The fines stem from the accidental dumping of dangerous waste at the landfill as part of the cleanup activity ongoing at the North Slope. The incident occurred late in 1993.

Response(s):

On April 15, 1994, Ecology sent a letter to DOE and COE stating satisfaction that the corrective items identified in the Order had been completed, and approved the restart of dangerous waste management work on the North Slope. Ecology also requested in the letter that before the generation or potential generation of hazardous or mixed waste at identified past-practice waste sites, that Waste Control Plans be submitted to them for approval. Ecology stated that the "letter serves as a notice of completion of Order requirements," except for the ongoing requirements of the Waste Control Plans, and stated that the "entire case will be resolved upon payment" of the Penalty. This item was closed before initiation of this tracking system.

Received Date: 3/10/93

Agency: Department of Ecology

Summary:

The State of Washington, Department of Ecology (Ecology) issued a Compliance Order and Notice of Penalty (NOP) Incurred and Due for failure to adequately designate approximately 2,000 containers of solid waste. The NOP stipulated a penalty of \$100,000. DOE and WHC disputed portions of the Compliance Order and NOP.

Response(s):

DOE, WHC, and Ecology agreed to resolutions to the disputed portions, which were agreed to by the Washington State PCHB, which modified the Compliance Order and NOP.

The settlement agreement for the Compliance Order required submittal of a waste analysis plan (WAP) to confirm or complete the designation of the waste in question. Extensive negotiations regarding the content of the WAP occurred between DOE, WHC, and Ecology, and final approval was granted by Ecology on November 1, 1993. Confirmation or completion of the waste designation, following the process established by the WAP, was required by

September 1, 1994. Negotiations regarding an alternative to the payment of the \$100,000 penalty resulted in an agreement as amended July 7, 1995. This agreement allows DOE to set up an Environmental Protection Scholarship in the amount of \$40,000 at Columbia Basin College. The agreement also allows payment to Pacific Northwest Laboratory and the Washington Department of Wildlife to plan for and carry out a sagebrush revegetation effort on the Hanford Arid Lands Ecology Reserve, and to work on a Priority Habitat and Species Map for Hanford.

On August 24, 1994, DOE transmitted a package to Ecology that completed the actions required by the Compliance Order. This item was closed before initiation of this tracking system.

Received Date: 2/ 3/93

Agency: EPA

Summary:

The U.S. Environmental Protection Agency (EPA) issued a Compliance Order to DOE alleging noncompliance with the National Emission Standards for Hazardous Air Pollutants for radionuclides.

Response(s):

EPA and DOE negotiated a Federal Facilities Compliance Act (FFCA) agreement on February 7, 1994, to allow DOE to confirm compliance or meet the compliance requirements of 40 CFR 61, Subpart H. The FFCA superseded the compliance order and this will no longer be tracked as an open item. This item was closed before initiation of this tracking system.

Received Date: 2/ 2/93

Agency: Department of Health

Summary:

The State of Washington, Department of Health (DOH) issued a Notice of Violation (NOV) for radioactive air emission issues related to the proposed fuel encapsulation activities at the 100-KE fuel storage basins. The NOV stated that DOE and WHC have initiated work that directly supports fuel encapsulation without approval of DOH. The NOV formally directed DOE and WHC to stop all work at the 100-KE Basins immediately.

Response(s):

DOE and WHC formally responded to the NOV, and a Notice of Construction permit was issued in the fall of 1993. This item was closed before initiation of this tracking system.

Received Date: 1/ 8/93

Agency: Department of Ecology

Summary:

Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Major Milestone M-14-00 required the construction, initiation, and operation of a mixed waste laboratory by January 31, 1992. This milestone was not met as originally established. The DOE acknowledged that Tri-Party Agreement procedures for modification of the Agreement were not followed before a hold was placed on construction and steps were taken to obtain commercially available laboratory services.

Response(s):

The DOE initiated the Tri-Party Agreement dispute resolution procedures that proceeded to the Senior Executive Committee level, which determined that the DOE had violated Major Milestone M-14-00. The resulting settlement between DOE, EPA, and Ecology assessed DOE a fine of \$100,000 and imposed several subsequent commitments along with a revised M-14-00 series of milestones. On March 10, 1994 the monetary penalty was paid and compliance with the associated commitments has been largely maintained.

Received Date: 4/25/90

Agency: DOT

Summary:

On April 25, 1990, the Department of Transportation (DOT) issued a Federal Railroad Administration Probable Notice of Violation against WHC for violating the Hazardous Materials Transportation Act, and fined WHC \$3,000.

Response(s):

The procedures were corrected to the satisfaction of DOT and, after negotiations, the fine was reduced to \$2,100, which was paid by WHC. This item was closed before initiation of this tracking system.

