



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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February 11, 2016

16-NWP-010

Ms. Stacy Charboneau, Manager
Richland Operations Office
United States Department of Energy
PO BOX 550, MSIN: A7-50
Richland, Washington 99352

Re: Approval of Petition for Site-Specific Variance from Land Disposal Treatment Standards for the Waste Encapsulation and Storage Facility, Received February 3, 2015

Reference 1: Letter 15-AMRP-0070, dated January 28, 2015, from Stacy Charboneau, USDOE to J.A. Hedges, Ecology, "*Petition for Site Specific Variance from Land Disposal Treatment Standards*"

Reference 2: Letter 16-ESQ-0026, dated January 14, 2016, from Stacy Charboneau, USDOE to J.A. Hedges, Ecology, "*Revised Part A Form and Closure Plan for Waste Encapsulation Storage Facility (WESF) Closing Dangerous Waste Management Unit (DWMU) and Temporary Authorization to Implement Previously Requested Class 3 Modifications*"

Dear Ms. Charboneau:

The Department of Ecology (Ecology) has reviewed the United States Department of Energy's (USDOE) petition for a site-specific variance from the land disposal treatment standards (Reference 1) for certain mixed wastes pursuant to closure of the Waste Encapsulation and Storage Facility (WESF). The petition requests a site-specific variance from concentration-based treatment standards for six containers of mixed waste inside hot cells B and C at the WESF.

This petition is requested by USDOE to support the closure activities for the WESF hot cells A-F dangerous waste management unit (DWMU). Part of these closure activities will be grouting hot cells A-F. Approval of this petition will allow USDOE to macroencapsulate the six containers of mixed waste inside hot cells B and C, instead of demonstrating compliance with the concentration-based treatment standard of otherwise applicable to the waste inside these containers.



After review of References 1 and 2 above, Ecology agrees with USDOE's demonstration that it is inappropriate to treat these wastes to the level otherwise applicable to them, and approves USDOE's site specific variance from the concentration based treatment standards for the six containers of mixed waste inside WESF hot cells B and C in accordance with 40 CFR 268.44(h)(2) as incorporated by reference in the Washington Administrative Code (WAC) 173-303-140(2)(a).

Ecology agrees that macroencapsulation of the waste containers according to the closure plan (Reference 2) sufficiently meets the requirements of 40 CFR 268.44(m) as incorporated by WAC 173-303-140(2)(a). USDOE has demonstrated that macroencapsulation of wastes in the six containers during clean closure of hot cells A-F, as described in Reference 2, is sufficient to minimize threats to human health and the environment in accordance with 40 CFR 268.44(m) as incorporated through reference by WAC 173-303-140(2)(a).

The USDOE's petition for a site specific treatability variance went out for public comment with the permit modification request from December 11, 2014 through March 3, 2015. All public comments associated with this site specific variance will be responded to in the Response to Comments document issued by Ecology as part of the second public comment period.

Ecology will provide this approval and USDOE's site specific variance as supplemental information for the public with the draft permit during the second public comment period for the Class 3 modification for closure of WESF hot cells A-F.

If there are any questions, please contact Stephanie Schleif at stephanie.schleif@ecy.wa.gov or (509) 372-7929 or Mandy Jones at mandy.jones@ecy.wa.gov or (509) 372-7916.

Sincerely,



Suzanne Dahl
Tank Waste Treatment Section Manager
Nuclear Waste Program

ss/jvs

cc See page 3

Ms. Stacy Charboneau

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cc electronic:

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Mike Collins, USDOE
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