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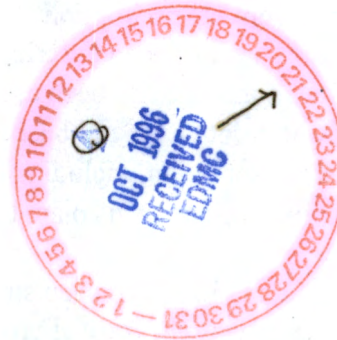
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

October 17, 1996

Mr. George Sanders
U.S. Department of Energy
P.O. Box 550
Richland, WA 99352

Mr. Bryan Foley
U.S. Department of Energy
P.O. Box 550
Richland, WA 99352



Dear Messrs. Sanders and Foley:

Re: Hanford Federal Facility Agreement and Consent Order, M-15-15E; Closure of the 216-U-12 Crib; and Status of the Draft 200-UP-2 Focused Feasibility Study and Proposed Plan

The subject milestone (due date 12/31/96) states that certain documents (Limited Field Investigation, Focused Feasibility Study, and Interim Remedial Measures Proposed Plan) will each undergo regulator review and comment incorporation to produce approved documents. In addition, "[t]his sequence of documents will include the requirements of the 216-U-12 RCRA Closure/Post-closure Plan." Further, "[e]ach document that addresses RCRA closure will be structured such that RCRA closure aspects can be readily identified for a separate review/approval process."

The Washington State Department of Ecology (Ecology) acknowledges that the current unit manager, Ms. Joan Bartz, received the Focused Feasibility Study and the Proposed Plan from the U.S. Department of Energy, Richland Operations Office (USDOE) for review in March and April 1996, respectively. After initial review of these documents, along with the Limited Field Investigation, the unit manager identified that the documents did not include the requirements of the 216-U-12 Crib Closure/Postclosure Plan. Initially, Ms. Bartz sent a letter for extension of the review of the Focused Feasibility Study by thirty working days. Later, there were informal communications between the Ecology unit manager and Mr. Bryan Foley (USDOE) regarding the deficiencies of the sequence of documents with respect to, (1) meeting the requirements of the 216-U-12 Crib Closure/Postclosure Plan, and (2) conducting the public involvement related to closure of the disposal unit.

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The major deficiencies towards an acceptable closure/post-closure plan are as follows:

- The distribution and extent of contamination has not been determined for the disposal unit. Alternatively, no sampling and analysis plan for characterization has been included.
- The contingent closure options have not been identified and the necessary work for each option has not been described.
- No closure schedule has been established.
- Groundwater data have not been included and have not been evaluated.
- The post-closure plan, including groundwater monitoring, has not been developed.
- No sampling and analysis plan, to verify that closure criteria have been met, is included.
- The documents have not been structured so closure aspects can be subjected to a separate review and approval process, which includes public review and comment and possible subsequent revision of all documents in the sequence.

To address these deficiencies, Mr. Foley described a plan (via telephone and via cc:Mail on 8/26/96) by which USDOE and the supporting contractors would, "... come up with Draft A of the closure plan for 216-U-12 by March 31, 1997." He also wrote, "As you can see, she [Ms. Bartz] agrees with the plan."

Pending receipt of USDOE's commitment to provide a stand-alone draft closure plan by the end of March, the Ecology unit manager agreed to issue a letter describing a streamlined review/comment resolution process to finalize the Focused Feasibility Study and Proposed Plan to meet the milestone due date. In general terms, the needed revision would consist of deleting references to the 216-U-12 Crib closure and defer meeting the closure requirements to the closure plan.

In the absence, to date, of USDOE's formal commitment to provide a closure plan to rectify the deficiencies in the Focused Feasibility Study and Proposed Plan to meet the M-15-15E milestone, Ecology will submit a change package to alter the due date for the subject milestone to July 1999 and revise the text, as follows: (1) characterization for closure of the unit must be conducted under an Ecology-approved sampling and analysis plan, and (2) characterization must be completed and evaluated prior to the development of adequate documentation for closure of the 216-U-12 Crib.

This will allow USDOE an additional opportunity to coordinate the closure requirements of the 216-U-12 Crib with the remediation for 200-UP-2, to integrate 200-UP-2 in the 200 Area Strategy, and to pursue adequate funding for the work without jeopardizing the budget for other projects. If this coordination cannot be accomplished, USDOE shall submit a stand-alone

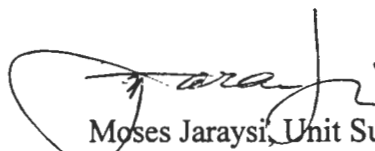
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closure plan by July 1999 to support the Hanford Facility Permit modification schedule, in addition to the appropriate Comprehensive Environmental Response, Compensation, and Liability Act documentation to meet the milestone. A change to the Hanford Facility Wide Hazardous Waste Permit Modification Table will be approved to reflect the new date for finalizing the Closure/Postclosure Plan for the 216-U-12 Crib.

The issues surrounding this case have been complicated by the different understandings by Ecology and USDOE of the impact that the ongoing 200 Area Strategy workshops would have on the M-15-15E milestone. Furthermore, the resources of both parties have been diverted to the 200 Area Strategy workshops, which began in late March and are still ongoing.

If you have any comments or questions about the 216-U-12 Crib closure, the 200-UP-2 operable unit, or the change package, please contact Ms. Joan K. Bartz at (509) 736-5707.

Sincerely,



Moses Jaraysi, Unit Supervisor
Nuclear Waste Program

JB:MJ:sb

cc: Doug Sherwood, EPA
John Murphy, USDOE
Linda Mihalic, BHI
Mary Lou Blazek, ODOE
Administrative Record: 200-UP-2
Administrative Record: 216-U-12 Crib