



**OFFICE OF RIVER PROTECTION**

P.O. Box 450, MSIN H6-60  
Richland, Washington 99352

16-TF-0127

**NOV 29 2016**

Ms. Alex K. Smith, Program Manager  
Nuclear Waste Program  
Washington State Department of Ecology  
3100 Port of Benton Blvd.  
Richland, Washington 99352

Ms. Smith:

TRANSMITTAL OF TENTATIVE AGREEMENT ON NEGOTIATIONS OF HANFORD FEDERAL FACILITY AND CONSENT ORDER REVISIONS ON INTERIM MILESTONE M-045-82, SUBMIT COMPLETE PERMIT MODIFICATION REQUESTS FOR TIERS 2 & 3 OF THE SINGLE-SHELL TANK SYSTEM TO SUPPORT FINAL CLOSURE REQUIREMENTS FOR WASTE MANAGEMENT AREA C

The U.S. Department of Energy (DOE), Office of River Protection (ORP) provides the attached Hanford Federal Facility and Consent Order (also known as Tri-Party Agreement) Tentative Agreement, which guides closure activities and sets requirements for the first closure of a Hanford Single-Shell Tank (SST) farm of Waste Management Area C (WMA-C). In addition to the Tentative Agreement, Tri-Party Agreement Change Control Form M-45-16-01 is attached. This Change Control Form includes proposed changes to Tri-Party Agreement Milestones M-045-82, M-045-83 and M-045-62; as well as a new proposed Milestone M-045-82A.

We sincerely appreciate the efforts of the Washington State Department of Ecology in negotiating a set of Tri-Party Agreement milestones to move this important work forward. The closure of WMA-C will provide significant knowledge and experience to be applied to other SST farms as cleanup progresses.

ORP looks forward to beginning the public comment period on the proposed changes and will be working closely with your agency to address public and stakeholder input.

If you have any questions, please contact Glyn Trenchard, acting Assistant Manager for Tank Farms Project, at (509) 373-4016.

  
Kevin Smith  
Manager

TF: JBB

Attachment

Cc: See page 2

Ms. Alex K. Smith  
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cc w/ attach:

S. Harris, CTUIR  
J. J. Lyon, Ecology  
D. McDonald, Ecology  
J. B. Price, Ecology  
D. A. Faulk, EPA  
S. Hudson, HAB  
C. P. Noonan, MSA  
R. E. Piippo, MSA  
M.J. Turner, MSA  
G. Bohnee, NPT  
K. Niles, ODOE  
R. Buck, Wanapum  
J.T. Hamilton, WRPS  
J. A. Joyner, WRPS  
D. L. Parker, WRPS  
R. Jim, YN  
D. Rowland, YN  
Administrative Record  
WRPS Correspondence Control  
Environmental Portal, LMSI

Attachment 1

16-TF-0127

**TENTATIVE AGREEMENT ON NEGOTIATIONS OF  
HANFORD FEDERAL FACILITY AGREEMENT AND  
CONSENT ORDER REVISIONS PERTAINING TO SINGLE  
SHELL TANKS WMA C DOCUMENTS AND CLOSURE**



**TENTATIVE AGREEMENT  
ON  
NEGOTIATIONS OF HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT  
ORDER REVISIONS ON INTERIM MILESTONE M-045-82 SUBMIT COMPLETE PERMIT  
MODIFICATION REQUESTS FOR TIERS 2, & 3 (SEE APPENDIX I) OF THE SINGLE SHELL  
TANK SYSTEM, TO SUPPORT FINAL CLOSURE REQUIREMENTS FOR WMA C**

The U.S. Department of Energy, Office of River Protection (DOE) and the Washington State Department of Ecology (Ecology), hereinafter referred to as the Parties, entered into negotiations on the M-045-82 and M-45-83 interim milestone series for the permit modification documents and closure of Waste Management Area (WMA) C. The Parties discussed the scope of the milestones and came to an agreement that closure plans could be submitted in four parts (SST System Tier 1; WMA C Tier 2; C-200 Tier 3s; and TPA milestone for remaining WMA C Tier 3s) instead of the original combined Tier 1/2/3 submittal.

The Parties have determined that good cause exists for modifications to the milestones within the M-045 series, as well as the establishment of new additional milestones to maintain accountability. The Parties have reached tentative agreement on these changes, which are presented in the proposed Hanford Federal Facility Agreement and Consent Order (HFFACO) M-45-16-01 change control form provided below and attached to this tentative agreement.

Final approval of the HFFACO change control form by the Parties is subject to public comment and potential modification, as required. A notice of the upcoming public comment period for the HFFACO change control form will be distributed to regional stakeholders, followed by a 45-day public comment period. Upon conclusion of the public comment period, the Parties will consider the comments and the HFFACO change control form will be revised, as appropriate. When agreed upon, the HFFACO change control form will be approved by the Parties, then incorporated into the HFFACO.

Unresolved revisions resulting from public comments will be subject to HFFACO dispute resolution beginning at the Interagency Management Integration Team level as provided for in HFFACO Article VIII and/or XVI.

This Tentative Agreement resolves the Tri-Party Agreement dispute on the disapproval of change control form M-45-15-03.

This Tentative Agreement is to take effect upon the signatures of the Parties.



**TENTATIVE AGREEMENT  
ON  
NEGOTIATIONS OF HANFORD FEDERAL FACILITY  
AGREEMENT AND CONSENT ORDER REVISIONS  
PERTAINING TO SINGLE SHELL TANKS WMA C  
DOCUMENTS AND CLOSURE**

Glyn Trenchard, Acting Assistant Manager  
Tank Farms Project  
Office of River Protection

11-22-16

Date

Alex Smith, Program Manager  
Nuclear Waste Program  
Washington State  
Department of Ecology

11-22-16

Date

N/A

Dennis A. Faulk, Program Manager  
Office of Environmental Cleanup  
Hanford Project Office  
U.S. Environmental Protection Agency

          
Date

Proposed milestone modifications, and a new proposed milestone are provided below:



**Description/Justification of Change (continued):**

The Tier 1 closure plan is removed from the milestone description because it was submitted to Ecology and ORP is in the process of responding to Ecology comments on the submittal.

Good cause exists, per HFFACO Article XL, Paragraph 120E, to modify the three existing milestones and create one new milestone for submittal of documents and closure of WMA C.

The closure approach set forth in this change control form establishes an incremental approach to tank closure which:

1. Allows lessons learned from one closure to be applied to the planning of the next closure; and
2. Demonstrates progress towards WMA C closure in a way that promotes momentum for remaining WMA C goals.

Under the closure approach set forth in this change control form, closure of the 241-C-200 Series tanks would occur first. The 241-C-200 series tanks were selected as the first Single-Shell Tanks to be closed based on:

1. The tanks are candidates for the first demonstration of the closure approach.
2. Ease of access (the tanks are located at the farm boundary, and access from outside the farm would be possible for closure activities);
3. Reduced obstructions and a decreased amount of closure equipment required to be located within the farm.

The closure of additional components within WMA C would follow in the sequence as additional closure decisions are made, lessons learned are incorporated, and closure designs are developed.

Approval of this change control form resolves the dispute on change control form M-45-15-03.

**M-45-16-01 Authorized Changes**

Modifications to Tri-Party Agreement text is displayed as double underline to indicate added text and ~~strikeout~~ to indicate deleted text.

<p>M-045-82</p> <p>Lead Agency:</p> <p>Ecology</p>	<p><del>Submit complete permit modification requests for Tiers 1, 2, &amp; 3 (see Appendix I) of the SST System, to support final closure requirements for WMA C.</del></p> <p><u>Submit to Ecology for review, in accordance with HFFACO Action Section 9.2.2, the draft Tier 2 closure plan for WMA C. The Tier 2 plan shall include a proposed TPA milestone change control form identifying all Tier 3 submittal dates for WMA C, and proposed target dates to initiate Tier 3 closure activities. Target dates will be converted to enforceable schedules through permit modification to incorporate Tier 3 closure plans.</u></p>	<p><del>9/30/2015</del></p> <p><u>3/31/2017</u></p>
<p><u>M-045-82A</u></p> <p><u>Lead Agency:</u></p> <p><u>Ecology</u></p>	<p><u>Submit to Ecology for review, in accordance with HFFACO Action Section 9.2.2, the draft Tier 3 closure plans for the C-200 tanks (C-201, C-202, C-203, and C-204) including schedules.</u></p>	<p><u>3/31/2017</u></p>
<p>M-045-62</p> <p><u>Lead Agency:</u></p> <p><u>Ecology</u></p>	<p><u>Submit to Ecology for review, in accordance with HFFACO Action Section 9.2.2, the draft Tier 3 closure plan to implement corrective measures identified in the approved and approval as an Agreement primary document a Phase 2 Corrective Measures Implementation Work Plan (CMIP) for WMA C.</u></p>	<p><del>Six (6) months after the approval of the CMS submitted under milestone M-045-61A.</del></p> <p><u>To be established in accordance with the date identified in the M-45-82 Tier 2 closure plan</u></p>
<p>M-045-83</p> <p>Lead Agency:</p> <p>Ecology</p>	<p><u>Complete the Closure of WMA C: by completing all closure activities specified in the Tier 2 closure plan, not including activities specifically described in the Tier 2 closure plan as requiring integration with closure of other WMAs.</u></p> <p><del>The milestone date assumes Ecology will issue a final permit modification decision within 12 months of receiving DOE's modification request under M-045-82. If Ecology does not issue a final permit modification decision within 12 months of receiving DOE's modification request under M-045-82, the milestone date will be extended on a day for a day basis for each day beyond the 12 month period until a final permit modification decision is issued.</del></p>	<p><del>06/30/2019</del></p> <p><u>To Be Established in accordance with the date identified in the M-45-82 Tier 2 closure plan</u></p>