Mr. James E. Rasmussen  
Office of River Protection  
United States Department of Energy  
P.O. Box 560, MSIN: H6-60  
Richland, Washington 99352

Dear Mr. Rasmussen:


The United States Department of Energy (USDOE), Office of River Protection (ORP), has requested Ecology concurrence with Project E-525 assumptions and compensatory measures (per reference). The reference outlines four assumptions with compensatory measures. Responses to the assumptions are as follows:

Assumption 1: Ecology agrees with the proposed conditions of use as an option to physical modifications to the transfer lines and secondary containment systems listed in Attachment 1 of the referenced letter.

Assumption 2: Ecology agrees with the proposed condition for the use of the emergency pump-out lines as they are part of secondary containment.

Assumption 3: Ecology agrees with the proposed management of the deferred-use components, as described in the referenced letter.

Assumption 4: Ecology agrees with the proposed management of the drains as they are part of the Double Shell Tank (DST) secondary containment system.

Ecology's long term agreement to exercise enforcement discretion for these tank systems will be contingent upon:

1. Submittal of an adequate, detailed, and complete DST Part B Permit Application for meeting the requirements of Washington Administrative Code (WAC) 173-303-640 Tank Systems. This will include acceptable conditions for response to releases and pressure
test failures. It will also include an acceptable plan addressing the proposed criteria for the integrity assessment of the tank system with a schedule.


3. An Integrity Assessment Report submitted on March 31, 2006, in accordance with Tri-Party Agreement (TPA) milestone M-48-14 certifying the structural integrity and suitability of these systems to handle dangerous waste. If such certification is not given, the requirements of WAC 173-303-640(7) will apply, regardless of whether a variance has been granted pursuant to WAC 173-303-640 (4) (g).


5. Discontinued use of the lines after 2005, unless the USDOE submits a petition for variance from secondary containment pursuant to WAC 173-303-640 (4) (g) by March 1, 2003, which is ultimately approved by Ecology.

Ecology would like to meet and discuss USDOE's plan for development of the integrity assessment plan, the variance request, and criteria and specifications used for construction of the M-43-00 upgrades, by February 1, 2003. If you have any questions or concerns regarding this letter, please feel free to contact me at (509) 736-3098, or Brenda Jentzen at (509) 736-5707.

Sincerely,

Jeff Lyon
Tank Waste Storage Project Manager
Nuclear Waste Program

cc: Catherine Louie, USDOE-ORP
    Rick Gay, CTUIR
    Mike Royack, USDOE-ORP
    Pat Sobotta, NPT
    Dennis Rewinkel, CHG
    Russell Jim, YN
    William Dixon, CHG
    Ken Niles, OOE
    Woody Russell, CHG
    Administrative Record: M-32, M-43, and
    Steve Schaus, CHG
    TWR's DST System
    Kathleen Tollefson, CHG