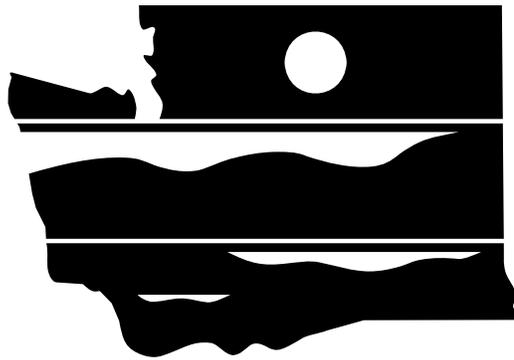


Comment Period for Hanford Waste Treatment Plant Permit Modification

Responsiveness Summary



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

Department of Ecology
Nuclear Waste Program
3100 Port of Benton Blvd.
Richland, WA 99354

January 24, 2006

Publication Number: 05-05-013

RESPONSIVENESS SUMMARY

Prepared by:

Brenda Becker-Khaleel

Washington State Department of Ecology

Nuclear Waste Program

January 24, 2006

Publication Number: 05-05-013

If you require this publication in an alternate format, please contact the Nuclear Waste Program at 509.372.7950, or TTY (for the speech or hearing impaired) 711 or 800-833-6388.

Introduction

The Washington State Department of Ecology encouraged the public to comment on the Modification of the Hanford Facility Resource Conservation (RCRA) Permit, Dangerous Waste Portion for the Treatment, Storage, and Disposal of Dangerous Waste – The Waste Treatment and Immobilization Plant Unit-Specific Conditions. On August 31, 2005, the U.S. Department of Energy (USDOE) submitted design package information for Ecology review and approval and incorporation into the WTP Permit.

This Modification was planned to:

- Incorporate Permit Package BOF-007, Revision 0, “Secondary Containment for Transfer Lines Below Grade”
- Incorporate Permit Package BOF-008, Revision 0, “Ancillary Equipment for Transfer Lines Below Grade”
- Incorporate permit condition III.10.C.2.h. and changes to III.10.C.9.d., III.10.C.9.e., and III.10.C.9.h.
- Incorporate 24590-HLW-PER-M-04-002, Revision 2, Leak Detection Capability in the HLW Facility
- Incorporate 24590-HLW-PER-M-04-0001, Revision 0, HLW Facility Waste Removal Capability
- Incorporate the following Class 1 and/or Class ¹ Permit modifications, including changes to Part III, Chapter 10 of Appendix 51, which Ecology approved in accordance with WAC 173-303-830(4)(a) and (d) :
 - 24590-WTP-PER-CSA-02-001, Revision 7, Secondary Containment Design
 - Added notes to four Piping and Instrument Diagrams for the HLW Radioactive Liquid Waste Disposal System:
 - 24590-HLW-M6-RLD-P0015, Revision 0
 - 24590-HLW-M6-RLD-P0017, Revision 0
 - 24590-HLW-M6-RLD-P20004, Revision 0
 - 24590-HLW-M6-RLD-P20005, Revision 0
- Make minor changes throughout the Permit for consistency in punctuation, grammar, and presentation
- Update the table of contents, list of attachments, and attachments.

This Responsiveness Summary is the result of written comments submitted during the September 19, 2005, through November 22, 2005, comment period for the draft Waste Treatment and Immobilization Plant Unit-Specific Permit modification.

Ecology received several comments that focused on the following issues:

- Use of Ecology’s oversight authority to ‘hold’ work on the WTP until fundamental cost and schedule issues can be resolved.
- Editorial corrections to the draft Permit.
- Removal of the newly-added mechanical handling systems from the Critical System List.
- Removal of the newly-added HLW process vessel vent system from the Critical System List.

Responsiveness Summary

No public hearing was scheduled at the time the Focus Sheet was distributed to stakeholders; however, Ecology noted that a request for a hearing would be considered. No requests were received during the public comment period; therefore, no public hearing occurred.

Ecology received e-mail comments from one citizen and from the Permittee (USDOE). Ecology appreciates the input received from the commenters.

This Responsiveness Summary is intended to address all the comments received and to show how the comments were evaluated and dispositioned. This Responsiveness Summary will be made part of the Hanford Facility Administrative Record for future reference.

This Responsiveness Summary is organized as follows:

Response to the Public – Comment #1

NORM BUSKE
DIRECTOR, THE RADIOACTIVIST CAMPAIGN
7312 NE NORTH SHORE ROAD
BELFAIR, WA 98528

Response to Permittee – Comments #2 through #10

UNITED STATES DEPARTMENT OF ENERGY (USDOE)
RICHLAND OPERATIONS OFFICE
P.O. BOX 550
RICHLAND, WASHINGTON 99352

COMMENT #1:

This is my public comment on the proposed Hanford Waste Treatment Plant permit modification.

The conceptual basis of this comment is that the Department of Ecology (ECY) has two functions in the permitting process. One function is of a regulatory permitting agency. The other function is of a Tri-Party Agreement (TPA) oversight partner of Hanford Site remediation. ECY has both permitting and oversight functions.

As an ordinary matter, concern would be primarily for ECY's permitting function. I believe that the oversight function dominates in this unusual case. This case is unusual because rising costs and other difficulties associated with the WTP plan have rendered the already expensive undertaking problematic or worse.

In recognition of the increasingly doubtful outcome of its WTP undertaking, the U.S. Department of Energy has already placed significant WTP work on hold. That is a rational step, considering the "dollars and sense" involved.

I recommend that ECY take this opportunity of the permittees to modify the WTP permit for ECY also to put the undertaking on hold by the action of placing the WTP permit modification on hold until fundamental issues are cleared enough to allow rational progress.

Any questions in regard to this comment are welcome.

Hoping ECY can find good ways to help make this work,

Norm Buske
Director, The RadioActivist Campaign (TRAC)
www.radioactivist.org
7312 NE North Shore
Road, Belfair, WA 98528

***Ecology's Response:** Ecology acknowledges and appreciates your comment. However, the Hanford Federal Facility Agreement and Consent Order Appendix D Work Schedule Milestone M-062-00 establish a schedule for the Pretreatment Processing and Vitrification of Hanford High Level and Low Activity Tank Wastes. As a signatory to the Tri-Party Agreement, Ecology agreed to the terms of the Agreement, including the timetables and deadlines. Ecology will continue to provide oversight and permit the design, construction, and operation of the Waste Treatment Plant to support compliance with the TPA schedule. Additionally, getting a tank waste treatment plant on line and treating tank waste is the cornerstone for Hanford cleanup. While there have been delays and cost increases, Ecology firmly believes this to be a viable approach to treating tank waste.*

COMMENT #2: The proposed permit modification includes new requirements that the Washington State Department of Ecology (Ecology) did not identify in the Statement of Basis, nor was a regulatory basis for addition of the new requirements provided:

- Addition of Compliance Schedule items.
- Addition of Critical Systems that are not waste management units as defined in Chapter 173-303 Washington Administrative Code (WAC) and that do not meet the definition of “critical system”

***Ecology's Response:** Ecology agrees. The additions were inadequately addressed in the Statement of Basis. In any future Statement of Basis documents, Ecology will provide a more detailed listing identifying the updates, changes, and additions to the Permit.*

Based on the following Permit conditions:

III.10.C.2.i. The Permittees shall submit a Part A, Form 3 Permit Application revision for Ecology approval as a permit modification pursuant to Permit Conditions III.10.C.2.e. and III.10.C.2.f., or III.10.C.2.g., in accordance with the schedule in Attachment 51, Appendix 1.0 of this Permit to incorporate changes to Tables III.10.D.A, III.10.E.A through D, III.10.F.A, III.10.G.A, III.10.H.A, III.10.I.A, III.10.J.A, and III.10.K.A, as modified pursuant to the compliance schedule in Attachment 51, Appendix 1.0 of this Permit.

III.10.C.2.j. *The Permittees shall submit to Ecology the potential disposal path(s), including the potential authorized TSD facilities, for each waste stream generated at the WTP Unit in accordance with the schedule in Attachment 51, Appendix 1.0 of this Permit for incorporation into the Administrative Record.*

Ecology identified omissions in the schedule in Attachment 51, Appendix 1.0 of the Permit. To correct these omissions, Ecology added compliance schedule items #33 and #34 which require resubmittal of the Part A, and submittal of potential disposal path(s) for each waste stream, respectively. The compliance items due dates have been inserted as 'to be determined' (TBD) and will be decided at a later date.

The Critical Systems which were added to the list in Attachment 51, Appendix 2.0 will be removed. Refer to the response to Comment #6 for a detailed explanation.

COMMENT #3: Chapter 10 headers and Attachment 51 headers: The 2nd line should read "Modification to Revision 8" since this is an update to Revision 8 of the Hanford RCRA Facility Permit.

Ecology's Response: *Ecology agrees. Ecology will ensure that all headers throughout the permit and appendices reflect the correct revision number; Revision 8.*

COMMENT #4: Interim Compliance Schedule, Appendix 1.0, new Item 3: Delete new compliance schedule item 3. This compliance schedule item requires the Permittees to update and resubmit the Part A Form 3 application.

Basis: The purpose of a compliance schedule is to specify a schedule leading to compliance with Chapter 173-303 WAC (WAC 173-303-815(3)(a)).

A Part A Form 3 is currently included in Chapter 1 of the Hanford Tank Waste Treatment and Immobilization Plant (WTP) DWP. A revised Part A Form 3 was submitted to Ecology on March 29, 2004 (04-ED-024, CCN 086439) to incorporate the Plant configuration of 2 LAW and 2 HLW melters. We are awaiting Ecology approval of this permit modification. Updates to the Part A Form 3 are better managed through the modification process.

Ecology's Response: *Ecology acknowledges and appreciates your comment. However, as explained in the response to Comment #2, Permit Condition III.10.C.2.i. specifically states that the Permittees shall submit a Part A, Form 3 Permit Application...pursuant to the compliance schedule in Attachment 51, Appendix 1.0 of this Permit. Ecology identified and corrected the omission in the Attachment 51, Appendix 1.0, Compliance Schedule. The compliance item due date has been inserted as "to be determined" (TBD) and will be decided at a later date. The intent of this compliance schedule item is to ensure a revised Part A, that reflects the as built condition of the Waste Treatment Plant is submitted prior to operation of the Facility.*

COMMENT #5: Interim Compliance Schedule, Appendix 1.0: Consistent with previous additions to the Compliance Schedule, please number any new compliance schedule items with unique numbers, rather than renumbering existing compliance schedule items.

Basis: Providing new unique numbers will eliminate confusion that will occur between the old series of numbered Compliance Schedule items and a new series of numbered Compliance Schedule items.

***Ecology's Response:** Ecology agrees. Ecology will ensure that any items added to the Compliance Schedule will be numbered sequentially based on the date of introduction to the table. However, new additions will be placed under the appropriate condition heading. This will create a situation where the Compliance Schedule items will not be consecutively numbered. An example is provided below.*

	Compliance Schedule Submittal	Interim Compliance Date
	III.10.C.2	
1.	Submit documentation stating the WTP has been constructed in compliance with the Permit.	03/01/08
2.	Submit updated Site Transportation Report for incorporation into the Administrative Record.	Completed
33.	<u>Update and resubmit the Part A, Form 3 Permit Application.</u>	<u>TBD</u>
34.	<u>Submit the potential disposal path(s), including the potential authorized TSD facilities</u>	<u>TBD</u>

COMMENT #6: List of Critical Systems, Appendix 2.0: The Agency has not provided guidance or regulatory basis regarding which elements of mechanical handling systems are considered permit affecting. Please delete the newly-added LAW Melter Handling System (LMH), LAW Canister Export Handling System (LEH), and HLW Canister Export Handling System (HEH) from the list of Critical Systems in Appendix 2.0.

Basis: The Permittees have opposed including mechanical handling systems on the list of Critical Systems since the Permit was drafted. The last discussion between Ecology and the Permittees regarding mechanical handling systems occurred on August 22, 2005 when the Agency committed to provide guidance and regulatory basis regarding which elements of mechanical handling systems are considered permit affecting. No regulatory basis has been provided to include the mechanical handling systems in the list of Critical Systems.

***Ecology's Response:** Ecology agrees. Guidance has not been provided on which elements of mechanical handling systems are regulated. For this permit modification, Ecology will not add the LAW Melter Handling System (LMH), Law Canister Export Handling System (LEH), and the HLW Canister Export Handling System (HEH) to the Critical Systems list in Attachment 51, Appendix 2.0, for reasons stated below.*

During the Permit modification process Ecology identified multiple omissions in Chapter 10 and Attachment 51, “Waste Treatment and Immobilization Plant.” According to the following definition of “Critical Systems,” (as provided in the Permit), systems which transfer regulated wastes should be included in the Permit.

*“The term “**Critical Systems**” as applied to determining whether a Permit modification is required, means those specific portions of a TSD unit’s structure, or equipment, whose failure could lead to the release of dangerous waste into the environment, and/or systems which include processes which treat, transfer, store, or dispose of regulated wastes. A list identifying the critical systems of a specific TSD unit may be developed and included in Part III, V, and/or VI of this Permit. In developing a critical system list, or in the absence of a critical system list, WAC 173-303-830 Modifications shall be considered.”*

As provided by the following Permit Conditions, Ecology will add any mechanical handling systems which meet the definition of a critical system to the critical system list in Attachment 51, Appendix 2.0.

III.10.C.9.a. *The WTP Unit critical systems, as defined in the Hanford Site-wide Permit definition section, are identified in Attachment 51, Appendix 2.0.*

III.10.C.9.b. *As the design proceeds, Ecology reserves the right to modify this Permit for reasons described in the WAC 173-303-830(3) to add additional systems to the Critical Systems in Attachment 51, Appendix 2.0.*

In addition, once the regulated elements of the mechanical handling system have been determined, appropriate permit conditions and Compliance Schedule items will be developed and incorporated into the following Permit Condition:

III.10.C.9.f. *For each Critical System identified in Attachment 51, Appendix 2.0 or if it meets the definition of Critical System as defined in this Permit, the Permittees shall submit to Ecology for review and approval, following the schedule in Attachment 51, Appendix 1.0 of this Permit, the information identified in Permit Conditions III.10.D.10., III.10.E.9., III.10.F.7., III.10.G.10., III.10.H.5., and III.10.J.5. Information Ecology determines to incorporate into the Permit will follow the Permit Condition III.10.C.2.g. process, unless stated otherwise within the specific permit condition. Information Ecology determines necessary to support the design basis will be incorporated into the Administrative Record.*

Ecology will not add the LMH, LEH, or HEH mechanical handling systems in this permit modification. Ecology will add them to the Critical System list during the next Permit Modification, which addresses the 2+2 Melter arrangement. Ecology agreed to delay the addition of the mechanical handling systems for the following reasons:

- *Ecology has not provided guidance regarding which elements of mechanical handling systems are regulated.*
- *Addition of the mechanical handling systems to this permit modification has the potential to adversely impact existing construction schedules.*
- *Delaying the addition of the mechanical handling systems will allow time for Ecology to develop and provide guidance to the Permittee.*

- *Delaying the addition of the mechanical handling systems to the next permit modification will allow time for Ecology to develop appropriate Permit Conditions and Compliance Schedule items for the Permit.*
-

COMMENT #7: Remove the newly-added LAW Melter Handling System (LMH) from the list of Critical Systems in Appendix 2.0.

Basis: LMH is not a critical system, as defined in the Hanford Site RCRA permit.

The term “Critical System” is defined in the Hanford Site RCRA permit as follows:

“The term ‘Critical Systems,’ as applied to determining whether a Permit Modification is required, means those specific portions of a TSD unit’s structure, or equipment, whose failure could lead to the release of dangerous waste into the environment, and/or systems which include processes which treat, transfer, store, or dispose of regulated wastes. A list identifying the critical systems of a specific TSD unit may be developed and included in Part III, V, and/or VI of this Permit. In developing a critical system list, or in the absence of a critical system list, WAC 173-303-830 Modifications shall be considered.”

As the definition states, the purpose of the Critical Systems list is to bound the design change documentation provided to Ecology pursuant to permit conditions III.10.C.9.d, III.10.C.9.e, and III.10.C.9.h, and to determine whether a modification is required pursuant to permit condition III.10.C.2.e.

Since LMH is used to transport the LAW melter inside the LAW Vitrification facility, failure of this mechanical handling system would not cause a release of dangerous waste to the environment. Further, release of dangerous waste to the environment would not occur if any of the mechanical handling systems already included in the List of Critical Systems were to fail.

The second element of the definition of a Critical System involves processes that manage dangerous waste. Mechanical handling systems are not waste process systems, and do not treat, store, or dispose of dangerous waste. Treatment, storage, and disposal, as applied to dangerous waste management activities, is defined in WAC 173-303-040, as follows:

- Treatment: “...physical, chemical, or biological processing of dangerous waste to make such wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume, with the exception of compacting, repackaging, and sorting...”

Mechanical handling systems move waste containers from one location within a facility to another, and do not treat waste as defined above.

- Storage: “...holding of dangerous waste for a temporary period.”

Mechanical handling systems move waste containers from one location within a facility to another, and do not store waste as defined above. Further, Mechanical handling systems have not been identified as container storage areas in Table III.10.D.A., B., C., or as containment building units in Table III.10.F.A of the Dangerous Waste Permit. Thus, Mechanical handling systems do not meet the definition of waste storage units.

- Disposal: "...discharging, discarding, or abandoning of dangerous wastes, or the treatment, decontamination, or recycling of such wastes once they have been discarded or abandoned. this includes the discharge of any dangerous wastes into or on any land, air or water."

Mechanical handling systems do not discard, discharge, or abandon dangerous wastes, discharge waste into or on the land, air or water. Thus, mechanical handling systems do not meet the definition of disposal wastes.

Finally, mechanical handling systems are not identified as critical systems for the Integrated Disposal Facility (the disposal facility that will manage the ILAW melters and canisters) or draft permitting materials for the Canister Storage Building (the facility for storage of the IHLW). It is not appropriate for Ecology to regulate the WTP in a manner that is different than other Hanford RCRA Facility TSD units.

Because this mechanical handling system does not meet the definition of a Critical System; does not meet the definition of a system that treats, stores, or disposes of dangerous waste; and because mechanical handling systems are not identified as Critical Systems in other Hanford RCRA TSD units, mechanical handling systems should be removed from the list of Critical Systems.

Ecology's Response: Ecology agrees. The LAW Melter Handling System (LMH), will be removed from the list of Critical Systems in Appendix 2.0. Refer to the response to comment #6 for a detailed explanation.

In addition, Ecology would like to address one omission in the Permittee's comment. When the Permittee addressed the second element of the definition of a Critical System and the processes that manage dangerous waste, the Permittee did not provide a definition for "transfer." The word "transfer" is not defined in the Permit or WAC 173-303-040, so, as per the Permit, a standard dictionary definition will be used. Webster's Dictionary provides the following definition:

Transfer: to convey, carry, remove, or send from one person, place, or position to another.

The definition of a critical system does include systems which transfer regulated wastes. The LMH System does transfer dangerous waste, and therefore should be included in the Critical System list in Attachment 51, Appendix 2.0 of the Permit

COMMENT #8: Remove the newly-added LAW Canister Export Handling System (LEH) from the list of Critical Systems in Appendix 2.0.

Basis: LEH is not a critical system, as defined in the Hanford Site RCRA permit.

Since LEH is used to transport the ILAW canisters inside the LAW Vitrification facility, failure of this mechanical handling system would not cause a release of dangerous waste to the environment. Further, release of dangerous waste to the environment would not occur if any of the mechanical handling systems already included in the List of Critical Systems were to fail.

As we have discussed in Comment 0 above, mechanical handling systems are not waste process systems, and do not treat, store, or dispose of dangerous waste as defined in WAC 173-303-040.

Because this mechanical handling system does not meet the definition of a Critical System; does not meet the definition of a system that treats, stores, or disposes of dangerous waste; and because mechanical handling systems are not identified as Critical Systems in other Hanford RCRA TSD units, mechanical handling systems should be removed from the list of Critical Systems.

Ecology's Response: Ecology agrees. The LAW Canister Export Handling System (LEH) will be removed from the list of Critical Systems in Appendix 2.0. Refer to the responses to comments #6 and #7 for a detailed explanation.

COMMENT #9: Remove the newly-added HLW Canister Export Handling System (HEH) from the list of Critical Systems in Appendix 2.0.

Basis: HEH is not a critical system, as defined in the Hanford Site RCRA permit.

Since HEH is used to transport the IHLW canisters inside the HLW Vitrification facility, failure of this mechanical handling system would not cause a release of dangerous waste to the environment. Further, release of dangerous waste to the environment would not occur if any of the mechanical handling systems already included in the List of Critical Systems were to fail.

As we have discussed in Comment 0 above, mechanical handling systems are not waste process systems, and do not treat, store, or dispose of dangerous waste as defined in WAC 173-303-040.

Because this mechanical handling system does not meet the definition of a Critical System; does not meet the definition of a system that treats, stores, or disposes of dangerous waste; and because mechanical handling systems are not identified as Critical Systems in other Hanford RCRA TSD units, mechanical handling systems should be removed from the list of Critical Systems.

Ecology's Response: Ecology agrees. The HLW Canister Export Handling System (HEH) will be removed from the list of Critical Systems in Appendix 2.0. Refer to the responses to comments #6 and #7 for a detailed explanation.

COMMENT #10: Remove the newly-added HLW Process Vessel Vent System (PVV) from the list of Critical Systems in Appendix 2.0.

Basis: The HLW PVV system is not a critical system, as defined in the Hanford Site RCRA permit.

The purpose of HLW PVV is to maintain process vessels under negative pressure. Emissions from HLW PVV are excluded from RCRA because they are not solid waste. The term "solid waste" is defined in Section 1004(27) of RCRA as follows:

"...any garbage, refuse, sludge, from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or *contained gaseous material* resulting from industrial, commercial, mining, and agricultural operations, and from community activities...." (emphasis added)

RCRA provides the authority to regulate containerized gases (containers such as gases in bottles or cylinders) or condensed gases when they will be discarded. Since emissions from the HLW PVV system are not a contained gaseous material, the emissions are not a regulated hazardous waste. Because HLW PVV does not manage hazardous waste, HLW PVV should not be on the list of Critical Systems.

Failure of HLW PVV would not cause a release of dangerous waste to the environment. The vessel vent system is located within the facility structure, which is maintained at negative pressure. If HLW PVV was to fail, emissions would be released inside the structure, not to the environment.

Although we do not agree that the HLW PVV is a critical system, design-related information has been submitted to Ecology pursuant to Condition III.10.J.5. Because emissions from HLW PVV are not regulated by RCRA, and because failure of HLW PVV would be released to the HLW Vitrification facility that is under negative pressure, the HLW PVV system does not meet the definition of a Critical System, and should not be included in the list of Critical Systems.

Ecology's Response: Ecology acknowledges and appreciates your comment. The HLW PVV System is an integral part of the WTP, ventilating emissions from tank waste and routing those emissions directly into the primary melter offgas treatment system. As stated in your comment, failure of the HLW PVV System releases those emissions to the HLW Vitrification facility, which is under negative pressure. However, the HLW Vitrification facility provides limited emission control before potentially releasing process offgas contaminants to the environment. Consistent with our responses to comments #6 and #7, we will remove the HLW PVV System from the Critical Systems list until the next permit modification. The issue of the regulatory status of WTP tank emissions will be discussed at that time.

Summary of Public Involvement Actions

No workshops or hearings were held for this comment period. Ecology took the following actions to publicize the comment period, which ran from September 19, 2005, through November 22, 2005:

- Sent an e-mail to the Hanford-Info Listserv on September 14, 2005, announcing the comment period and directing members of the public to the Ecology website for more information
- Mailed a focus sheet on September 21, 2005, to approximately 900 highly interested members of the public.
- Placed a notice of the comment period on the Ecology events calendar.
- Placed a public announcement classified advertisement in the Tri-City Herald on September 18, 2005.

Attachments

1. Hanford-Info Listserv Notice
2. Focus Sheet
3. Public Announcement Classified Add
4. Final Letter of Decision

Attachment 1 - Hanford-Info Listserv Notice

From: Wireman, Ginger

Sent: Wednesday, September 14, 2005 11:57 AM

To: HANFORD-INFO@LISTSERV.WA.GOV

Subject: Public Comment Period for Hanford Waste Treatment Plant Permit Modification

Public Comment Invited on Waste Treatment Plant Permit

The Washington State Department of Ecology will hold a comment period for draft permit conditions for constructing a portion of Hanford's Waste Treatment and Immobilization Plant (WTP). The comment period begins on September 19 and will run through November 22, 2005.

The Waste Treatment Plant is being built to vitrify (turn into glass) millions of gallons of highly radioactive and highly toxic waste currently stored in aging underground tanks. This draft modification incorporates construction details of the tank waste treatment facility into the Hanford Facility's Dangerous Waste permit. Specifically, this modification may include information for installation of tanks and ancillary equipment. The draft permit modification may also include adding information to the appendices, clarifying conditions, and correcting minor errors.

Waste Treatment Plant Information

Under the Tri-Party Agreement that governs Hanford cleanup, the U.S. Department of Energy (USDOE) is required to build a waste treatment facility to treat waste remaining from years of nuclear production. Building this type of dangerous/hazardous waste facility requires permits from the State of Washington.

Waste Treatment Plant Permit Process

The Hanford Facility's Dangerous Waste permit encompasses both dangerous and mixed waste management requirements for the Hanford Site. Ecology issued this permit in August 1994 under provisions of the federal Resource Conservation and Recovery Act (RCRA) and the Washington State Dangerous Waste Regulations. This permit is modified periodically to remove, modify and/or add permit conditions for treatment, storage, and disposal units currently in the permit, and to add new units, such as the Waste Treatment Plant. Ecology plans to modify the WTP portion of the permit in phases as new design information becomes available, and as new or modified permit conditions are developed. This phased approach has already allowed construction to begin on some sections of the treatment facility while design on future sections is being completed. As each phase of design work is completed, Ecology will review the design information for the next section of to be built, and once approved, modify the WTP portion of the permit to include the new design information. Ecology will ask for your input on each of these future permit modifications before they are finalized.

What Does This Permit Cover?

According to the current schedule for modifying the permit, this draft permit modification will allow USDOE and its contractor to install tanks and ancillary equipment.

Future permit modifications will incorporate new or modified design information, and new or modified permit conditions (as necessary) for installing equipment such as processing tanks, piping, leak detection instruments, and construction of subsequent levels of each building.

Ecology will ensure that each phase of the construction meets state requirements before issuing each subsequent phase of the permit. This permit modification does not cover future operations of the Waste Treatment Plant. Once construction is complete, Ecology will conduct inspections and prepare a draft permit modifications detailing operational permit conditions, and will ask for your input before approving the final operations permit.

A 45-day public comment period will be held from September 19 to November 22, 2005. No public hearing is planned at this time; however, Ecology will consider requests for a hearing. All comments received during the public-comment period will be considered and responded to when Ecology issues the final permit decision on whether to approve modification of this portion of the permit.

Submit comments to:

Brenda Becker-Khaleel
Washington Department of Ecology,
3100 Port of Benton Bl.
Richland, WA 99354

The permittees are:

(Owner/operator)
U.S. Department of Energy Office of River Protection
PO Box 550
Richland, WA 99352

Co-operator
Bechtel National, Inc.
2534 Stevens Center Place
Richland, WA 99354.

During the comment period, the Statement of Basis and associated documents are available for public review Monday - Friday, 9 a.m. - 12 p.m. and 1 p.m. - 4 p.m., at the Department of Ecology Nuclear Waste Program Library, located at 3100 Port of Benton Bl., Richland, Washington. To make an appointment to review the documents, call (509) 372-7920. The documents are also available for public review at the Department of Ecology Nuclear Waste Program web site, <http://www.ecy.wa.gov/programs/nwp/>

Copies of the permit will be available for review at the Hanford Public Information Repositories beginning on 19, 2005. Information about the repositories is available at <http://www2.hanford.gov/arpir/>.

Please contact Ginger Wireman (509)372-7935 or gwir461@ecy.wa.gov for more information or to request a public hearing. If you have special accommodation needs, please contact Ginger Wireman: (509) 372-7935 (voice), (509) 372-7952-3039 (TTY), or gwir461@ecy.wa.gov (e-mail).

Ginger Wireman
Environmental Education and Outreach Specialist
Ecology, Nuclear Waste Program
3100 Port of Benton Blvd.
Richland, WA 99352
(509)372-7935



TELL US WHAT YOU THINK!

Comment Period for Hanford Waste Treatment Plant Permit Modification

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Under the Tri-Party Agreement that governs Hanford cleanup, the U.S. Department of Energy (USDOE) is required to build a waste treatment facility to treat waste remaining from years of nuclear production. Building this type of dangerous/hazardous waste facility requires permits from the State of Washington.

Waste Treatment Plant Permit Process

The Hanford Facility's Dangerous Waste permit encompasses both dangerous and mixed waste management requirements for the Hanford Site. Ecology issued this permit in August 1994 under provisions of the federal Resource Conservation and Recovery Act (RCRA) and the Washington State Dangerous Waste Regulations. This permit is modified periodically to remove, modify and/or add permit conditions for treatment, storage, and disposal units currently in the permit, and to add new units, such as the Waste Treatment Plant. Ecology plans to modify the WTP portion of the permit in phases as new design information becomes available, and as new or modified permit conditions are developed. This phased approach has already allowed construction to begin on some sections of the treatment facility while design on future sections is being completed. As each phase of design work is completed, Ecology will review the design information for the next section of to be built, and once approved, modify the WTP portion of the permit to include the new design information. Ecology will ask for your input on each of these future permit modifications before they are finalized.

What Does This Permit Cover?

According to the current schedule for modifying the permit, this draft permit modification will allow USDOE and its contractor to install tanks and ancillary equipment.

Future permit modifications will incorporate new or modified design information, and new or modified permit conditions (as necessary) for installing equipment such as processing tanks, piping, leak detection instruments, and construction of subsequent levels of each building.

Ecology will ensure that each phase of the construction meets state requirements before issuing each subsequent phase of the permit. This permit modification does not cover future operations of the Waste Treatment Plant. Once construction is complete, Ecology will conduct inspections and prepare a draft permit modifications detailing operational permit conditions, and will ask for your input before approving the final operations permit.

A 45-day public comment period will be held from September 19 to November 22, 2005. No public hearing is planned at this time; however, Ecology will consider requests for a hearing. All comments received during the public-comment period will be considered and responded to when Ecology issues the final permit decision on whether to approve modification of this portion of the permit.



OVER...

If you need this publication in an alternate format, please contact Nuclear Waste Program at 509.372.7950.
For persons with a speech or hearing impairment call 711 for relay service or 800.833.6388 for TTY.



Nuclear Waste Program
3100 Port of Benton Bl.
Richland, WA 99354

Submit comments to: Brenda Becker-Khaleel
Department of Ecology Nuclear Waste Program
3100 Port of Benton, Bl.
Richland, WA 99354
bbec461@ecy.wa.gov



The permittees are:

Owner/operator
U.S. Department of Energy (USDOE)
Office of River Protection
PO Box 550
Richland, Washington, 99352

Co-operator
Bechtel National, Inc.
2534 Stevens Center Place
Richland, WA 99354.

During the comment period, the permit modification is available for public review Monday – Friday, 9 a.m. – 12 p.m. and 1 p.m. – 4 p.m., at the Department of Ecology Nuclear Waste Program Library, located at 3100 Port of Benton Bl., Richland, Washington. To make an appointment to review the documents, please call (509) 372-7920. The documents are also available for public review at the Department of Ecology Nuclear Waste Program web site, <http://www.ecy.wa.gov/programs/nwp/>

Please contact Ginger Wireman (509)372-7935 or gwir461@ecy.wa.gov for more information or to request a public hearing.

**Comment Period
for Hanford Waste
Treatment Plant Permit
Modification**

Your thought and input is invited on a group of draft permit conditions for constructing a portion of Hanford's Waste Treatment and Immobilization Plant (WTP). The plant is being built to vitrify (immobilize in glass) millions of gallons of highly radioactive waste currently stored in aging underground tanks. This draft modification incorporates construction details of the tank waste treatment facility into the Hanford Facility's Dangerous Waste permit.

Specifically, this modification includes information for:

tank and ancillary equipment installation.

The draft permit modification also includes adding information to the appendices, clarifying conditions, and correcting minor errors.

A 45-day public-comment period will run from September 19 to November 22, 2005. No public hearing is planned at this time; however, Ecology will consider requests for a hearing. To request a hearing, please contact Ginger Wireman, (509) 372-7935, gwir461@ecy.wa.gov.

Copies of the permit are available for review by appointment at the Department of Ecology Richland Office Library, 3100 Port of Benton Blvd., Richland, WA. (509) 372-7920.

Please send written comments to:

Brenda Becker-Khaleel
Department of Ecology Nuclear Waste Program
3100 Port of Benton Blvd.
Richland, WA 99354
bbec461@ecy.wa.gov

All comments received during the public-comment period will be considered and responded to before Ecology issues the final permit decision on whether to approve modification of this portion of the permit.

The permittees are the Owner/Operator U.S. Department of Energy, Office of River Protection, PO Box 550, Richland, Washington, 99352; and Co-Operator, Bechtel National Inc., 2535 Stevens Center Place, Richland, Washington, 99354.

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

January 24, 2006

Mr. Roy J. Schepens, Manager
Office of River Protection
United States Department of Energy
P.O. Box 450, MSIN: H6-60
Richland, Washington 99352-0550

Mr. Keith Klein, Manager
Richland Operations Office
United States Department of Energy
P.O. Box 550, MSIN: A7-50
Richland, Washington 99352-0550

Mr. James Henschel, Project Director
Bechtel National Inc.
2435 Stevens Center Place, MSIN: H4-02
Richland, Washington 99323

Dear Messrs. Schepens, Klein, and Henschel:

Re: Final Permit Decision for Modification of the Hanford Facility's *Dangerous Waste Portion of the Resource Conservation and Recovery Act Permit for the Treatment, Storage, and Disposal of Dangerous Waste*, Part III, Chapter 10 and Attachment 51, Waste Treatment and Immobilization Plant.

This letter serves to notify you of the Department of Ecology's final permit decision to incorporate a number of design packages for the Waste Treatment and Immobilization Plant (WTP) into Part III, Chapter 10, of the Hanford Facility's *Dangerous Waste Portion of the Resource Conservation and Recovery Act Permit for the Treatment, Storage, and Disposal of Dangerous Waste* (WA7890008967). In accordance with WAC 173-303-840(8)(b), this permit decision will become effective thirty (30) days after receipt of this Notice of Decision.



The packages included in this modification are:

- BOF – 07, Revision 0, Secondary Containment for Transfer Lines Below Grade
- BOF – 08, Revision 0, Ancillary Equipment For Transfer Lines Below Grade

Other changes incorporated into the permit include:

- Incorporation of permit condition III.10.C.2.h. and changes to III.10.C.9.d., III.10.C.9.e., and III.10.C.9.h.
- Incorporation of 24590-HLW-PER-M-04-002, Revision 2, Leak Detection Capability in the HLW Facility.
- Incorporation of 24590-HLW-PER-M-04-0001, Revision 0, HLW Facility Waste Removal Capability.
- Incorporation of several Class 1 and/or Class ¹1 Permit modifications, including changes to Part III, Chapter 10, of Appendix 51, which were approved by Ecology in accordance with WAC 173-303-830(4)(a) and include:
 - 24590-WTP-PER-CSA-02-001, Revision 7, Secondary Containment Design.
 - Added notes to four Piping and Instrument Diagrams for the HLW Radioactive Liquid Disposal System:
 - 24590-HLW-M6-RLD-P0015, Revision 0
 - 24590-HLW-M6-RLD-P0017, Revision 0
 - 24590-HLW-M6-RLD-P20004, Revision 0
 - 24590-HLW-M6-RLD-P20005, Revision 0
- Minor changes throughout the Permit for consistency in punctuation, grammar, and presentation.
- Updated table of contents, list of attachments, and attachments.

The final permit modification package consists of the Statement of Basis, Responsiveness Summary, and the revised WTP Permit (Part III, Chapter 10 and Attachment 51) on a CD-ROM. The locations of the new design information are noted in the Statement of Basis for the modification. Changes to the Permit are noted with single-line strike out for text deletions and double underline for text additions.

Hard copies of the final WTP Permit will be available at the Ecology Administrative Record, the Office River Protection Administrative Record, and the Hanford Public Information Repository, all located in Richland.

Messrs. Schepens, Klein, and Henschel
January 24, 2006
Page 3

Ecology reminds the Permittees that the approvals granted in this modification are for the purpose of allowing construction to proceed on a specific part of the WTP (BOF 7 and 8). If other portions or equipment not yet incorporated into the permit were mentioned in the documents approved, Ecology's approval does not extend to those portions of the WTP treatment systems. The permit documents also indicate the systems, equipment, and instrumentation that the Permittees believe is regulated. Ecology does not currently have enough information to make a determination as to the regulatory status of these parts.

If there are any questions regarding this letter, please contact Brenda Becker-Khaleel at (509) 372-7882.

Sincerely,



Jane A. Hedges
Program Manager
Nuclear Waste Program

MAM:lkd
Enclosures

cc w/o enclosures:	Nick Ceto, EPA	Ro Vinson, PAC
	Dave Bartus, EPA	Fred Beraneck, WGI
	John Eschenberg, USDOE	Phil Peistrup, WGI
	Joel Hebdon, USDOE	Steve Piccolo, WGI
	Lori Huffman, USDOE	Stuart Harris, CTUIR
	Tony McKarns, USDOE	Gabriel Bohnee, NPT
	Jim Rasmussen, USDOE	Russell Jim, YN
	Bill Taylor, USDOE	Todd Martin, HAB
	Jim Betts, BNI	Ken Niles, ODOE
	Brad Erlandson, BNI	Environmental Portal

cc w/enc: Administrative Record (9 copies)