

Appendix C

Potential Applicable or Relevant and Appropriate Requirements

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Terms

ALARA	as low as reasonably achievable
ARAR	applicable or relevant and appropriate requirement
CERCLA	<i>Comprehensive Environmental Response, Compensation, and Liability Act of 1980</i>
CFR	<i>Code of Federal Regulations</i>
DOE	U.S. Department of Energy
EPA	U.S. Environmental Protection Agency
ERDF	Environmental Restoration Disposal Facility
ISV	in situ vitrification
MCL	maximum contaminant level
OU	operable unit
PCB	polychlorinated biphenyl
ppm	parts per million
RCRA	<i>Resource Conservation and Recovery Act of 1976</i>
RCW	<i>Revised Code of Washington</i>
SVE	soil vapor extraction
TBC	to be considered
TSCA	<i>Toxic Substances Control Act of 1976</i>
USC	United States Code
WAC	<i>Washington Administrative Code</i>

Appendix C

Potential Applicable or Relevant and Appropriate Requirements

C1.0 Identification of Potential Applicable or Relevant and Appropriate Requirements for the 200-PW-1/3/6 Operable Units

This appendix identifies and evaluates potential applicable or relevant and appropriate requirements (ARAR) for waste site remediation in the 200-PW-1/3/6 Operable Units (OU). The potential ARARs identified in this appendix have been used to form the basis for the levels to which contaminants must be remediated to protect human health and the environment as required by 40 CFR 300, “National Oil and Hazardous Substances Pollution Contingency Plan.” Independent of the ARARs identification process at the Hanford Site, the requirements of U.S. Department of Energy (DOE) directives must be met.

Because the waste sites in the 200-PW-1/3/6 OUs will be remediated under a *Comprehensive Environmental Response, Compensation, and Liability Act of 1980* (CERCLA) decision, remedial and corrective actions at the sites will be required to meet ARARs. As required under Ecology et al., 1989, *Hanford Federal Facility Agreement and Consent Order* (Tri-Party Agreement), this CERCLA remedial investigation/feasibility study process also will satisfy *Resource Conservation and Recovery Act of 1976* (RCRA) corrective action requirements. This appendix identifies and evaluates potential ARARs for these waste sites. Final ARARs for remediation will be established in the record of decision. In some cases, the ARARs form the basis for the preliminary remediation goals to which contaminants must be remediated to protect human health and the environment. In other cases, the ARARs define or restrict how specific remedial measures can be implemented.

The ARARs identification process is based on CERCLA guidance (EPA/540/G-89/006, *CERCLA Compliance with Other Laws Manual: Interim Final*, and EPA/540/G-89/004, *Guidance for Conducting Remedial Investigations and Feasibility Studies Under CERCLA*, Interim Final, OSWER Directive 9355.3-01). Section 121 of CERCLA (as amended) requires, in part, that any applicable or relevant and appropriate standard, requirement, criterion, or limitation promulgated under any Federal environmental law, or any more stringent state requirement promulgated pursuant to a state environmental statute, be met (or a waiver justified) for any hazardous substance, pollutant, or contaminant that will remain onsite after completion of remedial action.

“Applicable” means those cleanup standards, standards of control, and other substantive requirements, criteria, or limitations promulgated under federal environmental or state environmental or facility siting laws that specifically address a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance found at a CERCLA site. Only those state standards that are identified by a state in a timely manner and that are more stringent than Federal requirements may be applicable.

“Relevant and appropriate” requirements means those cleanup standards, standards of control, and other substantive requirements, criteria, or limitations promulgated under Federal environmental or state environmental or facility siting laws that, while not “applicable” to a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance at a CERCLA site, address problems or situations sufficiently similar to those encountered at the CERCLA site that their use is well suited to the particular site. Only those state standards that are identified in a timely manner and are more stringent than Federal requirements may be relevant and appropriate. In evaluating the relevance and

appropriateness of a requirement, the eight comparison factors in 40 CFR 300.400(g)(2), “General,” are considered:

- (i) The purpose of the requirement and the purpose of the CERCLA action.
- (ii) The medium regulated or affected by the requirement and the medium contaminated or affected at the CERCLA site.
- (iii) The substances regulated by the requirement and the substances found at the CERCLA site.
- (iv) The actions or activities regulated by the requirement and the remedial action contemplated at the CERCLA site.
- (v) Any variances, waivers, or exemptions of the requirement and their availability for the circumstances at the CERCLA site.
- (vi) The type of place regulated and the type of place affected by the release or CERCLA action.
- (vii) The type and size of structure or facility regulated and the type and size of structure or facility affected by the release or contemplated by the CERCLA action.
- (viii) Any consideration of use or potential use of affected resources in the requirement and the use or potential use of the affected resource at the CERCLA site.

In addition, potential ARARs were evaluated to determine if they fall into one of three categories: chemical-specific, location-specific, or action-specific. These categories are defined as follows:

- Chemical-specific requirements are usually health- or risk-based numerical values or methodologies that, when applied to site-specific conditions, result in the establishment of public- and worker-safety levels and site-cleanup levels.
- Location-specific requirements are restrictions placed on the concentration of dangerous substances or the conduct of activities solely because they occur in special geographic areas.
- Action-specific requirements are usually technology- or activity-based requirements or limitations triggered by the remedial actions performed at the site.
- Further details on potential ARARs that fall into these categories are contained in Section C1.2.

In summary, a requirement is applicable if the specific terms or jurisdictional prerequisites of the law or regulations directly address the circumstances at a site. If not applicable, a requirement may nevertheless be relevant and appropriate if (1) circumstances at the site are, based on best professional judgment, sufficiently similar to the problems or situations regulated by the requirement and (2) the requirement’s use is well suited to the site. Only the substantive requirements (e.g., use of control/containment equipment, compliance with numerical standards) associated with ARARs apply to CERCLA onsite activities. ARARs associated with administrative requirements, such as permitting, are not applicable to CERCLA onsite activities (CERCLA, Section 121[e][1]). In general, this CERCLA permitting exemption will be extended to all remedial and corrective action activities conducted at the 200-PW-1/3/6 OUs.

To be considered (TBC) information is nonpromulgated advisories or guidance issued by Federal or state governments that is not legally binding and does not have the status of potential ARARs. In some circumstances, TBCs will be considered along with ARARs in determining the remedial action necessary for protection of human health and the environment. The TBCs complement the ARARs in determining protectiveness at a site or implementation of certain actions. For example, because soil cleanup standards do not exist for all contaminants, health advisories, which would be TBCs, may be helpful in defining appropriate remedial action goals.

C1.1 Waivers from Applicable or Relevant and Appropriate Requirements

The U.S. Environmental Protection Agency (EPA) may waive ARARs and select a remedial action that does not attain the same level of site cleanup as that identified by the ARARs. Section 121 of the *Superfund Amendments and Reauthorization Act of 1986* identifies six circumstances in which the EPA may waive ARARs for onsite remedial actions. The six circumstances are as follows:

- The remedial action selected is only a part of a total remedial action (such as an interim action), and the final remedy will attain the ARAR upon its completion.
- Compliance with the ARAR will result in a greater risk to human health and the environment than alternative options.
- Compliance with the ARAR is technically impracticable from an engineering perspective.
- An alternative remedial action will attain an equivalent standard of performance through the use of another method or approach.
- The ARAR is a state requirement that the state has not consistently applied (or demonstrated the intent to apply consistently) in similar circumstances.
- In the case of Section 104 (Superfund-financed remedial actions), compliance with the ARAR will not provide a balance between protecting human health and the environment and the availability of Superfund money for response at other facilities.

No waivers are being requested for the 200-PW-1/3/6 OUs.

C1.2 Potential Applicable or Relevant and Appropriate Requirements Applicable to Remedial Actions for Waste Sites in the 200-PW-1/3/6 Operable Units

Potential Federal and state ARARs are presented in Tables C-1 and C-2, respectively. The chemical-specific ARARs likely to be most relevant and appropriate to remediation of the 200-W-1/3/6 OUs are Federal regulations that implement drinking water standards (40 CFR 141, “National Primary Drinking Water Regulations”) and WAC 173-340-720(7)(b), “Model Toxics Control Act—Cleanup,” “Ground Water Cleanup Standards,” that are used in this FS report for protection of groundwater evaluation.

Action-specific ARARs that could be pertinent to remediation are state solid and dangerous waste regulations (for management of characterization and remediation of wastes and performance standards for waste left in place).

Regarding waste management activities during remediation, a variety of waste streams may be generated under the preferred remedial action alternatives. It is anticipated that most of the waste will be designated as low-level waste and some will designate as transuranic waste. However, quantities of dangerous or mixed waste, polychlorinated biphenyl (PCB)-contaminated waste, and asbestos and asbestos-containing material also could be generated. The great majority of the waste will be in a solid form.

The identification, storage, treatment, and disposal of hazardous waste and the hazardous component of mixed waste generated during the remedial action would be subject to the substantive provisions of RCRA. In the State of Washington, RCRA is implemented through WAC 173-303, “Dangerous Waste Regulations,” which is an EPA-authorized State RCRA program. The substantive portions of the dangerous waste standards for generation and storage would apply to the management of any dangerous

or mixed waste generated during this remedial action. Treatment standards for dangerous or mixed waste that is subject to RCRA land disposal restrictions are specified in WAC 173-303-140, "Land Disposal Restrictions," which incorporates 40 CFR 268, "Land Disposal Restrictions," by reference.

The *Toxic Substances Control Act of 1976* (TSCA) and regulations at 40 CFR 761, "Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions," govern the management and disposal of PCB wastes. The TSCA regulations contain specific provisions for PCB waste, including PCB waste that contains a radioactive component. PCBs also are considered underlying hazardous constituents under RCRA and thus could be subject to WAC 173-303 and 40 CFR 268 requirements for wastes that also designate as hazardous or mixed wastes.

Removal and disposal of asbestos and asbestos-containing material are regulated under the *Clean Air Act of 1990*, and 40 CFR 61, "National Emission Standards for Hazardous Air Pollutants," Subpart M, "National Emission Standard for Asbestos." These regulations provide for special precautions to prevent environmental releases or exposure to personnel of airborne emissions of asbestos fibers during remedial actions. Packaging requirements are identified in 40 CFR 61.52, "Emission Standard." Asbestos and asbestos-containing material would be removed, packaged as appropriate, and disposed of in the Environmental Restoration Disposal Facility (ERDF).

Waste designated as low-level waste that meets ERDF acceptance criteria is assumed to be disposed of at ERDF, which is engineered to meet appropriate performance standards of 10 CFR 61, "Licensing Requirements for Land Disposal of Radioactive Waste." In addition, waste designated as dangerous or mixed waste would be treated as appropriate to meet land-disposal restrictions and ERDF acceptance criteria, and would be disposed of at ERDF. ERDF is engineered to meet minimum technical requirements for landfills under WAC 173-303-665, "Landfills." Applicable packaging and pre-transportation requirements for dangerous or mixed waste generated at the 200-PW-1/3/6 OUs would be identified and implemented before any waste was moved. Alternate disposal locations may be considered when the remedial action occurs, if a suitable and cost-effective location is identified. Any potential alternate disposal location other than ERDF will be approved by the lead regulatory agency and will be evaluated for appropriate performance standards to ensure that it is adequately protective of human health and the environment.

Following lead regulatory agency approval, waste designated as transuranic will be stored at the Central Waste Complex with eventual disposal at a geologic repository such as the Waste Isolation Pilot Plant.

Waste designated as PCB remediation waste likely would be disposed of at ERDF, depending on whether it is low-level waste and meets the waste acceptance criteria. PCB waste that does not meet ERDF waste acceptance criteria would be retained at a PCB storage area that meets the requirements for TSCA storage and would be transported for future treatment and disposal at an appropriate disposal facility following lead regulatory agency approval.

CERCLA Section 104(d)(4) states that where two or more noncontiguous facilities are reasonably related on the basis of geography, or on the basis of the threat or potential threat to the public health or welfare or the environment, the facilities can be treated as one for purposes of CERCLA response actions.

Consistent with this, the 200-PW-1/3/6 OUs and ERDF would be considered to be onsite for purposes of Section 104 of CERCLA, and waste may be transferred between the facilities without requiring a permit.

All remedial alternative actions will be performed in compliance with the waste management ARARs. Waste streams will be evaluated, designated, and managed in compliance with the ARAR requirements. Before disposal, waste will be managed in a protective manner to prevent releases to the environment or unnecessary exposure to personnel.

The remedial action alternatives (see Chapter 5.0) have the potential to generate airborne emissions of both radioactive and criteria/toxic pollutants.

The *Revised Code of Washington* (RCW) 70.94, “Public Health and Safety,” “Washington Clean Air Act,” requires regulation of radioactive air pollutants. The state implementing regulation WAC 173-480, “Ambient Air Quality Standards and Emission Limits for Radionuclides,” sets standards that are as stringent or more so than the Federal *Clean Air Act of 1990* and Amendments (42 USC 7401, et seq.), and under the Federal implementing regulation, 40 CFR 61, Subpart H, “National Emission Standards for Emissions of Radionuclides Other Than Radon from Department of Energy Facilities.” EPA’s partial delegation of the 40 CFR 61 authority to the State of Washington includes all substantive emissions monitoring, abatement, and reporting aspects of the Federal regulation. The state standards protect the public by conservatively establishing exposure standards applicable to even the maximally exposed public individual. Under the *Washington Administrative Code* [WAC 246-247-030(15), “Radiation Protection—Air Emissions,” “Definitions,”], the “Maximally exposed individual” is any member of the public (real or hypothetical) who abides or resides in an unrestricted area, and may receive the highest total effective dose equivalent from the emission unit(s) under consideration, taking into account all exposure pathways affected by the radioactive air emissions. All combined radionuclide airborne emissions from the DOE Hanford Site “facility” are not to exceed amounts that would cause an exposure to any member of the public of greater than 10 mrem/yr effective dose equivalent. The state implementing regulation WAC 246-247, which adopts the WAC 173-480 standards and the 40 CFR 61, Subpart H standard, requires verification of compliance with the 10 mrem/yr standard, and would potentially be applicable to the remedial alternatives.

The WAC 246-247 further addresses emission sources emitting radioactive airborne emissions by requiring monitoring of such sources. Such monitoring requires physical measurement of the effluent or ambient air. The substantive provisions of WAC 246-247 that require monitoring of radioactive airborne emissions would be applicable to the remedial alternatives.

The above state implementing regulations further address control of radioactive airborne emissions where economically and technologically feasible (WAC 246-247-040(3) and -040(4), “General Standards,” and associated definitions). To address the substantive aspect of these requirements, best or reasonably achieved control technology will be addressed by ensuring that applicable emission control technologies (those successfully operated in similar applications) will be used when economically and technologically feasible (i.e., based on cost/benefit). If it is determined that there are substantive aspects of the requirement for control of radioactive airborne emissions, then controls will be administered as appropriate using reasonable and effective methods.

Under WAC 173-400, “General Regulations for Air Pollution Sources,” and WAC 173-460, “Controls for New Sources of Toxic Air Pollutants,” requirements are established for the regulation of emissions of criteria/toxic air pollutants. The primary nonradioactive emissions resulting from these remedial alternatives will be fugitive particulate matter and the treated air from the SVE system and Alternative 2 – ISV hood system. In accordance with WAC 173-400-040, “General Standards for Maximum Emissions,” reasonable precautions must be taken to (1) prevent the release of air contaminants associated with fugitive emissions resulting from excavation, materials handling, or other operations; and (2) prevent fugitive dust from becoming airborne from fugitive sources of emissions. The use of treatment technologies as part of the SVE and ISV remedy components that would result in emissions of toxic air pollutants would be subject to the substantive applicable requirements of WAC 173-460. Treatment of some waste encountered during the removal action may be required to meet ERDF or WIPP waste acceptance criteria. In most cases, the type of treatment anticipated would consist of solidification/stabilization techniques, and WAC 173-460 would not be considered an ARAR. If more aggressive

treatment is required that would result in the emission of regulated air pollutants, the substantive requirements of WAC 173-400-113(2), "Requirements for New Sources in Attainment or Unclassifiable Areas," and WAC 173-460-060 "Control Technology Requirements," would be evaluated to determine applicability.

Emissions to the air will be minimized during implementation of any of the remedial alternatives through use of standard industry practices such as the application of water sprays and fixatives. These techniques are considered to be reasonable precautions to control fugitive emissions as required by the regulatory standards.

Table C-1. Identification of Potential Federal Applicable or Relevant and Appropriate Requirements and to be Considered for the Remedial Action Sites

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
"National Primary Drinking Water Regulations," 40 CFR 141			
"Maximum Contaminant Levels for Organic Contaminants," 40 CFR 141.61	ARAR	Establishes MCLs that are drinking water criteria designed to protect human health from the potential adverse effects of organic contaminants in drinking water.	The groundwater beneath the 200-PW-1/3/6 OUs is not currently used for drinking water. However, Central Plateau groundwater may be considered a potential drinking water source and, because the groundwater discharges to the Columbia River (which is used for drinking water), the substantive requirements in 40 CFR 141.61 for organic constituents are relevant and appropriate. This requirement is chemical-specific.
"Maximum Contaminant Levels for Inorganic Contaminants," 40 CFR 141.62	ARAR	Establishes MCLs that are drinking water criteria designed to protect human health from the potential adverse effects of inorganic contaminants in drinking water.	The groundwater beneath the 200-PW-1/3/6 OUs is not currently used for drinking water. However, Central Plateau groundwater may be considered a potential drinking water source and, because the groundwater discharges to the Columbia River (which is used for drinking water), the substantive requirements in 40 CFR 141.62 for inorganic constituents are relevant and appropriate. This requirement is chemical-specific.
"Maximum Contaminant Levels for Radionuclides," 40 CFR 141.66	ARAR	Establishes MCLs that are drinking water criteria designed to protect human health from the potential adverse effects of radionuclides in drinking water.	The groundwater beneath the 200-PW-1/3/6 OUs is not currently used for drinking water. However, Central Plateau groundwater may be considered a potential drinking water source and because the groundwater discharges to the Columbia River (which is used for drinking water), the substantive requirements in 40 CFR 141.66 for radionuclides are relevant and appropriate. This requirement is chemical-specific.

Table C-1. Identification of Potential Federal Applicable or Relevant and Appropriate Requirements and to be Considered for the Remedial Action Sites

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
“Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions,” 40 CFR 761			
“Applicability” Specific Subsections: 40 CFR 761.50(b)(1) 40 CFR 761.50(b)(2) 40 CFR 761.50(b)(3) 40 CFR 761.50(b)(4) 40 CFR 761.50(b)(7) 40 CFR 761.50(c)	ARAR	These regulations establish standards for the storage and disposal of PCB wastes.	The substantive requirements of these regulations are relevant and appropriate to the storage and disposal of PCB liquids, items, remediation waste, and bulk product waste at ≥ 50 ppm. The specific subsections identified from 40 CFR 761.50(b) reference the specific sections for the management of PCB waste type. The disposal requirements for radioactive PCB waste are addressed in 40 CFR 761.50(b)(7). This requirement is chemical-specific.
<i>Archeological and Historic Preservation Act of 1974</i> , et seq. 16 USC 469a-1 through 469a-(2)d	ARAR	Requires that remedial actions at 200-PW-1/3/6 OU waste sites do not cause the loss of any archaeological or historic data. This act mandates preservation of the data and does not require protection of the actual waste site or facility.	Archeological and historic sites have been identified within the 200 Areas; therefore, the substantive requirements of this act are applicable to actions that might disturb these sites. This requirement is location-specific.
<i>National Historic Preservation Act of 1966</i> , et seq. 16 USC 470, Section 106	ARAR	Requires Federal agencies to consider the impacts of their undertaking on cultural properties through identification, evaluation and mitigation processes, and consultation with interested parties.	Cultural and historic sites have been identified within the 200 Areas, and therefore the substantive requirements of this act are applicable to actions that might disturb these types of sites. This requirement is location-specific.
<i>Native American Graves Protection and Repatriation Act of 1990</i> , 25 USC 3001, et seq.	ARAR	Establishes Federal agency responsibility for discovery of human remains, associated and unassociated funerary objects, sacred objects, and items of cultural patrimony.	Substantive requirements of this act are applicable if remains and sacred objects are found during remediation and will require Native American Tribal consultation in the event of discovery. This requirement is location-specific.
<i>Endangered Species Act of 1973</i> , 16 USC 1531, et seq., Subsection 16 USC 1536(c)	ARAR	Prohibits actions by Federal agencies that are likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. If remediation is within critical habitat or buffer zones surrounding threatened or endangered species, mitigation measures must be taken to protect the resource.	Substantive requirements of this act are applicable if threatened or endangered species are identified in areas where remedial actions will occur. This requirement is location-specific.

Table C-1. Identification of Potential Federal Applicable or Relevant and Appropriate Requirements and to be Considered for the Remedial Action Sites

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
“National Emission Standard for Asbestos,” 40 CFR 61, Subpart M; “Applicability,” 40 CFR 61.140			
“Standard for Demolition and Renovation,” 40 CFR 61.145	ARAR	Specifies that facilities are to be inspected for the presence of asbestos before demolition. The standard defines regulated asbestos-containing materials and establishes removal requirements based on quantity present and handling requirements. These requirements also specify handling and disposal requirements for regulated sources that have the potential to emit asbestos. Specifically, no visible emissions are allowed during handling, packaging, and transport of asbestos-containing materials.	Although asbestos-containing materials are not anticipated, substantive requirements of this standard are applicable, should this remedial action include abatement of asbestos and asbestos-containing materials on pipelines or buried asbestos. As a result, there is a potential to emit asbestos to unrestricted areas, and the requirements for the removal, handling, and packaging of asbestos apply. This requirement is chemical-specific.
“Standard for Waste Disposal for Manufacturing, Fabricating, Demolition, Renovation, and Spraying Operations,” 40 CFR 61.150	ARAR	Identifies the requirements for the removal and disposal of asbestos from demolition and renovation activities.	Although asbestos-containing materials are not anticipated, the substantive requirements of this standard are applicable, should asbestos-containing material be located during remedial action activities of associated pipelines and buried asbestos. This requirement is chemical-specific.

ARAR	=	applicable or relevant and appropriate requirement
CFR	=	<i>Code of Federal Regulations</i>
DOE	=	U.S. Department of Energy
MCL	=	maximum contaminant level
PCB	=	polychlorinated biphenyl
ppm	=	parts per million
TBC	=	to-be-considered
WAC	=	<i>Washington Administrative Code</i>

Table C-2. Identification of Potential State Applicable and Relevant or Appropriate Requirements and to be Considered for the Remedial Action Site

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
“Dangerous Waste Regulations,” WAC 173-303			
“Identifying Solid Waste,” WAC 173-303-016	ARAR	Identifies those materials that are and are not solid wastes.	Substantive requirements of these regulations are applicable, because these define how to determine which materials are subject to the designation regulations. Specifically, materials that are generated for removal from the CERCLA site during the remedial action would be subject to the procedures for identification of solid waste to ensure proper management. This requirement is action-specific.
“Recycling Processes Involving Solid Waste,” WAC 173-303-017	ARAR	Identifies materials that are and are not solid wastes when recycled.	Substantive requirements of these regulations are applicable, because these define how to determine which materials are subject to the designation regulations. Specifically, materials that are generated for removal from the CERCLA site during the remedial action would be subject to the procedures for identification of solid waste to ensure proper management. This requirement is action-specific.
“Designation of Dangerous Waste,” WAC 173-303-070(3)	ARAR	Establishes the method for determining whether a solid waste is, or is not, a dangerous waste or an extremely hazardous waste.	Substantive requirements of these regulations are applicable to materials encountered during the remedial action. Specifically, solid waste that is generated for removal from the CERCLA site during this remedial action would be subject to the dangerous waste designation procedures to ensure proper management. This requirement is action-specific.
“Excluded Categories of Waste,” WAC 173-303-071	ARAR	Describes those categories of wastes that are excluded from the requirements of WAC 173-303 (excluding WAC 173-303-050, “Department of Ecology Cleanup Authority”).	The conditions of this requirement are applicable to remedial actions in the 200-PW-1/3/6 OUs, should wastes identified in WAC 173-303-071 be encountered. This requirement is action-specific.
“Conditional Exclusion of Special Wastes,” WAC 173-303-073	ARAR	Establishes the conditional exclusion and the management requirements of special wastes, as defined in WAC 173-303-040, “Definitions.”	Substantive requirements of these regulations are applicable to materials encountered during the remedial action. Specifically, the substantive standards for management of special waste are applicable to the interim management of certain waste that will be generated during the remedial action. This requirement is action-specific.

Table C-2. Identification of Potential State Applicable and Relevant or Appropriate Requirements and to be Considered for the Remedial Action Site

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
“Requirements for Universal Waste,” WAC 173-303-077	ARAR	Identifies those wastes exempted from regulation under WAC 173-303-140 and WAC 173-303-170 through 173-303-9907 (excluding WAC 173-303-960, “Special Powers and Authorities of the Department”). These wastes are subject to regulation under WAC 173-303-573, “Standards for Universal Waste Management.”	Substantive requirements of these regulations are applicable to materials encountered during the remedial action. Specifically, the substantive standards for management of universal waste are applicable to the interim management of certain waste that will be generated during the remedial action. This requirement is action-specific.
“Recycled, Reclaimed, and Recovered Wastes,” WAC 173-303-120 Specific Subsections: WAC 173-303-120(3) WAC 173-303-120(5)	ARAR	These regulations define the requirements for recycling materials that are solid and dangerous waste. Specifically, WAC 173-303-120(3) provides for the management of certain recyclable materials, including spent refrigerants, antifreeze, and lead-acid batteries. WAC 173-303-120(5) provides for the recycling of used oil.	Substantive requirements of these regulations are applicable to certain materials that might be encountered during the remedial action. Recyclable materials that are exempt from regulation as dangerous waste and that are not otherwise subject to CERCLA as hazardous substances can be recycled and/or conditionally excluded from certain dangerous waste requirements. This requirement is action-specific.
“Land Disposal Restrictions,” WAC 173-303-140(4)	ARAR	This regulation establishes state standards for land disposal of dangerous waste and incorporates, by reference, Federal land-disposal restrictions of 40 CFR 268 that are applicable to solid waste that is designated as dangerous or mixed waste in accordance with WAC 173-303-070(3).	The substantive requirements of this regulation are applicable to materials encountered during the remedial action. Specifically, dangerous/mixed waste that is generated and removed from the CERCLA site during the remedial action for offsite (as defined by CERCLA) land disposal would be subject to the identification of applicable land-disposal restrictions at the point of generation of the waste. The actual offsite treatment of such waste would not be an ARAR to this remedial action, but instead would be subject to all applicable laws and regulations. This requirement is action-specific.
“Requirements for Generators of Dangerous Waste,” WAC 173-303-170	ARAR	Establishes the requirements for dangerous waste generators.	Substantive requirements of these regulations are applicable to materials encountered during the remedial action. Specifically, the substantive standards for management of dangerous/mixed waste are applicable to the interim management of certain waste that will be generated during the remedial action. For purposes of this remedial action, WAC 173-303-170(3) includes the substantive provisions of WAC 173-303-200, “Accumulating Dangerous Waste On-Site,” by reference. WAC 173-303-200 further includes certain substantive standards from WAC 173-303-630, “Use and Management of Containers,” and WAC 173-303-640, “Tank Systems,” by reference. This requirement is action-specific.

Table C-2. Identification of Potential State Applicable and Relevant or Appropriate Requirements and to be Considered for the Remedial Action Site

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
"Requirements," WAC 173-303-64620(4)	ARAR	Requires Corrective Action to be "consistent with" specified section in WAC 173-340	The substantive portions of this regulation establish minimum requirements for HWMA corrective action.
	ARAR	Establishes the requirements for the Hanford Site storage of solid wastes that are not radioactive or dangerous wastes.	Substantive requirements of these regulations are applicable to materials encountered during the remedial action. Specifically, nondangerous, nonradioactive solid wastes (i.e., hazardous substances that are only regulated as solid waste) that will be containerized for removal from the CERCLA site would be managed at the Hanford Site according to the substantive requirements of this standard. This requirement is action-specific.
"Model Toxics Control Act–Cleanup," WAC 173-340			
"Ground Water Cleanup Standards," WAC 173-340-720(7)(b)	ARAR	Permits an adjustment of an existing state or federal cleanup standard downward so that the total excess cancer risk does not exceed 1×10^{-5} and the hazard index does not exceed 1.	The groundwater beneath the 200-PW-1/3/6 OUs is not currently used for drinking water. However, Central Plateau groundwater may be considered a potential drinking water source and, because the groundwater discharges to the Columbia River (which is used for drinking water), the substantive requirements in WAC 173-340-720(7)(b) are relevant and appropriate. This requirement is chemical-specific.
"Soil Cleanup Standards for Industrial Properties," WAC 173-340-745(5)(b)	ARAR	Establishes the process and methods used to evaluate direct contact risk to human health and the environment and to develop cleanup standards for soil and other environmental media.	Soil in the 200-PW-1/3/6 OU contains contaminants that require remediation. The substantive requirements of the specified subsections are pertinent to developing cleanup standards for the selected remedy for the 200-PW-1/3/6 Operable Unit. This is a chemical-specific requirement.
"Deriving Soil Concentrations for Ground Water Protection," WAC 173-340-747(3)	ARAR	Establishes the process and methods used to evaluate soil concentration that may cause an impact to human health and the environment through the groundwater and to develop cleanup standards for soil and other environmental media.	Soil in the 200-PW-1/3/6 OU contains contaminants that require remediation. The substantive requirements of the specified subsections are pertinent to developing cleanup standards for the selected remedy for the 200-PW-1/3/6 Operable Unit. This is a chemical-specific requirement.
"Site-specific Terrestrial Ecological Evaluation Procedures," WAC 173-340-7493(3)	ARAR	Establishes the process and methods used to evaluate soil concentration that may cause an impact to terrestrial ecology and to develop cleanup standards for soil and other environmental media.	Soil in the 200-PW-1/3/6 OU contains contaminants that require remediation. The substantive requirements of the specified subsections are pertinent to developing cleanup standards for the selected remedy for the 200-PW-1/3/6 Operable Unit. This is a chemical-specific requirement.

Table C-2. Identification of Potential State Applicable and Relevant or Appropriate Requirements and to be Considered for the Remedial Action Site

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
“Solid Waste Handling Standards,” WAC 173-350			
“On-Site Storage, Collection and Transportation Standards,” WAC 173-350-300	ARAR	Establishes the requirements for the temporary storage of solid waste in a container at the Hanford Site and the collecting and transporting of the solid waste.	The substantive requirements of this newly promulgated rule are relevant and appropriate to the Hanford Site collection and temporary storage of solid wastes at the 200-PW-1/3/6 OUs remediation waste sites. Compliance with this regulation is being implemented in phases for existing facilities. This requirement is action-specific.
“Minimum Standards for Construction and Maintenance of Wells,” WAC 173-160			
“How Shall Each Water Well Be Planned and Constructed?” WAC 173-160-161	ARAR	Identifies well planning and construction requirements.	The substantive requirements of this regulation are ARAR to actions that include construction of wells used for groundwater extraction, monitoring, or injection of treated groundwater or wastes. The requirements of WAC 173-160-161, 173-160-171, 173-160-181, 173-160-400, 173-160-420, 173-303-430, 173-160-440, 173-160-450, and 173-160-460 are relevant and appropriate to groundwater well construction, monitoring, or injection of treated groundwater or wastes in the 200-PW-1/3/6 OUs. These requirements are action-specific.
“What Are the Requirements for the Location of the Well Site and Access to the Well?” WAC 173-160-171	ARAR	Identifies the requirements for locating a well.	
“What Are the Requirements for Preserving the Natural Barriers to Ground Water Movement Between Aquifers?” WAC 173-160-181	ARAR	Identifies the requirements for preserving natural barriers to groundwater movement between aquifers.	
“What Are the Minimum Standards for Resource Protection Wells and Geotechnical Soil Borings?” WAC 173-160-400	ARAR	Identifies the minimum standards for resource protection wells and geotechnical soil borings.	
“What Are the General Construction Requirements for Resource Protection Wells?” WAC 173-160-420	ARAR	Identifies the general construction requirements for resource protection wells.	
“What Are the Minimum Casing Standards?” WAC 173-160-430	ARAR	Identifies the minimum casing standards.	
“What Are the Equipment Cleaning Standards?” WAC 173-160-440	ARAR	Identifies the equipment cleaning standards.	

Table C-2. Identification of Potential State Applicable and Relevant or Appropriate Requirements and to be Considered for the Remedial Action Site

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
“What Are the Well Sealing Requirements?” WAC 173-160-450	ARAR	Identifies the well sealing requirements.	
“What Is the Decommissioning Process for Resource Protection Wells?” WAC 173-160-460	ARAR	Identifies the decommissioning process for resource protection wells.	
“General Regulations for Air Pollution Sources,” WAC 173-400			
“General Standards for Maximum Emissions,” WAC 173-400-040 and “Requirements for New Sources in Attainable or Unclassifiable Areas,” WAC 173-400-113	ARAR	Methods of control shall be employed to minimize the release of air contaminants associated with fugitive emissions resulting from materials handling, construction, demolition, or other operations. Emissions are to be minimized through application of best available control technology.	Substantive requirements of these standards are relevant and appropriate to this remedial action, because there may be visible, particulate, fugitive, and hazardous air emissions and odors resulting from decontamination, demolition, and excavation activities. As a result, standards established for the control and prevention of air pollution are relevant and appropriate. These requirements are action-specific.
“Controls for New Sources of Toxic Air Pollutants,” WAC 173-460			
“Applicability,” WAC 173-460-030 and “Control Technology Requirements,” WAC 173-460-060	ARAR	Requires that new sources of air emissions provide the emission estimates identified in this regulation.	Substantive requirements of these standards are applicable to this remedial action, because there is the potential for toxic air pollutants to become airborne as a result of decontamination, demolition, and excavation activities. As a result, standards established for the control of toxic air contaminants are relevant and appropriate. These requirements are action-specific.
“Ambient Impact Requirement,” WAC 173-460-070	ARAR	Requires that when applying for a notice of construction, the owner/operator of a new toxic air pollutant source that is likely to increase toxic air pollutant emissions shall demonstrate that emissions from the source are sufficiently low to protect human health and safety from potential carcinogenic and/or other toxic effects.	The substantive requirements of this standard are applicable to remedial actions in the 200-PW-1/3/6 OUs, should the remedial action result in the treatment of the soil or debris that contains contaminants of concern identified in the regulation as a toxic air pollutant. This requirement is action-specific.
“Ambient Air Quality Standards and Emission Limits for Radionuclides,” WAC 173-480			
“General Standards for Maximum Permissible Emissions,” WAC 173-480-050(1)	ARAR	Whenever another Federal or state regulation or limitation in effect controls the emission of radionuclides to the ambient air, the more stringent control of emissions shall govern.	The substantive requirements of this standard are applicable in that the more stringent aspect of Federal or state emission limitation is specified as governing. This requirement is action-specific.

Table C-2. Identification of Potential State Applicable and Relevant or Appropriate Requirements and to be Considered for the Remedial Action Site

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
“Emission Monitoring and Compliance Procedures,” WAC 173-480-070(2)	ARAR	Requires that radionuclide emissions compliance shall be determined by calculating the dose to members of the public at the point of maximum annual air concentration in an unrestricted area where any member of the public may be.	The substantive requirements of this standard are applicable to remedial actions involving disturbance or ventilation of radioactively contaminated areas or structures, because airborne radionuclides may be emitted to unrestricted areas where any member of the public may be. This requirement is action-specific.
“Radiation Protection – Air Emissions,” WAC 246-247			
“National Standards Adopted by Reference for Sources of Radionuclide Emissions,” WAC 246-247-035(1)(a)(ii)	ARAR	Establishes requirements equivalent to 40 CFR 61, Subpart H. Radionuclide airborne emissions from the facility shall be controlled so as not to exceed amounts that would cause an exposure to any member of the public of greater than 10 mrem/yr effective dose equivalent.	Substantive requirements of this standard are applicable because a remedial action may include activities such as excavation, decontamination, and stabilization of contaminated areas and equipment, and operation of exhausters and vacuums, each of which may provide airborne emissions of radioactive particulates to unrestricted areas. As a result, requirements limiting emissions apply. This is a risk-based standard for the purposes of protecting human health and the environment. These requirements are action-specific.
“General Standards,” WAC 246-247-040(3) WAC 246-247-040(4)	ARAR	Emissions shall be controlled to ensure that emission standards are not exceeded. Actions creating new sources or significantly modified sources shall apply best available controls. All other actions shall apply reasonably achievable controls.	Substantive requirements of this standard are applicable because fugitive, diffuse, and point source emissions of radionuclides to the ambient air may result from remedial activities, such as excavation of contaminated soils and operation of exhauster and vacuums, performed during the remedial action. This standard exists to ensure compliance with emission standards. These requirements are action-specific.
“Monitoring, Testing, and Quality Assurance” WAC 246-247-075(1) and –(2) and –(4)	ARAR	Establishes the monitoring, testing, and quality assurance requirements for radioactive air emissions from major sources. Effluent flow rate measurements shall be made and the effluent stream shall be directly monitored continuously with an inline detector or representative samples of the effluent stream shall be withdrawn continuously from the sampling site following the specified guidance. The requirements for continuous sampling are applicable to batch processes when the unit is in operation. Periodic sampling (grab samples) may be used only with lead agency prior approval. Such approval may be granted in cases where continuous sampling is not practical and radionuclide emission rates are relatively constant. In such cases, grab samples shall be collected with	Substantive requirements of this standard are applicable when fugitive and nonpoint source emissions of radionuclides to the ambient air may result from activities, such as excavation of contaminated soils and operation of exhauster and vacuums, performed during a remedial action. This standard exists to ensure compliance with emission standards. This requirement is action-specific.

Table C-2. Identification of Potential State Applicable and Relevant or Appropriate Requirements and to be Considered for the Remedial Action Site

ARAR Citation	ARAR or TBC	Requirement	Rationale for Use
		<p>sufficient frequency so as to provide a representative sample of the emissions. When it is impractical to measure the effluent flow rate at a source in accordance with the requirements or to monitor or sample an effluent stream at a source in accordance with the site selection and sample extraction requirements, the facility owner or operator may use alternative effluent flow rate measurement procedures or site selection and sample extraction procedures as approved by the lead agency.</p> <p>Emissions from nonpoint and fugitive sources of airborne radioactive material shall be measured.</p> <p>Measurement techniques may include, but are not limited to, sampling, calculation, smears, or other reasonable method for identifying emissions as determined by the lead agency.</p>	
“Monitoring, Testing, and Quality Assurance,” WAC 246-247-075(3)	ARAR	Methods to implement periodic confirmatory monitoring for minor sources may include estimating the emissions or other methods as approved by the lead agency.	Substantive requirements are applicable when fugitive and diffuse emissions from any excavation and related activities occur and will require periodic confirmatory measurements to verify low emissions. This requirement is action-specific.
“Monitoring, Testing, and Quality Assurance,” WAC 246-247-075(8)	ARAR	Facility (site) emissions resulting from nonpoint and fugitive sources of airborne radioactive material shall be measured. Measurement techniques may include ambient air measurements, or inline radiation detector or withdrawal of representative samples from the effluent stream, or other methods as determined by the lead agency.	Substantive requirements are applicable when fugitive and diffuse emissions of airborne radioactive material due to excavation and related activities occur and will require measurement. This requirement is action-specific.
ALARA	=	as low as reasonably achievable	
ARAR	=	applicable or relevant and appropriate requirement	
CERCLA	=	<i>Comprehensive Environmental Response, Compensation, and Liability Act of 1980</i>	
CFR	=	<i>Code of Federal Regulations</i>	
OU	=	operable unit	
TBC	=	to be considered	
WAC	=	<i>Washington Administrative Code</i>	

C2.0 References

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