

EXHIBIT A

Required Actions Under Chapter 173-303 WAC

INTRODUCTION

The Central Waste Complex (CWC) Treatment, Storage, or Disposal (TSD) Unit Group, the Waste Receiving and Processing (WRAP) TSD Unit Group, and the T-Plant Unit Group (not including Low-Level Burial Grounds) are groups of Dangerous Waste Management Units (DWMUs) that are operating under interim status standards pursuant to condition I.A of the Dangerous Waste Permit WA 7 89000 8967, Revision 8C. These three TSD Unit Groups are collectively referred to in this Order as the Solid Waste Operations Complex (SWOC).

This Exhibit to Agreed Order and Stipulated Penalty No. DE 10156 (Order) requires actions that apply to the SWOC DWMUs.

REQUIRED ACTIONS

1.1 United States Department of Energy (USDOE) and CH Plateau Remediation Company (CHPRC) will immediately undertake the following specified actions at all DWMUs within the SWOC, including the buildings, load/unload areas, staging areas, storage pads, and individual storage structures at those locations where dangerous waste is managed.

1.1.1 USDOE and Ecology agree that requirements in the context of this Agreed Order will not set a precedent for requirements in the Hanford RCRA Permit Revision 9.

1.1.2 By January 30, 2015, USDOE will submit to Ecology a Class 2 permit modification request. The permit modification request will include two changes. One change will be to the Permit Applicability Matrix (Permit Attachment 9) to make "Facility Contingency Plan" applicable to Interim Status TSD Units (the SWOC units are operating to Interim Status Standards). The second change will be to Appendix A of DOE/RL-94-02, Hanford Emergency Management Plan (Permit Attachment 4), to describe how each requirement of WACs 173-303-340, -350, -355, and -360 are met for TSD units operating to Interim Status Standards. USDOE's submitted Class 2 permit modification required by this subsection will not be subject to enforcement under this Order. Ecology's review process of USDOE's permit modification will be in accordance with the applicable requirements of WAC 173-303-830. Until the permit modification is approved by Ecology and incorporated into the Hanford Facility Dangerous

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Waste Permit (Site-Wide Permit), specific reporting criteria and emergency procedures required in Sections 1.2 and 1.3 will apply only to the SWOC TSD units. After the permit modification is incorporated into the Site-Wide Permit, the applicable requirements identified in Appendix A of the HEMP will supersede the requirements of Sections 1.2 and 1.3.

1.2 Spill Notification and Incident Reporting

1.2.1 For spill notification and incident reporting at the Hanford Facility (Facility), USDOE and CHPRC must comply with the notification and response requirements from WAC 173-303-145 and -360. Such notification and response requirements include, but are not limited to, the following:

1.2.2 Notification. The requirements of this sub-section apply: (1) when any dangerous waste or hazardous substance is intentionally or accidentally spilled or discharged into the environment (unless otherwise permitted) such that human health or the environment is threatened; (2) in the event of an emergency situation (WAC 173-303-360(2)(a)(ii)); or (3) when the Contingency Plan has been implemented. USDOE and CHPRC will immediately notify Ecology and the appropriate local authorities for the following situations:

1.2.2.1 In the event of a spill subject to 1.2.1 or 1.2.2, or that triggers formal notification to USDOE related to dangerous waste spills, non-permitted release, or discharge of a dangerous waste or hazardous substance onto the ground or into surface water or groundwater, regardless of the quantity of dangerous waste or hazardous substance.

1.2.2.2 In the event of a spill, release, or other discharge originating from a damaged shipment that has arrived at a dangerous waste unit or TSD Unit Group in such condition.

1.2.2.3 In the event of a spill, release or other discharge of a dangerous waste or hazardous substance that is greater than 100 pounds (12 gallons) or the “reportable quantity” established in the most recent version of 40 CFR Part 302, Table 302.4

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(whichever is less) when any portion of the release extends beyond secondary containment.¹

1.2.2.4 In the event of an imminent or actual release, fire, or explosion which could threaten human health or the environment, as required by WAC 173-303-360(2)(d)(ii).

1.2.3 For spills or discharges that result in emissions to the air, USDOE and CHPRC notify all local authorities in accordance with the local emergency service coordinator (local emergency plan) and the fire department to determine all notification responsibilities under the local emergency plan. Also, USDOE and CHPRC will notify Ecology as the delegated local air authority for Hanford.

1.2.4 Emissions to the air from a spill, release, or other discharge (including to secondary containment) of a dangerous waste or hazardous substance require notification to Ecology when: (a) the spill or release is greater than 100 pounds (12 gallons) or a “reportable quantity” in the most recent version of 40 CFR Part 302, Table 302.4 (whichever is less); and (b) a constituent not specifically listed in Appendix VI in 40 CFR Part 265 list of compounds known to have a Henry’s Law constant value less than the cutoff level, or volatile organic compound detected by SW 846 6260B.

1.2.5 For spills or discharges of a dangerous waste or hazardous substance onto the ground or into groundwater or surface water, notify all local authorities in accordance with the local emergency plan. If necessary, check with the local emergency service coordinator and the fire department to determine all notification responsibilities under the local emergency plan.

1.2.6 For all of the circumstances listed in sub-sections 1.2.2.1–1.2.2.4, immediately notify the Ecology Central Regional Office 24-hour emergency number at (509) 575-2490.

1.2.7 Mitigation and Control. When a spill or non-permitted discharge occurs, USDOE and CHPRC shall take appropriate immediate action to protect human health and the environment

¹ Secondary containment means a constructed pad or engineered device with an impervious surface and berms designed to hold a spill or release of dangerous waste.

consistent with the performance standards of WAC 173-303-145(3) and consistent with WAC 173-303-283(3).

1.3 Contingency Plan and Emergency Procedures (WAC 173-303-350, -360)

The Hanford Emergency Management Plan (HEMP, DOE/RL-94-02) contains the Hanford facility Dangerous Waste contingency plan, consistent with the WAC 173-030-350(2) allowance for one contingency plan that meets all regulatory requirements.

1.3.1 USDOE and CHPRC will immediately implement emergency procedures and the HEMP in compliance with the Dangerous Waste Regulations if any of the following described incidents occur:

1.3.2 Any fire or explosion at the SWOC, and any fire or explosion that could spread to or otherwise affect operations at the SWOC.

1.3.3 Release of dangerous waste, mixed dangerous waste, or hazardous substance, which includes, but is not limited to the following:

1.3.3.1 Any sudden or non-sudden spill, release, or other discharge of a dangerous waste, mixed dangerous waste, or hazardous substance that poses a threat to human health or the environment, regardless of quantity.

1.3.3.2 A spill, release, or other discharge that has the potential for contamination of soil, surface water, or groundwater that poses a threat to human health or the environment, regardless of size.

1.3.3.3 An uncontrolled spill, release, or other discharge originating from a damaged shipment that has arrived at a dangerous waste unit or TSD Unit Group.

1.3.3.4 A spill, release, or other discharge of a dangerous waste or hazardous substance greater than 100 pounds (12 gallons) or the “reportable quantity” established in the most recent version of 40 CFR Part 302, Table 302.4 (whichever is less) when any portion of the release extends beyond secondary containment.²

² Secondary containment means a constructed pad or engineered device with an impervious surface and berms designed to hold a spill or release of dangerous waste.

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1.3.3.5 A release of gas to the air originating from an unplanned reaction of dangerous waste, mixed dangerous waste, or hazardous substance.

1.3.3.6 Emissions to the air from a spill, release, or other discharge (including to secondary containment) of a dangerous waste or hazardous substance when (a) the spill or release is greater than 100 pounds (12 gallons), (b) a “reportable quantity” in the most recent version of 40 CFR Part 302, Table 302.4 (whichever is less), or (c) a constituent not specifically listed in Appendix VI in 40 CFR Part 265 list of compounds known to have a Henry’s Law constant value less than the cutoff level, or volatile organic compound detected by SW 846 6260B.

1.3.3.7 A spill, release, or other discharge or potential for release of dangerous waste or hazardous substance caused by a natural disaster including, but not limited to, earthquake or severe flooding conditions that damage equipment, foundations, structures, or tanks; severe storm involving high winds or lightning that damage or overturn tanks, containers, or other equipment; damaged or unacceptable waste shipments arriving at the facility that present a hazard to public health and the environment; a shipment that cannot be transported because the containers are damaged or in such poor condition to such an extent that presents a hazard to workers, public health, or the environment in the process of further transportation.

1.3.3.8 A release of a dangerous waste, mixed dangerous waste, or hazardous substance that prompts an evacuation of all or part of a SWOC unit.

1.4 Documentation Required (WAC 173-303-145(4), -360(2)(e), (j), (k), -390(3))

1.4.1 Within 15 days of an incident triggering the RCRA contingency plan, USDOE or CHPRC must submit a report to Ecology’s Richland Field Office to the contact identified in Section IX (Submittals) of the Order. WAC 173-303-360(2)(k).

1.4.2 USDOE and CHPRC must record spills and releases of dangerous waste, mixed dangerous waste, or hazardous substance in a spill log as part of the operating record as required by WAC 173-303-380. This includes incidents that do not meet the criteria for notification or

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reporting in this Order, for example small spills or releases to containment systems that do not exceed the thresholds listed above.

1.5 Contingency Plan

1.5.1 USDOE and CHPRC will train all appropriate facility employees (including SWOC emergency coordinators) on the updated HEMP required in section 1.1.2, and any subsequent revisions no later than 14 calendar days after the revisions become effective, or for new employees, within 28 days of reporting to SWOC. New employees must be supervised by a person knowledgeable in dangerous waste management procedures as required by WAC 173-303-330(1)(a) until all required training has occurred.

1.5.2 Until the HEMP is revised, appropriate facility employees (including SWOC emergency coordinators) responsible for notification and reporting within the SWOC will be trained on the notification and reporting criteria in section 1.2 of this Exhibit within 60 days of the effective date.

1.6 Waste Designation

1.6.1 USDOE and CHPRC shall designate waste in accordance with the procedures in WAC 173-303-070 and -170. Dangerous waste will be managed in accordance with the risks and hazards identified by the designation process. Characterization may result in additional waste codes being applied. USDOE and CHPRC will manage the redesignated waste in accordance with the new risks and hazards associated with the new waste codes.

1.6.2 For designation under WAC 173-303-080, -081, and -082 (lists), once a listing is applied to a dangerous waste, all waste derived from the original waste will carry the original wastes' listings codes unless the waste is re-evaluated through the designation procedures of WAC 173-303-070 and -170. Changes to designation, and the supporting information for the change, will be documented in the operating record.

1.6.3 Ecology may require chemical, physical, or biological analysis be performed on a waste or waste stream as provided under WAC 173-303-070(4). If required, USDOE and CHPRC will comply with this requirement by submitting a written proposal for conducting the required

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sampling of the waste stream in compliance with the requirements of WAC 173-303-110. Ecology will review and comment on the proposal.

1.6.3.1 Liquids identified by NDE in mixed low level waste (MLLW) will be sampled per WAC 173-303-070.

1.6.3.2 Waste identified by NDE that does not meet the definition of debris will be sampled per WAC 173-303-070.

1.6.3.3 Documentation of the results of the sampling and analysis will be placed in the operating record.

1.7 Sampling and Analysis for Designation and Characterization

1.7.1. USDOE will conduct NDE on all future retrieved drums (approximately 12,000 containers) and non-drum containers (approximately 150) that can be done using existing capabilities to identify non-conforming waste items (NCW).³ USDOE will open and sample (at T-Plant or other acceptable facility) all MLLW drums that contain liquid NCW (e.g. containerized liquid, free liquids in excess of 1% of the drum volume). USDOE may request Ecology approval of reduced sampling frequency once USDOE can demonstrate that adequate characterization/sampling has established reliable waste profiles.

1.7.1.1 USDOE and CHPRC will conduct sampling and analysis of waste received or stored at the SWOC units for NCW waste identified in section 1.7.1 when testing is required in accordance with WAC 173-303-070 and -170. To meet this requirement, USDOE and CHPRC must use an Ecology-approved waste stream-specific sampling and analysis plan (SAP). Until USDOE and CHPRC submit to Ecology a permit modification request for the SWOC Unit Groups, including Waste Analysis Plans (*see* Exhibit section 1.12.1), USDOE and CHPRC will incorporate SAPs into the existing RCRA interim status standards Waste Analysis Plans for SWOC Unit Groups.

³ A non-conforming waste is a waste that does not match the shipping document (WAC 173-303-370(5)), does not match the designation or characterization for the waste (WAC 173-303-300(3)), or both.

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1.7.2 Samples obtained for the purpose of waste designation, determination of RCRA regulatory status, and determining the applicability of landfill disposal restrictions (LDR) requirements must be representative of the waste stream and be taken in accordance with the SWOC unit WAP. Samples taken for the purposes of radiological constituent determinations or industrial hygiene screening are outside the scope of this order.

1.7.3 Sample methods for volatile organic compounds require that samples be placed in an appropriate bottle type as specified in the procedures and techniques recommended in EPA publication SW-846, entitled *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*.

1.7.4 All personnel required to conduct designation sampling will be trained to perform the procedures as required by the test method and of the applicable SWOC Unit Group Waste Analysis Plan within 60 days of the effective date of the Order. New employees will be trained before they conduct any designation sampling.

1.7.5 Documentation will be kept in the TSD operating group-specific operating record as training records (WAC 173-303-330(3)) for all personnel conducting sampling for the purpose of designation. A copy of the training course curriculum, or a detailed description, will be kept with the training record.

1.8 General Waste Analysis for Treatment, Storage, and/or Disposal Activities

The SWOC units are TSDs that provide container storage and treatment for dangerous and/or mixed waste, including the retrievably stored mixed transuranic waste being retrieved from the Hanford Facility Low-Level Burial Grounds. SWOC units manage both retrieval waste, as well as newly generated waste. The waste received and processed by SWOC has been generated both on and off the Hanford Site.

SWOC waste management processes include the following:

- Assessment and evaluation of the waste stream information. This process ensures conformance with SWOC waste acceptance requirements prior to acceptance of the waste at the SWOC unit.

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- Completion and submittal of a waste stream data package.
- Receipt and acceptance of dangerous and/or mixed waste.
- Management of the accepted waste for storage and/or treatment.
- Generation of new dangerous or mixed waste during processing.

SWOC units manage these types of waste: 1) newly generated waste from both on-site and off-site of Hanford, 2) waste transferred between SWOC units, 3) retrieval waste, and 4) SWOC unit generated waste.

1.8.1 SWOC units shall maintain a current WAP that complies with WAC 173-303-300. Until USDOE and CHPRC submit to Ecology a permit modification request for the SWOC Unit Groups, including Waste Analysis Plans (see Exhibit section 1.12.1), USDOE and CHPRC will notify Ecology of any revisions to the existing RCRA interim status standards Waste Analysis Plans for SWOC Unit Groups.

1.8.2 USDOE will document in the SWOC WAP a process for confirming the each type of waste managed meets WAC 173-303-300 requirements. This process will include a performance evaluation of the generator's record of conformance to the WAP. The process must include the following:

- 1) a waste stream approval process
- 2) a waste transfer approval process
- 3) a verification process

1.8.3 USDOE and CHPRC shall perform characterization confirmation on Retrievably Stored Waste (RSW) drums in accordance with the detailed requirements below (1.8.3.1 through 1.8.3.4). USDOE will complete the characterization confirmation for drums and NDE capable boxes no later than the dates specified in milestones M-091-42 and M-091-43 in the Hanford Federal Facility Agreement and Consent Order (HFFACO), as amended. In the event that USDOE and CHPRC fail to complete the requirements in section 1.8.3 and subsections 1.8.3.1–

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1.8.3.2 of this Exhibit by the milestone dates for M-091-42 and/or M-091-43, then the sole remedy for Ecology shall be assessment of HFFACO stipulated penalties.

1.8.3.1 For all 55-gal drums of RSW, each package will be verified by means of physical waste confirmation methods (e.g., opening the drum and inspecting the waste) or by non-intrusive waste confirmation methods (e.g., non-destructive evaluation (NDE) using radiography). The waste will be examined to identify any NCW items in the drum. Waste verifications can be performed at the Low-Level burial grounds, excluding Trenches 31, 34, and 94, upon retrieval, or at a SWOC unit.

1.8.3.2 USDOE will perform NDE on the approximate 1,000 RSW drums currently in storage at SWOC for which NDE has not yet been performed prior to shipment off site, or processing on-site.

1.8.3.3 Drummed waste without liquid NCW items can be shipped offsite for processing.

1.8.3.4 Drummed waste containing one or more NCW items cannot be shipped offsite for processing until the NCW items have been characterized and/or dispositioned onsite at a SWOC unit. "Dispositioned" would include the opening the drums and removing NCW. It could include other activities (e.g., repackaging or over-packing) and some treatment (e.g., solidification).

1.8.4 USDOE shall perform characterization confirmation on RSW boxes per the following requirements:

1.8.4.1 Each box of RSW for which non-intrusive waste confirmation capability (e.g., NDE using radiography) is available at a SWOC unit at the time this Agreed Order becomes effective (nominally a box up to 9'x5'x5' in size), will be so examined. The box contents will be examined for NCW items in the box. Waste verifications can be performed at the Low-Level retrieval burial grounds, excluding Trenches 31, 34, and 94, upon retrieval, or at a SWOC unit.

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1.8.4.2 Such NDE capable RSW boxes that have been confirmed to not contain any NCW items can be shipped offsite for processing.

1.8.4.3 Such NDE capable RSW boxes containing one or more NCW items can be shipped offsite for processing provided the additional knowledge obtained from the NDE verification is recorded in the waste package operating record, and the additional knowledge is transmitted to the receiving offsite facility prior to shipment of the waste to the facility.

1.8.5 For any box of RSW for which non-intrusive waste confirmation capability (e.g., NDE using radiography) is not available at a SWOC facility at the time of this agreed order (nominally a box greater than 9'x5'x5' in size), the waste record for the waste box will be reviewed and investigated to determine the probable contents inventory. This review and investigation shall be documented in the SWOC unit operating record. If the waste package is to be shipped offsite for processing, all available process knowledge about the contents will be provided to the offsite facility prior to shipment.

1.8.5.1 Within 1 year of the effective date of this Order, USDOE and Ecology will meet and jointly review available information previously used to develop the process knowledge documentation of the RSW packages currently being stored outdoors at CWC closing TSDs. USDOE and Ecology will work to identify a subset of these boxes having sufficient knowledge to reliably comply with an offsite facility's waste acceptance criteria and radioactive material license (RML). USDOE will work with Ecology to assess the feasibility of initiating processing some of these large boxes offsite in FY2014 and/or FY2015.

1.8.5.2 For those RSW packages having insufficient knowledge, USDOE will continue to identify additional means to obtain reliable characterization information, to allow processing of these waste packages offsite as necessary. USDOE will complete the characterization confirmation for those RSW packages no later than the dates specified in milestones M-091-42 and M-091-43 in the Hanford Federal Facility Agreement and

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Consent Order (HFFACO), as amended. In the event that USDOE and CHPRC fail to complete the characterization requirements in this subsection by the milestone dates for M-091-42 and/or M-091-43, then the sole remedy for Ecology shall be assessment of HFFACO stipulated penalties.

1.8.5.3 Additional waste characterization knowledge obtained during the processing of a box of RSW at such an offsite facility shall be reviewed by USDOE to determine if it should amend the waste designations for other boxes or drums from the same waste stream that remain at the Hanford site.

1.8.6 USDOE and CHPRC will document in the operating record all records required by WAC 173-303-380, including the following:

- 1) the waste acceptance and confirmation process for each waste accepted;
- 2) the results of all tests and samples; and
- 3) Analytical results, including QA/QC results.

1.8.7 The existing interim status standards Waste Analysis Plans for SWOC Unit Groups identify steps to document and manage conformance issues identified during waste confirmation. When a NCW is found the following actions will be taken to meet the requirements of WAC 173-303-300:

1.8.7.1 Determine whether the waste cannot be managed safely at the SWOC due to process or safety limits, and must be moved to an alternate facility.

1.8.7.2 Evaluate whether the waste fits another existing designation or characterization description and has been misidentified, and therefore it can be accepted at the facility.

1.8.7.3 Characterize or re-characterize the waste stream, and document the changes in the operating record as required by WAC 173-303-300 and -380.

1.8.7.4 Report to Ecology if the discrepancy cannot be resolved within 15 days, as required by WAC 173-303-370(5)(c).

1.8.8 Confirmation and/or characterization by USDOE and CHPRC will include the following:

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The WAP will specify for each waste type accepted into SWOC (newly generated, transferred waste, RSW waste, and waste generated during SWOC operations) a process for confirming the dangerous waste characteristics of the waste. This process could include representative sampling and analysis, chemical screening, NDE or visual verification to help ensure that the contents of the container match the knowledge about the waste stream. For direct testing, testing parameters and required methods must be in accordance with WAC 173-303-110 as specified in the WAP.

1.9 Container Management

1.9.1 USDOE and CHPRC will immediately take the following steps to care for and maintain containers of dangerous waste or MLLW at all of the SWOC DWMUs:

1.9.2 USDOE and CHPRC must maintain containers of dangerous waste in good condition. “Good condition” means:

- 1) Containers must be free of excessive dents and corrosion.
- 2) Containers must not have appearance of other deterioration or excessive pressure (bulging or swelling)
- 3) Containers must have no structural defects.
- 4) Where containers are equipped with seals, gaskets, or other closure sealing devices, they must be in good condition, and sufficient to prevent both spills/leaks of the container contents, and prevent the intrusion of precipitation.

If any container is found not to be in good condition, the waste must be transferred from that container to a container in good condition, or the container placed in a suitable overpack container. Containers must be compatible with their contents.

1.9.3 USDOE and CHPRC must not store incompatible waste streams in the same secondary containment area, place waste in a container that may cause corrosion or decay of that primary containment, or commingle waste with other waste streams which produce unexpected or uncontrolled reactions as required by WAC 173-303-630(9).

1.9.3.1 Containers of incompatible waste must be separated from other wastes by means of a berm, wall, dike, spill pallet, or other physical barrier. Spill pallets used for

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segregating incompatible wastes must be maintained in good condition, inspected weekly, and deficiencies noted on the weekly inspection checklist.

1.9.4 A container holding dangerous waste must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak. For dangerous waste in operating DWMUs that has not been confirmed to be free of liquids, USDOE and CHPRC will store such dangerous waste in secondary containment and in DWMUs that are designed to be protective of the container type as required by WAC 173-303-630(4), (7).

1.9.5 Loading and unloading of mixed waste containing known liquids at the SWOC DWMU will occur only within compliant secondary containment that meets the standards of WAC 173-303-395(4), or USDOE/CHPRC will use temporary measures (e.g. portable berms and/or spill pallets) to provide compliant secondary containment.

1.10 Inspections

The following requirements shall be followed within 30 days of the effective date of this Order:

1.10.1 USDOE and CHPRC shall conduct inspections at the SWOC in accordance with the requirements of WAC 173-303-320 and -630(6). USDOE and CHPRC shall take necessary steps to ensure that containers at the SWOC, including containers with covers or that have restricted access due to radiological controls in DWMUs, receive complete and thorough inspections.

1.10.2 For problems or unsatisfactory conditions found during inspections, USDOE and CHPRC shall remedy those problems or unsatisfactory conditions as follows:

1.10.2.1 On an on-going basis, as required by WAC 173-303-320(3), remedy the condition revealed by the inspection on a schedule which prevents hazards to the public health and environment.

1.10.2.2 Track problems resulting from malfunctions and deterioration, operator errors, and discharges (WAC 173-303-320(1)) or necessary repairs or remedial actions (WAC 173-303-320(2)(d)) including the remedy and date of the remedy, keep this information in the operating record, and provide the record upon request (WAC 173-303-380).

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1.10.2.3 Work orders or directives to correct problems resulting from malfunctions and deterioration, operator errors, and discharges (WAC 173-303-320(1)) or necessary repairs or remedial actions (WAC 173-303-320(2)(d)) will be acted upon on a schedule that reflects the risk or hazard (WAC 173-303-320(3)). Roof leaks of dangerous waste storage buildings, if observed, will be identified by required inspections. In addition to weekly inspections, ad hoc tours by operations personnel may be used to identify roof leaks and damage to/deterioration of Dangerous Waste storage buildings. All leaks will be tracked in unit operating records. Leak repair priority will be determined by the risk of the leak to stored waste containers and as allowed by weather conditions; but shall occur on at least a yearly frequency.

1.10.2.4 Immediately upon the effective date of the Order, respond to all imminent or actual hazards at the time they are observed (WAC 173-303-320(3) and -145(3)).

1.10.3 The Dangerous Waste Regulation (DWR) inspection frequency will be weekly for all DWMUs as required by WAC 173-303-630(6). Daily inspections will take place when specific conditions described in WAC 173-303-320(2)(c) exist in the specific unit for areas that are subject to spills. For example, on/off load areas are subject to daily inspections when being used to handle containers with known free liquids.

1.10.3.1 The DWR required inspections will identify and evaluate on a weekly basis the condition of containers, container covers, and evidence of leaks, spills, or releases.

1.10.3.2 For mixed waste boxes that are stored in a radioactive contamination area, or where access might be time limited by radiation dose, so that inspection access is limited, the inspection schedule will include alternative means to conduct a dangerous waste inspection.

1.10.3.3 For waste packages stored at the CWC in Outside Storage Area A, USDOE and Ecology agree that in addition to the weekly DWR inspections identified in the existing DWR interim status standards inspection plans, USDOE performs the

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following additional surveillances which provide an additional degree of confidence about safe storage of the waste containers at the CWC Outside Storage Area A:

- 1) During performance of the weekly radiological survey routines, Radiological Control Technicians (RCTs) observe containers and container covers for signs of deterioration. Any abnormal conditions will be reported to their supervisor and/or Operations management.
- 2) During performance of the normal (on standard operating days only) safety drive-through at the CWC, Operations management notes any abnormal conditions within the storage area (e.g. torn covers, blown-off protective covers, missing labels).
- 3) On a monthly basis, the tops of the waste packages or package covers are visually checked to determine if there are tears or holes significant enough to allow precipitation to degrade the waste package.
- 4) Additionally, the following monthly surveillances/inspections are performed at the CWC which puts personnel out in the field who are cognizant in identifying degrading conditions associated with the waste packages:
 - a) Discrepant container reviews;
 - b) Combustible loading surveillances;
 - c) Housekeeping inspections;
 - d) Fire extinguisher inspections.

1.11 Care and Maintenance During Closure at CWC Outside Storage Area A

1.11.1 USDOE and CHPRC must ensure that dangerous waste containers stored at the CWC are labeled with the information as required by WAC 173-303-630(3) and -395(6) to make sure that workers know and understand the risks associated with the wastes to be managed or stored.

1.11.1.1 Within 30 days of the effective date of the Order, USDOE and CHPRC will institute a process to label, and maintain labels in good condition for all DW containers or their protective covers in the CWC Outside Storage Area A. The label information

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required will be present, maintained, and will not become obscured, removed, weathered, or otherwise unreadable for the purposes of inspection.

1.11.1.2 Personnel conducting the DW container inspections will verify the appropriate labeling on each container or covered container and inspect the condition of the labels during daily and weekly inspections. Missing or obscured labels will be corrected on the day they are discovered missing or damaged.

1.11.2 For RSW containers that are stored outside at the CWC Outside Storage Area A that cannot be placed into a building(s), USDOE and CHPRC shall apply protective covering within 150 calendar days of the effective date of the Order. USDOE and CHPRC will ensure that such covers provide an equivalent level of protection from the elements, including infiltration of precipitation, that would otherwise be obtained if it were technically practicable to place such containers in a building pursuant to WAC 173-303-630(7)(d).

1.11.3 Immediately upon the effective date of the Order, USDOE and CHPRC will cease accepting any new mixed waste containers in CWC Outside Storage Area A. Dangerous waste containers with known liquids may only be stored in DWMUs that meet the secondary standards required by WAC 173-303-630(7).

1.12 Facility Expansions

1.12.1 Within fourteen months after Ecology's transmittal of the Conceptual Agreement Packages to USDOE, USDOE agrees to submit to Ecology a Class 3 permit modification request to incorporate the SWOC Unit Groups into the Hanford Dangerous Waste Permit.

1.12.2 Until Ecology receives the USDOE request to incorporate the SWOC Unit Groups into the Hanford Dangerous Waste Permit, expansions to a DWMU, or the construction or addition of any new DWMU, must occur in accordance with WAC 173-303-830. USDOE and CHPRC will do the following when proposing to expand any of the DWMUs within the SWOC Unit Groups:

1.12.3 Immediately upon the effective date of the Order, and prior to implementing a change to any DWMU within any of the SWOC Unit Groups, USDOE and CHPRC will submit to Ecology

Exhibit A: Required Actions Under Chapter 173-303 WAC

all planned Class 2 and 3 modifications described in WAC 173-303-830 in accordance with the three-tiered modification classification system.

1.12.4 In accordance with WAC 173-303-810(14)(a), USDOE and CHPRC must provide notice to Ecology as soon as possible of any planned physical alterations or additions to any DWMU within the SWOC Unit Groups. Such physical alterations or additions must be in compliance with the requirements and standards of the dangerous waste regulations. No dangerous waste may be managed in any new or modified DWMU within the SWOC Unit Groups until:

1.12.4.1 A permit modification has been submitted to Ecology and approved by, or temporary authorization has been obtained from, Ecology for the physical change; and

1.12.4.2 A letter has been submitted to Ecology by certified mail or hand delivery signed by USDOE, CHPRC, and a registered professional engineer that states the new waste management area has been constructed or modified in compliance with the authorized permit modification and either:

- 1) Ecology has inspected the modified or newly constructed waste management area and finds it in compliance with the permit, or
- 2) Ecology has not provided notice of its intent to inspect within 15 days of receipt of the letter.

1.13 Recordkeeping and Access to Operating Record

1.13.1 RCW 70.105.109 provides authority to Ecology to regulate mixed hazardous waste that is composed of both radioactive and hazardous components. RCW 70.105.130 provides authority to require records be kept, and to access regulated facilities for the purpose of inspection. USDOE and CHPRC shall provide access to Ecology as intended by these authorities and in accordance with WAC 173-303-380(3). The following actions are required under this exhibit:

1.13.2 All operating records required by WAC 173-303-380 must be available to Ecology upon request during site inspections at the time of the site visit, or within 24 hours thereafter with written approval for the extension from Ecology.

1.13.3 Electronic records will be retrievable at the time of the site visit and provided in hard copy upon request for on-site review.

1.14 Schedule

The following submittals are listed as requirements in the subsections above, and are repeated here to summarize the schedule of compliance:

1.14.1 Dangerous Waste Permit Modification request, for a revision to the HEMP:

1.14.1.1 Schedule in accordance with section 1.1.2.

1.14.2 Appropriate facility employees responsible for notification and reporting within the SWOC will be trained on the notification and reporting criteria in this Agreed Order:

1.14.2.1 Within 60 days of the effective date of this Order (Section 1.5).

1.14.3 USDOE and Ecology will jointly review available information for large RSW boxes:

1.14.3.1 Schedule in accordance with section 1.8.5.1.

1.14.4 Implement surveillances at CWC Outside Storage Area in addition to weekly Dangerous Waste Regulations inspections (Section 1.10):

1.14.4.1 Within 30 days of the effective date of this Order.

1.14.5 Submit to Ecology a Class 3 Permit modification request to incorporate the SWOC Unit Groups into the Hanford Dangerous Waste Permit:

1.14.5.1 Schedule in accordance with section 1.12.