



State of Utah

SPENCER J. COX  
*Governor*

DEIDRE HENDERSON  
*Lieutenant Governor*

Department of  
Environmental Quality

Kimberly D. Shelley  
*Executive Director*

DIVISION OF WASTE MANAGEMENT  
AND RADIATION CONTROL  
Douglas J. Hansen  
*Director*

June 27, 2023

The Deseret News  
Legal Advertising Department

EMAIL: [legals@deseretnews.com](mailto:legals@deseretnews.com)

RE: Account #53606

To Whom It May Concern:

This email constitutes authorization to publish the attached NOTICE in the Deseret News on Wednesday, July 5, 2023.

Please send invoice and affidavit of publication to:

Douglas J. Hansen, Director  
Division of Waste Management and Radiation Control  
P.O. Box 144880  
Salt Lake City, UT 84114-4880

Enclosure: Public Notice

c: Jeff Coombs, EHS, Health Officer, Tooele County Health Department  
Bryan Slade, Environmental Health Director, Tooele County Health Department  
EnergySolutions General Correspondence Email  
LLRW General Correspondence Email  
Ashley Sumner (Email), Kaci McNeill (Email), Tom Ball (Email),  
Doug Hansen (Email) Larene Wyss (Email)  
Facility File, Public Participation File, Alisa Westenskow



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The Salt Lake Tribune  
Legal Advertising Department

EMAIL: [legals@sltrib.com](mailto:legals@sltrib.com)

RE: Account #SLT0010250

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Doug Hansen (Email) Larene Wyss (Email)  
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Tooele Transcript Bulletin  
Legal Advertising Department

EMAIL: [tbp@tooeletranscript.com](mailto:tbp@tooeletranscript.com)

RE: #02100050

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Doug Hansen (Email) Larene Wyss (Email)  
Facility File, Public Participation File, Alisa Westenskow

**NOTICE OF PUBLIC COMMENT ON  
Treatment Variance Request for Wastes with Waste Codes D009 and/or U151  
(High Subcategory Mercury)  
EnergySolutions LLC, Mixed Waste Facility**

EnergySolutions Mixed Waste Facility requests approval to receive an exemption from Utah Administrative Code R315-268-40(a)(3) for waste streams from generators that carry the listed waste codes D009 and/or U151 for High Subcategory Mercury and to dispose of the waste within the EnergySolutions Mixed Waste Landfill Cell.

The waste that may be shipped over the next year has a volume of approximately 2,000 cubic feet. The technology-based treatment codes for this material are either IMERC (incineration followed by recovery) or RMERC (roasting/retort followed by recovery). Both of these treatment codes are designed to recover the mercury metal from the waste through incineration or recycling processes. However radioactive mercury cannot be recycled and the RMERC process generates radioactive elemental mercury which would cause additional handling and treatment steps for EnergySolutions personnel increasing their exposure to hazardous materials, additionally using IMERC technology to recover mercury both the residual ash, control equipment, and filter media would all require further decontamination and treatment creating extra handling steps of the radioactive residue. Because of these factors, it would be unsafe to recover the mercury and a follow-up amalgamation treatment process would be required prior to disposal.

The treatment variance request, if approved, would allow EnergySolutions to treat the waste with an amalgamation and stabilization process that achieves the Land Disposal Restriction requirements without the initial steps of incineration or retorting. This variance would be valid for the one year following approval. All other contaminants associated with these waste streams are either below Land Disposal Restrictions or will be treated using EnergySolutions' permitted stabilization methods and will meet disposal requirements at the Facility. Final disposal of the waste is proposed to occur in the Mixed Waste Landfill Cell at the EnergySolutions Mixed Waste Facility. At the time of disposal, the waste will additionally be verified to have a mercury concentration less than 0.2 mg/L using the Toxicity Characteristic Leaching Procedure (TCLP) or less than 0.25 mg/L TCLP if the waste is of a soil matrix.

The public comment period to receive comments on the proposed action will commence on Thursday, July 6, 2023 and end on Friday, August 4, 2023. A public hearing on these issues will be held upon request.

Documents related to this application can be reviewed on the Internet at:

<https://deq.utah.gov/waste-management-and-radiation-control/waste-management-radiation-control-public-notices>

Written comments will be accepted if received by 5:00 p.m. on August 4, 2023. Comments should be submitted to the address below or by electronic mail as detailed below.

Douglas J. Hansen, Director  
Division of Waste Management and Radiation Control  
Department of Environmental Quality  
P.O. Box 144880  
Salt Lake City, UT 84114-4880

Comments can also be sent by electronic mail to: [dwmrcpublic@utah.gov](mailto:dwmrcpublic@utah.gov). Comments sent in electronic format should be identified by putting the following in the subject line: "Public Comment on EnergySolutions Treatment Variance Request." All documents included in comments should be submitted as ASCII (text) files or in pdf format.

Under Utah Code Section 19-1-301.5 a person who wishes to challenge a Permit Order may only raise an issue or argument during an adjudicatory proceeding that was raised during the public comment period and was supported with sufficient information or documentation to enable the director to fully consider the substance and significance of the issue.

For further information contact Tyler Hegburg of the Division of Waste Management and Radiation Control at 385-622-1875. 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 801-503-5618, Telecommunications Relay Service 711, or by email at [lwyss@utah.gov](mailto:lwyss@utah.gov).