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Following are comments on the draft permit modification for the existing IDF Operating Unit Group 11, which incorporates new and modified information. This comment period ends October 28, 2021.

Thank you very much for providing the response to comments from the previous review in Publication 21-05-21. In the responses, Ecology noted that:

"Based on the current process flow, there are no plans to dispose EMF bottoms at IDF. This waste stream is planned to be recycled back into the processes at WTP or sent back to the DSTs. Ecology agrees that grouting of ETF brine or other tank waste derived liquids offsite at Permafix requires NEPA coverage."

However, I was unable to see anything in the proposed permit that actually prevents transfer of non-approved or non-NEPA covered waste from Permafix to IDF. For example, permit condition III.11.P.2.b refers to "documentation accompanying wastes accepted at the IDF from other on-site DWMUs or any off-site facility. This condition does not restrict receipts to NEPA covered waste. Brine, bottoms, or other tank waste processed at PFNW could escape detection until disposed.

In addition, I looked at Addendum A for the updated Part A permit application form. The updated part A allows that "*shipments of Hanford waste containers from an offsite treatment facility may be temporarily stored on the storage pad before placement in the IDF disposal cells.*" This Part A allowed scope is also not specific enough to provide clarity that, at present, there are numerous wastes that will not be accepted at IDF, and particularly several that have been proposed for treatment at the PFNW Facility, which is a Non-DOE facility.

Can you provide some additional text to make it clear? Otherwise, in the future, shipments could be made that are contrary to Ecology's comment response and commitment.

This concern is justified due to previous experience with off-site shipments. I do not think Ecology was consulted, for example, when the first 3 gallons of tank waste was sent to PFNW from Hanford when grouting this material was not in the PFNW permit. It's still not in the permit or the NEPA basis. Further, PFNW has demonstrated that they will continue grouting waste in the in-container mixer even after being ordered to stop by Ecology. A lack of confidence is justified per the State of Washington Department of Ecology Dangerous Waste

Violation Settlement Agreement and Agreed Order No. 13808, (In the Matter of Expedited Enforcement Action for Perma-Fix Northwest, Richland, Inc.) This Order states:

“PFNW accepted an excess of 50 MW containers during a 12-month time period for treatment in the in-container mixer. PFWN failed to comply with their permit conditions when the facility accepted waste for which it had no treatment capability. During this time frame, the facility removed the existing permitted in-container mixer and requested a permit modification for a new in-container mixer and a temporary authorization for its immediate use. A demonstration was provided to Ecology and USEPA staff of this in-container mixer's capabilities. The demonstration of the mixer was not successful, and Ecology denied the temporary authorization and Ecology permit writers instructed PFWN to cease acceptance of waste for the in-container mixer line of treatment. It appears that acceptance of MW for treatment in this line continued.”

Given that PFWN will scoff at permit requirements, it is possible that they could attempt to send non-NEPA approved waste to IDF, and worry about where it is in the IDF later. Anything you can do to clarify and provide penalties for non-approved waste would be appreciated. Thank you for considering these comments.