



## Department of Energy

Richland Operations Office  
P.O. Box 550  
Richland, Washington 99352

JUL 19 1991

Incoming: 9103409

91-TPA-131

Mr. Timothy L. Nord  
Hanford Project Manager  
State of Washington  
Department of Ecology  
Mail Stop PV-11  
Olympia, Washington 98504-8711



Dear Mr. Nord:

### MEMORANDUM OF UNDERSTANDING BETWEEN DEPARTMENT OF ECOLOGY AND BENTON/FRANKLIN COUNTY HEALTH DISTRICT

DOE Field Office, Richland (RL) has reviewed the proposed Memorandum of Understanding (MOU) between the State of Washington Department of Ecology (Ecology) and the Benton/Franklin County Health District. RL recognizes the statutory ability of counties to contract the administration of the solid waste management program to outside entities. As such, RL concurs that such an agreement is warranted. However, RL disagrees with statements made in the preamble to the MOU. RL, recognizing its obligations under the solid waste management program, approached the Benton/Franklin County Health District regarding regulation of the landfill. RL has not knowingly impeded the district's ability to regulate the landfill and sought permitting by the Health District. RL recommends that the last two "whereas" statements contained in the preamble to the MOU be removed prior to the signing of the MOU.

The scope of the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) is limited to RCRA treatment, storage, and disposal units, RCRA corrective action, and CERCLA cleanup activities. It does not include permitting of solid waste disposal as regulated under RCRA Subtitle D or under the state solid waste regulations. Any corrective action required for the solid waste landfill outside of requirements that may be included in the solid waste landfill operating permit is, of course, included within the scope of the Tri-Party Agreement.

Chapter 70.95.185(4) of the Revised Code of Washington, Solid Waste Management - Recovery and Recycling, states that "every application shall be approved or disapproved within ninety days after its receipt by the jurisdictional health department." The landfill permit application was submitted to the Benton/Franklin District Health Department on January 31, 1991. No response has yet been received for this permit application. It is our understanding that action on the permit application is tied to the implementation of the MOU.

Mr. Timothy Nord

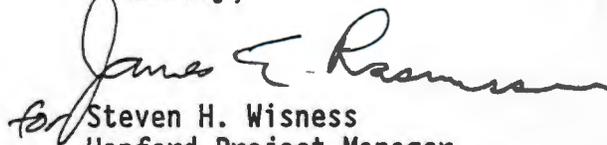
-2-

JUL 19 1991  
91-TPA-131

Until we are advised that the MOU has been implemented, we will continue to address correspondence pertaining to the solid waste landfill activities to the Benton/Franklin District Health Department while providing copies to Ecology. However, we have been coordinating ongoing actions at the landfill, such as design and installation of vadoze zone lysimeters used at arid landfill sites with Paul Stash of your office.

Any questions or concerns you may have on the solid waste landfill permit application or other landfill activities may be addressed to Mr. L. S. Mamiya on (509) 376-1471 or Mr. N. G. Thomas on (509) 376-9624.

Sincerely,

  
for Steven H. Wisness  
Hanford Project Manager

AME:SHW

cc: R. E. Lerch, WHC  
T. B. Veneziano, WHC  
L. D. Kamberg, BFDHD

# CORRESPONDENCE DISTRIBUTION COVERSHEET

Author

Addressee

Correspondence No.

S. H. Wisness, RL

T. L. Nord, Ecology

Incoming:  
9103409

Subject: MEMORANDUM OF UNDERSTANDING BETWEEN DEPARTMENT OF ECOLOGY AND  
BENTON/FRANKLIN COUNTY HEALTH DISTRICT

## INTERNAL DISTRIBUTION

Approval	Date	Name	Location	w/att
		Correspondence Control	A3-01	
		President's Office	B3-01	
		L. S. Angerman	G4-07	
		R. J. Bliss	B3-04	
		L. E. Borneman	H4-57	
		R. A. Carlson	H4-55	
		G. D. Carpenter	B2-16	
		C. J. Geier	B2-19	
		B. A. Holmberg	G4-02	
		J. R. Knight	B4-52	
		R. J. Landon	B2-19	
		R. E. Lerch (Assignee)	B2-35	
		P. J. Mackey	B3-15	
		E. M. Mueller	B2-19	
		S. M. Price	H4-57	
		J. M. Ring	H4-57	
		F. A. Ruck III	H4-57	
		V. R. Weil	G4-04	
		B. D. Williamson	B3-15	
		J. F. Woods	G4-07	
		EDMC	H4-22	
		REL File/LB	B2-35	