

Hanford Facility Dangerous Waste Permit

The Department of Ecology is preparing to reissue Hanford's dangerous waste permit (also known as the site-wide permit). Since the permit is large and complex, many people have questions about it. Here are answers to frequently asked questions and those we anticipate. This version has many new questions and some revised answers. Look for the "NEW and Revised" notes.

Q: Why is there a permit for Hanford?

A: Revised Ecology's job is to protect the state's air, land, and water. At Hanford, that means making sure the cleanup follows our laws and regulations. The permit is how we make sure cleanup meets the requirements in our dangerous waste regulations that protect people and the environment.

The permit sets conditions (instructions to follow) based on the state's laws and regulations that control the treatment, storage, and disposal (TSD) of dangerous (chemically hazardous) wastes. Protection of human health and the environment underlies every permit condition.

Q: NEW What about the comment periods for units in the site-wide permit in public comment now, or during the site-wide permit's comment period?

A: It's true some permit modifications are underway now and during the site-wide permit's comment period. This is needed to keep Hanford's cleanup moving forward. The site-wide permit likely won't be final until 2013 or later, and some work can't wait that long.

For example, the vitrification plant's permit is regularly updated as the design and construction are completed. It would slow or stop progress on construction to wait for the entire permit's reissue. Before we make the site-wide permit final, we will consider the changes from these other comment periods.

WHY IT MATTERS

The site-wide permit protects human health and the environment by regulating how the U.S. Department of Energy and its contractors treat, store, and dispose of dangerous waste.

MORE INFORMATION

Visit Ecology's new permit website at www.ecy.wa.gov/programs/nwp/permitting/hdwp/.

Join the Hanford Cleanup email list at www.ecy.wa.gov/maillist.html.

Email Hanford@ecy.wa.gov or call the Hanford Cleanup Information line at 800-321-2008.

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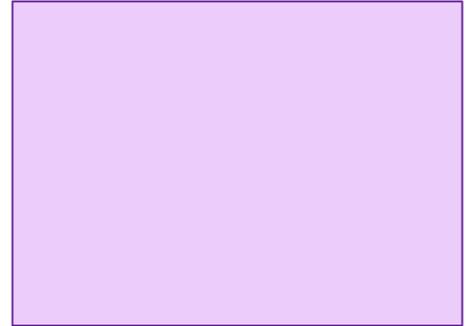
SPECIAL ACCOMMODATIONS

If you need this document in a format for the visually impaired, call Ecology's Nuclear Waste Program at 509-372-7950. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

Q: What is different in this version of the permit?

A: Revised A few things are different.

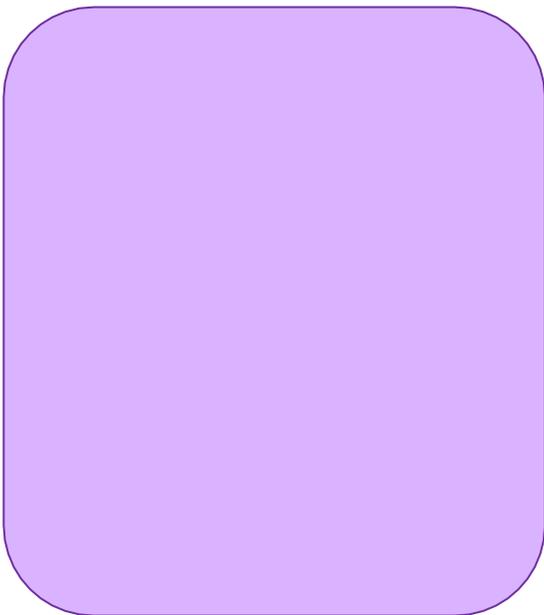
- This is the first time since 1994 that the public can review and comment on the entire permit.
- When the permit is issued, every unit will have permit conditions or a schedule that will lead to permit conditions. (For example, the closure plan for the single-shell tanks is due in several years.)
- To conserve energy and prevent waste, we are providing most copies of the permit (draft and final) on disc rather than paper. (It's also on our [website](#).)
- We are issuing the permit on our own. The original permit was issued by Ecology and the federal Environmental Protection Agency (EPA), because EPA had not yet delegated all authority to us.



Q: What is the public comment process?

A: Revised The comment period will run from May 1 to September 30, 2012. During the public comment period, Ecology will receive written (mail, email, fax) comments. We'll accept oral comments at our public hearings as well.

We will issue a comment response summary and a permit decision after the comment period closes. The goal is to complete this in 90 days but we are very doubtful we can complete it that quickly.



Q: NEW Who will get the responsiveness summary, and how?

A: We will make it available via our website. We'll have it in our office library, US Department of Energy (DOE)'s reading room, and at the Hanford Information Repositories. We will send a copy to our permittee as well. In keeping with our intent to limit printing to save resources, we'll send discs to others on request.

Q: NEW When is the permit final?

A: The reissued permit takes effect 30 days after we send a letter to the permittee and issue the responsiveness summary, unless the permit is appealed. We expect to issue this letter in 2013. Our goal is to issue the permit in February.

Q: NEW Is US Ecology in the permit?

A: The permit does not regulate the US Ecology facility as a treatment, storage, and disposal unit. And it does not require corrective action there now. We reserve the right to require corrective action if it is needed to protect health and the environment. We are now overseeing a Model Toxics Control Act study at the facility. When it is done, we will make a final decision about remediation at the site.

The permit sets a schedule for deciding whether we must impose corrective action requirements on the permittee, and for modifying the permit to add corrective action requirements if they are needed.

Q: NEW How and where does the permit address offsite waste?

A: The permit allows only for the waste streams it specifies to be managed and disposed of at Hanford. These waste streams do not include offsite waste, except for certain exempted categories of waste. Two of these exemptions are the submarine reactor compartments from the U.S. Navy, and waste Hanford sent offsite for treatment, analysis and testing. Other than the exempted categories of waste, the permit does not allow management or disposal of offsite waste at this time.



Hanford's Waste Treatment Plant (vitrification plant)

The permit addresses offsite waste in the sections that deal with the various units that can receive waste, which are [CWC](#), [WRAP](#), [I Plant](#), [trenches 31 and 34](#), and [trench 94](#). Look in the units' fact sheet, conditions, and Addenda B and C (waste analysis plans and processing information).

Q: NEW How does the permit relate to the Tank Closure and Waste Management Environmental Impact Statement (EIS)?

A: We expect to adopt all or part of that EIS to support some of our decisions in the permit, such as the closure plan for the single-shell tanks and double-shell tanks. Neither decision is ready yet, however, so the fact that the EIS is not yet final is not a problem.



Q: NEW How does the permit relate to the Tri-Party Agreement?

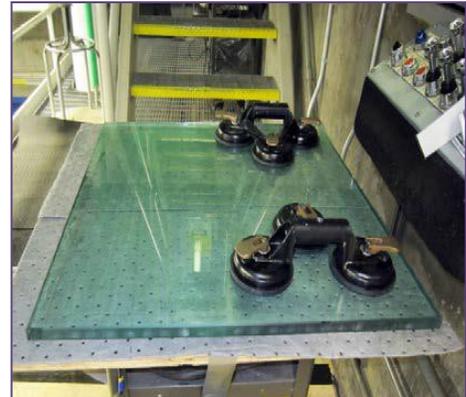
A: Very closely! The agreement has two main parts. One addresses how the agencies work together, and the second part defines the work and schedule for Hanford cleanup.

- **Scope** - The agreement defines which parts of Hanford's cleanup are overseen by EPA and which are overseen by Ecology. It states Ecology will carry out this oversight through a dangerous waste permit.
- **Schedule** – The agreement has schedules in the milestones. Those schedules are incorporated in the permit. Should the milestone schedule change, it is not necessary to modify the permit to incorporate the new dates into the permit.

Q: NEW Will the permit have conditions to limit the carbon emissions from single-occupancy vehicles of Hanford workers?

A: No. Though cars do emit carbon dioxide, the permit covers dangerous wastes, and those emissions don't meet the definitions of dangerous waste. The permittee has a [strategic sustainability performance plan](#) with targets for sustainability objectives, including greenhouse gas emissions.

The basis for the plan is executive orders (EOs) 13514 and 13423 and DOE Order 430.2B.



Refurbished hot cell window at 242-A Evaporator

Q: How does the State Environmental Policy Act (SEPA) apply to the permit?

A: Revised SEPA applies to our decisions to issue dangerous waste permits. We have SEPA checklists for most individual units. For the full permit, we will summarize the SEPA documentation in the permit's fact sheet. While the public notice and comment required under SEPA are distinct from the public comment period for the permit, the timing of these periods can overlap. The SEPA public comment period has the same date as the permit's public comment period.

Q: Who can appeal the permit?

A: Revised Anyone who is adversely affected by Ecology's permit decision can appeal the final permit decision to the pollution control hearings board. See Revised Code of Washington ([RCW 43.21B](#)), Washington Administrative Code (WAC) [173-303-840\(6\)\(a\)](#) and [WAC 173-303-845](#).

Q: How is the permit organized?

A: Revised It is organized into six parts:

Part I has standard conditions. These are conditions that are, for the most part, common to all dangerous waste permits in the state. The basis for these conditions is in [WAC 173-303-810](#). The types of items covered by these conditions are the effect of the permit, duty to provide information, and reporting requirements. This part also explains how the requirements and schedules in the Tri-Party Agreement are incorporated into the permit.

Part II has the general conditions that apply to the entire Hanford Facility. These conditions address items such as training and facility record keeping for the overall site, how to manage underground piping between Hanford facilities, and acceptance of work under other authorities or programs, such as CERCLA, to satisfy corrective action requirements.

Part III has conditions for units that actively treat, store, or dispose of dangerous wastes. Examples of these units are the Waste Treatment Vitrification Plant and the Central Waste Complex.

Part IV has conditions for corrective action areas to clean up spills and releases from sites no longer in use. These areas consist of soil cleanup sites and cleanup of groundwater. EPA and Ecology oversees the cleanup of these sites under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and we reserve the right to require more work if we think the cleanup is not protective.

Part V has conditions for units undergoing closure. The units are no longer receiving waste and have begun actions to reduce threats to human health and the environment, but more work is needed. Examples of these units are ponds, cribs, and ditches.

Part VI has unit-specific conditions for closed sites that require long-term monitoring because of remaining contamination.

Q: How will Ecology make the permit available for public review and comment?

A: Revised The full permit will be available on Ecology's Nuclear Waste Program website and on disc at Ecology's Nuclear Waste Program Office in Richland, DOE's reading room, and the Hanford Information Repositories.

Other publications will explain the permit and how you can participate in the decision process.



Groundwater treatment system

- The [public notice](#) has the basic facts about the permit and the public comment process.
- The regulations require a fact sheet, or statement of basis, that lays out the process for decision making, permit basics, and the basis for permit conditions and variances. We have fact sheets for each of the individual units, which address technical information on the unit. The Hanford-wide fact sheet describes the overall permitting process at Hanford. If you want to understand how we interpret and apply the regulations for a particular unit, the unit fact sheet is the document to read.
- Our website has cards that give a quick glance at each unit – what and where it is, what the unit handles, how it relates to other parts of Hanford, and the unit's risk. View them at <http://www.ecy.wa.gov/programs/nwp/permitting/hdwp>, then click the name of the unit you are interested in.

Q: How does the permit affect cleanup decisions?

A: The permit will cover the "end state" of final cleanup, for any part of Hanford under the authority of the dangerous waste regulations, which has or had any dangerous waste at any time. It won't have any role in cleanup decisions for Hanford facilities without dangerous wastes (for example, plutonium disposition).

Q: What authority does Ecology have to enforce the permit?

A: Ecology's authority to issue and enforce the permit comes from the Hazardous Waste Management Act, RCW [Chapter 70.105](#) and the Dangerous Waste Regulations. Our enforcement tools include the authority to issue penalties if the permittees do not comply with the terms of the permit. The penalty can be up to \$10,000 per day per violation of the permit. The public and EPA can also enforce conditions of the permit.



Ecology's goal is to protect, preserve, and restore the environment

Q: Who should care about the permit? Why should I care?

A: The USDOE and its contractors will care about this permit, since it will regulate how they treat, store, and dispose of dangerous wastes at Hanford. If you are interested in how Ecology is going about its job of protecting human health and the environment through its regulation of Hanford's cleanup, you should care about this permit.

Q: Whom does the permit regulate?

A: The permit regulates USDOE and its Hanford contractors. The permit refers to them as the "Permittees."

Q: Can the permit prevent USDOE from bringing more waste to Hanford?

A: Ecology doesn't have authority to directly regulate purely radioactive wastes, including preventing the import of purely radioactive wastes through a dangerous waste permit. But we do regulate the dangerous waste component of mixed radioactive and dangerous wastes. If the radioactive waste coming to Hanford is mixed with dangerous wastes, then we still may apply dangerous waste requirements to the waste. We believe we have the authority to impose any conditions necessary to protect human health and the environment in permitting USDOE's treatment, storage, and disposal of dangerous waste, including placing limits on waste disposal based on conditions at the Hanford facility.

Q: What is NOT regulated by the permit? A:

The permit does not regulate the cleanup of strictly radioactive materials, such as plutonium. For example, the permit does not address the plutonium in the Plutonium Finishing Plant, though it does address soil and groundwater sites near it.

Q: What does the permit regulate?

A: The permit regulates the treatment, storage, and disposal of dangerous wastes. The permit regulates these activities within the entire 586-square-mile Hanford Facility. The legal description of the Hanford Facility is in Attachment 2 of the permit.

The dangerous waste regulations don't cover all wastes at Hanford. For example, the permit does not directly regulate radioactive wastes. It does regulate the dangerous (chemically hazardous) component of mixed radioactive and hazardous wastes. If dangerous wastes are mixed with radioactive wastes, we still apply our dangerous waste standards and requirements to the waste.

USDOE regulates radioactive wastes under the authority of the Atomic Energy Act of 1954, as amended.

Other legal authorities besides the permit apply at Hanford. For example, EPA oversees the cleanup of parts of Hanford under CERCLA. The permit regulates cleanup of the same areas, but generally allows the CERCLA process to take the lead, with Ecology reserving the right to impose more corrective actions via a permit modification, if needed to satisfy our state's dangerous waste regulations.

Q: Will the permit address how much waste is left in the soil? What information will support this decision?

A: Yes. We will decide how much waste is left in the soil in the unit-specific closure plans. When the closure plans are final, they become part of the permit. Information supporting closure plan decisions will come from historical records, sampling, environmental analyses, and statistical data. We will review the information and seek public involvement for each closure plan before we approve it.

Q: Where in the permit are conditions for groundwater?

A: At the start of Hanford's cleanup, the Tri-Party Agreement agencies organized Hanford's waste sites into operable units. They defined groundwater under the waste sites as distinct operable units. Groundwater is addressed in Section II.F of the General Conditions and in the unit-specific conditions of operating units (Part III), closure units (Part V), and corrective action areas (Part IV).



Submarine reactor compartment on its way to disposal at Hanford

Q: How long is the permit in effect?

A: The term for the permit is 10 years. This is the longest period the regulations ([WAC 173-303-806](#)[11]) allow. The regulations allow the old permit to remain in place until the new permit is issued.

Your questions here?