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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

May 6, 1996

Mr. Jon Peschong, Assistant Manager
Waste Storage Division
U.S. Department of Energy
P.O. Box 550
Richland, WA 99352



Dear Mr. Peschong:

Re: December 1995 Creation of Danger Declaration

The Washington State Department of Ecology (Ecology) has received and reviewed a copy of the attached memorandum titled, "Revised Recommendation to Add Tanks to Flammable Gas Watch List" directed to Stephan P. Cowan from Jackson Kinzer, dated April 24, 1996. The memorandum indicates "... TWRS is withdrawing the Reference 1 correspondence" As the document referenced is the "Recommendation to Add Tanks to the Flammable Gas Watch List," dated December 21, 1995, letter from J. Kinzer to S. Cowan, Ecology requests a formal status of the above referenced declaration.

As I communicated in an April 15, 1996, electronic mail message, USDOE's recommendation to add tanks to the Watch List has a direct impact on the validity of USDOE's declaration of Creation of Danger, as referenced in the Tri-Party Agreement (TPA), and will affect the resolution of any disputes concerning missed interim stabilization TPA milestones. As also communicated in the previously referenced message, I will recommend to my management that no change requests to the Tri-Party Agreement be signed until the technical basis issue is resolved.

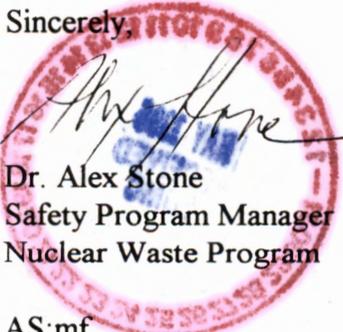
Please respond to me in writing by May 15, 1996, regarding the formal status of the December 1995 Creation of Danger Declaration. In addition, it is requested you identify if

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the above referenced memorandum represents Ecology's formal notification of retraction of the recommendation to add tanks to the flammable gas watch list. If you or your staff have any questions regarding this letter, please call me at (509) 736-3018.

Sincerely,

Dr. Alex Stone
Safety Program Manager
Nuclear Waste Program

AS:mf

- cc: Jackson Kinzer, USDOE
- Doug Sherwood, EPA
- Maureen Hunemueller, USDOE-HQ
- M. Mikolanis, USDOE-HQ
- K. Lang, USDOE-HQ
- Donald Vieth, USDOE-RL
- Roger Bacon, WHC
- Administrative Record: M-40, M-41, M-44, and M-45

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RCRA _____ CERCLA _____

United States Government

WQ _____

AQ Department of Energy

memorandum

Administrative _____ Richland Operations Office

EFSEC _____ N-Reactor _____

Miscellaneous _____

Cross reference _____

DATE: APR 22 1996
REPLY TO: WSD:CAG 96-WSD-035
ATTN OF:

SUBJECT: REVISED RECOMMENDATION TO ADD TANKS TO FLAMMABLE GAS WATCH LIST

TO: Stephan P. Cowan, Deputy Assistant Secretary
Office of Waste Management, EM-30, HQ

References: 1. Letter from J. Kinzer, RL, to S. P. Cowan, HQ,
"Recommendation to Add Tanks to the Flammable Gas Watch
List," dated December 21, 1995.

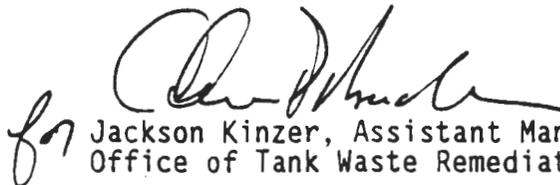
2. Document WHC-EP-0702, Rev. 0, "Criteria for Flammable Gas
Watch List Tanks," dated August 1994.

The U.S. Department of Energy (DOE), Richland Operations Office, Tank Waste Remediation Systems (TWRS), recommended adding 25 tanks to the Flammable Gas Watch List (Reference 1). This recommendation was based upon data and analysis provided by the Westinghouse Hanford Company and was in accordance with published criteria (Reference 2).

In January 1996, DOE, requested the Chemical Reactions Sub-Panel (CRS) to review the data and analysis which resulted in the recommendation to add 25 tanks to the Flammable Gas Watch List. During the CRS' eighteenth meeting held February 13-15, 1996, the CRS raised several questions regarding the analysis.

I have asked my Senior Technical Advisor, Dr. Donald Vieth, to carefully review the flammable gas analysis and its basis. Dr. Vieth's assessment of the situation is still underway; however, the initial part of the review has indicated that the points raised by the CRS need to be considered. As a result, TWRS is withdrawing the Reference 1 correspondence pending completion of this review scheduled for May 31, 1996. Based on the final results of this review a new recommendation may be submitted to Headquarters.

If there are any further questions regarding this matter, please contact me or you may contact Jim McClusky, of my staff, on (509) 376-0947.


for Jackson Kinzer, Assistant Manager
Office of Tank Waste Remediation System

cc: M. Hunemueller, EM-38
M. Mikolanis, EH-9
A. Stone, Ecology
K. Lang, EM-38