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DSHW-2015-011435

November 4, 2015

CD15-0254

Mr. Scott T. Anderson
Director
Division of Waste Management and Radiation Control
195 North 1950 West
Salt Lake City, UT 84114-4880

Subject: EPA ID Number UTD982598898 ✓
Request for a Site-Specific Treatment Variance for Cemented Uranium
Extraction Process Residues

Dear Mr. Anderson:

EnergySolutions hereby requests an exemption from the treatment standards of 40 CFR 268.40(a)(2) for uranium extraction process residuals that retain the hazardous waste codes D005 (barium); D006 (cadmium); D007 (chromium); D008 (lead); D030 (2,4-dinitrotoluene); D032 (hexachlorobenzene) and F001, F002, and F005 (spent solvents) and are encased in cement. This exemption is requested for the purposes of safety, security, and transportation of the radioactive waste.

This request is submitted in accordance with R315-13-1 (40 CFR 268.44 incorporated by reference) which allows a site-specific variance from an applicable treatment standard provided the following condition is met:

40 CFR 268.44(h)(2) It is inappropriate to require the waste to be treated to the level specified in the treatment standard or by the method specified as the treatment standard, even though such treatment is technically possible.

This request is submitted in accordance with the requirements of 40 CFR 260.20(b).

40 CFR 260.20(b)(1): This petition is being submitted by

EnergySolutions LLC
299 South Main Street, Suite 1700
Salt Lake City, UT 84111

40 CFR 260.20(b)(2): EnergySolutions requests approval to receive, macroencapsulate, and dispose, in EnergySolutions' Clive Facility Mixed Waste Landfill Cell, approximately 600 cubic feet of cemented (monolithic) uranium extraction process residues that retains the characteristic hazardous waste codes D005, D006, D007, D008, D030, and D032; and the listed hazardous waste codes F001, F002, and F003. All actions requested in this variance will be performed in accordance with EnergySolutions' State-issued Part B Permit.

40 CFR 260.20(b)(3): EnergySolutions proposes that the monolithic waste forms, after acceptance at the facility in accordance with EnergySolutions' Clive Facility State-issued Part B Permit, be macroencapsulated in accordance with permit requirements and disposed in the Mixed Waste Landfill Cell.

40 CFR 260.20(b)(4): The need and justification for this action are as follows.

This variance is being requested for approximately 600 cubic feet of cemented uranium extraction process residuals from EnergySolutions generator 9061-06. The waste is generated as part of a uranium recovery process that involves creating an enriched uranium contaminated ash through a thermal process and then recovering the enriched uranium through an organic solvent extraction process. The residual waste from this extraction system is collected in small cans (~ 2 ½ gallons each) and stored at the generator's facility. The process residuals within these cans are in the form of an ash generated through this process. The process residuals within the cans have been characterized through a random sampling and analysis process. At the beginning of this campaign, approximately 2,000 cans of process residues were collected and stored by the generator. The process is ongoing and additional cans are being generated every year. Further, due to safety concerns, some of the cans are being split prior to the repackaging process described below; thereby generating more total material for disposal than originally anticipated.

F-listed solvent codes within this waste are derived from rags that are burned in a furnace in order to recover the uranium present within them. None of the F-listed constituents were present above Universal Treatment Standard (UTS) concentrations within the random characterization samples of the process residues. The random characterization samples were also analyzed for metals using the Toxicity Characteristic Leaching Procedure (TCLP). These samples detected elevated concentrations of barium (up to 6,740 mg/L TCLP), cadmium (up to 16.4 mg/L TCLP), chromium (up to 15.2 mg/L TCLP), and lead (up to 10.5 mg/L TCLP). Based on these elevated metal concentrations, the characteristic waste codes D005, D006, D007, and D008 were applied to the process residue. Slightly elevated concentrations of 2,4-dinitrotoluene (D030) and hexachlorobutadiene (D032) were also detected in separate analyses. The residue may potentially contain these codes also.

The uranium content within the process residues is enriched. From a health and safety standpoint, the enrichment makes the waste more hazardous to employees managing the waste. Further, enriched material has increased security concerns and must be managed appropriately. To ensure the enriched uranium concentration limits required for worker safety, security, and transportation of this waste are met, appropriate packaging procedures were created and are currently being utilized at the generator's facility. These packaging procedures include repackaging the cans into 16-gallon drums and filling the void spaces with cement; formal treatment for the elevated metals concentrations is not performed during this process. The

generator has assessed other options, including treatment for the hazardous constituents; however, additional processing introduced unacceptable hazards from a health and safety, and security viewpoint. Additionally, the waste within the cans is inherently safe from a criticality aspect and the generator concluded that it is unwise to perform extra processing that could potentially change this aspect. Furthermore, encasing enriched uranium within concrete is the preferred method of stabilization as recommended by the Nuclear Regulatory Commission (NRC). The waste material packaged in these 16-gallon monolithic forms is inherently safe and is the form that will be shipped and received at the EnergySolutions Clive facility.

The characteristic hazardous waste codes associated with the process residues has numerical concentration-based treatment standards based upon the leachability of the contaminants. Treatment of the monolithic form for these concentration-based treatment standards would entail a process that includes shredding of the monolith followed by mixing with a stabilizing reagent in a permitted mixer. Both of these steps could mobilize the enriched uranium and possibly cause airborne contamination, increasing the potential for releases to the environment as well as the potential for personnel exposure; thereby violating radiation protection (ALARA) principles. Also, the shredding of the solidified uranium ash results in a more accessible form of enriched uranium with potential security ramifications.

EnergySolutions proposes to macroencapsulate the waste, thereby isolating the waste from potential leaching media. Macroencapsulation is a permitted process utilized at the Clive facility that significantly reduces the potential for migration (leaching) of waste. Macroencapsulation requires less handling of the waste and creates a waste form for disposal that is protective of human health and the environment. Macroencapsulation also adds a further level of security to the access of the enriched uranium.

In summary, a variance should be granted based upon three considerations:

1. for both health and security reasons, enriched uranium concentration within the waste precludes actual treatment of the waste;
2. processing this waste in preparation for stabilization treatment would increase worker exposures and the potential for releases to the environment; and
3. the leachability of the waste would be significantly reduced through macroencapsulation, thereby protecting human health and the environment.

EnergySolutions requested this same variance for this generator in letters dated July 20, 2007, July 28, 2008, July 15, 2009, July 15, 2010, July 28, 2011, August 13, 2012, July 15, 2013, and July 25, 2015. These previous requests were approved on September 13, 2007, September 13,

2008, September 10, 2009, September 9, 2010, September 8, 2011, September 13, 2012, September 12, 2013, and August 14, 2014.

Shipments began in April, 2008 and have been relatively continuous since that time. Since the last variance was approved, EnergySolutions has received approximately 374 cubic feet of this waste (the 16-gallon monoliths). EnergySolutions has received approximately 7,050 cubic feet of this waste since the first variance approval in 2008. This variance request is for the ongoing processing and disposal of additional uranium extraction process residues created by the generator.

EnergySolutions requests that a variance be granted to allow the receipt, macroencapsulation treatment, and disposal of approximately 600 cubic feet of cemented uranium extraction process residuals that retain hazardous waste codes.

Upon approval of this variance, the monolithic waste will be managed as debris.

The name, phone number, and address of the person who should be contacted to notify EnergySolutions of decisions by the Director is:

Mr. Vern C. Rogers
Manager, Compliance and Permitting
EnergySolutions LLC
299 South Main Street, Suite 1700
Salt Lake City, UT 84111
(801) 649-2000

Should there be any questions to this request, please contact me at 801-649-2144.

Sincerely,



Timothy L. Orton, P.E.
Environmental Engineer

cc: Don Verbica, DWMRC

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.