

# Action Plan

## 1.0 Introduction

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### 1.1 Purpose

The purpose of this action plan is to establish the overall plan for hazardous waste permitting, meeting closure and postclosure requirements, and remedial action under the Federal *Resource Conservation and Recovery Act* (RCRA) and *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA), and the Washington State *Hazardous Waste Management Act*. All actions required to be taken pursuant to this Agreement shall be taken in accordance with the requirements of all applicable Federal and State laws and regulations.

This plan describes the U.S. Environmental Protection Agency (EPA) and State of Washington regulatory integration, and the methods and processes to be used to implement the *Hanford Federal Facility Agreement and Consent Order*, hereinafter referred to as “the Agreement,” among the State of Washington Department of Ecology (Ecology), the EPA, and the U.S. Department of Energy (DOE). The parties recognize that hazardous waste compliance, permitting, closure and postclosure action, and remedial and corrective action at the Hanford Site will require a fully integrated effort involving the Federal RCRA, CERCLA, and the Washington State Hazardous Waste Management Act. For purpose of this action plan, the term RCRA means the RCRA as amended and the Washington Hazardous Waste Management Act (HWMA).

This action plan contains a work schedule (Appendix D), that is based on a rationale for setting priorities for work to be accomplished. This rationale is identified in Section 3.0. The work schedule identifies the target dates and milestones to be met in implementing this plan. Requirements and standards under Washington’s Dangerous Waste Regulations and RCRA for hazardous waste generation and transportation, as specified in Chapter 173-303 of the *Washington Administrative Code* (WAC) and Title 40, *Code of Federal Regulations* (CFR), Parts 262 and 263, are not addressed by this action plan. However, this does not relieve the DOE from meeting these requirements.

Appendix A provides a definition of terms and acronyms as used in this action plan.

### 1.2 Regulatory Authorities

This action plan and its appendices are binding and enforceable on all parties unless otherwise noted. The regulatory authorities of the EPA and Ecology currently include, but are not limited to, the following:

- The EPA: *Comprehensive Environmental Response, Compensation, and Liability Act of 1980* (CERCLA), as amended, and the *Resource Conservation and Recovery Act of 1976* (RCRA), as amended

- Ecology: *Hazardous Waste Management Act* (HWMA), Chapter 70.105 Revised Code of Washington (RCW), as amended.

Specific regulatory authorities/clarifications include the following:

- On January 31, 1986, Ecology received final authority to implement the State Dangerous Waste Program in lieu of the Federal base RCRA program in the State of Washington. On November 4, 1994, Ecology received authorization from EPA to implement corrective actions under the *Hazardous and Solid Waste Amendments of 1984* (HSWA).
- Amendments to the base RCRA regulations (i.e., those not promulgated pursuant to HSWA) do not become effective under RCRA until the State has promulgated regulations to implement them and they have been authorized by EPA. State regulations are effective, however, as provided under state law. In contrast, amendments to HSWA regulations become effective under RCRA immediately whether or not the State has received HSWA authorization.
- On August 19, 1987, CH. 70.105 RCW was amended to allow Ecology to regulate mixed waste. On November 23, 1987, Ecology received authorization from the EPA to regulate mixed waste in the State of Washington.
- Ecology will serve as lead regulatory agency for all provisions of the HWMA including those that have not been authorized pursuant to section 3006 of RCRA.
- The selection of CERCLA remedial actions cannot be delegated to the State of Washington under the existing statute and will, therefore, continue to be exercised by the EPA. However, Ecology will serve as lead regulatory agency for certain past practice units and will involve EPA as necessary to approve the selected remedy in accordance with an EPA/Ecology Memorandum Of Understanding.
- Ecology shall issue the RCRA permit under the State Dangerous Waste Program. Where the permit involves HSWA provisions for which the state is not authorized, the EPA shall issue that portion of the permit. This will be a joint EPA/Ecology permit. The EPA shall retain an oversight role of Ecology's program and activities under the delegation of authority.

This action plan is based on existing Federal and State regulations. If changes to those regulations create inconsistencies between the action plan and the regulations, the action plan will be modified accordingly.

### 1.3 Organization of Action Plan

Section 2.0 identifies the major milestones agreed to by all parties under this Agreement. Major interrelationships between milestones are shown.

All parties realize that the Hanford Site is complex, with numerous waste management units. Section 3.0 describes an inventory and unit classification approach for effective organization and continuity of effort. It also includes criteria to be used for prioritizing the activities to be performed. Section 4.0 identifies a tiered management structure to oversee actions conducted under this plan and describes meetings to be used to ensure effective communications between all parties. Section 5.0 describes the rationale and process by which waste management units at the Hanford Site will interface and be managed in accordance with the above-mentioned authorities. Section 6.0 describes the RCRA treatment, storage, and disposal unit processes and Section 7.0 describes past-practice unit processes in accordance with parts two and three of the Agreement respectively.

Section 8.0 describes the process for facilities transitions. Section 9.0 defines the documents to be generated under this action plan, the classification and listing of primary and secondary documents, and the records systems to be implemented to preserve and access the documentation. Section 10.0 describes the method and processes necessary for community relations and effective public involvement.

Section 11.0 describes the purpose and format of the work schedule (Appendix D). In addition, Section 11.0 identifies the supporting plans that implement this action plan and the work schedule. Section 12.0 establishes a process for parties to propose and implement changes to elements of this Agreement, action plan, appendices, and supporting plans. Section 12.0 also addresses the process for minor field changes. Section 13.0 addresses requirements for management of discharges of liquid effluents to the soil column at Hanford.

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