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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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December 1, 2000

Mr. Wade W. Ballard
U.S. Department of Energy
P.O. Box 550, MSIN: A5-12
Richland, Washington 99352

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EDMC

Dear Mr. Ballard:

Re: Washington State Department of Ecology's Second Response to the U.S. Department of Energy's Submittal of the Interim Report on Hanford Site Land Disposal Restriction (LDR) for Mixed Waste in Accordance with Milestone M-26-01J

On July 28, 2000, the U.S. Department of Energy (USDOE) submitted the 2000 LDR Report as a primary document in fulfillment of Tri-Party Agreement (TPA) Milestone M-26 and the March 29, 2000, Final Determination. On September 28, 2000, the Washington State Department of Ecology (Ecology) provided comments and required specific actions in response to USDOE's July 28, 2000, submittal. On October 25, 2000, USDOE responded to Ecology by issuing a letter directed to Mr. Michael A. Wilson, Program Manager for Ecology's Nuclear Waste Program. Ecology received this letter on November 1, 2000.

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USDOE's response to Ecology's September 25, 2000, comments and specific actions is inadequate, as detailed below. However, as discussed in recent meetings with USDOE, the unresolved issues are being addressed as part of the larger LDR compliance issues currently before us.

Ecology is disapproving USDOE's 2000 LDR Report. In accordance with the TPA, if USDOE objects to Ecology's disapproval, it shall notify Ecology in writing within seven (7) days of receipt of such notice (TPA, Article VIII, Paragraph 30), at which time efforts are made to resolve the dispute at the project manager level. However, to honor the work being done to resolve the larger LDR issues, Ecology requests that the seven (7) day deadline to notify Ecology of USDOE's objection be postponed until January 18, 2001, (TPA, Article VIII, Paragraph 30(E)). Concurrence from USDOE regarding this extension is requested by means of signature on the following page (TPA, Article VIII, Paragraph 30(E)).

COMMENTS ON THE 2000 LDR REPORT

Ecology's September 28, 2000, letter required USDOE to take the following actions with regard to the 2000 LDR Report. Specifically:

1. The 2000 LDR Report must be revised to identify and reference (by document number) any assessments completed during the 2000 LDR reporting period (i.e., January-December 1999), and the schedule for performing assessments at all mixed waste locations for the 2001 reporting period (i.e., January-December 2000).
2. Procedures submitted by way of USDOE's sixty (60) day notification must be revised to address the deficiencies noted below:
 - Schedules are needed for conducting performance assessments at each mixed waste storage location.



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- The "appropriate skills" that are required for personnel conducting the assessments need to be identified.
 - The assessment lead needs to be identified.
 - The criteria for selecting a particular method for conducting assessments needs to be identified.
 - The process for clearly documenting the assessments and taking appropriate corrective action needs to be identified.
3. The 2000 LDR Report must be revised to contain the primary document statement and signature blocks as required by the Final Determination, Section IV.3.B.f.

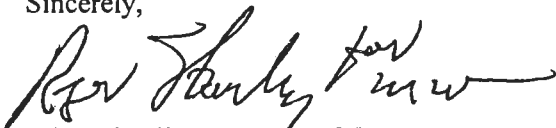
USDOE'S RESPONSE TO ECOLOGY'S COMMENTS

USDOE's October 25, 2000, letter did not provide the required information. Specifically:

1. USDOE did not identify and reference (by document number) any assessments completed during the 2000 LDR reporting period. USDOE did provide a schedule for performing assessments for the last half of the 2001 reporting period and the first half of the 2002 reporting period. USDOE did not provide a schedule for performing assessments for the first half of the 2001 reporting period.
2. USDOE did not revise or submit procedures to address the noted deficiencies.
3. USDOE did not revise the 2000 LDR Report to contain the primary document statement and signature blocks as required by the Final Determination, Section IV.3.B.f.

As noted above, Ecology requests that the seven (7) day deadline for USDOE to object to Ecology's disapproval be extended until January 18, 2001. If USDOE concurs with this extension, please sign in the space provided. If you would like to discuss this letter, please feel free to contact me at (509) 736-3090 or Laura Ruud at (509) 736-5715.

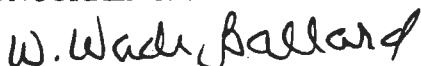
Sincerely,



Michael Wilson, Program Manager
Nuclear Waste Program

MW:LR:sb

CONCURRENCE:



USDOE

Date

cc: Dave Bartus, EPA
Doug Sherwood, EPA
Cliff Clark, USDOE
Mary Jarvis, USDOE
Steve Wisness, USDOE
Roger Landon, BHI

Pamela Powell, CHG
Tony Miskho, FH
James Rasmussen, ORP
Harold Tilden, PNNL
Mary Lou Blazek, OOE
Administrative Record: LDR 2000/M-20-01J