



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*

August 28, 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 NOTICE below in the Deseret News on Wednesday, August 30, 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, EDO (Email), Kaci McNeill, DWMRC (Email), Tom Ball, DWMRC (Email)  
Doug Hansen, DWMRC (Email), Larene Wyss, DHRM (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

To Whom It May Concern:

This email constitutes authorization to publish the NOTICE below in the Salt Lake Tribune on Wednesday, August 30, 2023.

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

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

RE: Account #02100050

To Whom It May Concern:

This email constitutes authorization to publish the NOTICE below in the Tooele Transcript Bulletin on Wednesday, August 30, 2023.

Please send invoice and affidavit of publication to:

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Division of Waste Management and Radiation Control  
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Facility File, Public Participation File, Alisa Westenskow

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL  
NOTICE OF PUBLIC COMMENT ON *ENERGYSOLUTIONS*' REQUEST FOR A SITE-SPECIFIC  
TREATMENT VARIANCE FOR ASH WITH DIOXAN/FURAN CONTAMINATION  
*EnergySolutions*, LLC  
Mixed Waste Facility

*EnergySolutions* requests a variance from Utah Administrative Code (UAC) R315-268-40(a)(3) to receive and macroencapsulate waste ash from incinerator and metal recycling processes. This waste stream contains dibenzo-p-dioxin and dibenzofuran underlying hazardous constituents (UHCs) above their respective treatment standards denoted with the Universal Treatment Standards (UTS) in UAC R315-268-48. All other required treatment standards associated with the waste will be met prior to disposal.

Requiring the waste to meet the dioxin and furan treatment standards is inappropriate based on the processes that generate the waste. Because of the waste generation processes, all the ash waste contains dioxins and furans; however, in accordance with regulations, only a portion of the waste needs to be treated for those contaminants. The generator has previously analyzed each container of ash for metals contamination. If metals were below the toxicity characteristic concentrations described in 40 CFR 261.24 (UAC R315-261-24), the waste would be shipped to the Clive facility as Low-Level Radioactive Waste (LLRW) and disposed in the Class A Embankment. If metals were above the Toxicity Characteristic concentrations, then the waste would need treated for those metals as well as all underlying hazardous constituents (UHCs), including dioxins and furans. It is inappropriate to require treatment of dioxin and furan contaminants in instances where characteristic metals are found in the waste when treatment is not required if metals are below characteristic concentrations in the waste.

Furthermore, the stabilized ash was re-incinerated as an attempt to reduce the concentration of dioxins and furans in the ash. Re-incineration resulted in very little reduction in the concentrations of dioxan and furan contaminants. It is inappropriate to require this additional incineration step in order to attempt to meet the treatment standards.

*EnergySolutions* proposes to confirm the waste meets all required treatment standards with the exception of the dioxin and furan UHCs and then to macroencapsulate the residue in MACRO Vaults using requirements approved in the state-issued Part B Permit. Final disposal of the waste will occur in the Mixed Waste Disposal Cell at the *EnergySolutions* Mixed Waste Facility.

A 30-day public comment period to receive comments on the Dioxan Furan Ash treatment variance request will commence on Thursday, August 31, 2023, and end at 5 p.m. on Friday, September 29, 2023. A public hearing on these issues will be held upon request.

Documents related to this application can be reviewed at the Division of Waste Management and Radiation Control Public Notices web site at <https://deq.utah.gov/public-notices-archive/waste-management-radiation-control-public-notices>

For further information or assistance in obtaining a copy of documents is required, contact Tyler Hegburg at 385-622-1875.

Written comments will be accepted if received by 5:00 p.m. on September 29, 2023. Written comments must be directed to the following address:

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 submitted electronically by email to [dwmrcpublic@utah.gov](mailto:dwmrcpublic@utah.gov). Comments submitted by email must be identified using the following in the subject line: "Public comment on Dioxan Furan Ash". All documents included in comments must be submitted in pdf format or as ASCII (text) files.

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.

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).