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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
3100 Port of Benton Blvd • Richland, WA 99352 • (509) 372-7950

September 14, 2004

Mr. Keith Klein  
Richland Operations Office  
United States Department of Energy  
P.O. Box 550, MSIN: A7-50  
Richland, Washington 99352

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EDMC

Mr. Roy Schepens  
Office of River Protection  
United States Department of Energy  
P.O. Box 450, MSIN: H6-60  
Richland, Washington 99352

Dear Messrs. Klein and Schepens:

Re: Ecology's Review and Response to the USDOE's Calendar Year (CY) 2003 Hanford Site Mixed Waste Land Disposal Restrictions (LDR) Report, Submitted in Accordance with M-26-01N

61738

This correspondence is provided in response to your letter and report, dated April 28, 2004, directed to Mr. Nicholas Ceto, U.S. Environmental Protection Agency, and Mr. Michael Wilson, Washington State Department of Ecology (Ecology), regarding the submittal of the United States Department of Energy's (USDOE) CY 2003 LDR Report.

61737

In accordance with Milestone M-26-01N, this report was submitted as a primary document which requires the lead agency to respond within forty-five (45) days. On May 27, 2004, Ecology extended the response period by one month. On July 8, 2004, Ecology extended the response period by an additional sixty (60) days to accommodate an Ecology inspection within the response period. This letter and the attached comments constitute Ecology's response to USDOE's submittal.

The goal of Ecology's July 23, 2004, inspection was to determine USDOE's compliance with M-26 by investigating the accuracy of information in the LDR Report about the 241-CX Tank System treatability group, and the appropriateness of future plans for the tank system based on available information.



Messrs. Klein and Schepens  
September 14, 2004  
Page 2

The inspection identified a severe lack of information on the 241-CX Tank System; specifically basic information about the condition of the tanks and the waste that they contain, as outlined in the attached 2003 LDR Report comments. Currently, USDOE and contractors have a Storage Assessment of the tank system scheduled to occur the first quarter of CY 2005; however, due to USDOE LDR compliance history, Ecology is concerned that without making the above changes to the LDR Report and implementing them as actions—this storage assessment will be inadequate to determine whether the 241-CX Tank System poses a risk to the environment in its present condition.

Because of the inspection findings, Ecology is requesting specific changes in the LDR Report. Such changes include: a change in the data sheet for the 241-CX treatability group which indicates that no further characterization is needed prior to waste storage; and, the addition of a list of actions that need to be taken to adequately characterize the tanks.

As you know, the LDR Report identifies where USDOE does and does not have schedules and commitments in place to bring the site into compliance with the LDR requirements. Ecology is considering additional actions needed to bring this tank system into compliance, and will communicate those requirements by a separate letter.

If you would like to discuss Ecology's comments on the CY 2003 LDR Report, please feel free to contact me at (509) 372-7929.

Sincerely,



Eric Van Mason  
Environmental Specialist  
Nuclear Waste Program

Enclosure (1)

cc: Michael Collins, USDOE  
Joel Hebdon, USDOE  
Woody Russell, USDOE  
Gregory Sinton, USDOE  
Donna Yasek, BHI  
John Doughty, CHG  
Anthony Miskho, FH  
Eileen Murphy-Fitch, FH  
Harold Tilden, PNNL

Stuart Harris, CTUIR  
Pat Sobotta, NPT  
Russell Jim, YN  
Todd Martin, HAB  
Ken Niles, ODOE  
Environmental Portal  
Administrative Record

<b>REVIEW COMMENT RECORD (RCR)</b>	1. Date September 14, 2004	2. Review No. 1
	3. Project No.	4. Page 1 of 3

5. Document Number(s)/Title(s)  Calendar Year 2003 Hanford Site Mixed Waste Land Disposal Restrictions Report	6. Program/Project/ Building Number	7. Reviewer  Eric Van Mason	8. Organization/Group  Washington State Department of Ecology	9. Location/Phone
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17. Comment Submittal Approval:

10. Agreement with Indicated Comment Disposition(s):

11. CLOSED:

\_\_\_\_\_  
Organization Manager (Optional)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reviewer/Point of Contact

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reviewer/Point of Contact

\_\_\_\_\_  
Author/Originator

\_\_\_\_\_  
Author/Originator

12. Item	13. Comment(s)/Discrepancy(s) (Provide technical justification for the comment and detailed recommendation of the action required to correct/ resolve the discrepancy/problem indicated.)	14. Hold Point	15. Disposition (Provide justification if NOT accepted.)	16. Status
1.	An Ecology inspection was conducted on July 23, 2004, to investigate the accuracy of the data contained in the data sheets for the 241-CX Tank System treatability group. The results of this inspection lead Ecology to disagree with the answer given on page B-53, section 2.11.1, which states that no further characterization is needed prior to acceptance for storage. Ecology believes this answer to be incorrect due to our inspection results, which show a severe lack of adequate characterization information on the three tanks in the tank system and any waste they still contain.  <b>Action:</b> Within forty-five (45) days, change the answer to question 2.11.1 on the Location Specific Data Sheet for the 241-CX Tank	Page B-53 2.11.1		

## REVIEW COMMENT RECORD (RCR)

	1. Date September 14, 2004	2. Review No. 1
	3. Project No.	4. Page 2 of 3

12. Item	13. Comment(s)/Discrepancy(s) (Provide technical justification for the comment and detailed recommendation of the action required to correct/ resolve the discrepancy/problem indicated.)	14. Hold Point	15. Disposition (Provide justification if NOT accepted.)	16. Status
	System from "No" to "Unknown at this time". In addition, provide an explanation of the steps that will be completed within one calendar year from the update of this report so that question 2.11.1 may be answered by "Yes" or "No". These steps should include, but not necessarily be limited to, characterization/designation of any tank contents and a determination of the condition of the tanks.			
2.	<p>Treatability Group Data Sheets and Location Specific Data Sheets provide waste generation forecasts for each calendar year from 2004 through 2008. However, there is no information provided showing how much waste was generated from waste streams during the reporting period (i.e., calendar year 2003).</p> <p><b>Action:</b> Upon submission of next year's report, under Milestone M-26-01O, provide data showing the amount of waste generated during the reporting period.</p>	General		
3.	<p>Ecology Part A Application records indicate a PSTF, Rev.0, Part A was submitted on 2/20/90. Westinghouse Hanford Corporation signed as co-operator of the facility on 1/18/90. The Location Specific Data Sheet, section 2.1.2, lists the facility as being in operation since 1991.</p> <p><b>Action:</b> Upon submission of next year's report, under Milestone M-26-01O, change section 2.1.2 to reflect that the PSTF has been in operation since 1990.</p>	Page B-599 2.1.2		

## REVIEW COMMENT RECORD (RCR)

	1. Date September 14, 2004	2. Review No. 1
	3. Project No.	4. Page 3 of 3

12. Item	13. Comment(s)/Discrepancy(s) (Provide technical justification for the comment and detailed recommendation of the action required to correct/ resolve the discrepancy/problem indicated.)	14. Hold Point	15. Disposition (Provide justification if NOT accepted.)	16. Status
4.	<p>Ecology is not aware of a treatability variance for the LAW and HLW fractions of tank waste.</p> <p><b>Action:</b> Within forty-five (45) days, provide an explanation for this assumption.</p>	Page 1-8		