

CHAPTER 6

FEDERAL AND STATE ENVIRONMENTAL REQUIREMENTS

This chapter summarizes the Federal and State of South Carolina environmental requirements that are applicable to the implementation of the proposed action for this environmental impact statement (EIS), which is the modification of waste management activities at the Savannah River Plant (SRP) for hazardous, low-level radioactive, and mixed wastes to protect groundwater, human health, and the environment. The purpose of the proposed action and the specific modifications considered is to identify and select a waste management strategy for SRP hazardous, low-level radioactive, and mixed wastes that can be implemented to achieve compliance with groundwater-protection requirements.

Section 6.1 describes general requirements that have broad applicability to SRP operations, including statutory requirements, administrative and executive orders, and an interagency agreement. Section 6.2 describes specific requirements for hazardous, low-level radioactive, and mixed waste management, and summarizes the applicability of these requirements to U.S. Department of Energy (DOE) operations.

6.1 GENERAL ENVIRONMENTAL REQUIREMENTS

6.1.1 NATIONAL ENVIRONMENTAL POLICY ACT

The National Environmental Policy Act (NEPA) was signed on January 1, 1970 (42 USC 434-1). Its purpose was to establish (1) a national policy for the protection of the environment and (2) the Council on Environmental Quality (CEQ). The CEQ issued its Final Guidelines for implementation on August 1, 1973. Congress amended NEPA on July 3, 1975, and again on August 9, 1975. On November 29, 1978, the CEQ proposed regulations implementing NEPA; the final regulations are codified in 40 CFR 1500-1508.

The requirements of NEPA specify that if a Federal action might have a significant effect on the quality of the human environment, the agency involved must prepare a detailed EIS.

6.1.2 EXECUTIVE ORDER 12088: FEDERAL COMPLIANCE WITH POLLUTION CONTROL STANDARDS

In addition to the authority of Congress and Federal and state administrative agencies to establish and enforce environmental standards, the President of the United States has the authority to issue Executive Orders (EOs) to clarify environmental policies. EO 12088 of October 13, 1978, "Federal Compliance with Pollution Control Standards," states that the head of each executive agency is responsible for ensuring that the agency takes all necessary actions for the prevention, control, and abatement of environmental pollution with respect to Federal facilities and activities under its control. Each agency head is also responsible for compliance with applicable pollution-control standards, such as those defined under the Clean Water Act (CWA) and Clean Air Act (CAA).

6.1.3 ADMINISTRATIVE ORDERS

DOE has developed a uniform system of communicating policy and procedures to its employees. The system is based on administrative directives, or DOE Orders, which contain information on procedures, responsibilities, and authorities for performing DOE's various functions.

In general, DOE Orders establish general policy guidance and assign general responsibility for implementation. At the Savannah River Plant, DOE Orders are implemented through Savannah River Operations Office Orders, which specify procedures and responsibilities for implementation. The numbering system for these Orders parallels that of the corresponding DOE Orders.

The following DOE Orders are generally applicable to waste management activities under the environmental and health and safety protection programs on the SRP:

- DOE Order 5480.1B, Environmental Protection, Safety, and Health Protection Standards
- DOE Order 5480.12, General Environmental Protection Program Requirements (Draft)
- DOE Order 5480.4, Environmental Protection, Safety, and Health Protection Standards
- DOE Order 5484.1, Environmental Protection, Safety, and Health Protection Information Reporting Requirements

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Chapters I, XI, and XII of DOE Order 5480.1B have the most direct applicability to this EIS. Chapter I sets forth the environmental protection, safety, and health protection standards applicable to all DOE operations. DOE policy states that the Department will comply with all legally applicable Federal and state standards. In the event of conflicts between prescribed and recommended standards, those providing the greatest protection apply. This chapter also covers responsibilities and lines of authority for DOE officials. Chapter XI of this Order provides inter alia radiation-protection standards for occupational and nonoccupational exposures and guidance on keeping exposures as low as reasonably achievable (ALARA). It also provides concentration guides for airborne effluents, liquid effluents, and drinking water, and establishes exposure standards aimed at achieving ALARA dosage rates for individuals and population groups in uncontrolled areas. This chapter also sets monitoring requirements to ensure that these standards are met. Chapter XII establishes requirements for DOE operations to ensure (1) control of sources of environmental pollution and (2) compliance with environmental protection laws and with EO 12088.

DOE Order 5480.12 is a draft Order, issued on May 12, 1987, for internal DOE review. When it is issued, this Order will be an "umbrella" directive for the oversight of environmental programs that are the responsibility of the Assistant Secretary for Environment, Safety and Health. It will also restructure several DOE Orders.

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DOE Order 5480.4 provides requirements for the application of mandatory environmental, safety, and health (ES&H) standards applicable to all DOE operations; it also lists ES&H standards and identifies sources of mandatory and reference standards.

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DOE Order 5484.1 establishes the requirements and procedures for reporting information having environmental protection, safety, or health-protection significance for DOE operations.

6.2 SPECIFIC REQUIREMENTS

Since the passage of the Resource Conservation and Recovery Act (RCRA) in 1976 and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) in 1980, DOE has become subject to regulatory programs for the management of solid, nonradiological hazardous waste. The following sections summarize the specific requirements of these statutes and other environmental protection requirements applicable to Federal agencies.

6.2.1 ATOMIC ENERGY ACT

6.2.1.1 Federal Statute

Congress passed the Atomic Energy Act (AEA) of 1954 to ensure that research and development of atomic energy for both peaceful and military purposes were coordinated and timely, and that the processing of source, byproduct, and special nuclear materials would be managed in the national interest. The Act established the Atomic Energy Commission (AEC) to administer its provisions.

In 1974, the Energy Reorganization Act (Public Law 93-438) divided the responsibilities of the AEC between the Energy Research and Development Administration and the U.S. Nuclear Regulatory Commission. In 1977, the DOE Organization Act (Public Law 95-91) further centralized the administration of national programs related to energy-policy formulation, research and development activities, and demonstration-project development.

With respect to agency jurisdiction over waste management activities on the SRP, Section 1271 of the AEA (42 USC 2018) confers to DOE full jurisdiction over source, special nuclear, and byproduct materials. In addition, Section 84 of the AEA requires that management of byproduct materials must be performed in conformance with general standards of EPA (under the Solid Waste Disposal Act, as amended) that are applicable to similar hazardous material.

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On May 1, 1987, DOE issued a final interpretive rule (52 FR 15937), effective June 1, 1987, relative to byproduct material. This rule interpreted the AEA definition of the term "byproduct material," as it applies to DOE-owned or -produced radioactive waste substances which are also hazardous within the meaning of RCRA. The effect of the rule is that all DOE waste which is hazardous under RCRA will be subject to regulation under both RCRA and the AEA. The hazardous waste will come under EPA SCDHEC jurisdiction.

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6.2.1.2 DOE Order 5820.2

On February 6, 1984, DOE issued Administrative Order 5820.2, which establishes policies and guidelines for the management of radioactive waste, waste byproducts, and radioactively contaminated surplus facilities. The objective of this Order is to ensure that DOE operations involving the management of radioactive waste, waste byproducts, and surplus facilities adequately protect the public health and safety in accordance with radiation-protection standards. This Order defines key terms and specifies lines of authority. Chapter III establishes the policies and guidelines for managing low-level waste, and specifies site selection, design criteria, and disposal-site operations. In addition, it details requirements for disposal, site closure, and postclosure. Chapter IV deals with the management of wastes contaminated with naturally occurring radionuclides. Chapter V discusses the decontamination and decommissioning of surplus facilities.

DOE has issued radiological protection guidelines for two programs that involve radioactive waste management and decontamination: the Formerly Utilized Sites Remedial Action Program (FUSRAP) and the Surplus Facilities Management Program. These guidelines, which are limited in scope to the two programs, use the latest technical data and emphasize the need for site-specific radionuclide concentration criteria for waste management and decontamination. They do, however, present Allowable Residual Contamination Limits (ARCLs) for a number of radionuclides and materials, including naturally occurring radionuclides in soil, radon decay products in air, external gamma radiation levels, and surface contamination. The guidelines for surface contamination cover most naturally occurring and manmade radionuclides.

6.2.2 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

TE | CERCLA (Public Law 96-510), as amended by the Superfund Amendments and Reauthorization Act (SARA) of 1986 (Public Law 99-499), provides liability, compensation, cleanup, and emergency response by the Federal Government for hazardous substances released into the environment, and for the cleanup of inactive hazardous waste disposal sites.

6.2.2.1 Federal Statute

C-85 | There are three types of Government cleanup and response actions: (1) immediate removals, for which emergency action is required (e.g., to avert fire or explosion or to prevent the contamination of a drinking-water supply); (2) planned removals, for which a prompt response is required to minimize danger to the public or the environment; and (3) remedial actions taken at sites identified on the National Priorities List. Section 107(g) of CERCLA specifies the liability of DOE. According to this section, Departments of the Federal Government are both "procedurally and substantively" subject to compliance with CERCLA. In other words, "remedial actions" for CERCLA sites are to be undertaken at all Federal facilities.

TE | Congress enacted the Superfund Amendments and Reauthorization Act on October 17, 1986. Section 120 of the Act establishes requirements for Federal facilities, including liability and the applicability of state requirements to

remediation activities at Federal facilities. Section 121 addresses cleanup standards, including a degree of cleanup of hazardous substances that ensures protection of human health and the environment.

6.2.2.2 Federal Regulations

The National Contingency Plan (40 CFR 300), which was established under Section 105 of CERCLA, defines responses to actual or threatened releases of oil or hazardous substances to the environment. It calls for Remedial Investigations/Feasibility Studies for all remedial actions. These studies determine the nature and extent of the threat presented by the release of a hazardous substance and evaluate proposed remedies. They include sampling, monitoring, assessing exposure as necessary, and gathering sufficient information to determine the necessity for and the proposed extent of remedial action.

6.2.2.3 DOE Order 5480.14: Comprehensive Environmental Response, Compensation, and Liability Act

DOE developed its policy on emergency response under CERCLA and issued DOE Order 5480.14 on April 26, 1985. This Order specifies official responsibilities and lines of authority. In addition, it describes a response program with five phases:

- Installation Assessment - The preliminary identification of potential sites based on records review, screening for manufacturing-process specifications, raw-materials identification, and byproduct specification; records of disposal practices, locations, and quantities disposed are used to evaluate past operations at a potential site.
- Confirmation and Site Characterization - Actual onsite sampling and modeling to confirm the presence of contamination and the extent of migration, and an analysis of pathways of exposure (exposure assessment).
- Engineering Assessment - The design of remedial-action alternatives for the site and selection of the most cost-effective alternative that meets the site's predetermined objectives for recommendation to DOE Headquarters.
- Remedial Actions - The implementation of the selected alternative and the processing of funding documentation after DOE Headquarters concurrence.
- Compliance and Verification - Consolidation and documentation of the entire process. According to this Order, DOE is to complete this phase by April 26, 1995.

6.2.3 RESOURCE CONSERVATION AND RECOVERY ACT AND HAZARDOUS AND SOLID WASTE AMENDMENTS

In 1976, Congress passed RCRA (Public Law 94-580, 42 USC 6901 et seq.) to provide a national program for the management, transportation, treatment, and disposal of hazardous waste. In addition to RCRA, Congress passed the Hazardous and Solid Waste Amendments (HSWA) of 1984. These amendments instituted

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an accelerated schedule for Part B permit application submittals, restricted landbased disposal of hazardous wastes, specified an annual inspection program for Federal facilities, required an inventory of Federal hazardous-waste facilities, set up a permitting program for underground storage tanks, established a waste-minimization program, and set a closure schedule for the use of surface impoundments.

6.2.3.1 Federal Statutes

RCRA enabled the states to implement EPA-approved permitting programs, involving a detailed "cradle-to-grave" manifest tracking system for all wastes that the U.S. Environmental Protection Agency (EPA) has designated as hazardous. Wastes are hazardous if they exhibit the characteristics of ignitability, corrosivity, reactivity, or toxicity using a specified extraction procedure, and if they are listed in Subpart D of 40 CFR 261, which provides industry and EPA waste numbers, descriptions, and a hazard code, and identifies the waste source as either specific or nonspecific. Other wastes are hazardous if they are discarded commercial chemical products, off-specification species, containers, and spill residues thereof, as defined in 40 CFR 261.

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Under RCRA, the permitting of treatment, storage, or disposal facilities is a two-part process. The first part involves the submittal of a Part A application containing certain basic information about the facility. DOE filed a Part A application with EPA for the SRP that addressed waste-management activities at the F-, H-, and M-Area seepage basins; hazardous-waste-storage buildings 710-U, 709-G, 709-2G, and 709-4G; and mixed waste storage facility 633-29G, mixed waste oil storage tank S-32, and the process waste interim-storage facility. These basins and storage buildings are defined under RCRA as hazardous-waste-management units.

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The second part of the permitting process involves the submittal of a Part B application, containing substantially more detailed information about individual interim-status waste-management units. DOE-SR filed its Part B application in February 1985 and September 1986.

With regard to the HSWA, Table 6-1 summarizes the requirements applicable to the SRP and the status of SRP compliance.

6.2.3.2 Federal Regulations

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EPA regulations for implementing RCRA are codified at 40 CFR 260-271. These regulations provide a system of standards for owners and operators of hazardous-waste storage, treatment, and disposal facilities; specific procedures on the manifest-tracking system; an identification and classification of hazardous waste; listing and delisting requirements; requirements for transporters of hazardous waste; interim-status standards; closure and post-closure care requirements; standards for landfills, incinerators, and surface impoundments; and permitting requirements. They also stipulate financial responsibility, insurance, personnel training, and liability requirements.

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The HSWA restrict land disposal of hazardous waste, including solvents, unless EPA determines that such prohibition is not required to protect human health and the environment. The Amendments also require EPA to promulgate

Table 6-1. Compliance of SRP Interim-Status Facilities with 1984 Hazardous and Solid Waste Amendments

Requirements	Status of SRP compliance	
Interim status of land-disposal facilities terminates unless a Part B permit application is submitted and compliance with groundwater-monitoring requirements is certified by November 8, 1985.	A Part B permit application submitted in February 1985 and September 1986 included F-, H-, seepage and M-Area settling basins. Compliance with groundwater monitoring requirements was certified by November 8, 1985. ^a	TC
Owners and operators of interim-status facilities other than land-disposal units and incinerators must submit Part B permit applications or lose interim status in October 1992.	A Part B permit application submitted in February 1985 included interim-status hazardous-waste-storage facilities. ^a In July 1986, interim status was expanded to include 643-29G.	TC
Permit applications for land-disposal facilities must provide information on public exposure to hazardous wastes.	An Exposure Information Report was submitted in August 1985.	
Owners and operators of interim-status surface impoundments must apply for applicable exemptions from minimum technological requirements by November 1986 or forfeit eligibility for exemption.	SRP interim-status surface impoundments do not meet minimum criteria for exemption. They will be replaced by effluent-treatment facilities.	
Section 3004(u) of HSWA requires corrective action for releases of hazardous wastes or constituents from any Solid Waste Management Unit (SWMU) at a storage, treatment, or disposal facility that is seeking or otherwise subject to a RCRA permit.	SRP has been responsive to the requirements of EPA's National Corrective Action Strategy for SWMUs.	C-89
Surface impoundments not meeting minimum technological requirements can no longer receive, store, or treat hazardous wastes as of November 1988.	Closure dates for F- and H-Area seepage basins and the startup date for the effluent-treatment facility will be determined.	

^aPart B permits have been issued for the M-Area settling basin and hazardous waste buildings. TC

regulations specifying levels or methods of waste treatment that would substantially diminish the toxicity or reduce the migration of hazardous constituents of the waste. After such pre-treatment, the waste can be disposed of in specified types of land-disposal facilities meeting minimum technological requirements. Appendix D of this EIS addresses various pretreatment technologies considered applicable to SRP waste management activities.

TE | In addition, the HSWA impose new minimum technological requirements (MTRs) on new landfills or surface impoundments. Permits for these units require the installation of two or more liners, a leachate-collection system, and groundwater monitoring. New units and replacements or lateral expansions of existing landfills, surface impoundments, and waste piles under interim status must conform to these minimum technological requirements, with respect to wastes received beginning May 8, 1985. Appendix E of this EIS describes this type of new hazardous/mixed waste storage/disposal facility.

TC | The Hazardous and Solid Waste Amendments of 1984 (HSWA) nullify the current exemption from groundwater monitoring for double-lined facilities, but they permit the U.S. Environmental Protection Agency (EPA) to grant individual exemptions if stringent leakage prevention requirements are met.

TC | With certain exceptions, existing surface impoundments operating under interim status must comply with the new MTRs by November 8, 1988. The exceptions are (1) surface impoundments with one nonleaking liner at which groundwater monitoring is conducted and that are located more than 0.4 kilometer from an underground drinking-water source, and (2) wastewater-treatment impoundments that satisfy certain prescribed standards.

6.2.3.3 State Statute

TE | The State of South Carolina passed its Hazardous Waste Management Act (Act 436) in 1978 (Code of Laws of South Carolina, Title 44, Health, Chapter 56). This enabling statute and four subsequent amendments that were enacted through June 5, 1985, authorized the South Carolina Department of Health and Environmental Control (SCDHEC) to issue regulations equivalent to those issued by EPA, including a Hazardous Waste Contingency Fund. SCDHEC has administered the Fund and the permitting and enforcement programs since EPA granted it authorization on November 8, 1985.

6.2.3.4 State Regulations

The requirements of the hazardous-waste-management program administered by the State are described in the South Carolina Hazardous Waste Management Regulations (R.61-79.124 through R61-79.270). Hazardous-waste management at the SRP is currently being conducted under Interim Status Standards.

Under interim status, facilities must comply with Interim Status Standards (R.61-79.265) and must not engage in hazardous-waste activities or processes not specified in Part A of the application.

The SRP Groundwater Quality Assessment Plan required by the State regulations was revised and resubmitted to SCDHEC in June 1985. The submission addressed monitoring at the F-, H-, and M-Area seepage basins and contained monitoring data in fulfillment of the requirement to report these data annually.

6.2.3.5 DOE Order 5480.2: Hazardous and Radioactive Mixed Waste Management

DOE Order 5480.2 establishes hazardous-waste-management procedures for facilities operated under authority of the AEA, as amended. The requirements follow, to the extent practical, regulations issued by the EPA pursuant to RCRA.

Under the provisions of DOE Order 5480.2, managers of operations offices must develop an Implementation Plan that complies with the technical hazardous-waste-management requirements of 40 CFR 260-265.

The DOE Savannah River Operations Office developed an Implementation Plan for DOE Order 5480.2 in June 1984. The hazardous-waste-management Implementation Plan requires compliance with all Federal and State permitting processes, identifies the responsibilities of DOE-SR staff and contractors in ensuring compliance with RCRA, and formalizes the program needed to achieve such compliance.

6.2.3.6 Regulations Applicable to Closure and Remedial Action Activities at Existing Waste Sites

This section summarizes closure and remedial action requirements contained in DOE Orders and EPA regulations. DOE policy requires compliance with applicable Federal and state standards. If a conflict exists between regulations, DOE determines and applies those providing the greatest protection. All closure plans are subject to public review at hearings.

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The following sections describe the regulations related to hazardous, low-level radioactive, and mixed waste management facilities on the SRP.

Table 6-2 summarizes regulations that govern closure and remedial action activities at specific hazardous-waste management facilities on the SRP. The Resource Conservation and Recovery Act (RCRA) regulates SRP waste management unit closure. At a minimum, all units are subject to the requirements for corrective action for solid waste management units (40 CFR 264.101 and R.61-79.264.101). These corrective action requirements were promulgated to implement RCRA Section 3004(u). SRP actions necessary to comply with these requirements and the specific units to which they will apply will be delineated as a special condition to the SRP RCRA operating permit that is scheduled for issuance Fall 1987.

Additional requirements apply to hazardous waste units closed after November 19, 1980, but vary depending on precisely when the unit closes:

<u>Date That Unit Closes</u>	<u>Closure Regulation</u>	<u>Post-Closure Regulation</u>
After receiving an operating permit	264*	264
After 1/26/83 (without operating permit)**	265*	264
On or before 1/26/83 (without operating permit)**	265	265

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The Comprehensive Environmental Response, Compensation, and Recovery Act (CERCLA) may also impact SRP hazardous waste management unit closure. CERCLA Section 120 requires assessment of waste sites for listing on the National

* 264 = 40 CFR 264 and R.61-79.264

265 = 40 CFR 265 and R.61-79.265

** This date may change. Groundwater monitoring (264 Subpart F) is required if the unit received hazardous waste after 7/26/82. On 3/28/86, EPA proposed to change the 1983 date to match the 7/26/82 monitoring date.

Table 6-2. Regulations and Statutes Applicable to
SRP Waste Management Facilities

Agency	Regulation/ Statute	Issue date	Description
	DOE Order 5480.1B, Chapter XI	9/21/84	Requirements for radiation protection
	DOE Order 5480.2	12/13/82	Hazardous and radioactive mixed waste management
	DOE Order 5480.4	5/15/84	Environmental protection, safety, and health protection standards
	DOE Order 5480.12	5/12/87	General environmental protection program requirements (draft)
	DOE Order 5480.14	4/26/85	Comprehensive Environmental Response, Compensation, and Liability Act Program
	DOE Order 5484.1	2/24/81	Environmental protection, safety, and health protection information reporting requirements
	DOE Order 5820.2	2/6/84	Radioactive waste management
TC	DOE 10 CFR 962 (52 FR 15937)	5/1/87	Byproduct material final rule
TE	EPA 42 USC 300 (PL-93-523)	12/16/74	Safe Drinking Water Act, as amended
	EPA PL-99-339	6/19/86	Safe Drinking Water Act, amendments of 1986
TC	EPA PL-94-580	10/21/76	Resource Conservation and Recovery Act (RCRA)
	EPA PL-96-510	12/11/80	Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA)
	DOE PL-98-181	9/30/83	Supplemental Appropriations Bill
TC	EPA 40 CFR 300	11/20/85	National oil and hazardous substances contingency plan
	EPA PL 98-616	11/8/84	Hazardous and Solid Waste Amendments of 1984
	EPA PL 99-499	10/17/86	Superfund Amendment and Reauthorization Act of 1986

Table 6-2. Regulations and Statutes Applicable to SRP Waste Management Facilities

Agency	Regulation/ Statute	Issue date	Description
SCDHEC	R.61-79.124 to R.61-79.270	6/22/84	South Carolina hazardous waste management regulations (SCHWMMR)
SCDHEC	R.61-68 to R.61-69	9/8/71	South Carolina water classifications and standard regulations

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Priority List (NPL). Sites qualifying for NPL listing must be investigated and, as appropriate, cleaned up in accordance with National Contingency Plan requirements (40 CFR 300 et seq.).

6.2.4 FEDERAL SAFE DRINKING WATER ACT

The SDWA is designed to protect the quality of public water supplies and all sources of drinking water. EPA has authorized South Carolina to regulate both areas. To protect the quality of public water supplies, the State has adopted a set of primary drinking-water regulations, which includes numerical standards for a number of heavy metals, pesticides and herbicides, and radioactivity. Another provision of the SDWA, the Underground Injection Control Program, is designed to protect groundwater quality. Injection wells are not now and have not in the past been used for the disposal of wastewater at the SRP.

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SCDHEC administration and enforcement of the SDWA consists of construction permits, preliminary site inspections, final construction inspections, monthly sampling collections, and regular operations-and-maintenance inspections.

The Safe Drinking Water Act Amendments of 1986 (SDWAA - Public Law 99-339) was signed into law in June 1986. The law substantially broadens the Federal Government's role in protecting groundwater against contamination. EPA can give grants to states to protect public drinking-water supplies at the wellhead. States must develop protection plans that meet minimum criteria to qualify for Federal grants. Regulation of groundwater remains the domain of the states. The "wellhead protection area" is defined as the surface and subsurface area surrounding a well or wells supplying a public water system through which contaminants are reasonably likely to move to reach the well or wells.

6.2.5 FLOODPLAIN/WETLANDS ENVIRONMENTAL REVIEW

According to EO 11900, "Protection of Wetlands," construction in wetlands should be avoided unless there are no practicable alternatives and all practicable measures have been included in the program to minimize harm to wetlands that might result from such use. Early review of the proposed action is to be provided to the public.

TC | According to EO 11988, "Floodplain Management," each Federal agency must review its proposed actions to determine if any action will occur in a floodplain. The potential effects of an action that will occur in a floodplain must be evaluated, and the agency shall consider alternatives to avoid adverse effects and incompatible development in floodplains. DOE Regulation 10 CFR 1022 (Compliance Wetland Environmental Review with Floodplain Requirements) also applies.

6.2.6 OTHER REQUIREMENTS

TE | Public Law 98-181 requires DOE to take action to terminate the use of "seepage basins associated with the fuel fabrication area" (M-Area) on the SRP. Another provision required the Secretary of Energy to develop a groundwater-protection plan within six months after enactment; DOE has complied with both of these provisions.

TE | In association with the termination of the use of the M-Area seepage basin, DOE submitted a closure plan in September 1984. Revisions to the plan were submitted in March and July 1985, and public hearings were held in July 1986. A postclosure care permit application for this basin was submitted with the SRP Part B permit application. Interim status is in effect until final administrative disposition of the Part B permit application. Revisions to the application were submitted in April 1987.

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C-93 | The DOE Savannah River Operations Office operates under a Memorandum of Agreement (MOA) signed April 8, 1985, with SCDHEC. This agreement sets forth the relationship between DOE and SCDHEC regarding activities at the Savannah River Plant. The MOA specifies the procedures for nondisclosure of information on the grounds of national security, specifies jurisdictional and enforcement issues, and recognizes the requirements of the NEPA process.

Other laws and orders (Fish and Wildlife Coordination Act, Endangered Species Act, Farmland Protection Policy Act, Migratory Bird Treaty Act, Anadromous Fish Conservation Act, National Historic Preservation Act, Noise Control Act, and South Carolina Non-Game and Endangered Species Conservation Act) are generally applicable to Federal actions.