The Hanford PCB Framework Agreement 8/31/00

Framework Agreement for Management of Polychlorinated Biphenyls (PCBs) in Hanford Tank Waste

At least some Hanford double-shell tanks (DSTs) contain Polychlorinated Biphenyl (PCB) remediation waste that the Department of Energy (DOE) and Environmental Protection Agency (EPA) Region 10 have agreed will be regulated under the Toxic Substances Control Act (TSCA). Therefore, mixed waste feed to the vitrification plant will also contain PCB remediation waste. The DOE and its contractors, EPA, and the Washington Department of Ecology (Ecology) are working together to resolve the regulatory issues with managing PCB remediation waste at the vitrification plant, tank farms, and affected upstream/downstream facilities to further the timely treatment and disposal of tank waste. These issues, along with the agreed-upon regulatory pathway, reflect new regulatory requirements and management options pursuant to the PCB Disposal Amendments, 63 Federal Register (FR) 35384, June 29, 1998.

DOE has directed CH2M HILL Hanford Group, Inc. to develop a PCB baseline for the tank farms to quantify the PCBs currently in the tanks. In parallel, DOE, EPA, and Ecology are jointly outlining a PCB remediation waste program for Hanford's tank waste with the following objectives:

- Protect human health and the environment,
- Resolve regulatory issues for the vitrification plant, tank farms, and other affected facilities,
- Support Hanford tank and site cleanup mission, and
- Integrate regulation of PCBs with other regulatory programs to avoid redundant, unnecessary, and separate activities, as well as potentially conflicting authorities.

EPA, Ecology and DOE are entering into this agreement to further each agencies responsibilities to protect human health and the environment. To advance these objectives, DOE, EPA and Ecology agree:

1. DOE, EPA, and Ecology will pursue a rational path based on a risk-based disposal approval option per Title 40 of the Code of Federal Regulations 761.61 (c) for management of TSCA PCB remediation waste. The path forward will reflect both a defensible basis in applicable regulations and the need for timely, cost-effective tank waste treatment and disposal.

2. DOE will apply in writing to the EPA Region 10 Administrator for the risk-based disposal approval.

3. The agencies will integrate environmental requirements and risk assessments required by the various regulations to the maximum extent practicable.

4. The federal Resource Conservation and Recovery Act and Clean Air Act, as implemented through approved State programs, and Atomic Energy Act are expected to be the key regulatory drivers for tank waste retrieval, transfers, pretreatment, vitrification, disposal, and other activities impacted by the designation of tank waste as PCB remediation waste. Compliance with TSCA is expected to be implemented in accordance with the risk-based disposal approval option.

5. The DST waste acceptance limits will be revised based on the ability of the vitrification plant and downstream facilities to process PCBs as determined by the risk-based disposal approval.

6. Quantification of PCBs in DSTs, single shell tanks (SSTs), and incoming waste transfers is the key to ensuring that the vitrification plant and other ancillary facilities PCB waste acceptance limits and the requirements of the anticipated risk-based disposal approval are met.

7. The initial engineering design basis for the vitrification plant will assume up to 50 parts per million of PCBs in the waste feed to the vitrification plant. The treatment standards, DST acceptance criteria, or design of the vitrification plant will be revised, if required, based on a risk-based disposal approval and other applicable regulatory requirements.

8. Dilution of PCBs may result from acceptance of HLW into DSTs and as a result of waste feed blending required to support site cleanup. This is acceptable as mixing incidental to treatment. The DST system is Hanford's only management facility for HLW and may be the preferred or only management pathway for some cleanup wastes. The risk based disposal pathway will be used to ensure satisfaction of TSCA criteria for high-level PCB remediation waste.

9. These actions will accommodate the continued transfer of waste from the SSTs to the DSTs to continue to reduce environmental risk.

10. DOE expects the immobilized HLW from the vitrification plant to qualify for the radioactive waste exemption in 40 CFR 761.50(b)(7)(ii).

Approved this 31st day of August 2000.

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