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OFFICE OF RIVER PROTECTION
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Richland, Washington 99352

MAR 26 2019

19-ECD-0024

Ms. Alexandra K. Smith, Program Manager
Nuclear Waste Program
Washington State
Department of Ecology
3100 Port of Benton Blvd.
Richland, Washington 99354

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EDMC

Ms. Smith:

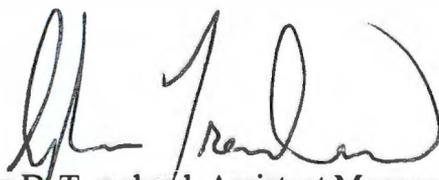
00618594
SUBMITTAL OF APPROVED CHANGE CONTROL FORM M-42-19-01 FOR
COMPLETING INSPECTIONS OF DOUBLE-SHELL TANK ANCILLARY EQUIPMENT
PREVIOUSLY IDENTIFIED AS DEFERRED USE

References: See page 3

In response to the Washington State Department of Ecology's letters (References), the U.S. Department of Energy, Office of River Protection and Washington River Protection Solutions LLC are submitting Federal Facility Agreement and Consent Order Change Control Form M-42-19-01 (attached), approved February 21, 2019.

This change control form, M-42-19-01, created a new milestone, M-042-10, and target date, M-042-10-T01, for completing inspections of double-shell tank ancillary equipment previously identified as deferred use. The creation of M-042-10 and M-042-10-T01 completes the negotiated corrective actions required to closeout 17-NWP-028 alleged non-compliance number five as well as 18-NWP-095 alleged non-compliance number three and concern number two.

If you have any questions, please contact Bryan R. Trimberger, Environmental Compliance Division, (509) 376-2674.


Glyn D. Trenchard, Assistant Manager
Technical and Regulatory Support

ECD:BRT

Attachment

cc: See page 2

Ms. Alexandra K. Smith
19-ECD-0024

-2-

MAR 26 2019

cc w/attach:

K.A. Conaway, Ecology

J.L. Lyon, Ecology

J.W. Mathey, Ecology

H.M. Bowers, WRPS

P.K. Brockman, WRPS

R.D. Cantwell, WRPS

J.A. Joyner, WRPS

E.J. Van Mason, WRPS

J.A. Voogd, WRPS

G.J. Warwick, WRPS

Administrative Record

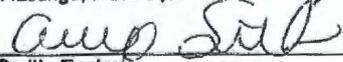
Environmental Portal

WRPS Correspondence

- References:
- 1243461
[0071858H] Ecology letter from E. Holbrook to K.W. Smith, ORP, and M. Lindholm, WRPS, "Dangerous Waste Compliance Inspection on March 8, 2016, at the Double-Shell Tank System and 204-AR Waste Unloading Station, RCRA Site ID: WA7890008967, NWP Compliance Index No. 16.554," 17-NWP-028, dated March 16, 2017.
 - 1244009
[0071346H] ORP letter from K.W. Smith, ORP, and M.A. Lindholm, WRPS, to A.K. Smith, Ecology, "Response to the Dangerous Waste Compliance Inspection on March 8, 2016, at the Double-Shell Tank System and 204-AR Waste Unloading Station, Resource Conservation and Recovery Act Site ID: WA7890008967, Nuclear Waste Program Compliance Index No. 16.554," 17-ECD-0031, dated May 9, 2017.
 - 1244551
[0069915H] Ecology letter from E. Holbrook to K.W. Smith, ORP, and M. Lindholm, WRPS, "Department of Ecology (Ecology) Review of Response to Dangerous Waste Compliance Inspection on March 8, 2016, at the Double-Shell Tank System and 204-AR Waste Unloading Station, RCRA Site ID: WA7890008967, NWP Compliance Index No. 16.554," 17-NWP-065, dated June 1, 2017.
 - 1246851
[0067747H] Ecology letter from J.L. Lyon to B.T. Vance, ORP, and M.A. Lindholm, WRPS, "Enforcement Discretion Regarding the Double-Shell Tank (DST) System and 204-AR Waste Unloading Station (WUS) Emergency Use Only – Secondary Containment Components and Non-Compliant Deferred Use Components, RCRA Site ID: WA7890008967," 17-NWP-161, dated November 7, 2017.
 - 1249475
[0065301H] Ecology letter from E. Holbrook to B.T. Vance, ORP, and M. Lindholm, WRPS, "Dangerous Waste Compliance Inspection on May 18, 2017 at Double Shell Tank System and 204-AR Waste Unloading Station, RCRA Site ID: WA7890008967, NWP compliance Index No. 17.592," 18-NWP-095, dated June 14, 2018.
 - 1249905
[0064915H] ORP letter from B.T. Vance and M.A. Lindholm, WRPS, to A.K. Smith, Ecology, "Response to Washington State Department of Ecology Dangerous Waste Compliance Inspection No. 17.592 Closed Out on June 14, 2018," 18-ECD-0053, dated August 10, 2018.
 - 1250022
[0064812H] Ecology letter from J. Mathey to B.T. Vance, ORP, and M. Lindholm, WRPS, "Department of Ecology (Ecology) Review of Responses to Dangerous Waste Compliance Inspections on March 8, 2016 and May 18, 2017, at the Double Shell Tanks, RCRA Site ID: WA7890008967, NWP Compliance Index No's 16.554, and 17.592," 18-NWP-143, dated August 30, 2018.

**Attachment
19-ECD-0024
(2 Pages Excluding Cover Sheet)**

**Federal Facility Agreement and Consent Order
Change Control Form M-42-19-01**

Change Number M-42-19-01	Federal Facility Agreement and Consent Order Change Control Form		Date 1/30/2019
Originator Bryan Trimberger			Phone 376-2674
Class of Change <input type="checkbox"/> I – Signatories <input checked="" type="checkbox"/> II – Executive Managers <input type="checkbox"/> III – Project Managers			
Change Title New Interim Milestone and Target Date for Completing Ancillary Equipment Inspections for DST Components Identified as Deferred Use			
Description/Justification of Change The Double Shell Tank (DST) system has several transfer lines and pits that do not have a near-term mission use and currently are not certified as fit for use by an Independent Qualified Registered Professional Engineer (IQRPE) per WAC 173-303-640(2), WAC 173-303-400(3), and 40 CFR § 265.191. In CY2002, the U.S. Department of Energy, Office of River Protection (ORP) requested the State of Washington Department of Ecology (Ecology) approve a list of DST components that would be maintained in their current configuration, instead of being inspected and upgraded, as necessary, because the components did not have a near-term mission need (Reference ORP letter 02-OMD-046). These components were termed "Deferred Use Components." Ecology approved the request and exercised enforcement discretion, allowing for inspection and certification of these components to occur prior to use. The list of Deferred Use components subject to this enforcement discretion was modified two times in CY2005 (Reference ORP letters 05-TPD-045 and 05-TED-093). The approval Ecology provided (TPA accession #D9217541) was contingent on several conditions which are not fully met. Ecology, in letter 17-NWP-161, withdrew the enforcement discretion previously allowed for the DST components. As a result, Deferred Use components intended for a future mission use must complete a leak test, internal inspection, or other tank integrity examination in accordance with 40 CFR § 265.191 and WAC 173-303-640(2), as applicable.			
Impact of Change This change control form creates interim milestone M-042-10 and target date M-042-10-T01 for completing inspections of DST ancillary equipment previously identified as Deferred Use.			
Affected Documents Tri-Party Agreement Action Plan Appendix D, "Work Schedule Milestones and Target Dates Including Designation of Lead Regulatory Agency."			
Approvals			Page 1 of 2
 R.G. Hastings, DOE-ORP	2/19/19 Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	
 A.K. Smith, Ecology	2/21/19 Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	
N/A EPA	Date	Approved <input type="checkbox"/> Disapproved <input type="checkbox"/>	

Authorized Changes

Modifications to HFFACO, Appendix D, "Milestones and Target Dates Including Designation of Lead Regulatory Agency," are denoted using double underline to indicate added text and ~~strikeout~~ to indicate deleted text.

Number	Milestone	Due Date																																										
<p><u>M-042-10-T01</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p>Complete a leak test, internal inspection, or other tank integrity examination of 50 percent of the DST components identified in M-042-10 to assess the applicable tank system's integrity in accordance with M-042-10.</p>	<p><u>12/31/2022</u></p>																																										
<p><u>M-042-10</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>Complete a leak test, internal inspection, or other tank integrity examination of the following DST System-associated Slurry/Supernate Transfer Lines and Drain/Pump Pits (DST components) to assess the applicable tank system's integrity in accordance with 40 CFR§ 265.191 and WAC 173-303-640(2), as applicable.</u></p> <table border="1" data-bbox="507 753 1580 1305"> <thead> <tr> <th data-bbox="507 753 876 826"><u>Tank System</u></th> <th data-bbox="876 753 1224 826"><u>Slurry and Supernate Transfer lines</u></th> <th data-bbox="1224 753 1580 826"><u>Drain/Pump Pits</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="507 826 876 863"><u>241-AN-101</u></td> <td data-bbox="876 826 1224 863"><u>None</u></td> <td data-bbox="1224 826 1580 863"><u>241-AN-01D</u></td> </tr> <tr> <td data-bbox="507 863 876 900"><u>241-AN-102</u></td> <td data-bbox="876 863 1224 900"><u>SL-162, SN-262</u></td> <td data-bbox="1224 863 1580 900"><u>None</u></td> </tr> <tr> <td data-bbox="507 900 876 936"><u>241-AN-103</u></td> <td data-bbox="876 900 1224 936"><u>SL-163, SN-263</u></td> <td data-bbox="1224 900 1580 936"><u>None</u></td> </tr> <tr> <td data-bbox="507 936 876 973"><u>241-AN-104</u></td> <td data-bbox="876 936 1224 973"><u>SL-164, SN-264, SLL-3160</u></td> <td data-bbox="1224 936 1580 973"><u>None</u></td> </tr> <tr> <td data-bbox="507 973 876 1010"><u>241-AN-105</u></td> <td data-bbox="876 973 1224 1010"><u>SL-165, SN-265</u></td> <td data-bbox="1224 973 1580 1010"><u>None</u></td> </tr> <tr> <td data-bbox="507 1010 876 1046"><u>241-AN-107</u></td> <td data-bbox="876 1010 1224 1046"><u>SL-167, SN-267</u></td> <td data-bbox="1224 1010 1580 1046"><u>None</u></td> </tr> <tr> <td data-bbox="507 1046 876 1083"><u>241-AW-105</u></td> <td data-bbox="876 1046 1224 1083"><u>SL-165</u></td> <td data-bbox="1224 1046 1580 1083"><u>None</u></td> </tr> <tr> <td data-bbox="507 1083 876 1120"><u>241-SY-101</u></td> <td data-bbox="876 1083 1224 1120"><u>None</u></td> <td data-bbox="1224 1083 1580 1120"><u>241-SY-01A</u></td> </tr> <tr> <td data-bbox="507 1120 876 1157"><u>241-SY-102</u></td> <td data-bbox="876 1120 1224 1157"><u>None</u></td> <td data-bbox="1224 1120 1580 1157"><u>241-SY-02E</u></td> </tr> <tr> <td data-bbox="507 1157 876 1203"><u>241-AY-101</u></td> <td data-bbox="876 1157 1224 1203"><u>None</u></td> <td data-bbox="1224 1157 1580 1203"><u>241-AY-01B, 241-AY-01C, 241-AY-01D, 241-AY-01E</u></td> </tr> <tr> <td data-bbox="507 1203 876 1240"><u>241-AZ-101</u></td> <td data-bbox="876 1203 1224 1240"><u>None</u></td> <td data-bbox="1224 1203 1580 1240"><u>241-AZ-01B, 241-AZ-01C</u></td> </tr> <tr> <td data-bbox="507 1240 876 1276"><u>241-AZ-102</u></td> <td data-bbox="876 1240 1224 1276"><u>None</u></td> <td data-bbox="1224 1240 1580 1276"><u>241-AZ-02B, 241-AZ-02C</u></td> </tr> <tr> <td data-bbox="507 1276 876 1305"><u>AW-A and 242-A Evaporator</u></td> <td data-bbox="876 1276 1224 1305"><u>SL-168</u></td> <td data-bbox="1224 1276 1580 1305"><u>None</u></td> </tr> </tbody> </table>	<u>Tank System</u>	<u>Slurry and Supernate Transfer lines</u>	<u>Drain/Pump Pits</u>	<u>241-AN-101</u>	<u>None</u>	<u>241-AN-01D</u>	<u>241-AN-102</u>	<u>SL-162, SN-262</u>	<u>None</u>	<u>241-AN-103</u>	<u>SL-163, SN-263</u>	<u>None</u>	<u>241-AN-104</u>	<u>SL-164, SN-264, SLL-3160</u>	<u>None</u>	<u>241-AN-105</u>	<u>SL-165, SN-265</u>	<u>None</u>	<u>241-AN-107</u>	<u>SL-167, SN-267</u>	<u>None</u>	<u>241-AW-105</u>	<u>SL-165</u>	<u>None</u>	<u>241-SY-101</u>	<u>None</u>	<u>241-SY-01A</u>	<u>241-SY-102</u>	<u>None</u>	<u>241-SY-02E</u>	<u>241-AY-101</u>	<u>None</u>	<u>241-AY-01B, 241-AY-01C, 241-AY-01D, 241-AY-01E</u>	<u>241-AZ-101</u>	<u>None</u>	<u>241-AZ-01B, 241-AZ-01C</u>	<u>241-AZ-102</u>	<u>None</u>	<u>241-AZ-02B, 241-AZ-02C</u>	<u>AW-A and 242-A Evaporator</u>	<u>SL-168</u>	<u>None</u>	<p><u>12/31/2026</u></p>
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