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TRI-PARTY AGREEMENT

Change Notice Number TPA-CN- 541	TPA CHANGE NOTICE FORM	Date:
Document Number, Title, and Revision: DOE/RL-2001-47, Remedial Design Report/Remedial Action Work Plan for the 300 Area, Rev. 3		Date Document Last Issued: December 2009
Originator: Rudy Guercia (U.S. Department of Energy, Richland Operations Office [DOE])		Phone: (509) 376-5494

Description of Change: Contamination with regulator concurrence.
The Remedial Action Approach and Management section (3.0) of the document is being modified to remove the apparent allowance to return land disposal restricted waste to an Area of Contamination (AOC). The change also clarifies that waste removed from an AOC may subsequently be transferred from one container to another, even within the AOC, and the waste is not considered to have re-entered the AOC.

Rudy Guercia (**DOE**) and Larry Gadbois (**Lead Regulatory Agency**) agree that the proposed change modifies an approved workplan/document and will be processed in accordance with the Tri-Party Agreement Action Plan, Section 9.0, *Documentation and Records,* and not Chapter 12.0, *Changes to the Agreement.*

The following are authorized changes to the Remedial Design Report/Remedial Action Work Plan for the 300 Area, DOE/RL-2001-47, Rev. 3:

- Page 3-10, second bullet – Deleted the text allowing return of land disposal restricted waste to an area of Contamination (AOC) with regulator concurrence.
- Page 3-10 and 3-11 - Added a new third bullet with text to clarify that containerized LDR waste that has left an AOC may be transferred to another container, even in the AOC boundary, without the waste being considered to have re-entered the AOC, as long as land placement does not occur.
- Page 3-11 – The former fourth bullet is now the fifth bullet. This bullet was slightly reworded that land placement of non-LDR waste may occur wherever needed.

Note: Affected sections of the document are attached. Double underlined text indicates changes.

Justification and Impacts of Change:

This change removes an allowance that has no regulatory basis and clarifies compliant repackaging activities.

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Approvals:

DOE Project Manager	12/4/2012 Date	[X] Approved [ ] Disapproved
Larry Gadbois EPA Project Manager	Dec 4 2012 Date	[X] Approved [ ] Disapproved
Ecology Project Manager	Date	[ ] Approved [ ] Disapproved

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based on the type of material being excavated. Alternate excavation/sorting methods (e.g., vacuum systems, metal detectors) may be proposed by the project on a case-by-case basis and implemented with concurrence from the DOE and EPA project representatives. During the excavation process, care will be taken to prevent the breakage or puncture of unopened or sealed cans, jars, and containers.

Material from waste sites that are not burial grounds (e.g., acid neutralization pit) or the periphery of burial grounds (e.g., plumes) where anomalous material is not encountered does not require mechanical sorting. This material may be directly loaded into containers after enough information is gathered to characterize the waste. Material that has been excavated using one of the approved sorting techniques will be directed in one of the following ways.

- Material that is above cleanup levels and within the ERDF waste acceptance criteria (WCH 2008) will be loaded into plastic-lined roll-off containers on project haul trucks at the excavation site. Asbestos-containing material will be double-bagged or put into roll-off containers that are double lined. The loaded containers will be covered (i.e., by folding and securing the liner over the load) and surveyed prior to being transported to a container transfer facility (CTF) using the project haul trucks. If contamination is found on a container exterior, the container will be decontaminated using standard equipment and techniques. In the unlikely event that a container cannot be decontaminated using standard methods, advanced techniques will be implemented as necessary. Released containers will be off loaded and staged in the CTF until applicable shipping papers are completed. When the shipping papers have been completed, ERDF transport vehicles will enter the CTF, pick up the full containers, and haul them to the ERDF.

- Anomalous waste (e.g., drums, intact containers, elemental lead, unknown materials) and/or above-cleanup-level material that is not within ERDF waste acceptance criteria (WCH 2008) will be set aside within the area of contamination (AOC) or within designated staging piles for further characterization and final disposition. ~~Land disposal restricted (LDR) wastes stored outside of the AOC shall only be returned to the AOC, and removed from the container with lead regulator approval. As needed, appropriate inerting materials may be added to drums that contain waste with pyrophoric properties~~. Waste that is subsequently identified for ERDF disposal or staging will be directed as described previously, with the exception that drummed waste will be transported on flatbed trailers. Excavated material that must be sent to facilities other than ERDF for treatment and/or disposal will be stockpiled or drummed and staged within the AOC or within designated staging pile areas until loaded for offsite shipment. Identification of an appropriate treatment and/or disposal facility, and arrangements for loading and transporting excavated material to facilities other than ERDF will be made on a case-by-case basis by the project in coordination with the RCC Project waste management representatives. Prior to shipment, an offsite acceptability determination in accordance with 40 CFR 300.440 must be obtained from the EPA for receipt, storage, treatment, and disposal of CERCLA waste at the identified treatment/disposal facility.

- LDR waste or containers of LDR waste that are not within the ERDF waste acceptance criteria may need repackaging or treatment to comply with the ERDF WAC. LDR waste that

has been placed into a container will not be placed back into the AOC (i.e., on the land). LDR waste may be removed from a container and placed directly into another container, even within the designated AOC boundary, as long as no land placement occurs. Containerized LDR waste that needs to be placed on the ground for treatment or repackaging will be done within a staging pile.

- Material that is free of anomalous waste and below cleanup levels may be stockpiled onsite for use as backfill material. In certain situations, soil may be placed over material excavated within a waste site or discovered within a staging pile as a temporary measure. Such action may be undertaken to minimize an imminent threat to the worker (e.g., a high-dose item is uncovered, and a temporary soil cover is appropriate to control worker exposure). Temporary covering with soil may also be undertaken to prevent windborne dispersal of excavated material or highly contaminated soil and to maintain segregation from other waste site materials. These temporary measures may be undertaken while plans are developed for safe re-excavation and removal of waste site materials. In these instances lead regulator notification will be made.

- Non-LDR ~~Excavated~~ material that has been packaged may be returned to an excavation area or staging pile area in situations where the dose rates, contamination levels, free liquids, or other abnormalities have subsequently been determined to exceed normal transport requirements. In these situations, when repackaging is necessary, the previously excavated material will be reloaded into the transportation container. Notification to the lead regulatory agency is generally not required for these actions. The exception is LDR waste, which shall be managed in accordance with the ~~second~~ third bullet above.

- An approved LDR treatment method for radioactively contaminated cadmium-, silver-, and mercury-containing batteries allows for macroencapsulation prior to disposal. However, lead-acid batteries are not covered by this standard and require initial treatment (draining corrosive liquids, treating separately prior to disposal) (DOE-RL et al. 2005b).

- If spent nuclear fuel (SNF) is discovered, it must be managed as spent nuclear fuel and is not eligible for disposal in ERDF. Shielded bunkers will be used for interim storage of the SNF with minimum specifications of (1) a 1.8-m (6-ft)-tall security fence, and (2) a bunker constructed of concrete shielding blocks including a heavy metal lid or concrete shielding block cover. SNF will be characterized for shipment to the 100-KW Fuel Storage Basin or the Canister Storage Building until an offsite storage or disposal facility authorized to manage SNF becomes available (DOE-RL et al. 2005b).

- If transuranic (TRU) material is discovered, it must be identified as either contact-handled transuranic (CH-TRU) waste or remote-handled transuranic (RH-TRU) waste and managed in accordance with the waste acceptance criteria of the receiving facility (WCH 2007b).

Excavated material will be surveyed and characterized for appropriate disposition prior to undertaking disposal of materials. When excavation of a waste site is complete, exposed dig faces will be evaluated to verify that remedial action goals have been met. When RAGs have