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STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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July 6, 1998

Mr. Bryan Foley
U.S. Department of Energy
P.O. Box 550, MSIN: A5-19
Richland, WA 99352

Dear Mr. Foley:

Re: Approval of Sampling and Analysis Plan for the 216-A-29 Ditch (BHI-01109, Rev. 0 dated June 1998)

The Washington State Department of Ecology (Ecology) has completed its review of document # BHI-01109, Rev 0. This Sampling and Analysis Plan (SAP) was generated as a result of a series of Data Quality Objective (DQO) workshops held in January 1997 between Ecology, U.S. Department of Energy (USDOE), and Bechtel Hanford, Inc. The 216-A-29 SAP makes reference to the 1997 DQO workshops and subsequently all related correspondence.

A separate document was generated from the 1997 DQO workshops entitled, "Data Quality Objectives Summary Report for the Proposed Road and Utility Crossing at the 216-A-29 Ditch." This document was officially transmitted to Ecology in July 1997. Table 3, page 14, is the DQO Agreement Summary which recorded nine (9) agreements made by the decision-makers at that time. Comprehensive review of the SAP included all supporting documentation (e.g., the Agreement Summary Table). Ecology's concern is that the last agreement (#9) is unacceptable from a regulatory/legal standpoint. Agreement #9 states, " Pending results of the sampling, no additional characterization or remediation will be required . . . as part of the TSD closure process." Washington Administrative Code (WAC) 173-303-610 stipulates that closure of a dangerous waste treatment storage and disposal facility (TSD) requires, among other things, that a closure plan be submitted to Ecology for review and approval and that public involvement must occur prior to any final closure decisions. One of the main elements to a closure plan is generating suitable performance standards based on the type of closure being sought. Ecology considers a SAP one tool for determining whether performance standards have been met. However, none have been established for the 216 -A-29 Ditch. Therefore, agreement #9 cannot be met by implementation of the subject SAP.

On June 29, 1998, Ecology signed the approval sheet for the SAP. The approval is based on the following: (1) implementation of the SAP is to ensure worker safety during future road construction through the TSD; and (2) the analytical results may be used to help verify past

sampling results. Future closure of the 216-A-29 Ditch TSD will include adherence to all relevant and appropriate requirements, including all applicable closure requirements as stipulated in WAC-173-303-610.

If you have questions or concerns regarding this letter, please contact me at (509) 736-3012.

Sincerely,

Ted A. Wooley, B Plant/WESF Project Manager
Nuclear Waste Program

TAW:sdb

cc: Carolyn Haas, USDOE
Robert Lober, USDOE
Harold Stafford, USDOE
Greg Mitchem, BHI
Scott Peterson, CHI
Mary Lou Blazek, ODOE
Administrative Record: 216-A-29 Ditch