

**START**

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue  
Seattle, Washington 98101

JAN 03 1994

Reply To  
Attn Of: AT-082

James D. Bauer, Program Manager  
Office of Environmental Assurance,  
Permits and Policy  
Department of Energy  
Richland Field Office  
P.O. Box 550  
Richland, Washington 99352



Dear Mr. Bauer:

On December 15, 1993, I took part in a conference call with Steve Stites of your staff, John Bates of Westinghouse Hanford Company (WHC), and Jeff Luke (WHC). The subject of this call was certain near-term activities at the PUREX plant, including transfer of organic solvent. Transfer of radioactively contaminated solvent from PUREX to tank trucks was performed during August, 1993 with approval from the Washington Department of Health (DOH), and additional transfers have been planned and similarly approved. DOE and WHC provided me with copies of communications with DOH regarding these activities. The question raised by DOE and WHC was whether such transfers constitute construction or modification requiring approval from EPA under 40 C.F.R. 61.96.

Based on my review of the information provided, it is my opinion that the solvent transfer activities described do not require approval from the EPA under 40 C.F.R. 61.96. I believe such activities are in line with routine plant operations and therefore do not meet the definition of "modification" as a "physical or operational change" in 40 C.F.R. 61.15.

On a similar topic, a question was raised regarding activities related to PUREX deactivation, but which do not, in and of themselves, cause an increase in the rate of radioactive airborne emissions from the PUREX stationary source. The question again was whether these activities constitute construction or modification requiring approval from EPA under 40 C.F.R. 61.96. It is my understanding, from previous discussions, that DOE and WHC will provide EPA with a single request for approval of modification which covers all PUREX deactivation activities which increase radioactive emissions. It is my opinion that other deactivation-related activities (e.g. removal of a fire alarm system) would not require EPA approval since they do not increase emissions and therefore do not meet the definition of "modification" in 40 C.F.R. 61.15.

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As noted, these are my opinions based on the information provided. If desired, DOE and WHC may obtain formal EPA determination of these questions by submitting a written application under the provisions of 40 C.F.R. 61.06. If you have any questions regarding this matter, please contact me at (206) 553-8633.

Sincerely,



Richard W. Poeton, Health Physicist  
Radiation and Indoor Air Section

cc: S. Stites, DOE  
J. Leitch, AT-082  
A. Conklin, DOH

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Subject: PUREX DEACTIVATION - ORGANIC SOLVENT TRANSFER

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