



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **Response to Comments**

**Proposed Permit Modification: 8C.2016.2D  
- Changes to Part V of the Hanford Site-wide  
Permit, Waste Encapsulation and Storage  
Facility (WESF)**

**March 14 – April 27, 2016**

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*Summary of a public comment period and responses to comments*

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Ecology publishes this document to meet the requirements of [Washington Administrative Code 173-303-840 \(9\)](#).

*If you need this document in a format for the visually impaired, call the 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.*

# **Response to Comments**

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**Proposed Permit Modification: 8C.2016.2D - Changes  
to Part V of the Hanford Site-wide Permit, Waste  
Encapsulation and Storage Facility (WESF)**

**March 14 – April 27, 2016**

Department of Ecology  
Nuclear Waste Program  
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## INTRODUCTION

The Washington State Department of Ecology's Nuclear Waste Program manages dangerous waste within the state by writing permits to regulate its treatment, storage, and disposal.

When a new permit or a significant modification to an existing permit is proposed, Ecology holds a public comment period to allow the public to review the change and provide formal feedback. (See [Washington Administrative Code \[WAC\] 173-303-830](#) for types of permit changes.)

This Response to Comments addresses public comments received during a comment period held March 14, 2016, through April 27, 2016. The comment period supported a permit modification for the Hanford Waste Encapsulation and Storage Facility (WESF) that was proposed by the United States Department of Energy and CH2M Hill Plateau Remediation Company (permittees).

The purpose of this Response to Comments is to:

- *Describe and document public involvement actions.*
- *List and respond to all significant comments received during the WESF Hot Cell A through F public comment period.*

### **This Response to Comments is prepared for:**

Comment period: 8C.2016.2D – Changes to Part V of the Hanford Site-wide Permit, Waste Encapsulation and Storage Facility (WESF), March 14 – April 27, 2016

Permit: *Hanford Facility Resource Conservation and Recovery Act (RCRA) Permit for the Treatment, Storage, and Disposal of Dangerous Waste, Part V, Closure Unit Group 6, Waste Encapsulation and Storage Facility Hot Cells A through F*

Permittee(s) U.S. Department of Energy Richland Operations  
CH2M HILL Plateau Remediation Company

Original issuance date: September 27, 1994

For more information related to the Hanford Site and nuclear waste in Washington, please visit our website: [www.ecy.wa.gov/programs/nwp](http://www.ecy.wa.gov/programs/nwp).

## REASONS FOR MODIFYING THE PERMIT

The proposed changes are Class 3 permit modifications to the Hanford Facility Dangerous Waste Permit, which regulates the storage, treatment, and disposal of Hanford's dangerous chemical and mixed chemical and radioactive waste.

This modification will move one Dangerous Waste Management Unit (DWMU) (Hot Cell A through F) within the WESF Operating Unit Group (OUG) 14 from Part III, Operating Unit Group of the Hanford Permit to Part V, Closure Unit Group 6, of the Hanford Permit.

Large amounts of legacy contamination throughout some hot cells and the ventilation system require the stabilization of the contamination, as well as upgrades to the ventilation system. The proposed changes are necessary to support replacement of the K3 ventilation exhaust system at WESF, which is permitted under the Hanford Air Operating Permit. The current filters are beyond their design life and are deteriorating. Therefore, a new system is being installed to ensure continued safe operations at WESF.

To replace the K3 ventilation system, the permittee must stabilize WESF hot cell contamination left over from prior waste processing activities by filling the cells with grout. The stabilization effort requires:

- A revision to the WESF Part A Application, which details facility information.
- Submittal of a closure plan to detail this interim step to closure at WESF. The closure plan will address Hot Cells A through F, which are no longer operational.

Two changes were made to the permit in response to the comments received during the public comment period. Clarifying text was added to the Part A Form and two sentences were removed from the Closure Plan. See details of the changes made in Ecology's responses to Comment #3 and Comment #4 found on page 9 below.

### **Land Disposal Restriction (LDR) Treatment Variance for WESF Hot Cells B & C**

In addition to the proposed permit modifications, the permittees submitted to Ecology a request for a site-specific treatability variance from applicable LDR treatment standards for specific waste items in Hot Cells B and C. These waste containers hold a small amount of floor sweepings containing strontium fluoride, processing debris and other wastes produced during the last steps of cleanup and shutdown of operations.

Ordinarily, this type of waste would be treated by mixing the waste with a stabilizing agent, followed by sampling and analysis to confirm that LDR treatment standards have been met. However, these containers of waste are highly radioactive, with half-lives of about 30 years for cesium-137 and 29 years for strontium-90. Meeting LDR treatment standards requires intrusive activities and handling of this waste, increasing risk of exposure to workers and the environment and generation of additional mixed waste. In addition, the high radiological nature of the waste containers interferes with laboratory analyses needed to confirm treatment was successful.

The variance will allow stabilization by an alternative treatment method of macroencapsulation of these waste containers. This method uses grout to surround the waste, which protects human health and the environment by reducing the leachability of contaminants and minimizing waste generation and potential radiological exposure to workers. The requested treatability variance detailed the justification and protectiveness of this alternative.

The treatability variance request was submitted in January 2015. Ecology has approved the request in accordance with [WAC 173-303-014](#), and it is referenced in the closure plan that was submitted as part of this permit modification.

## **PUBLIC INVOLVEMENT ACTIONS**

Ecology encouraged public comment on the Part A and Closure Plan during a 45-day public comment period held March 14, 2016, through April 27, 2016.

The following actions were taken to notify and involve the public:

- Sent a public notice announcing the comment period to about 1900 subscribers to the Hanford mailing list.
- Placed an advertisement announcing the comment period in the *Tri-City Herald* on March 13, 2016.
- Sent a notice announcing the start of the comment period to the Hanford-Info email list, which had about 1500 subscribers.

The Hanford information repositories located in Richland, Spokane, and Seattle, Washington and Portland, Oregon received the following documents for public review:

- Public notice
- Transmittal letter
- Fact Sheet
- WESF Part A
- WESF Hot Cell A through F Closure Plan
- Treatability Variance Request

The following public notices for this comment period are in Appendix A of this document:

1. Focus Sheet
2. Advertisement in the *Tri-City Herald*
3. Notice sent to the Hanford-Info email list

## LIST OF COMMENTERS

### Commenter Identification:

The table below lists the names of organizations or individuals who submitted a comment on the WESF Hot Cells A through F Permit modification during the March 14, 2016, through April 27, 2016, public comment period. The last column lists the page number where you can find Ecology's response to the comments.

Commenter	Organization	Comment Number	Page Number
Mike Conlan	Citizen	1	5
Carl Holder	Citizen	2	5
Moses Jaraysi	CH2M HILL Plateau Remediation Company (CHPRC) Co-Permittee	3	6
U.S. Department of Energy Richland Operations Office (RL)	Federal Government	4	10

## RESPONSE TO COMMENTS

### Description of Comments:

Ecology accepted comments on the Closing Unit Group 6, WESF Hot Cells A through F from March 14, 2016, through April 27, 2016. This section provides a summary of comments received during the public comment period and our responses, as required by [Revised Code Washington \(RCW\) 34.05.325\(6\)\(a\)\(iii\)](#). All comments are listed individually and each is addressed separately. Ecology's responses directly follow each comment in italic font. Verbatim copies of all written comments are attached in [Appendix B](#).

### Comment #1 from Mike Conlan, Citizen, March 12, 2016

USDOE:

- 1) Remove all nuclear waste,
- 2) Do not allow anymore nuclear waste into the facility,
- 3) Replace all the single storage tanks,
- 4) Stop all the nuclear leakage entering the Columbia River.

#### ***Ecology Response to Public Comment #1:***

*Ecology is working to ensure that long-term storage, treatment, and disposal of the waste is protective of human health and the environment. The proposed permit changes are not to allow new waste, but to better manage the waste already at Hanford.*

*Single-shell tanks are not included within the scope of this comment period. Ecology does agree the single-shell tanks pose a threat. We believe a better approach to addressing it is to remove the waste from the single-shell tanks and put it in the compliant double-shell tanks to prepare for eventual treatment in the Waste Treatment Plant, now being built.*

*The closure of WESF Hot Cells A-F will not impact groundwater or surface water. The hot cells will be removed and remaining soil will be sampled to ensure that there is no remaining contamination above regulatory limits which may impact groundwater.*

### Comment #2, from Carl Holder, Citizen, March 14, 2016

The capsules of Cesium and Strontium have high value.

- The Cesium is highly valuable as an excellent source of gamma radiation.
- The Strontium capsules are also valuable for sources of beta radiation and daughter isotopes.

Gamma radiation is very useful as for medical sterilization, phytosanitary needs, etc.

This Strontium resource has many uses in nuclear medicine and contains valuable daughter isotopes.

The proposed expensive upgrade to ventilate a building that is pending decommission sounds counterproductive during these difficult budgetary times.

A broader plan would include an analysis of the opportunities to transition the Cesium and Strontium capsules, now substantially decayed, to beneficial use.

***Ecology Response to Public Comment #2:***

*We agree that the Cesium and Strontium capsules must be managed appropriately.*

*Although decayed from the time of initial fabrication, the cesium and strontium capsules stored at WESF continue to represent a significant potential hazard to human health and the environment. WESF must be operated and maintained in a manner that ensures protection from this hazard until the capsules are removed from the facility.*

*To continue to safely manage these capsules, the ventilation system at the WESF facility must be replaced and upgraded due to immediate technical and safety concerns. This is the first step in eventual movement of the capsules to a dry storage facility.*

*At this point in time, there is no identified market for the cesium and strontium contained within the capsules.*

**Comment #3, from CH2M HILL Plateau Remediation Company (CHPRC), April 26, 2016**

CHPRC has reviewed the draft Proposed Permit Modification 8C.2016.2D to the Hanford Facility RCRA Permit, Dangerous Waste Portion, Revision 8C, for the Treatment, Storage, and Disposal Dangerous Waste, Part V, Closure Unit Group 6, Waste Encapsulation and Storage Facility Hot Cells A through F Closure Plan and the Addendum A Waste Encapsulation and Storage Facility Part A Form published for public comment. To ensure a thorough understanding of the permit and conditions, we have reviewed each condition, addendum, and attachment to determine whether the condition or requirement:

- Is consistent with the regulatory requirements under the Washington Administrative Code (WAC) and within the scope of Ecology's permitting authority
- Is clearly written and understandable
- Is consistent with the long history of our prior agreements with Ecology
- Reflects current operational needs and requirements
- Could practically be met to maintain completeness.

We have prepared our comments in a Review Comment Response format consistent with comments received from Ecology. This format provides (1) the condition or requirement identifier; (2) a comment that reflects what is necessary to be done with the condition or requirement; (3) a basis for the action proposed in the comment; and (4) suggested language where appropriate that would make the condition or requirement acceptable to the Permittees. We have identified two primary issues of concern regarding changes to the permit from the time of

submittal of the draft permit from DOE-RL to Ecology and the time of publication for public comment.

**Comment Number 1:**

**Permit Section:**

Addendum A Waste Encapsulation and Storage Facility Part A Form, Section XII. Process Codes and Design Capacities and Section XIII. Other Process Codes

**Comment Text:**

Section XII and Section XIII Line Item 1.C Process Total Number of Units was modified from “002” to “003”. The Permittees believe the Process Total Number of Units is “002” as submitted to Ecology, which includes the two operating dangerous waste management units: Hot Cell G and Pool Cells. The Hot Cell A through Hot Cell f dangerous waste management unit is a closing unit and is not available for storage of the waste stream located in WESF.

**Basis Text:**

The Part A Form instructions state, “For container storage, combine all storage capacity on one line and list the number of container storage units under C. *Process Total Number of Units.*” Hot Cells A through F will be filled with grout and closed. Once the unit is filled with grout, there will be no storage capabilities for the waste stream located in WESF, therefore it should not be included in the design capacity number of units.

**Recommended Text:**

Section XII and Section XIII Line Item 1.C Process Total Number of Units should be modified to “002”.

***Ecology Response to Comment Number 1 within Public Comment #3:***

*A unit’s regulatory identity is established as of the date it qualifies for interim status (non-permitted facilities), or receives permit authorization through the permitting or permit modification process. A unit retains that regulatory identity until certification of the completion of closure according to the approved closure plan is provided to Ecology.*

*The fact that Ecology and the permittees have declared or agreed that any given unit is on a path to closure, and will no longer accept additional dangerous or mixed waste, in no way changes the regulatory identity of the unit. While it is true that no additional waste can physically be placed in these units once grouted, closure is not completed until final land disposal of the hot cells (as anticipated in the draft closure plan).*

*The basis text associated with this comment also states that because hot cells A-F will be grouted as the initial (but not final) activity under the anticipated approved closure plan, there will no longer be any storage capacity, and the unit should not be included in the design capacity of the units. These units lose their regulatory identity only after certification of completion of closure according to the approved closure plan. The fact that the unit will not be able to accept waste due*

*to grouting does not provide any regulatory basis to conclude that the units are not dangerous waste management units.*

*A modification has been made to the Part A to address the permittees' concern about clarifying Hot Cells A through F capacity. Ecology, in coordination with the permittees, decided to leave the total number of process units at 003 and not change it to 002 in Section XII. However, a change has been made in Section XIII, and each process unit is now listed individually, so that the storage capacity for each DWMU is clearly detailed.*

**Comment Number 2:**

**Permit Section:**

Addendum H Waste Encapsulation and Storage Facility Hot Cell A through F Dangerous Waste Management Unit Closure Plan, Section H-A5.7, Removal of Wastes and Waste Residues, page Addendum H.50, lines 21-23.

**Comment Text:**

Section H-A5.7, page Addendum H.50, lines 21-23 were modified from the draft provided to Ecology from DOE as follows:

~~“Waste remaining in the trays and pipes was generated before RCRA became effective on the Hanford Facility, but it is conservatively managed as hazardous waste to establish~~ has been in storage since the hot cells were placed in surveillance and maintenance mode. These containers are subject to the dangerous waste regulation and must meet closure performance standards.”

**Basis Text:**

RCRA waste management regulations only apply to actions taken to manage waste after the date when the waste was legally classified as hazardous waste subject to the RCRA regulations. The first date when RCRA regulations became effective to some categories of waste was November 19, 1980. As explained by EPA in the December 21, 1988, Federal Register (Vol.53, 51444), “Many CERCLA actions occur in areas of contamination that contain waste treated, disposed of, **or stored** prior to November 19, 1980. If left **untouched, waste in such areas** are not currently regulated under Subtitle C of RCRA.” (Emphasis added) In other words, waste which was put in place prior to the effective date of the regulation which later classified it as hazardous waste, and had not been moved since that date (in that case, some 8 years later) had not been “actively managed” during the period when RCRA regulation was in effect, and the waste was therefore not subject to regulation under RCRA.

Similarly, Washington regulations recognize this jurisdictional time limit in WAC 173-303-040, which defines “generator” as “any person, by site, whose act or process produces dangerous waste or whose act first causes a dangerous waste to become subject to regulation.” [Emphasis added]

EPA did not initially authorize the Washington State Department of Ecology to regulate the management of the dangerous waste component in a mixture of radioactive and mixed waste. EPA granted authorization to first regulate the management of radioactive mixed waste in August 1987. Actions managing radioactive mixed waste prior to that date were not, and are not, regulated by

Ecology. The waste in the trays and pipes in these areas of WESF was put in its current location prior to the August 1987 effective date when Ecology began regulating the management of radioactive mixed waste. Since that time, the waste has been left untouched, and has not experienced any active management which could trigger application of the dangerous waste regulations to this waste. To summarize: The waste in these locations has not been actively managed because it has not been physically disturbed, nor have any additional wastes been added to these wastes. Indeed, while the management of Cesium 137 and Strontium 90 capsules in a radioactive materials storage pool has been agreed to by Ecology and DOE to constitute management of mixed waste, and therefore is subject to various requirements of WAC 173-303, by contrast the waste in the trays and pipes at issue here has never been included in the description of the waste managed under the WESF dangerous waste permit during the nearly 30 years since August 1987.

**Recommended Text:**

Section H-A5.7, page Addendum H.50, lines 21-23 should read, “Waste remaining in the trays and pipes was generated and put in place before August 1987, when mixed radioactive waste was first regulated on the Hanford Facility, and has not been regulated under RCRA and WAC 173-303. Nevertheless, the non-radioactive component of this material will be addressed according to dangerous waste closure performance standards to assure protection of human health and the environment.”

***Ecology Response to Comment Number 2 within Public Comment #3:***

*Ecology and the permittees are currently working to establish an agreed to definition and criteria for distinguishing between past-practice units and TSD units. In order to address the current risk to human health and the environment that exists at the WESF Facility, in a timely manner, Ecology has made a decision to remove the two sentences in the closure plan, mentioned in this comment.*

*The removal of the two sentences detailed in the comment will not in any way alter the necessary closure actions that are required of the permittee and detailed in the WESF Closure Plan.*

*It is Ecology’s primary goal to protect human health and the environment. Ecology is confident that the closure steps detailed in the WESF Closure Plan are compliant with the RCRA (dangerous waste) closure requirements and are necessary to stabilize the hot cells and replace the ventilation system at WESF.*

*To establish the path forward for resolution of the above disagreement, Ecology will take the following steps:*

- *Ecology will add the issue of storage of waste prior to the effective date of RCRA to the Revision 9 Hanford Site-wide Permit Renewal Major Issues discussion topics.*
- *Ecology will make this an issue for discussion at the Tier 1 and Tier 2 committees.*

**Comment #4, from U.S. Department of Energy Richland Operations Office (RL), April 27, 2016**

This letter is responding to your letter of March 11, 2016, (16-NWP-048) regarding the Permit Modification 8C.2016.2D to the Hanford Facility RCRA Permit for WESF. The U.S.

Department of Energy Richland Operations Office (RL) and its Contractors have reviewed the draft RCRA Permit, Dangerous Waste Portion, Revision 8C, for the Treatment, Storage, and Disposal Dangerous Waste, Part V, Closure Unit Group 6, WESF Hot Cells A through F Closure Plan, and the Addendum A, WESF Part A Form published for public comment. To ensure a thorough understanding of the permit and conditions, we have reviewed each condition, addendum, and attachment to determine whether the condition or requirement:

- Is consistent with the regulatory requirements under the Washington Administrative Code (WAC) and within the scope of Ecology's permitting authority
- Is clearly written and understandable
- Is consistent with the long history of our prior agreements with Ecology
- Reflects current operational needs and requirements
- Could practically be met to maintain completeness.

We have prepared our comments in a Review Comment Response format consistent with comments received from Ecology. This format provides (1) the condition or requirement identifier; (2) a comment that reflects what is necessary to be done with the condition or requirement; (3) a basis for the action proposed in the comment; and (4) suggested language where appropriate that would make the condition or requirement acceptable to the Permittees. RL has identified two primary issues of concern regarding changes to the permit from the time of submittal of the draft permit from RL to Ecology and the time of publication for public comment.

### **Comment Number 1:**

#### **Permit Section:**

Addendum A Waste Encapsulation and Storage Facility Part A Form, Section XII. Process Codes and Design Capacities and Section XIII. Other Process Codes

#### **Comment Text:**

Section XII and Section XIII Line Item 1.C Process Total Number of Units was modified from "002" to "003". The Permittees believe the Process Total Number of Units is "002" as submitted to Ecology, which includes the two operating dangerous waste management units: Hot Cell G and Pool Cells. The Hot Cell A through Hot Cell f dangerous waste management unit is a closing unit and is not available for storage of the waste stream located in WESF.

#### **Basis Text:**

The Part A Form instructions state, "For container storage, combine all storage capacity on one line and list the number of container storage units under C. *Process Total Number of Units.*" Hot Cells A through F will be filled with grout and closed. Once the unit is filled with grout, there will be no storage capabilities for the waste stream located in WESF, therefore it should not be included in the design capacity number of units. As modified by Ecology, the CH2M HILL Plateau Remediation Company (CHPRC) would be unable to certify the Part A Form.

#### **Recommended Text:**

Section XII and Section XIII Line Item 1.C Process Total Number of Units should be modified to "002".

***Ecology Response to Comment Number 1 within Public Comment #4:***

*A unit's regulatory identity is established as of the date it qualifies for interim status (non-permitted facilities), or receives permit authorization through the permitting or permit modification process. A unit retains that regulatory identity until certification of the completion of closure according to the approved closure plan is provided to Ecology.*

*The fact that Ecology and the permittees have declared or agreed that any given unit is on a path to closure, and will no longer accept additional dangerous or mixed waste, in no way changes the regulatory identity of the unit. While it is true that no additional waste can physically be placed in these units once grouted, closure is not completed until final land disposal of the hot cells (as anticipated in the draft closure plan).*

*The basis text associated with this comment also states that because hot cells A-F will be grouted as the initial (but not final) activity under the anticipated approved closure plan, there will no longer be any storage capacity, and the unit should not be included in the design capacity of the units. These units lose their regulatory identity only after certification of completion of closure according to the approved closure plan. The fact that the unit will not be able to accept waste due to grouting does not provide any regulatory basis to conclude that the units are not dangerous waste management units.*

*A modification has been made to the Part A to address the permittees' concern about clarifying Hot Cells A through F capacity. Ecology, in coordination with the permittees, decided to leave the total number of process units at 003 and not change it to 002 in Section XII. However, a change has been made in Section XIII, and each process unit is now listed individually, so that the storage capacity for each DWMU was clearly detailed.*

**Comment Number 2:**

**Permit Section:**

Addendum H Waste Encapsulation and Storage Facility Hot Cell A through F Dangerous Waste Management Unit Closure Plan, Section H-A5.7, Removal of Wastes and Waste Residues, page Addendum H.50, lines 21-23.

**Comment Text:**

Section H-A5.7, page Addendum H.50, lines 21-23 were modified from the draft provided to Ecology from DOE as follows:

~~“Waste remaining in the trays and pipes was generated before RCRA became effective on the Hanford Facility, but it is conservatively managed as hazardous waste to establish~~ has been in storage since the hot cells were placed in surveillance and maintenance mode. These containers are subject to the dangerous waste regulation and must meet closure performance standards.”

**Basis Text:**

RCRA waste management regulations only apply to actions taken to manage waste after the date when the waste was legally classified as hazardous waste subject to the RCRA regulations. The

first date when RCRA regulations became effective to some categories of waste was November 19, 1980. As explained by EPA in the December 21, 1988, Federal Register (Vol.53, 51444), “Many CERCLA actions occur in areas of contamination that contain waste treated, disposed of, **or stored** prior to November 19, 1980. If left **untouched, waste in such areas** are not currently regulated under Subtitle C of RCRA.” (Emphasis added) In other words, waste which was put in place prior to the effective date of the regulation which later classified it as hazardous waste, and had not been moved since that date (in that case, some 8 years later) had not been “actively managed” during the period when RCRA regulation was in effect, and the waste was therefore not subject to regulation under RCRA.

Similarly, Washington regulations recognize this jurisdictional time limit in WAC 173-303-040, which defines “generator” as “any person, by site, whose act or process produces dangerous waste or whose act first causes a dangerous waste to become subject to regulation.” (Emphasis added)

EPA did not initially authorize the Washington State Department of Ecology to regulate the management of the dangerous waste component in a mixture of radioactive and mixed waste. EPA granted authorization to first regulate the management of radioactive mixed waste in August 1987. Actions managing radioactive mixed waste prior to that date were not, and are not, regulated by Ecology. The waste in the trays and pipes in these areas of WESF was put in its current location prior to the August 1987 effective date when Ecology began regulating the management of radioactive mixed waste. Since that time, the waste has been left untouched, and has not experienced any active management which could trigger application of the dangerous waste regulations to this waste. To summarize: The waste in these locations has not been actively managed because it has not been physically disturbed, nor have any additional wastes been added to these wastes. Indeed, while the management of Cesium 137 and Strontium 90 capsules in a radioactive materials storage pool has been agreed to by Ecology and DOE to constitute management of mixed waste, and therefore is subject to various requirements of WAC 173-303, by contrast the waste in the trays and pipes at issue here has never been included in the description of the waste managed under the WESF dangerous waste permit during the nearly 30 years since August 1987.

**Recommended Text:**

Section H-A5.7, page Addendum H.50, lines 21-23 should read, “Waste remaining in the trays and pipes was generated and put in place before August 1987, when mixed radioactive waste was first regulated on the Hanford Facility, and has not been regulated under RCRA and WAC 173-303. Nevertheless, the non-radioactive component of this material will be addressed according to dangerous waste closure performance standards to assure protection of human health and the environment.”

***Ecology Response to Comment Number 2 within Public Comment #4:***

*Ecology and the permittees are currently working to establish an agreed to definition and criteria for distinguishing between past-practice units and TSD units. In order to address the current risk to human health and the environment that exists at the WESF Facility, in a timely manner, Ecology has made a decision to remove the two sentences in the closure plan, mentioned in this comment.*

*The removal of the two sentences detailed in the comment will not in any way alter the necessary closure actions that are required of the permittee and detailed in the WESF Closure Plan.*

*It is Ecology's primary goal to protect human health and the environment. Ecology is confident that the closure steps detailed in the WESF Closure Plan are compliant with the RCRA (dangerous waste) closure requirements and are necessary to stabilize the hot cells and replace the ventilation system at WESF.*

*To establish the path forward for resolution of the above disagreement, Ecology will take the following steps:*

- *Ecology will add the issue of storage of waste prior to the effective date of RCRA to the Revision 9 Hanford Site-wide Permit Renewal Major Issues discussion topics.*
- *Ecology will make this an issue for discussion at the Tier 1 and Tier 2 committees.*

### **Comment Number 3:**

#### **Permit Section:**

Addendum A Waste Encapsulation and Storage Facility Part A Form, Section XII. Process Codes and Design Capacities and Section XIII. Other Process Codes and Addendum H WESF Hot Cell A through F Dangerous Waste Management Unit Closure Plan, Section H-A5.7, Removal of Wastes and Waste Residues, page Addendum H.50, lines 21-23.

#### **Comment Text:**

Section XII and Section XIII Line Item 1.C Process Total Number of Units was modified from "002" to "003." The Permittees believe the Process Total Number of Units is "002" as submitted to Ecology, which includes the two operating dangerous waste management units: Hot Cell G and the Pool Cells. The Hot Cell A through Hot Cell F dangerous waste management unit is a closing unit and is not available for storage of the waste stream located in WESF.

Section H-A5.7, page Addendum H.50, lines 21-23 were modified from the draft provided to Ecology.

#### **Basis Text:**

The closure plan package submittal to Ecology requires that the department either accept it as filed, or provide a completeness determination. It is not a charter for Ecology to disagree with the substance of the plan and the permit modification it is embedded in, but to simply ensure that it has all the basic information to constitute a "closure plan."

The WAC 173-303-830(4) regulations states that permit modifications that are submitted by a permit holder are to be published by the permit holder and public comments submitted to Ecology, which will consider amendments in the final version of the permit modification after considering public comment. Ecology has made a revision before the submitted version was offered for public comment.

**Recommended Text:**

Section XII and Section XIII Line Item 1.C Process Total Number of Units should be modified back to what RL and CHPRC certified in the modification submittal, “002” as stated in Comment 1 above.

Section H-A5.7, page Addendum H.50, lines 21-23 should be modified back to what RL and CHPRC certified in the modification submittal as stated in Comment 2 above.

***Ecology Response to Comment Number 3 within Public Comment #4***

*The basis text as written is not accurate. This is a Class 3 Permit Modification, and Ecology is responsible to draft a permit to submit for public comment. It is within Ecology’s authority to draft the permit language to ensure that it is accurate and compliant with the regulations. If the details in the permittee’s application do not reflect the regulatory status of the facility, Ecology must correct text as necessary prior to drafting the permit and initiating the public comment period.*

*The permittees did provide a modification request to Ecology as detailed in [WAC 173-303-830\(4\)\(c\)](#). During the permittee’s 60-day public comment period, Ecology reviewed the submitted permit modification and on March 25, 2015, we determined that the modification was incomplete. We then provided to the permittees a list of deficiencies to be addressed before Ecology could accept and draft the permit to initiate the second public comment period.*

*In the process of addressing the deficiencies, Ecology informed the permittees that the number of DWMUs and the two sentences on Page H.50 lines 21-23 were inaccurate and would need to be revised by the permittee or revised when Ecology drafted the permit. The permittees were made aware of the areas where Ecology planned to make revisions to the text prior to the permit being drafted and issued for public comment. Ecology also shared an advanced copy of the draft permit with the permittee, prior to the start of the public comment period.*

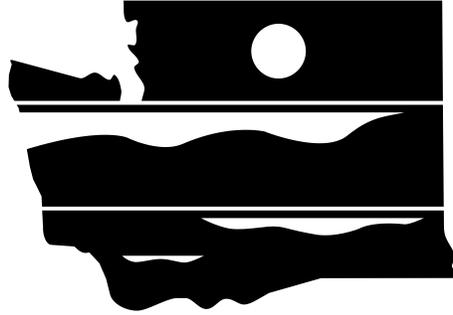
*The commenter references [WAC 173-303-830\(4\)](#) in their basis text, but the correct reference is [WAC 173-303-830\(4\)\(c\)\(vi\)](#), [WAC 173-303-840\(1\)\(b\)](#) and [WAC 173-303-840\(2\)\(a\)](#).*

*All the revisions Ecology made to the draft permit are in compliance with [WAC 173-303-840](#) and were included in the draft permit that was submitted for a public comment period from March 14, 2016, through April 27, 2016. The public had a chance to review and comment on the draft permit as detailed in [WAC 173-303-830](#). See also response to comment number 1 within comment number 4.*

## **APPENDIX A: COPIES OF ALL PUBLIC NOTICES**

Public notices for this comment period:

1. Fact Sheet
2. Focus Sheet
3. Classified advertisement in the *Tri-City Herald*
4. Notice sent to the Hanford-Info email list



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**Fact Sheet**

**Proposed Permit Modification to Part V of the *Hanford Facility Resource Conservation and Recovery Act Permit, Dangerous Waste Portion, Revision 8C, for the Treatment, Storage, and Disposal of Dangerous Waste, WA7890008967*, to add Closure Unit Group 6, Waste Encapsulation and Storage Facility Hot Cells A through F**

March 2016

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## Fact Sheet

### **Proposed Permit Modification to Part V of the *Hanford Facility Resource Conservation and Recovery Act Permit, Dangerous Waste Portion, Revision 8C, for the Treatment, Storage, and Disposal of Dangerous Waste, WA7890008967, to add Closure Unit Group 6, Waste Encapsulation and Storage Facility Hot Cells A through F***

#### Permittees

The permit is to be issued to Hanford's owner and operators. The U.S. Department of Energy (USDOE), as the owner and operator of the facility, is a permittee. USDOE is a single permittee, although it is listed below recognizing it has two offices in Richland, Washington. Hanford contractors are also permittees because they are the co-operators.

United States Department of Energy  
Richland Operations Office  
(Owner/Operator)  
PO Box 550  
Richland, Washington 99352

United States Department of Energy  
Office of River Protection  
(Owner/Operator)  
PO Box 450  
Richland, Washington 99352

CH2M HILL Plateau Remediation Company  
(Co-Operator)  
PO Box 1600, MSIN: H7-30  
Richland, Washington 99352

Washington River Protection Solutions, LLC  
(Co-Operator)  
PO Box 850, MSIN: H3-21  
Richland, Washington 99352

Mission Support Alliance, LLC  
(Co-Operator)  
PO Box 650, MSIN: H1-30  
Richland, Washington 99352

Pacific Northwest National Laboratory  
(Co-Operator)  
PO Box 999, MSIN: K1-46  
Richland, Washington 99352

Bechtel National, Inc.  
(Co-Operator)  
2435 Stevens Center Place, MSIN: H4-02  
Richland, Washington 99354

Washington Closure Hanford, LLC  
(Co-Operator)  
2620 Fermi Avenue, MSIN: H4-24  
Richland, Washington 99354

The Washington State Department of Ecology (Ecology) is proposing a draft permit modification to Part V of the *Hanford Facility Resource Conservation and Recovery Act Permit, Dangerous Waste Portion, Revision 8C, for the Treatment, Storage, and Disposal of Dangerous Waste* (hereafter called the Hanford Site-wide Permit). This draft permit modification adds Closure Unit Group 6, Waste Encapsulation and Storage Facility (WESF) Hot Cells A through F to Part V of the Hanford Site-wide Permit. This draft permit modification consists of the Closure Unit Group 6 permit conditions, Part A form, and closure plan.

The proposed modifications also provide information on the requested Treatability Variance associated with the Hot Cells A through F.

Ecology developed this Fact Sheet to fulfill the requirements of Washington Administrative Code (WAC) 173-303-840(2)(f).

This Fact Sheet is divided into seven sections:

- 1.0 Hanford Site-Wide Permit Background
- 2.0 WESF Facility and Hot Cells A through F Dangerous Waste Management Unit Description
- 3.0 Class 3 Permit Modification Process for WESF Hot Cells A through F
- 4.0 Proposed Modification to Part V of the Hanford Site-wide Permit
- 5.0 Procedures for Reaching a Final Decision on the Draft Permit Modification
- 6.0 State Environmental Policy Act

## **1.0 Hanford Site-wide Permit Background**

Ecology's Nuclear Waste Program (NWP) manages dangerous waste within the State by writing permits to regulate its treatment, storage, and disposal.

Ecology has the authority to regulate dangerous waste and the dangerous waste components of mixed (radioactive and dangerous) waste, under 70.105 RCW and WAC 173-303. The Hanford Site-wide Permit has requirements for the treatment, storage, and disposal of dangerous and mixed waste at Hanford. Ecology does not regulate waste that is solely radioactive. USDOE has the exclusive authority to regulate radioactive materials and radioactive waste at Hanford.

Ecology first issued the Hanford Site-wide Permit in 1994. The facility has been operating under that initial permit since then. Since 1994, the permit has been modified several times to incorporate changes or updates and to incorporate and closeout several dangerous waste management units (DWMUs).

The Hanford Site-wide Permit provides standard and general facility conditions, as well as unit group conditions for the operation, closure, and post-closure care of DWMUs at Hanford. These DWMUs are administratively grouped into operating, closure, or post-closure unit groups in the Site-wide Permit. Each unit group may contain one or more DWMU.

The Hanford Site-wide Permit is organized as follows:

- |          |  |
|----------|--|
| Part I   | Standard Conditions.                       |
| Part II  | General Facility Conditions.               |
| Part III | Operating Units.                           |
| Part IV  | Corrective Action for Past Practice Units. |
| Part V   | Closure Units.                             |
| Part VI  | Post-Closure Units.                        |

In 2012, NWP issued Revision 9 of the Hanford Site-wide Permit with 37 unit groups and two Corrective Action units. The DWMUs within the unit groups are operating, in closure, or in post-closure. At this time, the State is reconciling the over 5,000 public, EPA, and permittee comments received on that Revision 9 draft. Until a new Revision 9 of the Hanford Site-wide

Permit is issued for a new public comment period, the legal and enforceable revision of the Hanford Site-wide Permit is Revision 8C.

This draft permit modification adds Closure Unit Group 6, WESF Hot Cells A through F to Part V of the Hanford Site-wide Permit. The Part V, Closure Unit Group 6 draft permit modification consists of the unit group permit conditions specific to closure of WESF Hot Cells A through F, Part A form, Closure Plan, the permittees treatability variance request and Ecology's approval of the treatability variance request. Adding the WESF Hot Cells A through F to Part V of the Hanford Site-wide Permit is a Class 3 permit modification.

## **2.0 WESF Facility and Hot Cells A through F Dangerous Waste Management Unit Description**

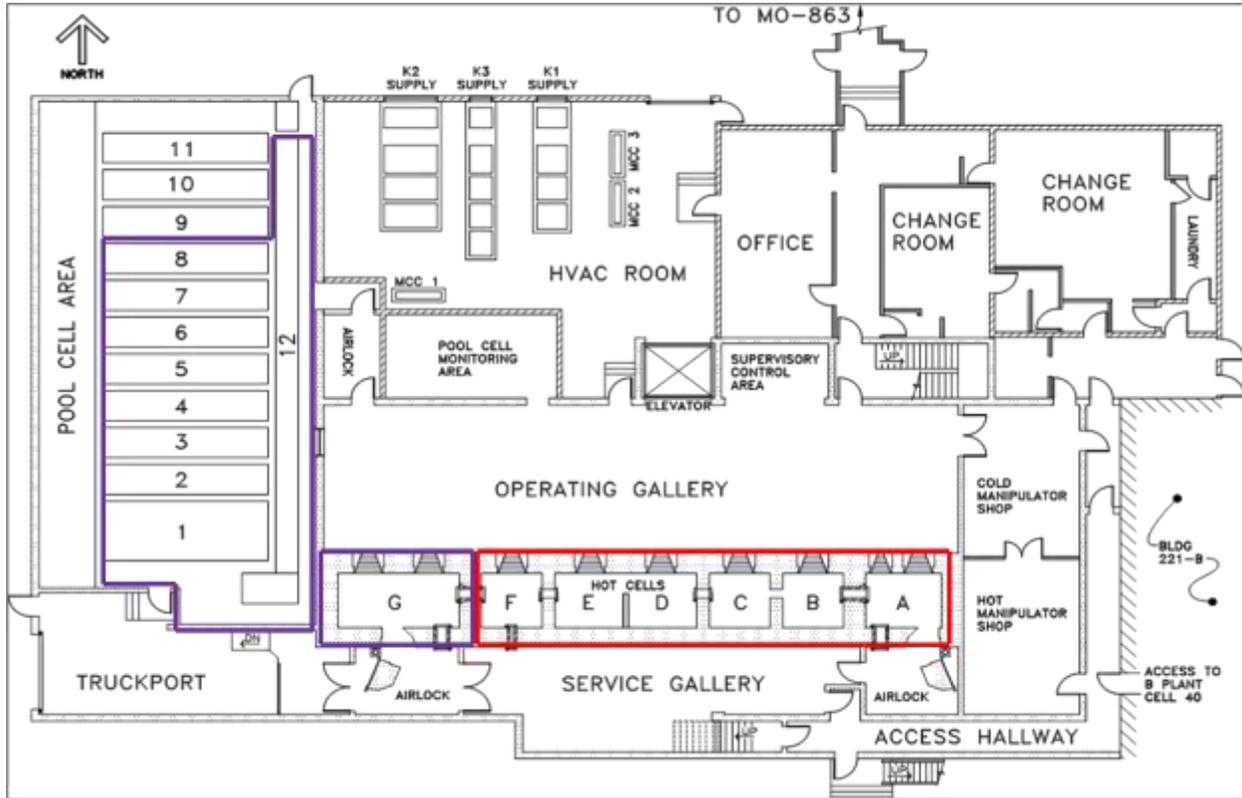
WESF was constructed on the west end of B Plant between 1971 and 1973 to encapsulate and store radioactive cesium-137 (Cs-137) and strontium-90 (Sr-90) that had been separated from plutonium production waste stored in underground storage tanks on the Hanford Facility. Separation of cesium and strontium from tank waste occurred at B Plant.

WESF consists of seven hot cells, the hot cell service area, operating areas, building service areas, and the pool cell area. WESF has three DWMUs: two operating (Hot Cell G and Pool Cells 1-8 and 12) and one initiating closure (Hot Cells A through F). These three DWMUs are miscellaneous units.

The hot cells, hot cell service area, operating areas, and building service areas supported encapsulation operations. Encapsulation included conversion of Cs-137 to cesium chloride and Sr-90 to strontium fluoride, placement of cesium chloride and strontium fluoride into double walled stainless steel capsules, and seal welding of the capsules. As a result of these activities, the hot cells became contaminated with a significant amount of Cs-137 and Sr-90, along with smaller amounts of dangerous constituents.

Large amounts of legacy contamination throughout some hot cells and the ventilation system require the stabilization of the contamination, as well as upgrades to the ventilation system. The proposed modifications are necessary to support replacement of the K3 ventilation exhaust system at WESF, which is permitted under the Hanford Air Operating Permit. The current filters are beyond their design life and are deteriorating. Therefore, a new ventilation exhaust system will be installed to ensure continued safe operations at WESF.

To replace the K3 ventilation system, USDOE must stabilize WESF hot cell contamination left over from prior waste processing activities by filling the cells with grout. The stabilization effort requires a revised Part A and Closure Plan as presented in this modification.



Waste Encapsulation and Storage Facility Pool and Process Cells

### 3.0 Class 3 Permit Modification Process for WESF Hot Cells A through F

On December 11, 2014, the permittees submitted a Class 3 permit modification request to Ecology for the WESF Hot Cells A through F, which included a draft Part A and a draft closure plan. The permittees held a public comment period from December 11, 2014 through February 12, 2015. The permittees also held a public meeting on January 7, 2015 at the Richland Public Library. The public comment period was subsequently extended to March 3, 2015 to give the public time to review the Petition for Site-Specific Variance from Land Disposal Restriction (LDR) Treatment Standards that was submitted to Ecology by the permittees.

After review of USDOE's Class 3 permit modification, Ecology issued a letter of incompleteness on March 25, 2015 in accordance with Washington Administrative Code (WAC) 173-303-830(4)(c)(vi) and WAC 173-303-840(1)(b). After working with the permittees to resolve the items of incompleteness and technical deficiencies Ecology issued a letter of completeness to the Class 3 permit modification on February 11, 2016. The same day Ecology also issued an approval to the permittees request for a Site-Specific Variance from Land Disposal Restriction (LDR) Treatment Standards.

Public comments from the permittees' comment period are addressed by Ecology in a response to comment document. Revision 8C of the Hanford Site-wide Permit will be modified by permit modification. In order to be complete and thorough in developing the draft permit, Ecology has also responded to WESF specific public comments that were received during the draft Revision 9 permit renewal public comment period (May 1, 2012 to October 22, 2012), in this response to

comment document. This response to comment document accompanies the draft permit modification. This response to comment document associated with the USDOE 60-day public comment period and the draft Revision 9 renewal public comment period is available online at <http://www.ecy.wa.gov/programs/nwp/commentperiods.htm>.

#### **4.0 Proposed Modification to Part V of the Hanford Site-wide Permit**

The proposed draft permit modification adds Closure Unit Group 6, WESF Hot Cells A through F to Part V of the Hanford Site-wide Permit. The draft permit modification consists of permit conditions, Part A, and a closure plan for initiating closure of WESF Hot Cells A through F.

The closure plan describes the steps that USDOE will take to perform clean closure of Hot Cells A through F. To support stabilization of the old ventilation system and Hot Cells A through F, USDOE will complete both initial and final closure activities. Initial closure activities will be site preparation, unit modification and evaluation prior to stabilization, and stabilization of the contamination within Hot Cells A through F. Following completion of the initial Hot Cell A through F closure activities, an extended closure period will begin prior to completion of final clean closure of the Hot Cells A through F DWMU. Final closure activities for Hot Cells A through F will be completed concurrent with closure activities for the remaining two operating DWMUs.

The unit group permit conditions and Addenda in Part V, Closure Unit Group 6 are intended to protect human health and the environment by ensuring the WESF Hot Cells A through F is closed according to the approved Addendum H, Closure Plan. Ecology reviewed the closure plan submittal for the WESF Hot Cells A through F and has included permit conditions to ensure the permittees comply with environmental standards, and modify the closure plan as needed during closure activities.

Permit Condition V.6.A is a standard permit condition that appears as the first permit condition for each unit group. It refers to the Hanford Site-wide Permit Attachment 9, Permit Applicability Matrix, which identifies which Part I and Part II Permit Conditions are applicable to DWMUs within Part III, V, or VI unit groups. The permit condition also prevents conflicts between the unit group permit conditions, and the Part I and II Permit Conditions.

Permit Condition V.6.B.1 requires the permittees to comply with all of the requirements set forth in the Addendum H, Closure Plan, and to close WESF Hot Cells A through F in accordance with the plan.

Permit Condition V.6.B.2 is intended to ensure sampling assumptions made in the Addendum H, Closure Plan, *Section H-A5.13, Sampling and Analysis Plan and Constituents to be Analyzed*, were met. If sampling assumptions were not met, the permit condition requires the permittees to submit a permit modification request to amend the closure plan to include a revised sampling design.

In addition to the proposed permit modifications and permit conditions, USDOE also submitted a request for a site-specific treatability variance from applicable LDR treatment standards (letter 15-AMRP-0070) for six containers of waste in Hot Cells B and C, in accordance with WAC 173-303-140. These six containers of waste contain floor sweepings with strontium fluoride and processing debris, including metal shavings, and other miscellaneous waste material produced

during operation of the hot cells. Four of the six containers are trays in the Hot Cell B furnace with approximately 0.6 kg of strontium fluoride floor sweepings, and two capped pipes in the southwest corner of Hot Cell C with approximately 1.2 kg of strontium fluoride floor sweepings.

Ecology approved USDOE's request for treatability variance on February 11, 2016 (letter number 16-NWP-010), which will allow stabilization by an alternative treatment method of macroencapsulation of these waste containers. This method will use grout to completely surround the waste, which will be protective of human health and the environment by reducing the leachability of contaminants and minimizing waste generation and potential radiological exposure to workers. The requested treatability variance and approval has detailed the justification and protectiveness of the alternative treatment.

## **5.0 Procedures for Reaching a Final Decision on the Draft Permit Modification**

The Washington State Dangerous Waste Regulations in WAC 173-303-830 describe the types of changes or modifications that may be made to a Dangerous Waste Permit issued by Ecology.

Part I, Part II, and Attachment 9 Permit Applicability Matrix will be modified after the public comment period when the permit modification becomes effective.

This draft permit modification was prepared according to the procedures in WAC 173-303-840(2). As required by WAC 173-303-840(3)(d), draft permits Ecology issues will have at least a 45-day public comment period. The public comment period for this draft permit begins on March 14, 2016 and ends on April 27, 2016.

Comments must be post-marked, received by e-mail, or hand-delivered no later than close of business (5:00 p.m. PST) April 27, 2016. Direct all written comments to:

Stephanie Schleif  
Washington State Department of Ecology  
3100 Port of Benton Boulevard  
Richland, Washington 99354  
E-mail address: [hanford@ecy.wa.gov](mailto:hanford@ecy.wa.gov)

In accordance with WAC 173-303-840(10)(c), when a permit is modified, only those conditions to be modified will be reopened when a new draft permit is prepared. All other aspects of the existing Permit remain in effect for the duration of the modification.

Ecology will consider and respond to all written comments on this draft permit modification submitted by the deadline. Ecology will then issue a final permit modification that will become effective 30 days after the issuance date. If the final decision includes substantial changes to the draft permit modification because of public comment, we will consider initiating a new public comment period.

A public hearing is not scheduled, but if there is enough interest, Ecology will consider holding one. To request a hearing or for more information, contact:

Dieter Bohrmann  
Washington State Department of Ecology  
(509) 372-7950  
E-mail address: [hanford@ecy.wa.gov](mailto:hanford@ecy.wa.gov)

After completion of the 45-day public comment period, Ecology will issue the final Hanford Site-wide Permit with Part V, Closure Unit Group 6, WESF Hot Cells A through F to the permittees. NWP will also issue a Response to Comments document to the permittees. The final permit decision may be appealed within 30 days after issuance of that decision. If there is no appeal, the permit will stand as issued.

Copies of the Part V, Closure Unit Group 6, WESF Hot Cells A through F, conditions, Part A, closure plan and treatability variance approval are available for review at the NWP Resource Center, USDOE Administrative Record, and Hanford Public Information Repositories. For additional information call (509) 372-7950 or e-mail [hanford@ecy.wa.gov](mailto:hanford@ecy.wa.gov).

United States Department of Ecology  
Nuclear Waste Program Resource Center  
3100 Port of Benton Boulevard  
Richland, Washington 99354  
Contact: Valarie Pardue (509) 372-7950

United States Department of Energy  
Administrative Record  
2440 Stevens Drive  
Richland, Washington 99354  
Contact: Heather Childers (509) 376-2530

## **Hanford Public Information Repositories**

### **Richland**

United States Department of Energy  
Reading Room  
2770 Crimson Way  
Richland, Washington 99354  
Contact: Janice Parthree (509) 372-7443

### **Portland**

Portland State University  
Branford Price Millar Library  
1875 Southwest Park Avenue  
Portland, Oregon 97201  
Contact: Claudia Weston (503) 725-4542

### **Seattle**

University of Washington Suzzallo Library  
4000 15<sup>th</sup> Avenue Northeast  
Seattle, Washington 98195  
Contact: Emily Keller (206) 685-2660

## **Spokane**

Gonzaga University  
Foley Center  
502 East Boone Avenue  
Spokane, Washington 99258  
Contact: John Spencer (509) 313-6110

Information on the proposed permit modification is also available online at <http://www.ecy.wa.gov/programs/nwp/commentperiods.htm>. If special accommodations are needed for public comment, contact Ecology's Nuclear Waste Program at (509)372-7950.

### **6.0 State Environmental Policy Act**

In accordance with WAC 187-11-960, the Permittees provided a certified environmental checklist for WESF Hot Cells A through F. Ecology's review of the checklist resulted in a Determination of Significance/Adoption of the USDOE's *Hanford Defense High Level, Transuranic and Tank Wastes EIS* Record of Decision. A copy of the Determination of Significance/Adoption is available online at <http://www.ecy.wa.gov/programs/nwp/commentperiods.htm>

# Ecology Proposes Permit Change to Close Parts of Hanford Storage Facility

The [Washington State Department of Ecology](#) (Ecology) is proposing a change to the *Hanford Facility Resource Conservation and Recovery Act (RCRA) Permit*, Revision 8C. This change would close Hot Cells A through F at the Waste Encapsulation and Storage Facility (WESF), which are no longer operating.

Large amounts of legacy contamination throughout the hot cells and ventilation system require stabilization of the contamination and upgrades to the ventilation system. The proposed changes are needed to support replacement of the K3 ventilation exhaust system at WESF, which is permitted under the Hanford Air Operating Permit.

As part of replacement of the ventilation exhaust system, the U.S. Department of Energy and its contractor (the permittees) proposed to stabilize WESF Hot Cell contamination left over from prior waste processing activities by filling Hot Cells A through F with grout. The stabilization effort requires submittal of a closure plan for WESF Hot Cells A through F.

Ecology has approved a treatment variance for specific waste items in Hot Cells B and C under [Washington Administrative Code 173-303-140](#). This variance will use grout to completely surround the waste containers, which protects human health and the environment by reducing the leachability of contaminants and minimizing waste generation and potential radiological exposure to workers. The treatability variance is detailed in the closure plan for WESF Hot Cells A through F.

Ecology invites you to review, and comment on this WESF Permit modification.

## View the Full Proposal

This document is a summary of the proposed WESF Permit changes. The full proposal is available beginning March 14, 2016, on [Ecology's website](#) ([www.ecy.wa.gov/programs/nwp/commentperiods.htm](http://www.ecy.wa.gov/programs/nwp/commentperiods.htm)) or at Hanford's public information repositories. (See locations on next page).

### WHY IT MATTERS

Nearly 2,000 capsules of cesium and strontium are stored underwater at Hanford's Waste Encapsulation and Storage Facility (WESF). The ventilation system in the aging facility needs to be replaced. In order to replace the system, we need to close Hot Cells A through F, which are no longer operating. This modification will add these hot cells as a closing unit to the Hanford Permit, Revision 8C.

### PUBLIC COMMENT PERIOD

March 14 through  
April 27, 2016

### To Submit Comments

Please send comments by email (preferred), U.S. mail, or hand deliver them to:

Stephanie Schleif  
3100 Port of Benton Blvd.  
Richland, WA 99354  
[Hanford@ecy.wa.gov](mailto:Hanford@ecy.wa.gov)

### Public Meeting

A public meeting is not scheduled, but if there is enough interest, we will consider holding one. To request a hearing or for more information, contact:

Dieter Bohrmann  
509-372-7950  
[Hanford@ecy.wa.gov](mailto:Hanford@ecy.wa.gov)

### Special Accommodations

If you require special accommodations or need this document in a version for the visually impaired, call the Nuclear Waste Program at 509-372-7950.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.



3100 Port of Benton Blvd.  
Richland, WA 99354

**Public Comment Period on  
Hanford's Waste Encapsulation  
and Storage Facility**

March 14 through April 27, 2016

Submit questions or comments to:

[Hanford@ecy.wa.gov](mailto:Hanford@ecy.wa.gov)

(See page 1 for more options.)

## Public Information Repositories

Ecology Nuclear Waste Program Resource Center  
3100 Port of Benton Blvd.  
Richland, WA 99354  
Contact: Valarie Pardue 509-372-7950

Portland State University Library  
1875 Southwest Park Avenue  
Portland, OR 97201  
Contact: Claudia Weston 503-725-4542

U.S. Department of Energy Administrative Record  
2440 Stevens Drive, Room 1101  
Richland, WA 99354  
Contact: Heather Childers 509-376-2530

University of Washington Suzzallo Library  
4000 15<sup>th</sup> Avenue Northeast  
Seattle, WA 98195  
Contact: Emily Keller 206-685-2660

U.S. Department of Energy Public Reading Room  
2770 Crimson Way, CIC Room 101L  
Richland, WA 99354  
Contact: Janice Parthree 509-372-7443

Gonzaga University, Foley Center Library  
502 East Boone Avenue  
Spokane, WA 99258  
Contact: John Spencer 509-313-6110



# CLASSIFIED LEGALS

### 2015-2016 Transportation Vehicle Fund Budget Revision

Finley School District #53 has completed the 2015-2016 Transportation Vehicle Fund Budget Revision. The Board of Directors will meet on Monday, March 21, 2016 at 7:00 p.m. at River View High School for the purpose of fixing and adopting the 2015-2016 Transportation Vehicle Fund Budget Revision Adoption. Any interested taxpayers may appear and be heard for or against any part of said budget. The 2015-2016 Transportation Vehicle Fund Budget Revision is on file at the Finley School District Administration office, 224606 E Game Farm Rd. Kennewick WA. A copy of the budget revision will be furnished to any person upon request.

Lance Hahn  
Superintendent  
#2313958 03/06 & 03/13/2016

### Bargains

Free 3-line ad for items priced under \$200

### CALL FOR BIDS (REBID)

NOTICE IS HEREBY GIVEN that Public Utility District No. 1 of Franklin County will receive sealed bids until 3:00 pm, **Tuesday, March 29, 2016**, at the offices of the District at 1411 West Clark Street, Pasco, Washington, or by mail at P. O. Box 2407, Pasco, WA 99302-2407. Bid is for furnishing one (1) 115 kV circuit switcher, as per specifications, which may be obtained from the office of the District in Pasco, Washington. Bid prices shall be firm for a minimum of sixty (60) days from the date of the bid opening. All bid prices shall exclude State and local sales taxes and use tax.

All bids shall be sealed and shall be marked:

"Document 8918 - 115 kV Circuit Switcher"

Bids will be publicly opened in the District office at 1411 West Clark Street, Pasco, Washington, on Tuesday, March 29, 2016, at 3:00 p.m. The District reserves the right to reject any or all bids and to waive informalities that may arise during the bidding process.

Each bid shall be accompanied by a certified or cashier's check payable to the order of the Commissioners of Public Utility District No. 1 of Franklin County, for a sum not less than five percent (5%) of the amount of the bid or accompanied by a bid bond in an amount not less than five percent (5%) of the bid with a corporate surety licensed to do business in the State of Washington. This Call for Bids is in conformity with R.C.W. 54.04.070 and 54.04.080 and such statutes are incorporated into this Call for Bids. PUBLIC UTILITY DISTRICT NO. 1 OF FRANKLIN COUNTY  
By: /s/ Rebecca Diaz  
Contract Specialist  
#2324105 03/13/2016

### CITY OF PASCO NOTICE OF SPECIAL MEETING

PLEASE TAKE NOTICE that the Pasco City Council will have a dinner on Friday, March 18 at 5:30pm at Pasco Red Lion, 2525 N. 20th Avenue, in the Executive Board Room (no business will be discussed). Council will discuss its biennial goals during their retreat at the Pasco Red Lion on Friday, March 18 beginning at 6:30pm in the Oak/Pine Room, and on Saturday, March 19 at the Pasco Best Western Inn & Suites, 2811 N 20th Avenue, in the Tuscan Room beginning at 8:00am. Please contact the City Manager's office at 509-545-3404 if you have any questions.  
#2323657 03/13/2016

### CITY OF RICHLAND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Richland City Council will conduct a public hearing at its regular meeting on Tuesday, March 15, 2016 at 7:30 p.m. in the Council Chamber, Richland City Hall, 505 Swift Boulevard, Richland, Washington. The purpose of the hearing is to receive public comments regarding the vacation of a portion of Wellhouse Loop. Comments may also be faxed to (509) 942-7468 or emailed to smelendrez@ci.richland.wa.us. Written comments, addressed to Jeffrey Peters, should be received no later than 5:00 p.m. on Tuesday, March 15, 2016. A copy of the proposal will be available for review at the City Clerk's Office or on the City's website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us) beginning Friday, March 11, 2016. For more information, contact the City's Public Works Department at (509) 942-7500 or at [smelendrez@ci.richland.wa.us](mailto:smelendrez@ci.richland.wa.us).  
#2321252 03/13/2016

### CITY OF RICHLAND, WASHINGTON CALL FOR BIDS CONTRACT: 16-0008 2016 SLURRY SEAL WITH MICROSURFACING BIDS DUE: MARCH 31, 2016, 2:00 P.M.

Public notice is hereby given that sealed bids will be received for the City of Richland's 2016 Slurry Seal with Microsurfacing Project by the City of Richland Purchasing Division at 2700 Duportail, bldg. 100, until the date and time specified above, at which time bids will be opened and read publicly. This project provides for the construction of Type 2 emulsified asphalt slurry (73,000 square yards) and Microsurfacing, Type 3 (13,500 square yards); traffic control, pavement marking removal, and other incidental work all in accordance with the attached Contract Plans, these Contract Provisions, and the Standard Specifications.

Full notice and complete details of the solicitation are available from [www.PublicPurchase.com](http://www.PublicPurchase.com). Interested contractors must first register with Public Purchase. There is no charge to register, receive notifications or view and download the documents. Visit the City of Richland website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us) under Departments/Administrative Services/Purchasing/Public Purchase for information on how to register. The City of Richland in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.  
#2321188 03/13 & 03/20/2016

### CITY OF RICHLAND, WASHINGTON CALL FOR BIDS CONTRACT: 16-0019 2016 ASPHALT RUBBERIZED CHIP SEAL BIDS DUE: MARCH 31, 2016, 2:30 P.M.

Public notice is hereby given that sealed bids will be received for the City of Richland's 2016 Asphalt Rubberized Chip Seal Project by the City of Richland Purchasing Division at 2700 Duportail, bldg. 100, until the date and time specified above, at which time bids will be opened and read publicly. This project provides for the construction of 3/8 Inch Asphalt Rubberized Chip Seal, Type IV (64,500 square yards); traffic control, pavement marking removal, and other incidental work all in accordance with the attached Contract Plans, these Contract Provisions, and the Standard Specifications.

Full notice and complete details of the solicitation are available from [www.PublicPurchase.com](http://www.PublicPurchase.com). Interested contractors must first register with Public Purchase. There is no charge to register, receive notifications or view and download the documents. Visit the City of Richland website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us) under Departments/Administrative Services/Purchasing/Public Purchase for information on how to register.

a pilot bore hole, approximately 1000' deep followed by drilling, constructing, and testing one municipal water supply (production) well on City owned land south of the Yakima River, and including other incidental work all in accordance with the Contract Plans, Contract Provisions, and the Standard Specifications. There will be a pre-bid meeting for this project on March 16, 2016, starting at 11:00 a.m., at the project site. All proposers are strongly encouraged to attend. Full notice and complete details of the solicitation are available from [www.PublicPurchase.com](http://www.PublicPurchase.com). Interested contractors must first register with Public Purchase. There is no charge to register, receive notifications or view and download the documents. Visit the City of Richland website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us) under Departments/Administrative Services/Purchasing/Public Purchase for information on how to register. The City of Richland in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.  
#2314689 03/06 & 03/13/2016

### The Washington State Department of Ecology Announces a 45-Day Public Comment Period for Modifications to the Hanford Facility Resource Conservation and Recovery Act Permit, Dangerous Waste Portion, Revision 8C, for the Treatment, Storage, and Disposal of Dangerous Waste, Part V, Closure Unit Group 6, Waste Storage and Encapsulation Facility (WESF) Hot Cells A through F Permit

March 14, 2016 through April 27, 2016

The Washington State Department of Ecology is proposing a modification to the Hanford Site-wide Permit, Part V, Closure Unit Group 6, Waste Storage and Encapsulation Facility (WESF) Hot Cells A through F.

The Permittees are:  
United States Department of Energy  
PO Box 550  
Richland, Washington 99352  
CH2M HILL Plateau Remediation Company  
P.O. Box 1600  
Richland, Washington 99352

**Why It Matters**  
This is a brief summary of the changes proposed for Closure Unit Group 6, WESF Hot Cells A through F. This draft permit includes draft permit conditions, a Part A, Closure Plan for WESF Hot Cells A through F and supporting documentation for the treatability variance. Large amounts of legacy contamination throughout the hot cells and ventilation system require stabilization of the contamination, as well as upgrades to the ventilation system. The proposed changes are necessary to support replacement of the K3 ventilation exhaust system at WESF, which is permitted under the Hanford Air Operating Permit.

As part of the replacement of the K3 ventilation system, the permittees proposed to stabilize WESF hot cell contamination left over from prior waste processing activities by filling Hot Cells A through F with grout. The stabilization effort requires a revision to the WESF Part A, which details facility information, and submittal of a closure plan to detail the steps for clean closure of Hot Cells A through F at WESF.

To review the proposed modification in detail beginning March 14, 2016, visit the Washington State Department of Ecology website at <http://www.ecy.wa.gov/programs/nwp/commentperiods.htm>.

You can also review the proposed modification at one of the Hanford Public Information Repositories:

Washington State Department of Ecology  
Nuclear Waste Program Resource Center  
3100 Port of Benton Boulevard  
Richland, Washington 99354  
Contact: Valarie Pardue  
509-372-7950

Portland State University  
Branford Price Millar Library  
1875 Southwest Park Avenue  
Portland, Oregon 97201  
Contact: Claudia Weston 503-725-4542  
United States Department of Energy  
Administrative Record  
2440 Stevens Drive  
Richland, Washington 99354  
Contact: Heather Childers 509-376-2530

University of Washington,  
Suzzallo Library  
4000 15th Avenue Northeast  
Seattle, Washington 98195  
Contact: Emily Keller 206-685-2660

United States Department of Energy  
Reading Room  
2770 Crimson Way  
Richland, Washington 99354  
Contact: Janice Parthree  
509-372-7443

Gonzaga University, Foley Center Library  
502 East Boone Avenue  
Spokane, Washington 99258  
Contact: John Spencer 509-313-6110

Your views and concerns are important to the Washington State Department of Ecology. For more information on the public comment period, please contact Stephanie Schleich at [hanford@ecy.wa.gov](mailto:hanford@ecy.wa.gov) or (509) 372-7950.  
#2323914 03/13/2016

### INVITATION FOR BID

Clearwater Ave., Suite 201, Kennewick, Washington

Copies may be obtained at the office of J-U-B ENGINEERS, Inc., located at 2810 West Clearwater Avenue, Suite 201, Kennewick, WA, 99336, upon payment of \$10.00 for each set, which is non-refundable. Plans and Specifications will also be available on the J-U-B FTP site. Directions to the FTP site are included below.

Bids will only be accepted from registered planholders who have purchased a set of Plans and Contract Documents from J-U-B ENGINEERS, Inc. All addenda will also be placed on the FTP site.

To access J-U-B's ftp site:  
Navigate to the following URL - [ftp.jub.com](http://ftp.jub.com)  
Username: RichlandPMP  
Password: Airport

Each bid must be accompanied by a certified check, cash, cashier's check, or bid bond in an amount not less than 5% of the total bid.

This project is subject to the wage provisions of the Washington State Public Works Laws and related acts.

The Contractor may be required to furnish the OWNER with satisfactory evidence of his competency to perform the work contemplated with the bid.

The Port of Benton reserves the right to reject any and all proposals, waive any informalities, postpone the award of the Contract for a period not to exceed sixty (60) days, and accept the proposal that is in the best interest of the OWNER.

The Port of Benton is an equal opportunity and affirmative action employer. Small, minority, veteran and women-owned businesses are encouraged to submit bids.  
#2324884 03/13 & 03/16/2016

### INVITATION TO BID

The City of West Richland will receive sealed bids for the N. 62ND AVE STORMWATER RETROFIT PROJECT at the Public Works Building, 3801 West Van Giesen, West Richland, Washington, 99353 until Tuesday, March 29, 2016 at 11:00 a.m.

The project will retrofit an existing stormwater collection and conveyance system with the removal and installation of catch basins and drywells, installation of storm sewer pipe, and CDS systems. This will include construction surveying, removal and restoration of asphalt pavement, roadway excavation, removal and replacement of cement concrete curb, gutter, and sidewalk, ADA pedestrian ramp type 4A, 10-in PVC storm sewer pipe, Standard 9-foot drywell, Standard 12-foot drywell, imported trench backfill, seeding, fertilizing and mulching, pavement markings and related work in accordance with the technical specifications, drawings and contract documents.

All bid proposals shall be accompanied by a bid proposal deposit in cash, certified check, cashier's check, or surety bond in an amount equal to five percent (5%) of the amount of such bid proposal. Should the successful Bidder fail to enter into such contract and furnish satisfactory performance bond or quality assurance submittals within the time stated in the contract documents, the bid proposal deposit shall be forfeited to the City of West Richland. Each Bidder shall warrant that he has not entered into collusion with another bidder or any other person, and does not discriminate in any manner against any person based solely on race, color, sex or creed.

Only properly executed proposals submitted on the forms furnished by the City of West Richland will be accepted. The City of West Richland reserves the right to reject any or all bids, to waive any informality, to accept any bid deemed to be responsive in the best interest of the City of West Richland, and reserves the right to readvertise for new proposals.

Upon request each firm, company, and/or corporation shall receive a CD containing a PDF of all contract documents and plans by contacting the Public Works Department of the City of West Richland by either phone, 509-967-5434 or by mail, 3801 W. Van Giesen, West Richland, Washington.

The City of West Richland is an Equal Opportunity Employer, Minority and Women-Owned businesses are encouraged to bid.

It is anticipated that this project will be funded in part by the Washington State Department of Ecology. Neither the State of Washington nor any of its departments or employees are, or shall be, a party of any contract or any subcontract resulting from this solicitation for bids.

The City of West Richland, in accordance with Title VI of the Civil Rights Act of 1964, 79 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in

### Roscoe C. Slade III, Public Works Director Name and Title

Published Date:  
March 13, 2016  
March 20, 2016

Ilka M Gilliam, Engineer Technician  
City of West Richland  
(509)967-5434  
(509)967-2419 fax  
[ilka@westrichland.org](mailto:ilka@westrichland.org)  
#2321078 03/13 & 03/20/2016

### KID Aquatic Herbicide Application Notice

### CITY OF PASCO REQUEST FOR PROPOSALS FORMATERIALS TESTING PURSUANT TO THE 2016 WASHINGTON STATE DEPARTMENT OF TRANSPORTATION (WSDOT) STANDARD SPECIFICATIONS FOR ROAD, BRIDGE, AND MUNICIPAL CONSTRUCTION

The City of Pasco, Washington is requesting proposals to provide materials testing pursuant to the 2016 Washington State Department of Transportation (WSDOT) Standard Specifications for Road, Bridge, and Municipal Construction from qualified consultants that are registered to do so in the State of Washington for the 2016 Annual Contract.

For additional information, and for the full Request for Proposals, please contact Precilla Andaya, Administrative Assistant City of Pasco Public Works, 525 N. 3rd Avenue, PO Box 293, Pasco, WA 99301, (509) 543-5738. Proposals must be submitted in writing on or before March 16, 2016 at 11:00 am to be considered responsive.

The City of Pasco in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.  
DATED: March 4, 2016  
#2314512 03/06 & 03/13/2016

### CITY OF RICHLAND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Richland City Council will conduct a public hearing at its regular meeting on Tuesday, March 15, 2016 at 7:30 p.m. in the Council Chamber, Richland City Hall, 505 Swift Boulevard, Richland, Washington. The purpose of the hearing is to receive public comments regarding the relinquishment of various easements. Comments may also be faxed to (509) 942-7468 or emailed to [smelendrez@ci.richland.wa.us](mailto:smelendrez@ci.richland.wa.us). Written comments, addressed to Dan Penwell, should be received no later than 5:00 p.m. on March 15, 2016. A copy of the proposal will be available for review at the City Clerk's Office or on the City's website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us) beginning Friday, March 11, 2016. For more information, contact Dan Penwell at (509) 942-7512 or at [dpenwell@ci.richland.wa.us](mailto:dpenwell@ci.richland.wa.us).  
#2321217 03/13/2016

### CITY OF RICHLAND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Richland City Council will conduct a public hearing at its regular meeting on Tuesday, March 15, 2016, at 7:30 p.m. in the Council Chamber, Richland City Hall, 505 Swift Boulevard, Richland, Washington. The purpose of the hearing is to receive comments from interested individuals regarding the proposal to declare as surplus and dispose of certain equipment. A copy of the proposal will be available for review at the City Clerk's Office or on the city website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us) beginning on Friday, March 11, 2016.  
#2323582 03/11/2016

### CITY OF PASCO NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Pasco City Council will hold a Public Hearing on March 21, 2016, at 7:00 p.m., in the Council Chambers, at 525 N. 3rd Ave, to consider vacating the east 10 feet of S Walnut St. from E "A" St to E "B"

Dave McDonald, City Planner  
#2301068 02/28, & 03/13/2016

### CITY OF PASCO NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Pasco City Council will hold a Public Hearing on April 4, 2016, at 7:00 p.m., in the Council Chambers, at 525 N. 3rd Ave, to consider vacating 24th Ave. between Octave St. and Marie St. Debra L. Clark, City Clerk  
#2320773 03/13 & 03/27/2016

### NOTICE OF SALE

Legal Notice is, hereby given, that on April 22nd, 2016, starting at 9:00 AM, there will be sold at Public Auction to satisfy liens at Larsen Mini Storage, 220 Wellhouse Loop, Richland, WA, the goods of:

Tracy Carmickle  
Rapid City, SD 57702

Trace White  
Evanston, WY 82930

Notice authorized by  
Manager  
Taylor N Jackson

#2327703 03/13, 03/20, & 03/27/2016

### Public Notice

### PASCO SCHOOL DISTRICT NO. 1 NOTICE TO CONTRACTORS

The Pasco School District maintains a Small Works Roster for selection of contractors for construction, maintenance, and repair projects. Qualified contractors wishing to be considered for small works projects are encouraged to submit applications.

Applications may be obtained from the District website at [www.psd1.org/Page/7864](http://www.psd1.org/Page/7864), or by calling Support Services at (509)546-2691.

## NOTICE OF CLOSED RECORD HEARING

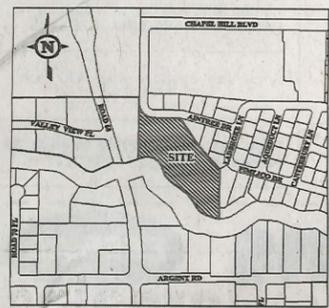
PLEASE TAKE NOTICE that a closed record hearing will be held by the City Council of the City of Pasco, Washington on Monday, April 4, 2016 at 7:00 p.m., in the Council Chambers, Pasco City Hall, 525 N. Third Ave., to consider an appeal to the Planning Commission's recommendation under Master File Number SP 2015-006 for approval of a rezone from R-1 to R-3 with a concomitant agreement. The property in question is located south of Aintree Drive.

**Legal:** That portion of the SW quarter of the SW quarter of Section 15, Township 9 North, Range 29 East, WM. lying northerly of the FCID canal except that portion platted as Chapel Hill Division, 2 and that portion platted as short Plat 2010-14

**General Location:** 6720 Aintree Dr.

No public testimony will be heard in the closed record hearing.

For additional information, please contact the Pasco City Planner at (509) 545-3441.



David I. McDonald  
Planning Commission Secretary  
Pasco, Washington

## NOTICE OF PUBLIC HEARING

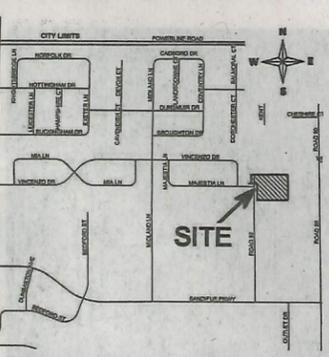
PLEASE TAKE NOTICE that Promade Construction LLC is seeking a rezone (MF# Z 2016-002) from RT (Residential Transition) to R-1 (Low-Density Residential) for the following described property:

**Legal:** Lot 20 Coles Estates

**General Location:** 5900 Block of Rd 92.

THEREFORE, LET ALL CONCERNED TAKE NOTICE that a Public Hearing will be held by the Planning Commission of the City of Pasco, Washington, in the City Council Chambers, Pasco City Hall, 525 N. Third Avenue at the hour of 7:00 p.m., Thursday, March 17, 2016, so that all concerned may appear and present any objections or support for the proposed zone change.

State law permits only one open record public hearing on this matter. This will be the only opportunity to provide input on this issue. For additional information, please contact the Pasco City Planner at (509) 545-3441.



David I. McDonald  
Planning Commission Secretary  
Pasco, Washington

## NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that Rosa Cantu has filed a petition (MF# SP 2016-005) requesting a special permit to locate a daycare center in an existing six-plex on the following described property:

**Legal:** Lots 20 & 23, Block 118 Pasco Land Company's 1st Addition and Lots 1 - 4, Block 2 Longs Addition together with adjoining vacated right-of-way.

**General Location:** 800 N. Oregon St. Pasco, WA 99301

**From:** ^TPA [TPA@RL.GOV]

**Sent:** Thursday, December 11, 2014 7:46 AM

**To:** HANFORD-INFO@LISTSERV.WA.GOV

**Subject:** Public Comment Period on Proposed Permit Changes for Hanford Waste Encapsulation and Storage Facility

**This is a message from the U.S. Department of Energy, Richland Operations Office**

*The U.S. Department of Energy, Richland Operations Office (DOE-RL) is [proposing permit modifications](#) to improve ventilation and grout six hot cells that are no longer in use at the [Waste Encapsulation and Storage Facility \(WESF\)](#). We are holding a 60-day comment period, and we want your input! The public comment period runs from **Dec. 11, 2014 through Feb. 12, 2015**. A public meeting will be held **Jan. 7, 2015** at 5:30 p.m., at the Richland Public Library, 955 Northgate Drive, Richland, WA*

## **Background**

In the 1970s, the radioactive isotopes of the chemical elements cesium and strontium, which generate a large amount of heat, were removed from the high-level waste tanks at Hanford to reduce the temperature of the waste inside the tanks. Both elements were ultimately placed in sturdy, stainless steel containers in WESF for safe storage and monitoring. WESF stores nearly 2,000 cesium and strontium capsules in underwater pools. During operations, WESF hot cells protected workers and allowed them to safely handle radioactive materials.

## **Permit modifications**

The proposed changes are Class 3 permit modifications to the [Hanford Facility Dangerous Waste Permit Operating Unit Group 14](#), which regulates the storage, treatment and disposal of Hanford's dangerous and mixed dangerous waste. Large amounts of legacy contamination throughout some hot cells and the ventilation system require the stabilization of the contamination, as well as upgrades to the ventilation system. The proposed changes are necessary to support replacement of the K3 ventilation exhaust system at WESF, which is permitted under the Hanford Air Operating Permit. The current filters are beyond their design life and are deteriorating. Therefore, a new system is being installed to ensure continued safe operations at WESF.

To replace the K3 ventilation system, DOE-RL must stabilize WESF hot cell contamination left over from prior waste processing activities by filling the cells with grout. The stabilization effort requires a revision to the WESF Part A Application, which details facility information, and submittal of a closure plan to detail this interim step to closure at WESF. The closure plan will address Hot Cells A through F, which are no longer operational.

Class 3 Modifications are the most significant of the three modification classes and address changes that substantially alter a facility or its operations. Class 3 Modifications requirements include:

- Fact sheet and public notification via the Hanford email and postal mail list
- 60-day public comment period on the permit modification request (includes public meeting)
- 45-day public comment

## **Land Disposal Restriction (LDR) Treatment variance**

In addition to the proposed permit modifications, DOE-RL will also submit to the Washington Department of Ecology (Ecology) in accordance with WAC 173-303-140, a request for a site-specific treatability variance from applicable LDR treatment standards for specific waste items in Hot Cells B and C. These waste items hold a small amount of floor sweepings containing strontium fluoride, processing debris and other waste material produced during the last steps of cleanup and shutdown of operations. This request will be submitted to Ecology in January 2015.

Ordinarily, this type of waste would be treated by mixing the waste material with a stabilizing agent, followed by sampling and analysis to confirm that LDR treatment standards have been accomplished. However, these materials are highly radioactive, with half-lives of about 30 years for Cesium-137 and 29 years for Strontium-90. Meeting LDR treatment requires intrusive activities and handling of this waste, increasing risk of exposure to workers and the environment and generation of additional mixed waste. In addition, the high radiological nature of the waste items interferes with laboratory analyses needed to confirm treatment was successful.

If approved, a variance will allow stabilization by an alternative treatment method of macroencapsulation of these waste items. This method uses grout to completely surround the waste, which protects human health and the environment by reducing the leachability of contaminants and minimizing waste generation and potential radiological exposure to workers. The requested treatability variance will detail the justification and protectiveness of this alternative treatment.

Copies of the [proposed permit modifications and supporting documentation](#) are available at the Administrative Record, 2440 Stevens Drive, Richland, WA. The variance request will be available in late January 2015. The permittee's compliance history during the life of the permit being modified is available from Ecology at (509) 372-7950, or email [Hanford@ecy.wa.gov](mailto:Hanford@ecy.wa.gov).

## **APPENDIX B: COPIES OF ALL WRITTEN COMMENTS**



RECEIVED

APR 26 2016

DEPARTMENT OF ECOLOGY  
NWP - RICHLAND

CH2M HILL  
Plateau Remediation Company  
PO Box 1600  
Richland, WA  
99352

April 26, 2016

Central Files H5WP  
File Name: class II + III mod. CHPRC-1601903  
Cross Reference: \_\_\_\_\_

Mr. Dieter G. Bohrmann  
State of Washington  
Department of Ecology  
3100 Port of Benton Blvd.  
Richland, WA 99354

Dear Mr. Bohrmann:

COMMENTS FROM CH2M HILL PLATEAU REMEDIATION COMPANY (CHPRC) ON THE DRAFT PROPOSED PERMIT MODIFICATION 8C.2016.2D TO THE HANFORD FACILITY RESOURCE CONSERVATION AND RECOVERY ACT PERMIT, DANGEROUS WASTE PORTION, REVISION 8C, FOR THE TREATMENT, STORAGE, AND DISPOSAL OF DANGEROUS WASTE, PART V, CLOSURE UNIT GROUP 6, WASTE ENCAPSULATION AND STORAGE FACILITY HOT CELLS A THROUGH F, WA7890008967

Reference: Letter, S. L. Dahl, ECY, to J. A. Ciucci, CHPRC, "Proposed Class 3 Permit Modification 8C.2016.2D to the *Hanford Facility Resource Conservation and Recovery Act Permit, Dangerous Waste Portion, Revision 8C, for the Treatment, Storage, and Disposal of Dangerous Waste, Part V, Closure Unit Group 6, Waste Encapsulation and Storage Facility Hot Cells A through F, WA7890008967, 16-NWP-048, dated March 11, 2016*

CHPRC has reviewed the draft Proposed Permit Modification 8C.2016.2D to the Hanford Facility RCRA Permit, Dangerous Waste Portion, Revision 8C, for the Treatment, Storage, and Disposal Dangerous Waste, Part V, Closure Unit Group 6, Waste Encapsulation and Storage Facility Hot Cells A through F Closure Plan and the Addendum A Waste Encapsulation and Storage Facility Part A Form published for public comment. To ensure a thorough understanding of the permit and conditions, we have reviewed each condition, addendum, and attachment to determine whether the condition or requirement:

- Is consistent with the regulatory requirements under the Washington Administrative Code (WAC) and within the scope of Ecology's permitting authority
- Is clearly written and understandable
- Is consistent with the long history of our prior agreements with Ecology
- Reflects current operational needs and requirements

- Could practically be met to maintain compliance.

We have prepared our comments in a Review Comment Response format consistent with comments received from Ecology. This format provides (1) the condition or requirement identifier; (2) a comment that reflects what is necessary to be done with the condition or requirement; (3) a basis for the action proposed in the comment; and (4) suggested language where appropriate that would make the condition or requirement acceptable to the Permittees. We have identified two primary issues of concern regarding changes to the permit from the time of submittal of the draft permit from DOE-RL to Ecology and the time of publication for public comment.

**Comment Number 1:**

**Permit Section:**

Addendum A Waste Encapsulation and Storage Facility Part A Form, Section XII. Process Codes and Design Capacities and Section XIII. Other Process Codes

**Comment Text:**

Section XII and Section XIII Line Item 1.C Process Total Number of Units was modified from "002" to "003". The Permittees believe the Process Total Number of Units is "002" as submitted to Ecology, which includes the two operating dangerous waste management units: Hot Cell G and the Pool Cells. The Hot Cell A through Hot Cell F dangerous waste management unit is a closing unit and is not available for storage of the waste stream located in WESF.

**Basis Text:**

The Part A Form instructions state, "For container storage, combine all storage capacity on one line and list the number of container storage units under C. *Process Total Number of Units.*" Hot Cells A through F will be filled with grout and closed. Once the unit is filled with grout, there will be no storage capabilities for the waste stream located in WESF, therefore it should not be included in the design capacity number of units.

**Recommended Text:**

Section XII and Section XIII Line Item 1.C Process Total Number of Units should be modified to "002".

**Comment Number 2:**

**Permit Section:**

Addendum H Waste Encapsulation and Storage Facility Hot Cell A through F Dangerous Waste Management Unit Closure Plan, Section H-A5.7, *Removal of Wastes and Waste Residues*, page Addendum H.50, lines 21-23.

**Comment Text:**

Section H-A5.7, page Addendum H.50, lines 21-23 were modified from the draft provided to Ecology from DOE as follows:

~~“Waste remaining in the trays and pipes was generated before RCRA became effective on the Hanford Facility, but it is conservatively managed as hazardous waste to establish has been in storage since the hot cells were placed in surveillance and maintenance mode. These containers are subject to the dangerous waste regulations and must meet closure performance standards.”~~

**Basis Text:**

RCRA waste management regulations only apply to actions taken to manage waste after the date when the waste was legally classified as hazardous waste subject to the RCRA regulations. The first date when RCRA regulations became effective to some categories of waste was November 19, 1980. As explained by EPA in the December 21, 1988, Federal Register (Vol. 53, 51444), “Many CERCLA actions occur in areas of contamination that contain waste treated, disposed of, *or stored* prior to November 19, 1980. If left *untouched, wastes in such areas* are not currently regulated under Subtitle C of RCRA.” (Emphasis added) In other words, waste which was put in place prior to the effective date of the regulation which later classified it as hazardous waste, and had not been moved since that date (in that case, some 8 years later) had not been “actively managed” during the period when RCRA regulation was in effect, and the waste was therefore not subject to regulation under RCRA.

Similarly, Washington regulations recognize this jurisdictional time limit in WAC 173-303-040, which defines “generator” as “any person, by site, whose act or process produces dangerous waste or whose act first causes a dangerous waste to become subject to regulation.” [Emphasis added]

EPA did not initially authorize the Washington Department of Ecology to regulate the management of the dangerous waste component in a mixture of radioactive and mixed waste. EPA granted authorization to first regulate the management of radioactive mixed waste in August 1987. Actions managing radioactive mixed waste prior to that date were not, and are not, regulated by Ecology. The waste in the trays and pipes in these areas of WESF was put in its current location prior to the August 1987 effective date when Ecology began regulating the management of radioactive mixed waste. Since that time, the waste has been left untouched, and has not experienced any active management which could trigger application of the dangerous waste regulations to this waste. To summarize: The waste in these locations has not been actively managed because it has not been physically disturbed, nor have additional wastes been added to these wastes. Indeed, while the management of Cesium 137 and Strontium 90 capsules in a radioactive materials storage pool has been agreed by Ecology and DOE to constitute management of mixed waste, and therefore is subject to various requirements of WAC 173-303, by contrast the waste in the trays and pipes at issue here has never been included in the description of the waste managed under the WESF dangerous waste permit during the nearly 30 years since August 1987.

**Recommended Text:**

Section H-A5.7, page Addendum H.50, lines 21-23 should read, "Waste remaining in the trays and pipes was generated and put in place before August 1987, when mixed radioactive waste was first regulated on the Hanford Facility, and has not been regulated under RCRA and WAC 173-303. Nevertheless, the non-radioactive component of this material will be addressed according to dangerous waste closure performance standards to assure protection of human health and the environment."

You may contact me at 372-9242, or your staff may contact Stephanie Johansen at 373-1031 with any questions regarding this matter.

Sincerely,



Moses Jaraysi  
Vice President  
Environmental Program & Strategic Planning

srh/jmd

cc:	C. E. Clark, DOE-RL	S. K. Johansen, CHPRC
	R. J. Corey, DOE-RL	E. D. MacAlister, DOE-RL
	L. J. Cusack, CHPRC	T. C. McKarns, DOE-RL
	O. A. Farabee, DOE-RL	C. J. Simiele, CHPRC
	J. A. Frey, DOE-RL	R. T. Swenson, CHPRC

**From:** Carl Holder <[holdercarl@hotmail.com](mailto:holdercarl@hotmail.com)>  
**Date:** March 14, 2016 at 6:18:25 PM PDT  
**To:** "Hanford (ECY)" <[hanford@ECY.WA.GOV](mailto:hanford@ECY.WA.GOV)>  
**Subject:** WESF Public Comment

Stephanie Schleif  
Department of Ecology  
State of Washington

RE: WESF Hot Cell Ventilation replacement.

The capsules of Cesium and Strontium have high value.

- The Cesium is highly valuable as an excellent source of gamma radiation.
- The Strontium capsules are also valuable for sources of beta radiation and daughter isotopes.

Gamma radiation is very useful as for medical sterilization, phytosanitary needs, etc.

This Strontium resource has many uses in nuclear medicine and contains valuable daughter isotopes.

The proposed expensive upgrade to ventilate a building that is pending decommission sounds counterproductive during these difficult budgetary times.

A broader plan would include an analysis of the opportunities to transition the Cesium and Strontium capsules, now substantially decayed, to beneficial use.

Best regards,  
Carl Holder  
PO Box 1316  
Pasco WA 99301  
[holdercarl@hotmail.com](mailto:holdercarl@hotmail.com)

From: Mike [mikeconlan@hotmail.com]  
Sent: Saturday, March 12, 2016 1:37 PM  
To: Hanford (ECY)  
Subject: Permit change to storage facility

- 1) Remove all nuclear waste,
  
- 2) Do not allow anymore nuclear waste into the facility,
  
- 3) Replace all the single storage tanks,
  
- 4) Stop all the nuclear leakage entering the Columbia River.

Mike Conlan

Redmond WA



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

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APR 27 2016

DEPARTMENT OF ECOLOGY  
 NWP - RICHLAND

16-ESQ-0068

APR 27 2016

Mr. Ron Skinnarland  
 Waste Management Section Manager  
 Nuclear Waste Program  
 Washington State Department of Ecology  
 3100 Port of Benton Boulevard  
 Richland, Washington 99354

Central Files \_\_\_\_\_  
 File Name: \_\_\_\_\_  
 Cross Reference: \_\_\_\_\_

Dear Mr. Skinnarland:

COMMENTS ON THE DRAFT PROPOSED PERMIT MODIFICATION 8C.2016.2D TO THE HANFORD FACILITY RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) PERMIT, DANGEROUS WASTE PORTION, REVISION 8C, FOR THE TREATMENT, STORAGE, AND DISPOSAL DANGEROUS WASTE, PART V, CLOSURE UNIT GROUP 6, WASTE ENCAPSULATION AND STORAGE FACILITY (WESF) HOT CELLS A THROUGH F, WA7890008967

This letter is responding to your letter of March 11, 2016, (16-NWP-048) regarding the Permit Modification 8C.2016.2D to the Hanford Facility RCRA Permit for WESF. The U.S. Department of Energy Richland Operations Office (RL) and its Contractors have reviewed the draft RCRA Permit, Dangerous Waste Portion, Revision 8C, for the Treatment, Storage, and Disposal Dangerous Waste, Part V, Closure Unit Group 6, WESF Hot Cells A through F Closure Plan, and the Addendum A, WESF Part A Form published for public comment. To ensure a thorough understanding of the permit and conditions, RL has reviewed each condition, addendum, and attachment to determine whether the condition or requirement:

- Is consistent with the regulatory requirements under the Washington Administrative Code (WAC) and within the scope of Ecology's permitting authority;
- is clearly written and understandable;
- is consistent with the long history of our prior agreements with Ecology;
- reflects current operational needs and requirements; and
- could practically be met to maintain compliance.

We have prepared our comments in a Review Comment Response format consistent with comments received from the Washington State Department of Ecology (Ecology). This format provides: (1) the condition or requirement identifier; (2) a comment that reflects what is necessary to be done with the condition or requirement; (3) a basis for the action proposed in the comment; and (4) suggested language where appropriate that would make the condition or requirement acceptable to the Permittees. RL has identified two primary issues of concern

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regarding changes to the permit from the time of submittal of the draft permit from RL to Ecology and the time of publication for public comment.

Comment Number 1:

Permit Section:

Addendum A WESF, Part A Form, Section XII. Process Codes and Design Capacities and Section XIII. Other Process Codes.

Comment Text:

Section XII and Section XIII Line Item 1.C Process Total Number of Units was modified from "002" to "003." The Permittees believe the Process Total Number of Units is "002" as submitted to Ecology, which includes the two operating dangerous waste management units: Hot Cell G and the Pool Cells. The Hot Cell A through Hot Cell F dangerous waste management unit is a closing unit and is not available for storage of the waste stream located in WESF.

Basis Text:

The Part A Form instructions state, "For container storage, combine all storage capacity on one line and list the number of container storage units under C. Process Total Number of Units." Hot Cells A through F will be filled with grout and closed. Once the unit is filled with grout, there will be no storage capabilities for the waste stream located in WESF; therefore, it should not be included in the design capacity number of units. As modified by Ecology, the CH2M HILL Plateau Remediation Company (CHPRC) would be unable to certify the Part A Form.

Recommended Text:

Section XII and Section XIII Line Item 1.C Process Total Number of Units should be modified to "002."

Comment Number 2:

Permit Section:

Addendum H WESF Hot Cell A through F Dangerous Waste Management Unit Closure Plan, Section H-A5.7, Removal of Wastes and Waste Residues, page Addendum H.50, lines 21-23.

Comment Text:

Section H-A5.7, page Addendum H.50, lines 21-23 were modified from the draft provided to Ecology from RL as follows:

~~"Waste remaining in the trays and pipes was generated before RCRA became effective on the Hanford Facility, but it is conservatively managed as hazardous waste to establish~~ has been in storage since the hot cells were placed in surveillance and maintenance mode. These containers are subject to the dangerous waste regulations and must meet closure performance standards."

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Basis Text:

RCRA waste management regulations only apply to actions taken to manage waste after the date when the waste was legally classified as hazardous waste subject to the RCRA regulations. The first date when RCRA regulations became effective to some categories of waste was November 19, 1980. As explained by the U.S. Environmental Protection Agency (EPA) in the December 21, 1988, Federal Register (Vol. 53, 51444), "Many CERCLA actions occur in areas of contamination that contain waste treated, disposed of, or stored prior to November 19, 1980. If left *untouched, wastes in such areas* are not currently regulated under Subtitle C of RCRA." (Emphasis added.) In other words, waste which was put in place prior to the effective date of the regulation which later classified it as hazardous waste, and had not been moved since that date (in that case, some 8 years later) had not been "actively managed" during the period when RCRA regulation was in effect, and the waste was therefore not subject to regulation under RCRA.

Similarly, Washington regulations recognize this jurisdictional time limit in WAC 173-303-040, which defines "generator" as "any person, by site, whose act or process produces dangerous waste or whose act first causes a dangerous waste to become subject to regulation." (Emphasis added.)

EPA did not initially authorize Ecology to regulate the management of the dangerous waste component in a mixture of radioactive and mixed waste. EPA granted authorization to first regulate the management of radioactive mixed waste in August 1987. Actions managing radioactive mixed waste prior to that date were not, and are not, regulated by Ecology. The waste in the trays and pipes in these areas of WESF was put in its current location prior to the August 1987 effective date when Ecology began regulating the management of radioactive mixed waste. Since that time, the waste has been left untouched, and has not experienced any active management which could trigger application of the dangerous waste regulations to this waste. To summarize, the waste in these locations has not been actively managed because it has not been physically disturbed, nor have additional wastes been added to these wastes. Indeed, while the management of Cesium 137 and Strontium 90 capsules in a radioactive materials storage pool has been agreed by Ecology and RL to constitute management of mixed waste, and; therefore, is subject to various requirements of WAC 173-303, by contrast the waste in the trays and pipes at issue here has never been included in the description of the waste managed under the WESF dangerous waste permit during the nearly 30 years since August 1987.

Recommended Text:

Section H-A5.7, page Addendum H.50, lines 21-23 should read, "Waste remaining in the trays and pipes was generated and put in place before August 1987, when mixed radioactive waste was first regulated on the Hanford Facility, and has not been regulated under RCRA and WAC 173-303. Nevertheless, the non-radioactive component of this material will be addressed according to dangerous waste closure performance standards to assure protection of human health and the environment."

Comment Number 3:

Permit Section:

Addendum A Waste Encapsulation and Storage Facility Part A Form, Section XII. Process Codes and Design Capacities and Section XIII. Other Process Codes and Addendum H WESF Hot Cell A through F Dangerous Waste Management Unit Closure Plan, Section H-A5.7, Removal of Wastes and Waste Residues, page Addendum H.50, lines 21-23.

Comment Text:

Section XII and Section XIII Line Item 1.C Process Total Number of Units was modified from "002" to "003." The Permittees believe the Process Total Number of Units is "002" as submitted to Ecology, which includes the two operating dangerous waste management units: Hot Cell G and the Pool Cells. The Hot Cell A through Hot Cell F dangerous waste management unit is a closing unit and is not available for storage of the waste stream located in WESF.

Section H-A5.7, page Addendum H.50, lines 21-23 were modified from the draft provided to Ecology.

Basis Text:

The closure plan package submittal to Ecology requires that the department either accept it as filed, or provide a completeness determination. It is not a charter for Ecology to disagree with the substance of the plan and the permit modification it is embedded in, but to simply ensure that it has all the basic information to constitute a "closure plan."

The WAC 173-303-830(4) regulations states that permit modifications that are submitted by a permit holder are to be published by the permit holder and public comments submitted to Ecology, which will consider amendments in the final version of the permit modification after considering public comment. Ecology has made a revision before the submitted version was offered for public comment.

Recommended Text:

Section XII and Section XIII Line Item 1.C Process Total Number of Units should be modified back to what RL and CHPRC certified in the modification submittal, "002" as stated in Comment 1 above.

Section H-A5.7, page Addendum H.50, lines 21-23 should be modified back to what RL and CHPRC certified in the modification submittal as stated in Comment 2 above.

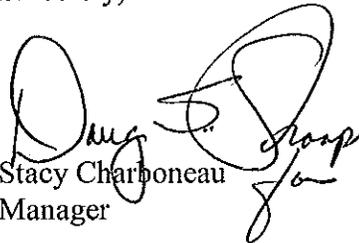
Mr. Ron Skinnarland  
16-ESQ-0068

-5-

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If you have any questions, please contact me, or your staff may contact Jeffrey A. Frey, Assistant Manager, Safety and Environment, on (509) 376-7727.

Sincerely,

  
Stacy Charbonneau  
Manager

ESQ:ACM

cc: Debra J. Alexander, Ecology  
Gabriel Bohnee, NPT  
Rex Buck, Wanapum  
Laura C. Cusack, CHPRC  
Suzanne L. Dahl-Crumpler, Ecology  
Brian J. Dixon, CHPRC  
Dennis A. Faulk, EPA  
Russell Jim, YN  
Stephanie K. Johansen, CHPRC  
Stephanie N. Schleif, Ecology  
Connie J. Simiele, CHPRC  
Deborah G. Singleton, Ecology  
Raymond T. Swenson, CHPRC  
Administrative Record  
Ecology NWP Library  
Environmental Portal  
HF Operating Record (J. K. Perry, MSA, A3-01)