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STATE OF WASHINGTON

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DEPARTMENT OF ECOLOGY

7601 W. Clearwater, Suite 102 • Kennewick, Washington 99336 • (509) 546-2990

April 14, 1994

Mr. John Wagoner, Manager
U.S. Department of Energy
P.O. Box 550
Richland, WA 99352

Mr. LaMar Trego, President
Westinghouse Hanford Company
P.O. Box 1970
Richland, WA 99352

Dear Messrs. Wagoner and Trego:

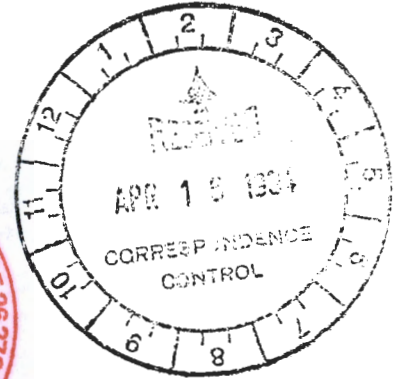
Re: Failure to Meet Milestone Requirements

Thank you for the assistance of U.S. Department of Energy (USDOE) and Westinghouse Hanford Company (WHC) personnel during the Washington State Department of Ecology's (Ecology) February 7 and 8, 1994, inspection. The inspection was conducted to assess completion of Milestones 21, 22, and 23 of the Hanford Federal Facility Agreement and Consent Order, or the Tri-party Agreement (TPA). Specifically, this inspection sought to determine: (1) if the intent of Milestones 21-23 had been met, (2) the current status of facilities at Hanford regarding Milestone 21-23 requirements, (3) that changes were adequately documented in facilities where changes in permitting status or operating procedure had occurred, and (4) to gain a general perspective of completion of Milestones 21-23 through a thorough review of selected facilities.

Six facilities were inspected from those listed in Milestone 21. Change of mission of some facilities and modification of hazardous waste management requirements through agreements reached with Ecology were considered when assessing facilities' compliance with Milestone 21-23 corrective actions.

Milestones 21-23 were designed to bring facilities managing dangerous wastes on the Hanford site into compliance with RCRA interim status requirements. These requirements are promulgated in the Washington Administrative Code (WAC), and the findings of this inspection are presented in the context of the corresponding regulatory guidance found in the WAC.

The following is a summary of the violations and concerns resulting from Ecology's Milestone 21-23 inspection.



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SUMMARY OF VIOLATIONS

WAC 173-303-300 General waste analysis (5) Waste analysis plan. The owner or operator shall develop and follow a written waste analysis plan which describes the procedures he will use to comply with the waste analysis requirements of subsections (1), (2), (3), and (4) of this section.

Analytical procedures specified in the waste analysis plan (WAP) for 222-S laboratories were not being followed, analytical procedures developed for the B-Plant WAP did not incorporate actual analysis performed, and sample verification as required by each WAP was not performed at either facility.

WAC 173-303-380 Facility recordkeeping (1) Operating record (a) A description of and the quantity of each dangerous waste received or managed on-site, and the method(s) and date(s) of its treatment, storage, or disposal at the facility

Waste transfer records for shipment of dangerous wastes from tank 102 in the 219-S facility to tank farms DST were poorly kept and failed to accurately document total waste volumes from various treatment and transfer operations.

WAC 173-303-310 Security (2) A facility must have: (c) An artificial or natural barrier, or a combination of both, which completely surrounds the active portion of the facility, with means to control access through gates or other entrances to the active portion of the facility at all times.

The 100-D Ponds are secured along their southern boundary by a chain link fence. A single strand of cordage forms the remainder of the barrier surrounding 100-D Ponds and is inadequate to control access at all times especially given the proximity of this hazardous waste site to the Columbia River and access therefrom.

WAC 303-173-630 Use and management of containers (3) Identification of containers. The owner or operator must label containers in a manner which adequately identifies the major risk(s) associated with the contents of the containers. The owner or operator must destroy or otherwise remove labels from the emptied container, unless the container will continue to be used for storing dangerous waste at the facility.

Drum #222S-93-000314 stored in the 222-S dangerous waste storage facility was labelled "non-regulated," yet had a hazardous waste sticker affixed to it.

Mr. Marty Martin, Hazardous Waste Manager for 222-S Laboratories, advised me that immediately following the inspection the container had been correctly labelled, personnel conducting container inspections had been retrained, and an oversight group had been

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charged with weekly review of inspection log books for wastes stored in the 222-S container storage facility. This action satisfactorily meets the concern regarding use and management of containers at the 222-S facility as identified in this inspection.

WAC 173-303-320 General inspection (3) The owner or operator shall remedy any problems revealed by the inspection

Regularly scheduled inspections of 100-D Ponds failed to result in reconstruction of a downed section of perimeter barrier for a period of two months in 1993. Regularly scheduled inspections failed to remedy an improperly labelled dangerous waste container in the 222-S storage facility.

WAC 173-303-350 Contingency plan and emergency procedures (3) The contingency plan must contain the following: (c) A description of the arrangements agreed to by . . . emergency response teams

The contingency plan for B-Plant lacked descriptions of arrangements with emergency response teams.

WAC 173-303-640 Tank systems (5)(b) The owner or operator must use appropriate controls and practices to prevent spills and overflows from tank or containment systems . . .

Tank 102 in the 219-S dangerous waste management facility was operating in violation of section 4.2 of the Operating Safety Document, OSD-S-186-0004, Rev A-1, that establishes the appropriate controls for tank 102.

SUMMARY OF CONCERNS

CONCERN: *Management of facilities no longer receiving wastes or facilities undergoing closure, change of mission, or upgrades.*

In many cases, RCRA interim status requirements were relaxed on the facilities inspected, due to informal agreement or confusion as to the applicability of interim status requirements to facilities that are inactive, have not received approved closure plans, or are undergoing a change of mission. However, the closure process can take many months or years to finalize, inactive facilities may still store or contain hazardous wastes, upgrades often take many months or years to accomplish, and hazardous waste management may become confusing as responsibilities change with a facility's change of mission. Ecology's concerns are that relaxed management of hazardous wastes during these periods may cause a threat to human health or the environment. Management of all hazardous waste facilities are subject to the regulatory framework provided by the WAC. The dangerous waste permit or closure plan for each facility shall delineate the

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hazardous waste management requirements for each facility. These documents are the primary reference for questions regarding specific hazardous waste management issues.

In order to correct the identified violations of Milestone 21-23 requirements, as summarized by the above citations of Chapter 173-303 WAC, please complete the following corrective actions within the time frames specified. Please be advised that failure to correct these noncompliant items may result in the issuance of an administrative order and/or penalty under RCW 70.105.080 and/or .095 (Hazardous Waste Management).

This voluntary compliance letter is being issued pursuant to the authorities granted to Ecology by RCW 70.105 (Hazardous Waste Management).

CORRECTIVE ACTION #1

Within sixty (60) days of receipt of this letter, USDOE and WHC must incorporate the analytical protocols as actually performed at 222-S Laboratories and at B-Plant into the WAP for each facility. These protocols must describe the analysis performed at each facility for each analyte, deviations per analyte from analytical protocols delineated in EPA SW-846 PB88-2339223 Part 4 and WAC 173-303-110, and rationale for such deviations. Equivalency to EPA standard analytical procedures as approved by Ecology must be described in each WAP accompanied by the rationale for establishing equivalency in lieu of standard procedures. A copy of the WAP shall be provided to Ecology for review and approval.

CORRECTIVE ACTION #2

Within thirty (30) days of receipt of this letter, USDOE and WHC must revise the tank transfer data log for documenting transfers from tank 102 in the 219-S facility to tank farms DST. This revision must clearly show total waste volume transferred, including treatment and flushing solutions added to the waste. Also, the data transfer log must incorporate the date of transfer and signature of the person in charge of transfer operations. It must also reference the receiving facility's waste acceptance documents that specify waste treatment and volume criteria.

CORRECTIVE ACTION #3

Within one hundred eighty (180) days of receipt of this letter, USDOE and WHC must construct a barrier sufficient to control access to 100-D-Ponds. This barrier must be constructed of materials approved by the Ecology Unit Manager for 100-D-Ponds, Alisa Huckaby, and Bob Wilson, Ecology Compliance Group, and must provide a physical deterrence to entry into 100-D-Ponds.

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CORRECTIVE ACTION #4

Within thirty (30) days of receipt of this letter, USDOE and WHC must incorporate descriptions of arrangements with emergency response organizations in the contingency plan for B-Plant. The name and telephone number of the Emergency Coordinator and his alternates must be included in arrangements with emergency response organizations.

CORRECTIVE ACTION #5

Within thirty (30) days of receipt of this letter, USDOE and WHC must ensure that wastes stored or treated in tanks 101 and 102 in the 219-S hazardous waste storage area are managed in accordance with the Operating Safety Document, OSD-S-186-0004, Rev. A-1, or more recent revisions. Tank level sensing devices must be set to prevent operating these tanks beyond the safety limits set forth in the Operating Safety Document. For example, if a discrepancy exists between level sensing devices, overflow alarms for tanks 102 and 101 must be set based on the highest reading observed.

In addition to the requirements above, remedial actions shall be undertaken immediately upon discovery of problems revealed through regularly scheduled inspections.

On site inspection of facilities and review of documents revealed no significant problems at 4843 Alkali Metal Storage Facility, Hexone Tanks, or 105-DR Sodium Fire Facility regarding completion of Milestone 21-23 requirements.

Should you have any questions, or require clarification on any of the items in this compliance letter or the enclosed "Certificate of Compliance," please do not hesitate to call me at (509) 736-3031. Please complete and submit the enclosed "Certificate of Compliance" to this Department by June 11, 1994.

Sincerely,

Robert Wilson

Robert Wilson, RCRA Compliance Inspector
Nuclear Waste Program

RW:sr
Enclosure

cc: Bob Holt, DOE
Brad Erlandson, WHC
Dale Halgren, WHC
Marty Martin, WHC
Julie Seamans, WHC

Mike Stephenson, WHC
Steve Szendre, WHC
Dan Duncan, EPA
Administrative Record

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Please complete and return to Robert Wilson, Washington State Department of Ecology, 7601 West Clearwater #102, Kennewick, Washington 99336, by June 11, 1994. If corrective action item number three is outstanding by the due date of this certificate provide a statement of progress in the "comments" section for this item including the estimated completion date.

CERTIFICATE OF COMPLIANCE

As a legal representative of the U. S. Department of Energy, I certify to the best of my knowledge, the completion of items requested by the Washington State Department of Ecology on April 12, 1994, with regard to the inspection of the 222-S Laboratory Complex, B-Plant, 4843 Alkali Metal Storage Facility, 105-DR Sodium Fire Facility, 100-D Ponds, and Hexone Tanks located on the Hanford Reservation, Facility ID Number WA7890008967 as shown below.

COMPLIANCE STATUS

A representative responsible for environmental compliance at each facility shall record the completion date and initial each item listed below.

Corrective Action	Date Due	Date Completed	Initials	Comments
#1	6/13/94			
#2	5/14/94			
#3	9/11/94			
#4	5/14/94			
#5	5/14/94			

Signature, USDOE-RL Representative Date

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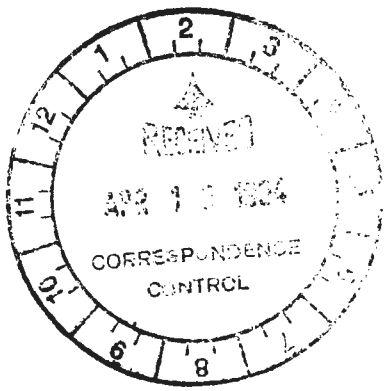
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Subject: RE: FAILURE TO MEET MILESTONE REQUIREMENTS

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