



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 17, 2009

Mr. David A. Brockman, Manager
Richland Operations Office
United States Department of Energy
P.O. Box 550, MSIN: A7-50
Richland, Washington 99352

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JUN 17 2009

EDMC

Mr. John G. Lehew, President
CH2M Hill Plateau Remediation Company
P.O. Box 1600, MSIN: H7-30
Richland, Washington 99352

Re: Notice of Non-Compliance Resulting from the Waste Receiving and Processing Facility
Dangerous Waste Inspection, April 14, 2009, by the Department of Ecology

Dear Mr. Brockman and Mr. Lehew:

Thank you for the assistance from United States Department of Energy (USDOE) and CH2M Hill Plateau Remediation Company (CHPRC) staff during the recent inspection of the Waste Receiving and Processing (WRAP) Facility that began on April 14, 2009, by the Department of Ecology. The purpose of this inspection was to evaluate USDOE and CHPRC compliance with the Dangerous Waste Regulations, Chapter 173-303 of the Washington Administrative Code (WAC).

We identified one violation and one concern based on our observations of dangerous waste management and records review at the WRAP facility.

VIOLATION:

Hanford Facility Resource Conservation and Recovery Act Permit, Dangerous Waste Portion, Revision 8C, Condition I.A.1 and WAC 173-303-400(3)/40 CFR 265.177(c) by reference: Separate containment for incompatible wastes.

USDOE and CHPRC failed to provide separate containment systems for two separate unknown liquid wastes.

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A previous Hanford contractor, Fluor Hanford, Inc., placed two 55-gallon drums from the Low Level Burial Grounds into two 85-gallon overpack drums in July 2005. These drums were given unique identification numbers 0026294 and 0026643. Using radiography, the inner 55-gallon drums of each overpack were found to contain 4 liters and 14 liters, respectively, of unknown free liquids in October of 2005. The containers were stored at various locations at the Central Waste Complex and the WRAP facility since their retrieval from the Low Level Burial Grounds.

On April 10, 2009, CHPRC transferred these two containers to building 2404-WC and placed them on a spill pallet designed to hold two drums. The CHPRC employee who placed the containers on this spill pallet mistakenly assumed that an internal divider in the spill pallet provided a liquid barrier between the two sides of the pallet, providing separate containment. The pallet divider did not provide a liquid barrier; therefore, it did not provide separate secondary containment.

CONCERN:

In building 2620W, universal waste lamps were accumulated in an open cardboard box. WAC 173-303-573(20)(c)(ii) requires universal waste lamps be accumulated in closed containers. Since 1996, Hanford's Centralized Consolidation /Recycling Center (CCRC) has been managing spent lamps according to an Ecology-approved management plan. The CCRC management plan does not explicitly state that universal waste lamps will be stored in closed containers. Consistency between the requirements of the CCRC management plan and the WAC 173-303-573 requirements for universal waste must be achieved.

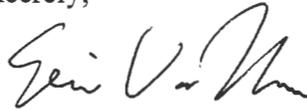
In conclusion, we noted in our inspection report that CHPRC have already taken steps to correct the violation by providing separate secondary containment for containers 0026294 and 0026643 on April 14, 2009. We decided to withhold formal enforcement in this case. Future non-compliance could result in an escalated enforcement response from Ecology including a Notice of Violation, Administrative Order, or Penalty.

Regarding the concern, we recognize that CCRC management plan is currently under revision with Ecology and Environmental Protection Agency involvement. When the revision to the CCRC management plan is complete, we will view the management plan only as a tool that USDOE and their contractors will use to ensure consistent application of WAC 173-303 universal waste rules for the Hanford Site. Please be aware that when Ecology conducts future compliance inspections, WAC 173-303 requirements will be the standard that generator activities are evaluated against.

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If you have any questions, please contact me at 509-372-7929.

Sincerely,



Eric Van Mason
Compliance Specialist
Nuclear Waste Program

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cc: Cliff Clark, USDOE
Steve Weil, USDOE
Moses Jaraysi, CHPRC
Stuart Harris, CTUIR
Gabriel Bohnee, NPT

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Administrative Record: WRAP
Environmental Portal