

Response to Comments Chemical Waste Management Permit Modification No. 127

Chemical Waste Management of the Northwest, Inc. submitted a Class 2 Permit Modification Request on October 1, 2021. The modification included the addition of a Container Storage Unit (S-12) pursuant to 40 CFR 264 Subpart I and the removal of references to Waste Pile-1 which was “Clean Closed” as of August 2020.

WHAT WAS DECIDED? On December 16, 2021, the Oregon Department of Environmental Quality (DEQ) issued a decision on the above-referenced permit modification request in the affirmative.

PUBLIC COMMENTS: The initial public comment period for this permit modification request was open from October 1, 2021, to November 30, 2021. The DEQ received zero comments from the public during the public comment period. The DEQ did receive 10 comments from EPA, Region X (see below). In response to the comments, a number of changes to the affected documents were made. This “Response to Comments” has been prepared in accordance with the requirements of the Resource Conservation and Recovery Act regulations (40 CFR 124.17, as adopted by OAR 340-100-0002).

List of Commenters

No comments from members of the public were received. Pursuant to the inter-departmental agreement, EPA Region X provided comments which are listed below.

WHERE CAN I GET MORE INFORMATION?

An electronic link to this Response to Comments has been provided to each party who provided comment during the public comment period, along with an electronic link to the associated notice of decision.

| No. | From | Type | Date Rec. | Document | Comment | DEQ Response | EPA Response |
|-----|------------|--------|------------|---------------|---|--|--|
| 1 | EPA Reg. X | Formal | 10/22/2021 | Attachment #3 | Table 4-3 on page 4-8 is missing S-12 and therefore is inconsistent with Section 4.3.1. Correct as necessary. | The indicated table references storage units actively used for biotreatment of wastes. S-12 will not host biotreatment activities. Narrative discussion in 4.3.1 deleted reference to S-12. | Page 47, Weekly Inspection Report for container storage areas and buildings includes S-12 for biotreatment -- remove from Report form to be consistent with Section 4.3.1. |
| 2 | EPA Reg. X | Formal | 10/22/2021 | Attachment #3 | Weekly Inspection Report form (pdf page 47) only covers S-2 and S-11A, and S-6, S-10, and S-12. Explain why storage areas S-1, S-3, S-4, and S-5 are not included, or correct the form as appropriate. | Storage units S-2, S-10, S-11A, S-6 and S-12 present at the facility. The other referenced units have either been clean-closed or have not been constructed. S-12 is anticipated to be constructed in 2022. Changes were made to reflect the storage of containers in units S-11A and S-2. | OK. The addition of Table 1-1 Section 1 in SA 9 is helpful. |
| 3 | EPA Reg. X | Formal | 10/22/2021 | Attachment #5 | Explain why storage areas S-1 and S-3 are not part of the closure plan, or correct as appropriate. | The modification is for the addition of container storage unit S-12 and the removal of permit references to Waste Pile-1. The comment is not applicable to the current modification but will be addressed as part of the anticipated permit renewal in 2022 and 2023. | OK |
| 4 | EPA Reg. X | Formal | 10/22/2021 | Attachment #9 | EPA does not believe that the potential for elevated temperatures in the expected non-radioactive vitrified waste from Hanford will pose technical issues regarding the proposed storage area based on the design presented. However, EPA suggests that ODEQ continue to work | The Department has reached out to counterparts with the Department of Ecology regarding the LAW facility and the "cold commissioning" test vessels. Additionally, the | OK |

| | | | | | | | |
|---|------------|--------|------------|---------------|--|--|--|
| | | | | | with the Department of Ecology to better understand the on-site cooling process for these wastes to help identify any other issues that may arise prior to placement of these wastes in storage at CWMNW. | permittee will be continually working with the operating contractor of the facility identify and resolve issues associated with the waste stream. | |
| 5 | EPA Reg. X | Formal | 10/22/2021 | Attachment #9 | Add storage unit S-11A to the facility map. Also, make clear the location of Figure 1-1A on the larger map. | The modification is for the addition of container storage unit S-12 and the removal of permit references to Waste Pile-1. The comment is not applicable to the current modification but will be addressed as part of the anticipated permit renewal in 2022 and 2023. | OK |
| 6 | EPA Reg. X | Formal | 10/22/2021 | Attachment #9 | Section 2.1 (Outside Container Storage Design) – The addition of 1,801,911 gallons to the existing 7,184,988 gallons of container storage capacity, as stated in this version of the document, is an increase of 25.1%, which would classify this permit modification as Class 3 not Class 2 per Appendix I to 40 CFR 270.42. However, per an email from ODEQ on 10/8/21, CWMNW has decided to reduce the storage capacity of S-12 to 1,796,247 gallons (instead of 1,801,911 gallons) so that the increase is at 25%, thereby ensuring the modification would be Class 2. | Container volumes in Table 2-1 have been adjusted to ensure that greater than a 25% increase does not occur. "% increase" is defined as final volume minus initial volume divided by initial volume. Narrative language in Section 2.1 has been removed to minimize confusion. | OK; however, EPA did not check the new calculations. |
| 7 | EPA Reg. X | Formal | 10/22/2021 | Attachment #9 | The total storage capacities of the outdoor storage areas as presented in Table 2-1 on page 2-13 do not add up to the amounts described in Section 2.1 Check the math and correct this section and ensure that the modification would indeed still be Class 2. | The narrative language that summarized allowable volumes has been removed to minimize the potential for inconsistency. Table 2-1 has been updated with a summary to simplify determination of the 25% | OK; however, EPA did not verify that the updated text and table match. |

| | | | | | | | |
|----|------------|--------|------------|-----------------|---|--|--|
| | | | | | | increase that the addition of S-12 represents. | |
| 8 | EPA Reg. X | Formal | 10/22/2021 | Attachment #9 | Section 1 (Introduction) and Section 2.1 (Outside Container Storage Areas Design) – Fix the discrepancies between these two sections and anywhere else in the document as necessary. Section 1 states there are seven container storage units at the facility but then lists eight: S-1, S-2, S-4, S-5, S-6, S-10, S-11A, and S-12. But according to this document, there are nine: seven outdoor storage areas (S-1, S-3, S-4, S-5, S-6, S-10, and S-12) and two storage buildings (S-2 and S-11A). Correct the document so it properly states the numbers and names of the container storage units and which are indoor versus outdoor. | Table 1-1 has been added to clarify the approved storage units, the type of unit, whether is has been built (or not). Narrative language has been simplified to help ensure consistency. | OK; however, EPA did not verify that the updated text and table match. |
| 9 | EPA Reg. X | Formal | 10/22/2021 | Attachment #9 | According to the storage area S-12 permit drawings dated 8/24/21, a monitoring well will be removed to construct the storage area. Ensure that this removal does not affect the approved Groundwater Monitoring Plan. | The Ground Water Monitoring Plan already identifies the subject ground water well as being decommissioned. The reference will be removed as part of the permit renewal. | OK |
| 10 | EPA Reg. X | Formal | 10/22/2021 | Permit Language | Information about Waste Pile WP-1 has not been removed from this document although the new storage area S-12 will be constructed at the location of former WP-1. Explain this discrepancy or remove the language as appropriate. | References to WP-1 have been removed. | The permit's List of Standalone Documents still includes Standalone Document 21, Waste Piles Plan, meaning it still is part of the permit. Since ODEQ will no longer be permitting waste piles at this facility, SA 21 should be removed from the permit now with this mod instead of waiting for the renewal. |