

# Amanda Guerra

To Washington State Department of Ecology:

We are writing to you because we attended your public meeting hosted at the Richland Library on 3/13/2019 for to the scoping of the potential environment impact evaluation for the Perma Fix Northwest's (PFNW) permit renewal for the receipt, treatment and packaging of low level, mixed low level waste, TRU waste and other radioactive and chemical wastes for which they have demonstrated safe compliance. PFWN is a valuable commercial business to the local community, the nuclear industry and for the Hanford mission specifically. At the meeting we learned of Ecology's inability to work through the PFWN permit revision process as well as the on-going permit revisions for Hanford. In both cases, the permitting process has been underway for over a decade and yet no permit has been issued and the permittees continue to operate under a timely renewal process which inhibits commercial and mission progress. It affects operational decision processes and moves the state in to an overly obtrusive position as the regulator. It is highly unlikely this is what the laws of the state of WA envisioned and it calls in to question the competency and actual objectives of Ecology in performing their function as a regulator as opposed to an obstructionist.

Regarding the treatment of MLLW emanating from Hanford Tank Waste at PFWN, we are surprised and very concerned of Ecology's on-going public position that PFWN does not currently have a permit for treating MLLW. Ecology continues to maintain a position that PFWN cannot treat Hanford "tank waste". Ecology continues to purposely confuse the public in such statements. Ecology knows, or should know, there is no NRC definition for the term "Tank Waste". DOE intends to pretreat waste in the Hanford tanks to separate the waste in to two fractions. A HLW and a LLW stream by implementing a filtration and ion-exchange system. The waste emanating from the pretreatment system will be sampled and through DOE Order 435.1 will undergo a Waste Incidental to Reprocessing (WIR) determination. If the liquid waste is found to meet MLLW characteristics it will be so designated and appropriately managed by the DOE.

Ecology has seemly indicated this MLLW from such a WIR determination is not permitted for treatment/stabilization at PFWN. Ecology has offered no legal rationale or basis for this position but rather, are making rash, unsubstantiated public statements that PFWN does not have a permit to treat this type of waste. This has been exemplified in Ecology's public statements that PFWN does not have a permit to treat "TBI Waste" (for which again Ecology has not put forth an official regulatory definition of such waste). If PFWN does not have a permit to treat MLLW then one must ask "why does Ecology allow them to operate today and treat other MLLW from across the country"? Why hasn't the enforcement branch of Ecology shut down such operations? One can only conclude that PFWN does, in fact, have a legal permit for treatment of MLLW. Ecology's regulatory treatment of this matter relative to PFWN and waste emanating from Hanford tanks appears to be arbitrary, capricious and incompetent. It appears biased by individual staff members in the Richland office. As citizens of the state of Washington, and the parents of 3 children under 10 years of age who live in Richland, this behavior by Ecology's staff is very concerning and unacceptable. Based on Ecology's public inaccurate statements, and the agency's inability to work with their permittees, one can only conclude that Ecology doesn't want the DOE to make any progress in cleaning up the Hanford Area. As young parents who care for our children and their friends' safety we are concerned, because Ecology's job is to protect our environment and we believe the agency is doing the opposite by not allowing the DOE to make any progress in cleaning up the Hanford Area. Therefore, putting at risk the overall health of our children and the citizens of Richland and the surrounding are.

We sincerely hope that Ecology stops wasting our tax dollars, stop obstructing the DOE from making progress in cleaning up the Hanford area, stop putting our family and friends at risk, and do the correct assessment for the PFNW permit to include the maximum volume of MLLW that the PFNW facility can treat each year.

Regards,

Wilton and Amanda Guerra