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Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

99-EAP-502

SEP 24 1999

Mr. M. A. Wilson, Program Manager
Nuclear Waste Program
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504-7600



Dear Mr. Wilson:

TRANSFER OF RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)
PERMITTING DOCUMENTATION IN SUPPORT OF CONTRACT TRANSITION

The U.S. Department of Energy (DOE), Richland Operations Office (RL) and the Office of River Protection (ORP) are requesting the assistance of the State of Washington Department of Ecology (Ecology), in facilitating the transfer of (RCRA permitting documentation from the Project Hanford Management Contract (PHMC), Fluor Daniel Hanford, Inc. (FDH), to the River Protection Project Contractor, Lockheed Martin Hanford Corporation (LMHC). This transfer is currently scheduled to become effective on October 1, 1999, and will be accomplished using the process outlined in this letter. This process was discussed with members of your staff during a meeting held on September 1, 1999, and September 14, 1999.

The organization of the Hanford Site is currently being re-structured to implement Section 3139 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, which establishes the new ORP. As part of this re-structuring, LMHC will become a prime contractor reporting directly to ORP, beginning October 1, 1999. For the last 3 years, LMHC has been a major subcontractor within the PHMC Team and has been reporting to FDH. In this role, LMHC has been providing day-to-day management of the following treatment, storage, and/or disposal (TSD) units for FDH:

1. Double-Shell Tank System (DST);
2. Single-Shell Tank System (SST);
3. Grout Treatment Facility (GTF); and
4. the 204-AR Waste Unloading Station.

Upon re-structuring, LMHC will continue to provide the same day-to-day management of these TSD units. DOE will retain ownership and, in conjunction with LMHC, will co-operate these units. Thus, FDH will no longer have management responsibility for these four TSD units, and LMHC will assume the Co-operator role. In addition, beginning October 1, 1999, neither LMHC nor FDH will have management responsibility for the Hanford Waste Vitrification Plant (HWVP). Therefore, DOE will assume responsibility for the HWVP unit until such time that a revised Part A, Form 3 identifying a Co-operator is submitted, or until the processes and capacities of this unit are incorporated into other Part A, Form 3 permit application documents.

Mr. M. A. Wilson
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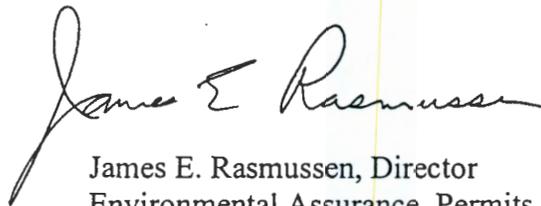
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To support this change, the products identified in the enclosure will be provided to Ecology in parallel with execution of the new contract (i.e., October 1, 1999). The basis for the content of these permitting documents is also identified.

Based on the previously noted conversations with Ecology staff, DOE believes that the proposed path forward is sufficient to support transition of the noted TSD units to a new Co-operator (i.e., from FDH to LHMC) by October 1, 1999. If you have any questions or concerns, please contact Clifford E. Clark at (509) 376-9333 or Tony C. McKarns at (509) 376-8981.

Sincerely,



James E. Rasmussen, Director
Environmental Assurance, Permits,
and Policy Division

EAP:AET

Enclosure:
Products and Basis

cc w/encl:

Administrative Record, H6-08
HF Operating Record, H6-08
Ecology NWP Kennewick Library
J. R. Wilkinson, CTUIR
L. J. Cusack, Ecology
L. E. Ruud, Ecology
A. Valero, Ecology
J. J. Wallace, Ecology
D. R. Sherwood, EPA
W. D. Adair, FDH
S. M. Price, FDH
S. A. Thompson, FDH
B. G. Erlandson, LMHC
Environmental Portal, LMSI
P. Sobotta, NPT
R. Jim, YN

Products and Basis

Products:

1. A new Part A, Form 1, with a certification listing U.S. Department of Energy (DOE) as the Owner/Operator, and Lockheed Martin Hanford Corporation (LMHC) as a Co-operator.
2. Four revised Part A Form 3s identifying LMHC as the Co-operator of the Double-Shell Tank System (DST), Single-Shell Tank System (SST), Grout Treatment Facility (GTF), and 204-AR Waste Unloading Station.
3. A revision of the Hanford Waste Vitrification Plant (HWVP) Part A, Form 3, will be submitted listing only DOE as the Owner/Operator. Upon identification of a Co-operator for the HWVP, a revised Part A, Form 3, would be submitted under separate cover.

Basis:

1. The scope of the Resource Conservation and Recovery Act (RCRA) form revisions will be limited to what is necessary to reflect the change in contractors. This may require information to be updated so that the forms are "true, accurate, and complete" at the time of certification. Additions or deletions necessary to make the forms "true, accurate, and complete" will be discussed with Ecology in advance of transmittal. DOE recognizes Ecology's acceptance of these forms is for the purpose of documenting a change in Co-operators only. Ecology's acceptance does not negate comments being evaluated as part of other negotiations (e.g., DST Part B permit application review).
2. Part B documentation for three of the affected treatment, storage, and/or disposal (TSD) units (i.e., DST, Grout, and HWVP) has been submitted to Ecology. Documentation for these TSD units has not yet been finalized for inclusion in the Hanford Facility RCRA Permit. As with the Westinghouse Hanford Company to Fluor Daniel Hanford, Inc. (FDH) transfer, it is assumed that "in-progress" Part Bs will not have to be resubmitted or recertified based on this action of changing Co-operator status, as DOE remains the facility Owner/Operator.
3. Keith Klein will sign for the DOE.
4. Ecology will consider the certified Part A, Form 3s and formal letters received from DOE as documented evidence that a change in Co-operator management responsibility has occurred.
5. The Part A, Form 3 for the Interim High-Level Waste storage facility (i.e., Canister Storage Building) will continue to be assigned to DOE and FDH, and will not be transferred to LMHC. The facility is not under LMHC management control; if high-level vitrified waste is delisted then RCRA permit coverage will not be required.
6. Any required changes to the Hanford Facility RCRA Permit as a result of contract transition will be accomplished on the already established schedule for permit modification (e.g., incorporating the change in Co-operator status in the General Information Volume (DOE/RL 91-28)).