



Coordinated Closure: Improving How State & Federal Regulations Work Together

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3 main kinds of work at Hanford each has its own laws/regulations

- **Atomic Energy Act (AEA)** –
 - Manages radioactive source, byproduct, and special nuclear materials.
- **State Hazardous Waste Management Act (HWMA)**
 - HWMA is the state law to implement the Federal RCRA Program.
 - Permits/closes areas that treat, store and dispose (TSD) of dangerous (hazardous) wastes.
 - Applies *corrective actions* for soil & groundwater contamination from past practices (waste disposal, leaks & spills) releases at facilities with a TSD permit.
- **Comprehensive Environmental Response, Compensation & Liability Act (CERCLA)**
 - Addresses contamination from past practices at uncontrolled or abandoned facilities.



The 3 Laws/Regulations overlap & can conflict - Tri-Party Agreement describes how to “coordinate”

- A TSD disposal site can look identical to a past-practice site. At Hanford the difference is:
 - Whether the site was in use after August 19, 1987.
 - Whether the site handled mixed waste (dangerous and radioactive).



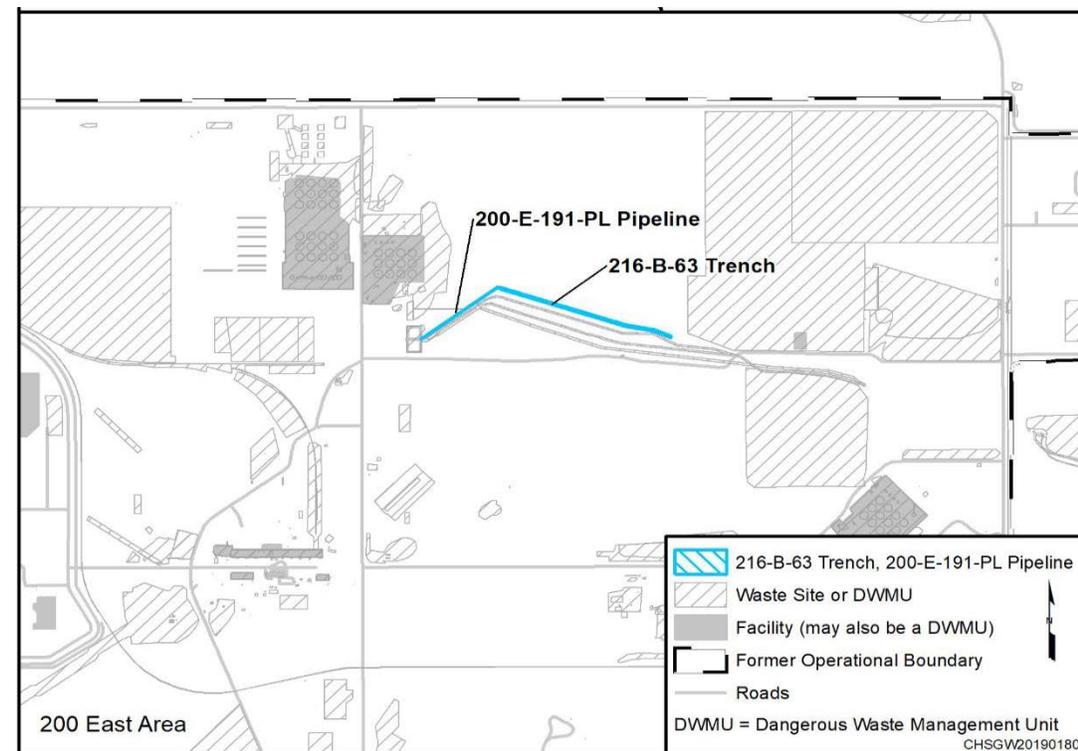
Settling basins at B/C Reactors weren't used after 1968. They are a “past practice”.



207-A basins near Evaporator were used after 1987. They are a TSD unit.

“Coordinated Closure” concept

- At Hanford TSD and past practice sites can touch each other and have
 - Identical cleanup goals.
 - Cleanup goals named in 2 separate documents (HWMA permit and CERCLA ROD).
 - 2 different cleanup schedules.
- Section 5.5 of the TPA Action Plan describes the “interface” (coordination) of TSD waste management with response to contamination from past practices.



*216-B-63 Trench in Blue
Gray Areas are Past Practice waste sites*

Proposed Modification to the Hanford Facility Federal Agreement and Consent Order

- Section 5.5 of the HFFACO already recognizes the need for a “...procedure to coordinate the TSD unit closure or permitting activity with the past-practice investigation and remediation activity to prevent overlap and duplication of work, thereby economically and efficiently addressing the contamination.”
- Needed more detail to Section 5.5 on the coordination and alignment of the schedules (TPA milestones) for TSD closure and past-practice cleanup.



Why does the TPA have to change if it already allows coordinated closure?

- We haven't done a lot of this.
- As we work on the Hanford Site-wide Permit, we saw that we need to spell out more details.
- Needed schedule alignment between the CERCLA documentation and the permitting modifications through TPA milestones.



Proposed Modifications in HFFACO

- Section 5.5 in Action Plan is the guts of the changes. Minor changes in sections:
 - Section 3.3
 - Section 6.1
 - Section 7.4.2
- New milestones to align the closure plan modification with the submittal of the corresponding CERCLA RI/FS and/or proposed plan.



Explanation of Milestones

- Milestones are coupled together to address alternative requirements and a complete closure plan.
 - WAC 173-303-610(1)(e) states that with approval by the director all or part of the closure requirements can be replaced.
 - The first milestone of a set states that DOE can request alternative requirements in conjunction with the CERCLA OU submittal of a proposed plan.
 - The second milestone states that DOE will submitted a permit modification that contains all the detailed actions for closure in conjunction with the submittal of the CERCLA Remedial Action Work Plan.



Summary

- The coordinated closure makes good sense and allows a cost savings by coordinating the paperwork and the field work between CERCLA and RCRA permitting.

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Questions?

