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AUG 1 1995
RCRA PERMITS SECTION

Meeting Minutes Transmittal

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, Room 784B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

The undersigned indicate by their signatures that these meeting minutes reflect the actual occurrences of the above-dated meeting.

Richard X. Gonzalez Date: 8/9/95
Richard X. Gonzalez, Unit Manager, DOE-RL

Date: 8/9/95
Robert Julian, Unit Manager, Washington State Department of Ecology

Daniel L Duncan 8/14/95
Daniel L. Duncan, RCRA Program Manager, EPA Region 10

Date: 9 Aug '95
Gregory J. LeBaron, PUREX Contractor Representative, WHC

Purpose: Discuss PUREX Deactivation Process

Meeting Minutes are attached. The minutes are comprised of the following:

Attachment 1 - Agenda
Attachment 2 - Summary of Discussion and Commitments/Agreements
Attachment 3 - Attendance List
Attachment 4 - Action Items
Attachment 5 - RL Letter to Ecology/EPA Dated 6-26-95 Addressing Completion of Milestone M-80-00-T03
Attachment 6 - RL Letter to Ecology/EPA Dated 6-26-95 Addressing Completion of Milestone M-80-03
Attachment 7 - RL Letter to Ecology/EPA Dated 6-26-95 Addressing Completion of Interim Milestones M-17-22, M-17-23, M-17-24
Attachment 8 - PUREX Deactivation Status
Attachment 9 - Ecology/EPA Letter to RL Dated 2-21-95 Addressing Agreements Among Ecology, EPA and RL Regarding Interim Status Issues at PUREX
Attachment 10 - RL Response to 2-21-95 Ecology/EPA Letter

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Attachment 1

PUREX PLANT/STORAGE TUNNELS UNIT MANAGERS' MEETING
Federal Building, Richland, Washington
Thursday, June 29, 1995

- AGENDA -

2:00 PM - 3:30 PM INTRODUCTIONS

STATUS ITEMS

- TPA progress
  - Amendment 5
  - Tentative M-80 Milestones
- NEPA documentation for fuel transfer
- PUREX transition status
  - Clarification on nitric acid railroad cars

TOPICS FOR DISCUSSION

- Receipt of 300 Area waste
  - Staging the waste
  - PUREX Storage Tunnels permitting

GENERAL TOPICS

- Action items
  - Past action items
  - New action items
- Additional discussion
  - Meeting minute review and approval process
- Scheduling of next meeting

The videoconference meeting will link Seattle and the Federal Office Building (room 784-B) in Richland.

9513381.1319

Attachment 2

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, Room 784-B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

Summary of Discussion and Commitments/Agreements

STATUS ITEMS

- **TPA Progress**

  Amendment 5

  Mr. R. Bowman (WHC) initiated a discussion regarding Amendment 5 to the Tri-Party Agreement (TPA). Amendment 5 addresses facility transition, and it includes several milestones on the transition of PUREX/UO3 and other facilities. The document has been reviewed and finalized, and it is scheduled for signature June 30, 1995. A copy will be transmitted to the regulators.

  Tentative M-80 Milestones

  Mr. R. Gonzalez (DOE-RL) stated that Milestone M-80-00-T03, which involves the submittal of a report of options for the organic material in Tank 40 at PUREX, has been finalized and submitted to Ecology and EPA. Mr. Gonzalez provided a copy of the transmittal letter (Attachment 5) to Mr. R. Julian (Ecology). Milestone M-80-03, which is the removal of process waste solutions from PUREX Tanks D-5 and E-6, has been completed and a letter was transmitted to Ecology and EPA. Mr. Gonzalez provided a copy of the transmittal letter to Mr. Julian (Attachment 6). Milestones M-17-22, M-17-23 and M-17-24 have been completed and a letter was transmitted to Ecology and EPA documenting completion of the milestones. These milestones include the cease discharge of PUREX Plant steam condensate to the 216-B-3 Pond system, the cease discharge of the PUREX Plant cooling water to the 216-B-3 Pond system, and the cease discharge of the PUREX Plant chemical sewer to the 216-B-3 Pond system. Mr. Gonzalez provided a copy of the transmittal letter to Mr. Julian (Attachment 7).

- **NEPA Documentation for Fuel Transfer**

  Mr. Gonzalez stated that a final panel review of the environmental assessment (EA) will take place tomorrow (6-30-95). It is expected that the review will be favorable and RL/WHC will be able to proceed with the fuel transfer. Mr. G. LeBaron (WHC) noted that the fuel transfer to the K West Basins is scheduled for September 1995. The notice of construction (NOC) was finalized June 25, 1995, and a copy was faxed to the Department of Health (DOH).

- **PUREX Transition Status**

Mr. LeBaron distributed a handout on the PUREX deactivation status (Attachment 8). Regarding the canyon flushing activities, the anticipated pH in L Cell was not verified by the laboratory, and L Cell is being reflushed. ~~Samples have been taken from L Cell, and WHC/RL have requested a rush on the sample results.~~ 8/4 * RJB 8/9

Clarification on Nitric Acid Railroad Cars

Mr. LeBaron stated that the May 25, 1995 Unit Manager Meeting minutes reflect that once the heels are removed from the rail cars, that the rail cars would be flushed and then closed. Mr. LeBaron pointed out that it is not required to flush the rail cars once the heels are removed down to less than three-tenths of one percent, and he proposed documenting this change in today's meeting minutes. Mr. Julian and Mr. D. Duncan (EPA) agreed that the regulations specify it is not required to flush the rail cars after removal of the heels down to three-tenths of one percent.

TOPICS FOR DISCUSSION

- **Receipt of 300 Area Waste**

Staging the Waste

Regarding handling of the 324 Building waste, Mr. LeBaron stated that RL/WHC plan to store the waste temporarily in the PUREX canyon. Mr. LeBaron pointed out that the waste has already been stored greater than 90 days at the 324 Building, and therefore the waste would not meet the 90-day storage requirement and would be considered a noncompliant storage in the PUREX canyon. The 324 waste would also be temporarily stored in the PUREX canyon longer than 90 days. Mr. LeBaron explained that the 324 waste will be received in shipments; and in an effort to proceed efficiently, RL/WHC prefer to accumulate all the waste in the PUREX canyon and move it into the PUREX storage tunnel at one time. Mr. Julian inquired about the length of time the 324 waste would remain in the canyon. Mr. LeBaron estimated it would be stored in the canyon for up to 27 weeks until the waste is moved into the PUREX tunnel. Mr. Duncan asked if RL/WHC plan to obtain approval for the noncompliant storage. Mr. Gonzalez responded that RL/WHC were seeking approval through the Unit Manager Meeting. This issue was not resolved during the meeting.

- **PUREX Storage Tunnels Permitting**

Ms. J. Wallace (Ecology) asked if RL/WHC plan to prepare a notice of intent (NOI) for modifying the PUREX tunnels Part A permit application to include storage of the 324 waste. Mr. LeBaron stated that modification of the Part A would not require an NOI because only the waste codes would be added and not tunnel capacity.

* THIS WAS CORRECTED IN THE UMM ON 9 AUG 1995

9513381.1321

GENERAL TOPICS

Regarding the listed waste issue at PUREX and other downstream facilities, Mr. Gonzales proposed for the record the following agreement: "On February 21, 1995, the Department of Energy, Richland Operations received a letter from Dan Duncan of EPA-Region 10, and Moses Jaraysi of the Washington State Department of Ecology, regarding interim status issues at PUREX. One of the issues addressed in this letter concerned listed dangerous waste codes.

In keeping with this letter and with other formal and informal communications regarding this subject:

The U.S. Department of Energy, Richland Operations Office, the Environmental Protection Agency, and the Washington State Department of Ecology, hereby agree that:

1) Listed waste codes associated with the PUREX laboratory solvents will not be required to be added to the Part A application form for PUREX, the Part B application for the PUREX tunnels, nor the Part A permit for crib 216-A-10.

2) Whether a Part A permit application will have to be submitted for crib 216-A-45 will be addressed in an upcoming Unit Managers Meeting.

3) RL will not be required to designate waste managed in or generated from the PUREX facility, the PUREX storage tunnels, crib 216-A-5, 216-A-10, and 216-A-45 as a listed waste solely because of PUREX laboratory listed waste concerns.

4) At the time of final disposition of any waste from the PUREX facility, the PUREX tunnels, the associated cribs, tanks, and vessels, all constituents of concern shall be addressed in the sampling plan and in the assessment of final disposal options.

5) It is appropriate for DOE-RL to evaluate and make a 'contained-in' determination at any stage of waste management closure, or cleanup under CERCLA, at these facilities.

The rationale for these agreements is contained in the above-cited letter." (See Attachments 9 & 10).

In response, Mr. Duncan stated that he would review the agreement to ensure that the response to EPA/Ecology's 2-21-95 letter reflects what Ecology, EPA and RL/WHC are agreeing to. Mr. Duncan stated that there are issues in the agreement which were not included in the 2-21-95 letter. Mr. Julian noted that the agreement will be reviewed by Ecology Headquarters. Mr. Julian

stated that he and Mr. M. Jaraysi (Ecology) concur with the agreement as stated above.

Mr. Julian raised an issue on Mr. Jaraysi's behalf regarding the issue of tributyl phosphate (TBP) cleanup and Ecology's concern whether the Federal Facilities Compliance Act was considered in the decision to send the TBP to Tennessee. Mr. LeBaron noted that the issue was brought up in a public meeting. Mr. Gonzalez stated that RL is pursuing resolution of the issue.

At this time Mr. Gonzalez presented a letter of appreciation from RL to Ms. J. Robertson (WHC) commending her support of the PUREX Unit Manager Meetings.

- **Action Items**

Past Action Items

Action item 3-2-95:2, Mr. Jaraysi will provide RL/WHC a letter responding to the revised PUREX Plant Part A permit application.

This action item was left open.

Action item 4-6-95:1, Ecology and EPA will provide RL/WHC a letter clarifying their regulatory interpretation of "empty" tanks.

This action item was left open.

Action item 5-25-95:1, RL will include Mr. Jaraysi on the mailing list for the 30-day rolling schedule for transporting nitric acid.

Mr. Jaraysi has been placed on the mailing list, and this action item was closed.

Action item 5-25-95:2, RL will provide Mr. Jaraysi and Mr. Duncan a copy of the final EA for the nitric acid shipment.

A copy was provided, and this action item was closed.

Action item 5-25-95:3, RL/WHC will provide Ecology with a copy of cleanout videos related to removal of fuel from A, B, and C dissolver cells, if available.

A video was provided, and this action item was closed.

Action item 5-25-95:4, RL/WHC will provide Ecology with a copy of the inspection reports for the first month of weekly inspections for the rail cars containing nitric acid heels.

The inspection reports were provided, and this action item was closed.

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New Action Items

There were no new action items generated.

- **Additional Discussion**

Meeting Minute Review and Approval Process

It was agreed to send the draft meeting minutes out for concurrent review with RL/WHC, Ecology and EPA, and to be prepared to approve the minutes at the following Unit Manager Meeting.

- **Scheduling of Next Meeting**

The next PUREX Plant/Storage Tunnels Unit Managers Meeting was scheduled for a videoconference July 26, 1995.

9513381.1324

Attachment 4

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, Room 784-B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

Action Items

Action Item	Description
03-02-95:2	Mr. M. Jaraysi (Ecology) will provide RL/WHC a letter responding to the revised PUREX Plant Part A permit application. ACTION: M. Jaraysi (Ecology) **OPEN**
04-06-95:1	Ecology and EPA will provide RL/WHC a letter clarifying their regulatory interpretation of the term "empty" tanks. ACTION: M. Jaraysi (Ecology) and D. Duncan (EPA) **OPEN**
05-25-95:1	RL will include Mr. M. Jaraysi (Ecology) on the mailing list for the 30-day rolling schedule for transporting nitric acid. ACTION: R. Gonzalez (DOE-RL) **CLOSED**
05-25-95:2	RL will provide Mr. M. Jaraysi (Ecology) and Mr. D. Duncan (EPA) a copy of the final EA for the nitric acid shipment. ACTION: R. Gonzalez (RL) **CLOSED**
05-25-95:3	RL/WHC will provide Ecology with a copy of cleanout videos related to the removal of fuel from A, B, and C Cells, if available. ACTION: G. LeBaron (WHC) **CLOSED**
05-25-95:4	RL/WHC will provide Ecology with a copy of the inspection reports for the first month of weekly inspections for the rail cars containing nitric acid heels. ACTION: G. LeBaron (WHC) **CLOSED**

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Attachment 3

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, 784B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

Attendance List

A stenographer is present to take detailed notes on the proceedings of this meeting. These notes will be used for the sole purpose of preparing unit manager meeting minutes. After these unit manager meeting minutes are finalized, the detailed notes will be discarded. If any attendee has objections with this approach, they should voice these objections at this time.

Name	Organization	Phone #
Julie Robertson	WHC Env. Services	509 376 8162
Robert J Julian	Ecology	509 736-5702
JEFFREY R. MARKILLIE	DAMES & MOORE / GSSC	946-3685
ELLEN MATTLIN	DOE-RL	376-2385
Mike Stephenson	WHC Env. Services	509-376-3870
Jeanne J. Wallace	Ecology	736-3019
TONY MCKARNS	DOE-RL	376-8981
Roger Bowman	WHC - RCRA Permitting	376-4876
GREG LE Bowman	WHC / PUREX	3-1792
RICK GONZALEZ	RL / TPD	3-9922
Kathy Knox	WHC	372-3596
Dan Duncan	EPA	(206) 553-6693
Cindy Grant	DOH	(206) 464-6206

9513381.1326

Attachment 5

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, Room 784-B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

RL Letter to Ecology/EPA Dated 6-26-95
Addressing Completion of Milestone M-80-00-T03

9513381.1327

#5
PUREX
6-29-95

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

95-PUREX-046

JUN 26 1995

Mr. Douglas R. Sherwood
Hanford Project Manager
U.S. Environmental Policy Agency
Richland, Washington

Mr. David Lundstrom
200 Area Section Manager
State of Washington
Department of Ecology
Kennewick, Washington

Dear Messrs. Sherwood and Lundstrom:

COMPLETION OF MILESTONE M-80-00-T03, "SUBMIT OPTIONS AND RECOMMENDATIONS FOR FINAL MANAGEMENT OF TANK 40 ORGANIC MATERIAL TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) AND/OR THE WASHINGTON STATE DEPARTMENT OF ECOLOGY (ECOLOGY) IN ACCORDANCE WITH THEIR RESPECTIVE AUTHORITIES"

Transmittal of Engineering Data Transmittal No. 61173 (Enclosure 1) completes the Hanford Federal Facility Agreement and Consent Order milestone, same subject. WHC supporting documentation, "Alternatives for the Disposition of PUREX Organic Solution" (Enclosure 2) has been approved and issued.

If you have any questions, please call Mr. L. D. Romine, PUREX Program Manager, on 376-4747.

Sincerely,

K. M. Thompson
Hanford Project Manager

TPD:LDR

Enclosures

cc w/encl:
D. L. Duncan, EPA
M. N. Jaraysi, Ecology

cc w/o encl:
D. G. Hamrick, WHC
G. J. LeBaron, WHC
D. W. Nelson, WHC

9513381.1328

Attachment 6

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, Room 784-B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

RL Letter to Ecology/EPA Dated 6-26-95
Addressing Completion of Milestone M-80-03

9513381.1329

#6
PUREX
6-29-95

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

95-PUREX-047

JUN 26 1995

Mr. Roger Stanley
Hanford Project Manager
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504-7600

Mr. Douglas R. Sherwood
Hanford Project Manager
U.S. Environmental Protection Agency
712 Swift Boulevard, Suite 5
Richland, Washington 99352

Dear Messrs. Stanley and Sherwood:

COMPLETION OF HANFORD FACILITY AGREEMENT AND CONSENT ORDER MILESTONE M-80-03, "REMOVAL OF PROCESS WASTE SOLUTIONS FROM PUREX TANKS D5 AND E6"

This transmittal completes Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Milestone M-80-03, "Remove Process Waste Solutions from Tanks D5 and E6." Removal of the plutonium/uranium-bearing solution contained in tanks D5 and E6 was completed via transfer of neutralized solution to underground storage (Tank Farms) on April 12, 1995. In an effort to remove any accumulated plutonium/uranium material within the tanks, an acid flush and digest of the tanks was conducted following the final transfer to underground storage on April 17, 1995.

If you have any questions, please call Mr. Larry D. Romine, PUREX Program Manager, on 376-4747.

Sincerely,

K. M. Thompson
Hanford Project Manager

TPD:LER

cc: D. L. Duncan, EPA
M. N. Jaraysi, Ecology
D. G. Hamrick, WHC
G. J. LeBaron, WHC

9513381.1330

Attachment 7

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, Room 784-B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

RL Letter to Ecology/EPA Dated 6-26-95
Addressing Completion of Interim Milestones M-17-22, M-17-23, M-17-24

9513381.1331

#7
PUREX
6-29-95

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

95-PUREX-048

JUN 26 1995

Mr. Roger Stanley
Hanford Project Manager
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504-7600

Mr. Douglas R. Sherwood
Hanford Project Manager
U.S. Environmental Protection Agency
712 Swift Boulevard, Suite 5
Richland, Washington 99352

Dear Messrs. Stanley and Sherwood:

COMPLETION OF HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER INTERIM MILESTONES M-17-22, M-17-23, M-17-24 AND DEPARTMENT OF ECOLOGY CONSENT ORDER NUMBER DE 91NM-177, TABLE 6 MILESTONES

This letter provides notice to the State of Washington Department of Ecology (Ecology) and to the U.S. Environmental Protection Agency (EPA) of completion of the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) interim milestones M-17-22, "Cease Discharge of the PUREX Plant Steam Condensate to the 216-B-3 Pond System;" M-17-23, "Cease Discharge of the PUREX Plant Cooling Water to the 216-B-3 Pond System;" and M-17-24, "Cease discharge of the PUREX Plant Chemical Sewer to the 216-B-3 pond system."

Tri-Party Agreement interim milestone M-17-24 was completed May 10, 1995. The chemical sewer was isolated from the 216-B-3 Pond System and the effluents rerouted to the 200 Area Treated Effluent Disposal Facility. Completion of this activity also serves to complete interim milestones M-17-22 and M-17-23.

If you have any questions or would like further clarification on this matter, please contact Mr. Larry D. Romine, PUREX Program Manager, on 376-4747.

Sincerely,

K. M. Thompson
Hanford Program Manager

TPD:LER

cc: D. L. Duncan, EPA
M. N. Jaraysi, Ecology
D. G. Hamrick, WHC
G. J. LeBaron, WHC

9513381.1332

Attachment 8

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, Room 784-B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

PUREX Deactivation Status

#8 PUREX 6-29-95

PUREX DEACTIVATION

STATUS

G. J. LeBaron
29 June 1995

9513381.1333

FUEL TRANSFER TO K BASINS

- Aluminum clad fuel ready to go
- Fuel removed from A, B, and C cells
  - (4, 36, and 12 elements)
  - Performed visual inspection in C cell
- Visual inspections have been accepted by Bechtel
- Fuel transfer targeted for September 1995
  - Transfer to K West
  - Dependent on completion of NEPA documentation

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203-A AREA

- Began loadout/shipping nitric acid (05/18/95)
  - Scheduled to finish shipping in November
- 14 containers loaded with 3700 gallons per container (about 52,000 gallons)
- Will be 16 containers in process

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CANYON FLUSHING ACTIVITIES

- Completed
  (K cell, G & R cells [Part A & B], backcycle waste, cladding waste, Tk-G7, Tk-156)

- Awaiting RCRA sample results

- Currently flushing
  (Head end feed, L Cell [reflush])

- Future flushing
  (U cell, Tk-U1/U2, F11 system, D5/E6/F15/F16 system, Tk-U3/U4)

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N CELL

- Continue to clean dry glove boxes and load out waste (completed about 60 bag outs)

- Started to cap lines in wet glove boxes

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324 BUILDING WASTE

- Making preparations to receive identified waste items for storage
  - Modifying Part A
  - Revising Part B to include Hanford Waste
  - Plans to stage waste in canyon and load waste in two concrete boxes

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HANDLING 324 BUILDING WASTE

- Prepare Rail Car(s) For Storage
- Prepare Concrete Storage Boxes
- Ship Waste From 324 Building (25 Shipments)
- Transload From Truck To Rail Car

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HANDLING 324 BUILDING WASTE
(Continued)

- Move Waste Into Canyon Until All Waste Is Received (Non-Compliant Storage)
- Load Waste Into Boxes
- Load Boxes Onto Rail Car(s)
- Push Rail Car(s) Into Tunnel

9513381.1340

9513381.1341

Attachment 9

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, Room 784-B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

Ecology/EPA Letter to RL Dated 2-21-95
Addressing Agreements Among Ecology, EPA, and RL
Regarding Interim Status Issues at PUREX

9513381.1342
#9
PUREX
6-29-95

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1315 W. 4th Avenue • Kennewick, Washington 99336-6018 • (509) 735-7581

February 21, 1995

Mr. James E. Rasmussen, Acting Program Manager
Office of Environmental Assurance, Permits, and Policy
U.S. Department of Energy
P.O. Box 550
Richland, WA 99352

Mr. James E. Mecca, Director
Operation and Transition Division
U.S. Department of Energy
P.O. Box 550
Richland, WA 99352

Dear Messrs. Rasmussen and Mecca:

Re: Letter, James E. Rasmussen, USDOE, and James E. Mecca, USDOE, to Roger F. Stanley, Ecology, and Douglas R. Sherwood, EPA, "Resolution of Permitting and Interim Status Compliance Related Issues Associated with Transition of the Plutonium-Uranium Extraction (PUREX) Facility," dated October 28, 1994

During recent meetings with the Washington State Department of Ecology (Ecology), the U.S. Environmental Protection Agency (EPA), the U.S. Department of Energy (USDOE), and Westinghouse Hanford Company (WHC) staff, we discussed many issues regarding permitting and interim status issues at PUREX. We apologize for the delay in formally responding to your request for concurrence on specific issues detailed in the above referenced letter, and hope this letter serves to better clarify our positions.

Specifically, USDOE requested EPA and Ecology either concur with or identify concerns with the following issues. Using a corresponding format, we paraphrased issues identified in the October 28, 1994, letter (in italics), then provided our response.

Enclosure 1

1. *USDOE will not perform inspections of tank systems which have been emptied, nor will USDOE perform inspections on tank system which have been flushed (at the point when the flush solution no longer designates as a dangerous waste).*

   Response: Concur. Concurrence is based on the conclusion these units are no longer regulated by RCRA.

2. *USDOE will not revise Form 3 to include identified materials that are integral to the equipment or building, i.e., lead shielding, cadmium moderators, etc.*

   Response: Concur. However, all regulated units must be addressed in final disposition plans, e.g., closure plan, decontamination and decommissioning plan.

3. *USDOE will not be required to comply with secondary containment requirements for vessels and storage areas identified in the revised Form 3.*

   Response: Concur. Concurrence is based on an environmentally safe, common-sense, cost-effective point of view regarding secondary containment requirements at PUREX. Concurrence is exclusive to vessels and storage areas identified in the revised Form 3, based on the unique health and safety issues associated with these units.

Enclosure 4

1. *Tanks That Were Emptied by June 23, 1993. Any tank that was emptied within 180 days after receipt of the final shutdown order (i.e., by June 23, 1993) will not be included in the PUREX Part A.*

   Response: Concur. The 90-day clock would begin on the 91st day in which the unit ceased to operate (reference 46 FR 72024).

   Regarding heels or residues remaining in "empty" PUREX tanks, the tanks are considered empty if all wastes have been removed that can be removed AND, whichever of the following is less: EITHER less than 1 inch of waste/residue remains on the bottom of the container OR the volume of waste remaining in the container is equal to 1 percent or less of the container's total capacity OR if the container's total capacity is greater than 110 gallons, the volume of waste remaining is no more than 0.3 percent of the container's total capacity (WAC 173-303-160). However, as we have discussed, tanks which have been emptied and flushed will not be added to the PUREX Part A. However, heels and associated constituents of concern must be addressed in final disposition plans.

2. *Nitric Acid Destined for Recycling.*

   Response: Reference letter from Mr. David L. Lundstrom, Ecology, to Mr. James Rasmussen, USDOE-RL, dated December 20, 1994.

3. *Listed Waste Issues. USDOE provided justification for not adding additional tank systems to the PUREX Part A Permit solely because of listed waste concerns.*

   Response: EPA and Ecology concur that, in this case, adding additional tank systems to the PUREX Part A Permit solely because of listed waste concerns is not required. However, additional discussion is needed in response to the justifications provided:

- *USDOE is not required to add "empty" tank systems to the PUREX Part A.*

  Response: Concur. As noted above (Enclosure 4, Item 1), tanks which have been emptied and flushed will not be added to the PUREX Part A. However, all regulated units and associated constituents of concern must be addressed in final disposition plans.

- *Tanks added to the PUREX Part A because they are managing a characteristic or state-only waste will not be assigned any listed dangerous waste codes.*

  Response: Concur. Ecology and EPA staff have reviewed data provided by USDOE and have concluded that inclusion of listed dangerous wastes codes on the Part A will not be required. We agree the levels of listed waste constituents may be negligible and essentially irrelevant to the PUREX mission and therefore have based concurrence on an environmentally-safe, common-sense, cost-effective point of view. Although listed waste codes are not being included on the Part A, listed waste constituents of concern must be addressed in final disposition plans. Actions at the time of final disposition may involve adding listed waste constituents to the sampling plan, assessing alternative treatment technologies for hazardous debris, etc.

- *Solutions contaminated with listed waste solvents from the PUREX laboratory are appropriately classified as process wastes contaminated with a spent solvent.*

  Response: Ecology and EPA do not concur with USDOE's application of the "process waste water" exemption to the stream in question at PUREX. The process waste water exemption is applicable if the solvents were used as reactants or ingredients in the process. If the solvents were used for the purpose of dissolving other substances, i.e., for their solvent properties, then mixed with process water, the exemption is not applicable. Documentation provided to Ecology and EPA from USDOE clearly indicates such solvents were added to the PUREX process. As noted above, we agree the levels may be negligible and essentially irrelevant to the PUREX mission, and, as a result, provided concurrence with regard to adding listed waste constituents to the PUREX Part A. However, state regulations do not currently recognize "de minimis" levels of listed contaminants. Ecology must make decisions on deviating from established listed waste rules on a case-by-case basis.

- *Any process solutions managed within the PUREX process after flushing should not carry F003 and F005 listed dangerous waste codes.*

  Response: Concur. However, as noted above, associated constituents of concern for all regulated units must be addressed in final disposition plans.

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o *UO_3: A Part A Permit will not be developed because the tanks or vessels were "empty" within 180 days from the last day of operation.*

Response: Concur. Again, associated constituents of concern for all regulated units must be addressed in final disposition plans.

We hope this letter serves to clarify some of the outstanding issues with regard to PUREX and UO_3. We are trying to invoke improved communication among our agencies, including clear, documented direction on regulatory interpretations and guidance. In addition, we are attempting to be innovative with the application of certain regulations in an effort to streamline deactivation efforts at PUREX, while being protective of human health and the environment. Again, such efforts are being pursued on a case-by-case basis. If you have any questions about the contents of this letter, you may contact Laura Russell, Ecology, at (509) 736-3024 or Dan Duncan, EPA, at (206) 553-6693.

Sincerely,

Moses Jaraysi
Unit Supervisor
Nuclear Waste Program

Dan Duncan
Environmental Engineer
RCRA Permitting, EPA Region 10

MJ/DD:LR:mf

cc: Doug Sherwood, EPA
Dave Bartus, EPA
Paul Krupin, USDOE
Eugene Senat, USDOE
Greg LeBaron, WHC
Bill Dixon, WHC
Doug Hamrick, WHC

9513381.1346

Attachment 10

PUREX Plant/Storage Tunnels Unit Managers Meeting
Federal Building, Room 784-B
Richland, Washington

June 29, 1995
2:00 p.m. - 3:30 p.m.

RL Response to 2-21-95 Ecology/EPA Letter

9513381.1347

#10
PUREX
6-29-95

On February 21, 1995, the Department of Energy, Richland Operations received a letter from Dan Duncan of EPA-Region 10 and Moses Jaraysi of the Washington State Department of Ecology regarding interim status issues at PUREX. One of the issues addressed in this letter concerned listed dangerous waste codes.

In keeping with this letter and with other formal and informal communications regarding this subject:

The U.S. Department of Energy, Richland Operations Office (DOE-RL), the Environmental Protection Agency, and the Washington State Department of Ecology, hereby agree that:

1) Listed waste codes associated with the PUREX laboratory solvents will not be required to be added to the Part A application form for PUREX, the Part B application for the PUREX tunnels, nor the Part A permit for crib 216-A-10.

2) Whether a Part A permit application will have to be submitted for crib 216-A-45 will be addressed in an upcoming Unit Manager Meeting.

3) RL will not be required to designate waste managed in or generated from the PUREX facility, the PUREX storage tunnels, crib 216-A-5, 216-A-10, and 216-A-45 as a listed waste solely because of PUREX laboratory listed waste concerns.

4) At the time of final disposition of any waste from the PUREX facility, the PUREX tunnels, the associated cribs, tanks, and vessels, all constituents of concern shall be addressed in the sampling plan and in the assessment of final disposal options.

5) It is appropriate for DOE-RL to evaluate and make a "contained-in" determination at any stage of waste management closure, or cleanup under CERCLA, at these facilities.

The rationale for these agreements is contained in the above cited letter (attached).

9513581.1348

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Please send comments on distribution list to K. E. Knox, WHC (H6-23), (509) 372-3596.