



**Department of Energy**  
Richland Operations Office  
P.O. Box 550  
Richland, Washington 99352

12-AMCP-0065

**JAN 27 2012**

Ms. J. A. Hedges, Program Manager  
Nuclear Waste Program  
State of Washington  
Department of Ecology  
3100 Port of Benton  
Richland, Washington 99354

Dear Ms. Hedges:

**PROPOSED EXTENSION OF TRI-PARTY AGREEMENT INTERIM MILESTONE M-037-03  
COMPLETION DATE BY 30 MONTHS**

The purpose of this letter is to notify the State of Washington Department of Ecology (Ecology) that Tri-Party Agreement Interim Milestone M-037-03, Submit Revised Closure Plans to support Treatment, Storage, and Disposal (TSD) closure for two TSD Units: 216-B-3 Main Pond System, and 216-S-10 Pond and Ditch, is in jeopardy for completion by the current milestone date of April 30, 2012. This letter transmits Change Control Form M-37-11-02 for your review and approval. This Change Control Form proposes a 30 month extension to Tri-Party Agreement Interim Milestone M-037-03, to be completed October 30, 2014. The change in due date aligns completion of the closure plans with the completion of Tri-Party Agreement Interim Milestone M-015-38B, Submit a revised Feasibility Study Report and revised Proposed Plan(s) for the 200-CW-1, 200-CW-3, and 200-OA-1 Operable Units for Waste Sites in the Outer Area of the Central Plateau to the U.S. Environmental Protection Agency. The TSD units identified in Interim Milestone M-037-03 are included in the Outer Area of the Central Plateau, and TSD closure activities will be integrated into the Outer Area remediation defined in completion of Interim Milestone M-015-38B.

Ecology's approval is requested on the attached Change Control Form M-37-11-02. Should Ecology disapprove the Change Control Form, the U.S. Department of Energy Richland Operations Office (RL) will likely invoke the dispute resolution process pursuant to Article VIII, Paragraph 30 of the Tri-Party Agreement. However, RL would anticipate that through a good faith effort to informally resolve this issue with Ecology at the Project Manager's level, a mutually agreeable change form could be developed.

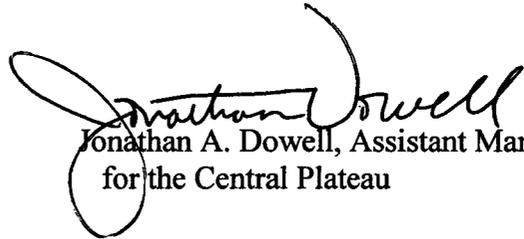
Ms. J. A. Hedges  
12-AMCP-0065

-2-

**JAN 27 2012**

If you have any questions, please contact me, or your staff may contact Briant Charboneau, of my staff, on (509) 373-6137.

Sincerely,



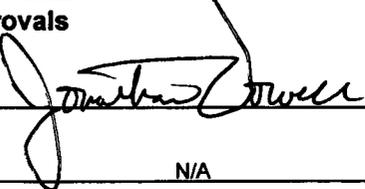
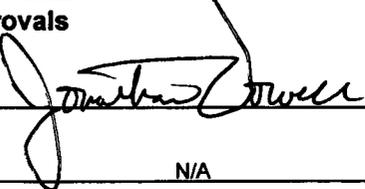
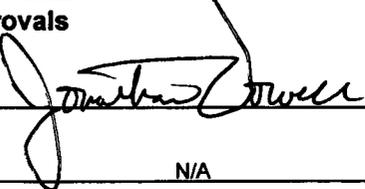
Jonathan A. Dowell, Assistant Manager  
for the Central Plateau

AMCP:GLS

Attachment

cc w/attach:

G. Bohnee, NPT  
L. Buck, Wanapum  
L. C. Buelow, EPA  
P. A. Burke, CHPRC  
L. M. Dittmer, CHPRC  
D. E. Dooley, CHPRC  
M. H. Doornbos, CHPRC  
D. A. Faulk, EPA  
S. Harris, CTUIR  
R. Jim, YN  
R. A. Kaldor, MSA  
S. L. Leckband, HAB  
N. M. Menard, Ecology  
K. Niles, ODOE  
T. W. Noland, MSA  
R. E. Piippo, MSA  
J. B. Price, Ecology  
D. Rowland, YN  
Administrative Record (M-37)  
Environmental Portal

<b>The Change Number</b>  <b>M-37-11-02</b>	<b>Federal Facility Agreement and Consent Order Change Control Form</b> <small>Do not use blue ink. Type or print using black ink.</small>	<b>Date</b>  <b>January 24, 2012</b>																								
<b>Originator</b>  <b>J. A. Dowell</b>		<b>Phone</b>  <b>(509) 373-9971</b>																								
<b>Class of Change</b>  <input type="checkbox"/> I - Signatories <input checked="" type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager																										
<b>Change Title</b>  Extend Interim Milestone M-037-03, "Submit Revised Closure Plans to support TSD closure for two (2) TSD Units: 216-B-3 Main Pond System, and 216-S-10 Pond and Ditch" due date to October 30, 2014.																										
<b>Description/Justification of Change</b> Approval of this change form delays M-037-03 interim milestone by 30 months. The Tri-Parties have agreed to focus cleanup resources on field activities in FY 2012 and FY 2013 consistent with the following priorities: <ul style="list-style-type: none"> <li>· Safe and Compliant Operations</li> <li>· River Corridor Cleanup Completion</li> <li>· Site-wide Groundwater Pump &amp; Treat Operations</li> <li>· Plutonium Finishing Plant (PFP) D&amp;D</li> <li>· Deep Vadose Zone Treatability Testing</li> </ul> <i>continued on page 2</i>																										
<b>Impact of Change</b> This change package extends the M-037-03 Interim Milestone by 30 months, to October 30, 2014. Delay of completion of the closure plans aligns the work scope with completion of M-015-38B, <i>Submit a revised Feasibility Study Report and revised Proposed Plan(s) for the 200-CW-1, 200-CW-3, and 200-OA-1 Operable Units for Waste Sites in the Outer Area of the Central Plateau to EPA</i> , which was also extended 30 months and is due October 30, 2014.																										
<b>Affected Documents</b> The <u>Hanford Federal Facility Agreement and Consent Order</u> , as amended, and Hanford Site internal planning management, and budget documents (e. g., USDOE and USDOE contractor Baseline Change Control documents; Project Management Plans).																										
<b>Approvals</b> <table border="0" style="width: 100%;"> <tr> <td style="width: 30%;"></td> <td style="width: 20%; text-align: center;">1.27.12</td> <td style="width: 10%; text-align: center;">✓</td> <td style="width: 40%; text-align: center;">Approved _____ Disapproved _____</td> </tr> <tr> <td>DOE</td> <td style="text-align: center;">Date</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">N/A</td> <td>_____</td> <td></td> <td style="text-align: center;">Approved _____ Disapproved _____</td> </tr> <tr> <td>EPA</td> <td style="text-align: center;">Date</td> <td></td> <td></td> </tr> <tr> <td>_____</td> <td>_____</td> <td></td> <td style="text-align: center;">Approved _____ Disapproved _____</td> </tr> <tr> <td>Ecology</td> <td style="text-align: center;">Date</td> <td></td> <td></td> </tr> </table>				1.27.12	✓	Approved _____ Disapproved _____	DOE	Date			N/A	_____		Approved _____ Disapproved _____	EPA	Date			_____	_____		Approved _____ Disapproved _____	Ecology	Date		
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DOE	Date																									
N/A	_____		Approved _____ Disapproved _____																							
EPA	Date																									
_____	_____		Approved _____ Disapproved _____																							
Ecology	Date																									

**Description/Justification of change, continued**

Based on current resource availability, there are insufficient resources to meet all TPA obligations. The alignment of near-term Central Plateau TPA milestones with these priorities was made through Change Packages (M-15-11-03, M-15-11-04, and M-85-11-01 dated September 14, 2011). In addition, while fully acknowledging DOE's obligation to seek a compliant budget under TPA Article XLVIII, the Tri-Parties anticipate that resources to support all TPA field activities may still be limited through FY 2013. Based on this, and given the priorities listed above, Ecology and DOE agree to extend the completion date for the listed M-037-03 milestone to coincide with completion of Milestone M-015-38B. This milestone requires submittal of a revised Feasibility Study Report and revised Proposed Plan(s) for the Waste Sites in the Outer Area (OA) of the Central Plateau, which will include the TSDs identified in the M-037-03 milestone. Milestone M-015-38B was extended 30 months on September 14, 2011, through Change Package M-15-11-04. Coordinating completion of the two milestones provides integration of the RCRA TSD closure requirements and CERCLA closure in the OA Operable Unit of the Central Plateau.

DOE agrees to pursue funding in accordance with TPA Article XLVIII to minimize the 30 month delay, and Ecology and DOE will continue to assess whether this 30 month delay can be shortened. This agreement is made without waiver of any obligation or reservation under TPA Article XLVIII with respect to any TPA obligation beyond the listed M-037-03 Interim Milestone.

Modifications to the interim milestone are denoted by the use of ~~strikeout~~ to indicate text to be deleted and double underline to indicate text to be added.

<p>M-037-03 <u>Lead</u> <u>Agency:</u> <u>Ecology</u></p>	<p>Submit Revised Closure Plans to support TSD closure for two (2) TSD Units: 216-B-3 Main Pond system, and 216-S-10 Pond and Ditch</p>	<p><del>04/30/2012</del> <u>10/30/2014</u></p>
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