



State of Utah

SPENCER J. COX  
Governor

DEIDRE HENDERSON  
Lieutenant Governor

Department of  
Environmental Quality

Kimberly D. Shelley  
Interim Executive Director

DIVISION OF WASTE MANAGEMENT  
AND RADIATION CONTROL  
Ty L. Howard  
Director

A meeting of the Waste Management and Radiation Control Board has been scheduled for February 11, 2021 at 1:30 p.m.

This is an electronic/telephonic meeting. No Anchor Location.

All Board members and any interested persons will participate electronically or telephonically,

Via the Internet: [meet.google.com/vut-jtkc-yde](https://meet.google.com/vut-jtkc-yde)

Join by phone: (US)+1 512-522-1948 PIN: 137 987 540

This meeting is being held in accordance with House Bill 5002, effective July 1, 2020, which amended the Open and Public Meetings Act to address electronic meetings held without an anchor location. The Chair of the Waste Management and Radiation Control Board has determined that the presence of the COVID 19 virus in the community presents a substantial risk to the health and safety of those who might be present at an anchor location. Therefore, this meeting will be conducted without an anchor location. A member of the public may view this meeting and make comments via the electronic means outlined above.

AGENDA

- I. Call to Order.
- II. Public Comments on Agenda Items.
- III. Declarations of Conflict of Interest.
- IV. Approval of the Meeting Minutes for the January 14, 2021 Board Meeting (**Board Action Item**).
- V. Underground Storage Tanks Update.
- VI. Low-Level Radioactive Waste Section.
  - A. EnergySolutions request for a site-specific treatment variance from the Utah Hazardous Waste Management Rules. EnergySolutions seeks authorization to receive Cemented Uranium Extraction Process Residues for disposal (**Information Item**).
- VII. Director's Report/Legislative Update.
- VIII. Other Business.
  - A. Miscellaneous Information Items.
  - B. Scheduling of next Board meeting (March 11, 2021).
- IX. Adjourn.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Larene Wyss, Office of Human Resources at (801) 536-4284, Telecommunications Relay Service 711, or by email at "[lwyss@utah.gov](mailto:lwyss@utah.gov)".

Waste Management and Radiation Control Board  
Electronic/Telephonic Board Meeting Minutes  
January 14, 2021  
1:30 p.m.

No Anchor Location. All Board members participated electronically OR telephonically. UDEQ employees and others from the general public participated either electronically or telephonically.

**Board Members Participating (Electronically/Telephonically):**

Brett Mickelson (Chair), Dennis Riding (Vice Chair), Richard Codell, Danielle Endres, Steve McIff, Nathan Rich, Vern Rogers, Kim Shelley and Shane Whitney

**Board Members Absent/Excused:** Mark Franc

**DEQ Staff Members Participating (Electronically/Telephonically):**

Brent Everett, Ty Howard, Tom Ball, Arlene Lovato, and Raymond Wixom (Office of the Utah Attorney General)

I. Call to Order.

Chairman Mickelson called the meeting to order at 1:35 pm; Board members roll call was conducted (see above).

Chairman Mickelson announced this meeting is being held in accordance with House Bill 5002, effective July 1, 2020, which amended the Open and Public Meetings Act to address electronic meetings held without an anchor location. The Chair of the Waste Management and Radiation Control Board has determined that the presence of the COVID 19 virus in the community presents a substantial risk to the health and safety of those who might be present at an anchor location. Therefore, this meeting is being conducted without an anchor location.

A member of the public may participate/view this meeting via an electronic platform (Google Meet) or by Telephonic call-in number by utilizing the electronic link/telephone number provided in the public notice of this meeting. (Public notice of this meeting was posted on the Division of Waste Management and Radiation Control's website and the Utah Public Notice website). Also, a member of the public may make a comment on any Agenda item during the meeting during the time allotted for "Public Comments on Agenda Items" listed on the Agenda.

Ty Howard introduced Kim Shelley. With transition to Governor, Governor Cox has appointed Ms. Shelley as the new Executive Director of DEQ. Ms. Shelley replaces Scott Baird. Director Howard wished Mr. Baird well on his future endeavors.

Ms. Shelley previously worked as an Assistant Director in the Division of Water Quality and was promoted to the Deputy Director for DEQ. Prior to these positions, Ms. Shelley worked in the Division of Environmental Response and Remediation as an Environmental Engineer. Senate confirmation hearing of Ms. Shelley is scheduled to take place in the upcoming weeks.

Executive Director Shelley stated she is proud to be a part of the Board and appreciates the opportunity to work with the Board on important issues. Executive Director Shelley stated she is an Engineer by training and therefore may bring a different perspective than former Executive Directors of DEQ, who have primarily been attorneys, and is looking forward to new opportunities with UDEQ and across the State.

II. Public Comments on Agenda Items. – None.

III. Declarations of Conflict of Interest. – None.

IV. Approval of the Meeting Minutes for the January 14, 2021 Board Meeting (**Board Action Item.**)

**It was moved by Shane Whitney and seconded by Nathan Rich and UNANIMOUSLY CARRIED to approve the September 10, 2020 Board Meeting Minutes.**

V. Underground Storage Tanks Update.

Brent Everett, Director of the Division of Environmental Response and Remediation (DERR), informed the Board that the cash balance of the Petroleum Storage Tank (PST) Trust Fund at the end of November 2020 was \$18,972,437.00. The preliminary estimate for the cash balance of the PST Trust Fund for the end of December 2020 is \$18,888,091.00. The PST Trust Fund balance fluctuates throughout the year as payments are made but is trending in a positive direction. The DERR reviews claims closely to ensure qualified expenses are appropriately reimbursed. The DERR continues to watch the balance of the PST Trust Fund closely to ensure sufficient cash is available to provide coverage of covered releases. There were no questions or comments.

Director Everett also informed the Board that the DERR is watching Senate Bill 40 which is being sponsored by the co-chairs of the Natural Resources, Agriculture, and Environment Interim Committee. The purpose of this bill, if passed, is to regulate certain aboveground storage tanks (ASTs). These ASTs would have one year to register with the State. Beginning July 2023, facility owners would be required to demonstrate financial assurance to cover potential releases from the ASTs. These facilities would be eligible, and already may voluntarily participate on the PST Trust Fund. The other option that facility owners would have is to maintain private insurance for their ASTs. Mr. Riding stated that the DERR has met with stakeholders as part of the UST Advisory Task Force to discuss the legislation. There were no additional questions or comments.

VI. Administrative Rules.

- A. Five-Year Review of R313-26, R315-15, 17, 101, 102, 103, 124, 260, 261, 262, 263, 264, 265, 266, 268, 270 and 273 of the Utah Administrative Code (**Information Item**).

Tom Ball, Planning and Technical Support Section Manager of the Division of Waste Management and Radiation Control informed the Board that the above rules are due for a five-year review. If these rules are to continue, a Notice of Continuation (Five-Year Review) must be filed prior to the anniversary of the last five-year review.

The Utah Administrative Rulemaking Act (Utah Code Annotated (UCA) §63G-3-305) requires state agencies to review each of their administrative rules within five years of the rule's original effective date or the last five-year review. The purpose of the review is to provide agencies with an opportunity to evaluate the rules to assess if the rules should be continued. In performing a five-year review, an agency may consider the need to amend or repeal rules that are archaic in form, are no longer used, are not based on existing statutory authority or are otherwise unnecessary. If an agency determines that a rule needs to be amended or repealed this is done in a separate action.

To retain a rule as part of the Utah Administrative Code, a "Five-Year Notice of Review and Statement of Continuation" must be filed with the Office of Administrative Rules, before the rule's five-year anniversary date. The anniversary dates for these rules are: March 10, 2021 – R313-26, R315-15, 17, 101, and 102; April 15, 2021 – R315-103, 124, 260, 261, 262, 263, 264, 265, 266, 268, 270, and 273.

Completing the form provided by the Office of Administrative Rules and filing it before the five-year review date satisfies the provisions of the Administrative Rulemaking Act with respect to a five-year

review. Copies of the completed forms, the rules listed above (900 + pages) along with an Executive Summary was included in the Board's January 14, 2021 Board packet.

The Division is providing this information to keep the Board informed of Five-Year Reviews that have been conducted and being submitted to the Office of Administrative Rules; Board action is not required.

Dennis Riding asked how often does the US Environmental Protection Agency (EPA) request an independent review of the rules?

Mr. Ball clarified that the EPA does not conduct an extensive review of the Divisions rules during the five-year review process. Instead, the Division is required to submit an authorization packet of rules to the EPA for them to review and authorize at the Federal level. As authorization packets are submitted, that is when the EPA conducts its extensive review of the rules. In September 2019, a "Draft" authorization packet was submitted to the EPA. After their initial review and comments, a Final authorization packet will be submitted, which will bring the Division current on its rulemaking responsibilities.

- B. Final adoption on proposed rule changes to UAC R313-36, *Special Requirements for Industrial Radiographic Operations*; and R313-37-3, *Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material* of the Radiation Control Rules to incorporate federal regulatory changes promulgated by the Nuclear Regulatory Commission and published in the June 28, 2018 (83 FR 30285), November 21, 2018 (83 FR 58721), and November 18, 2019 (84 FR 63565) issues of the *Federal Register* (**Board Action Item**).

Tom Ball, Planning and Technical Support Section Manager of the Division of Waste Management and Radiation Control reviewed the request for the Board's approval for final adoption of proposed changes to above rules.

The changes affect the following sections of the radiation control rules that incorporate by reference the selected sections of the noted parts of the federal radiation control regulations of 10 CFR: R313-36-3 incorporates selected sections of 10 CFR Part 34; and R313-37-3 incorporates selected sections of 10 CFR Part 37. The changes make minor corrections in R313-36 and in R313-37 for consistency with the corresponding federal regulations. A change in R313-37 also updates the incorporation-by-reference date. By updating this date, the minor corrections made by the NRC in the above referenced Federal Registers are incorporated into the state radiation control rules. As an Agreement State with the NRC for the radioactive materials program, Utah is required to maintain regulatory compatibility with the corresponding NRC radioactive materials regulations. While the changes are minor in nature, the NRC designated the changes as necessary for an Agreement State to adopt in order to maintain regulatory compatibility with the NRC.

At its November 12, 2020 meeting, the Board approved the proposed changes to be filed and published in the Utah State Bulletin, initiating formal rulemaking and a public comment period. The proposed rule changes were published in the December 1, 2020 issue of the Bulletin. A copy of the pertinent pages along with an Executive Summary was included in the Board's January 14, 2021 Board packet. The public comment period concluded on January 4, 2021. No comments were received.

The Board is authorized under Subsection 19-3-104(4) to make rules to meet the requirements of federal law and maintain primacy of the radioactive materials program from the federal government and under Subsection 19-3-103.1(1)(a) to make rules necessary to implement the Radiation Control Act. The proposed rule changes also meet existing DEQ and state rulemaking procedures.

Board action is required for final adoption of the rule changes published in the *Utah State Bulletin* and to set an effective date of January 15, 2021. The Director recommends that the Board adopt the rule changes published in the December 1, 2020 issue of the *Utah State Bulletin* and set an effective date of January 15, 2021.

**It was moved by Danielle Endres and seconded by Vern Rogers and UNANIMOUSLY CARRIED to approve for final adoption the proposed rule changes to UAC R313-36, *Special Requirements for Industrial Radiographic Operations*; and R313-37-3, *Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material* of the Radiation Control Rules to incorporate federal regulatory changes promulgated by the Nuclear Regulatory Commission and to set an effective date of January 15, 2021.**

- VII. Open Meetings, Conflicts, Ethics & Records Training (prepared by Craig Anderson and distributed to the Board via e-mail on November 12, 2020).

(The Open Meetings, Conflicts, Ethics & Records Training presentation was emailed to the Board members for their review prior to this meeting.) Raymond Wixom, Assistant Attorney General, Utah Attorney General's Office, reviewed the material in the Open Meetings, Conflicts, Ethics & Records Training. (A hard copy of the Open Meetings, Conflicts, Ethics & Records Training presentation was included in the January 14, 2021 Board packet.) Board members did not have any additional questions or comments. Mr. Wixom thanked the Board for their outstanding efforts as they conduct the Board's business.

- VIII. Other Business.

- A. Miscellaneous Information Items.

Director Howard informed the Board that the 2021 Legislative session will begin next week. Director Howard anticipates legislation forthcoming that will impact the Division's various programs. Director Howard stated that he also anticipates seeing additional changes in the Executive Branch with a new Governor and Lieutenant Governor in place and the Division will support those changes in the best manner possible. Director Howard will keep the Board informed on legislation that will impact the Division.

- B. Scheduling of next Board meeting (March 11, 2021).  
The next Board meeting is scheduled for February 11, 2021 (electronic/telephonic meeting).

- IX. Adjourn.

The meeting adjourned at 2:05 pm.

**UST STATISTICAL SUMMARY**  
**January 1, 2020 -- December 31, 2020**

PROGRAM													
	January	February	March	April	May	June	July	August	September	October	November	December	(+/-) OR Total
Regulated Tanks	4,090	4,108	4,113	4,116	4,130	4,123	4,128	4,128	4,135	4,130	4,127	4,130	40
Tanks with Certificate of Compliance	3,982	3,992	3,988	4,000	4,006	4,009	4,033	4,029	4,027	4,027	4,039	4,044	62
Tanks without COC	108	116	125	116	124	114	95	99	108	103	88	86	(22)
Cumulative Facilities with Registered A Operators	1,290	1,291	1,291	1,290	1,289	1,289	1,255	1,250	1,084	1,104	1,108	1,111	83.85%
Cumulative Facilities with Registered B Operators	1,290	1,290	1,291	1,290	1,290	1,291	1,292	1,287	1,142	1,147	1,150	1,147	86.57%
New LUST Sites	6	8	5	2	6	4	3	11	5	8	8	8	74
Closed LUST Sites	5	6	7	5	3	4	2	6	3	7	2	6	56
Cumulative Closed LUST Sites	5270	5276	5281	5285	5291	5292	5295	5301	5302	5310	5315	5323	53
FINANCIAL													
	January	February	March	April	May	June	July	August	September	October	November	December	(+/-)
Tanks on PST Fund	2,636	2,641	2,637	2,637	2,637	2,642	2,662	2,661	2,657	2,654	2,666	2,667	31
PST Claims (Cumulative)	673	674	675	675	681	684	685	685	687	688	688	688	15
Equity Balance	-\$10,309,455	-\$9,997,725	-\$9,765,034	-\$9,475,125	-\$9,022,705	-\$8,712,595	-\$7,717,022	-\$7,373,152	-\$7,311,417	-\$10,201,999	-\$9,462,843	-\$9,547,189	\$762,266
Cash Balance	\$15,808,825	\$16,120,555	\$16,353,246	\$16,643,155	\$17,095,575	\$17,405,685	\$18,401,258	\$18,745,128	\$18,806,863	\$18,233,281	\$18,972,437	\$18,888,091	\$3,079,266
Loans	0	0	0	0	0	0	0	0	0	0	0	0	0
Cumulative Loans	121	121	121	121	121	121	121	121	121	121	121	121	0
Cumulative Amount	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$0
Defaults/Amount	1	1	1	1	1	2	2	2	2	2	2	2	1
	January	February	March	April	May	June	July	August	September	October	November	December	TOTAL
Speed Memos	136	53	27	54	32	50	7	38	95	72	73	42	679
Compliance Letters	22	30	8	8	7	5	15	18	32	30	9	14	198
Notice of Intent to Revoke	1	2	0	0	0	0	0	0	0	0	0	0	3
Orders	0	0	0	0	0	2	3	2	1	2	1	0	11

WASTE MANAGEMENT AND RADIATION CONTROL BOARD  
 Executive Summary  
 REQUEST FOR A SITE-SPECIFIC TREATMENT VARIANCE  
 EnergySolutions, LLC  
 February 11, 2021

<p>What is the issue before the Board?</p>	<p>On January 11, 2021, EnergySolutions, LLC submitted a request to the Director of the Division of Waste Management and Radiation Control for a one-time site-specific treatment variance from the Utah Hazardous Waste Management Rules. EnergySolutions seeks authorization to receive Cemented Uranium Extraction Process Residues for disposal.</p>
<p>What is the historical background or context for this issue?</p>	<p>The Mixed Waste Facility proposes to receive up to 1,000 cubic feet of cemented monoliths containing enriched uranium residuals.</p> <p>This material retains hazardous waste codes for barium, cadmium, chromium, lead, and spent solvents. The generator has encapsulated the waste in concrete for safety and security reasons.</p> <p>EnergySolutions proposes to receive this waste for macroencapsulation in the Mixed Waste Landfill Cell rather than chemical stabilization, as required. This request is based on the fact that the waste has already been encapsulated in concrete at the generator’s site. Treating this waste by the required method would mean grinding the waste and potentially exposing workers to unnecessary contamination.</p> <p>The proposed treatment will further encapsulate the waste and protect it from contact with precipitation, thereby decreasing the potential of leaching.</p> <p>EnergySolutions has requested and received treatment variances for this waste stream every year from 2007 through 2020. Since the last variance was approved, approximately 894 cubic feet of this waste has been received.</p> <p>A 30-day notice for public comment was published in the <i>Salt Lake Tribune</i>, the <i>Deseret News</i> and the <i>Tooele County Transcript Bulletin</i>. The comment period began February 10, 2021 and will end March 11, 2021.</p>
<p><b>What is the governing statutory or regulatory citation?</b></p>	<p>Variances are provided for in 19-6-111 of the Utah Solid and Hazardous Waste Act. This is a one-time site-specific variance from an applicable treatment standard as allowed by R315-268.44 of the Utah Administrative Code.</p>
<p><b>Is Board action required?</b></p>	<p>No. This is an informational item before the Board.</p>
<p><b>What is the Division/Director’s recommendation?</b></p>	<p>The Director will provide a recommendation following the public comment period at the next Board meeting.</p>
<p><b>Where can more information be obtained?</b></p>	<p>For technical questions, please contact Otis Willoughby (801) 536-0220. For legal questions, please contact Bret Randall at (801) 536-0284.</p>

JAN 11 2021

January 11, 2021

CD-2021-005

Mr. Ty Howard  
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. Howard,

EnergySolutions herein requests an exemption from the treatment standards described in Utah Administrative Code (UAC) R315-40(a)(2) for uranium extraction process residuals encased in cement 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). This exemption is requested for the purposes of safety, security, and transportation of the radioactive waste. This request is submitted in accordance with the requirements of UAC R315-260-19.

The regulatory requirement authorizing this request is found in UAC R315-268-44 which allows a site-specific variance from an applicable treatment standard provided the following condition is met:

*UAC R315-268-44(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 variance is being requested for approximately 1,000 cubic feet of cemented uranium extraction process residuals from EnergySolutions generator 9061-06. The waste is generated as part of uranium recovery processes at the generator's facility. The generator has three different points of generation for this waste: (1) an enriched uranium contaminated ash that has been thermally processed and then recovered through an organic solvent extraction process; (2) oxide powders and dried sludges associated with highly enriched uranium-thorium fuels; and (3) residue (sludge) from the bottom of salt baths used in the processing of uranium. The residual waste from each of these processes is collected in small cans (~ 2 ½ gallons each) and stored at the generator's facility. 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.

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 their respective treatment standard 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 residues. Slightly elevated concentrations of 2,4-dinitrotoluene (D030) and hexachlorobenzene (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 – As Low As Reasonably Achievable) 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 restricting access to the enriched uranium.

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

1. for both health and security reasons, the 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; July 25, 2015; November 4, 2015; October 27, 2016; November 20, 2018; and December 9, 2019. 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; August 14, 2014; December 10, 2015; January 12, 2017; September 27, 2017; January 10, 2019; and March 12, 2020, respectively.

Shipments began in April, 2008 and have been relatively continuous since that time. Since the last variance was approved, *EnergySolutions* has received approximately 894



Mr. Ty Howard  
January 11, 2021  
CD-2021-005  
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cubic feet of this waste (the 16-gallon monoliths). *EnergySolutions* has received approximately 12,000 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 1,000 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  
Director of Regulatory Affairs  
*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,

 Tim Orton  
Jan 11 2021 11:26 AM  
cosign

Timothy L. Orton, P.E.  
Environmental Engineer and Manager

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 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.