



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

MAY 30 2008

Reissue

08-AMCP-0193

Mr. N. Ceto, Program Manager
 Office of Environmental Cleanup
 Hanford Project Office
 U.S. Environmental Protection Agency
 309 Bradley Blvd., Suite 115
 Richland, Washington 99352

RECEIVED
 JUN 13 2008
 EDMC

Dear Mr. Ceto:

HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (TRI-PARTY AGREEMENT) DRAFT CHANGE PACKAGES M-34-08-01 AND M-16-08-05

The purpose of this letter is to transmit the following draft change packages in accordance with Tri-Party Agreement Milestone M-034-40:

M-34-08-01, "Modification of Hanford Federal Facility Agreement and Consent Order (Agreement) K Basin Closure M-034-00A Major and Interim Milestones."

M-16-08-05, "Modification of Hanford Federal Facility Agreement and Consent Order (Agreement) 100 K Area M-016 Major and Interim Milestones."

The U.S. Department of Energy (DOE), Richland Operations Office (RL) and the U.S. Environmental Protection Agency (EPA) have discussed this deliverable on several occasions, leading to the agreement to resolve the Tri-Party Agreement Milestone M-34-32 "Complete Removal of the K East Basin Structure" and Tri-Party Agreement Milestone M-16-57 "Initiate K East Basin Soil Remediation," dispute through the recent approval of the Dispute Resolution Settlement Agreement and associated change packages. Tri-Party Agreement Milestone Change Package M-34-07-03 established enforceable Milestone M-034-40, due May 31, 2008. The text of this milestone reads:

"Submit 100K Area Change Package with proposed milestone changes.

DOE will submit to EPA and Ecology a new HFFACO change package with proposed adjustments to the existing K Area milestones based on the M-34-40-T01, January 31, 2008, workscope and the M-34-40-T02, March 31, 2008, detailed schedule and budget profile.

These revised milestones will be revisited and may be adjusted if necessary when the sludge treatment project reaches its final design."

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The milestone dates proposed in the attached change requests have a high confidence level of success and are within funding levels in Environmental Management's five-year plan. New dates are proposed for only those milestones which come due before the Sludge Project Critical Decision 2 (CD 2, performance baseline) approval date plus six months. The date for CD 2 approval is September 30, 2010. Therefore, DOE will submit within six months of this date (March 31, 2011) new proposed milestones for the 100 K Area.

DOE and its contractors are following a rigorous process to determine the best way to remove the sludge from the K West Basin as soon as possible. DOE understands that removal of the sludge from the K West Basin is on the critical path to complete cleanup of the 100 K Area. DOE is committed to removing the sludge as soon as possible to minimize impacts to the overall 100 K Area cleanup while ensuring a sound technical basis for the path forward for sludge. As previously discussed, the groundwater project work is not part of this change package.

If you have any questions, please contact me, or your staff may contact Matt McCormick, Assistant Manager for the Central Plateau, on (509) 373-9971.

Sincerely,



David A. Brockman
Manager

AMCP:SNB

Attachments

cc w/attachs:

G. Bohnee, NPT
L. Buck, Wanapum
R. H. Engelmann, EFSH
L. E. Gadbois, EPA
S. Harris, CTUIR
J. A. Hedges, Ecology
R. Jim, YN
S. L. Leckband, HAB
K. Niles, ODOE
M. W. Peres, FFS
R. E. Piippo, FHI
J. G. Vance, FFS
R. E. Wilkinson, FFS
Administrative Record
Environmental Portal

Change Number M-34-08-01 DRAFT	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date May 27, 2008
Originator: Matthew S. McCormick		Phone: (509) 373-9971
Class of Change <input checked="" type="checkbox"/> I - Signatories <input type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager		
Change Title: Modification of <u>Hanford Federal Facility Agreement and Consent Order</u> (Agreement) K Basin Closure M-034-00A Major and Interim Milestones		
Description/Justification of Change: Approval of this change package modifies the Hanford Federal Facility Agreement and Consent Order (HFFACO) M-034-00A major and two interim milestones to align with the impacts from the delay of sludge removal from the K West Basin. Approval of this change package also results in the establishment of a new milestone for providing proposed milestone dates based on Critical Decision 2 (CD 2) approval for the sludge treatment project. Due to delays in the removal of sludge from the K West Basin, the parties recognize that Milestones M-034-00A, M-034-30, and M-034-31 will not be met and are not recoverable. The Agencies agree that the design of the sludge treatment project is not yet mature enough to establish revised milestone dates until the sludge treatment project obtains CD 2 approval (CD 2 relates directly to the formal approval of the project performance baseline). The Agencies agree in this change package that DOE will propose new milestone dates after the CD 2 has been approved. Therefore, at that time DOE will: 1) Provide a proposed milestone date for M-034-00A. 2) Propose a new milestone date for initiation of sludge treatment. 3) Propose a new milestone date for completion of sludge treatment.		
Impact of Change This change is due to a delay in the removal and treatment of sludge that will impact the remediation of waste sites and the decontamination and decommissioning of facilities in K Area. The impact to the K Area cleanup schedule will not be known until the path forward for K West Basin sludge removal is agreed upon by the parties.		
Affected Documents The Hanford Federal Facility Agreement and Consent Order, as amended, and the Hanford Site internal planning management, and budget documents (e.g., USDOE and USDOE contractor Baseline Change Control documents; Multi-Year Work Plan; Sitewide Systems Engineering Control Documents and Project Management Plans).		

Approvals			
_____	_____	___ Approved	___ Disapproved
DOE-RL	Date		
_____	_____	___ Approved	___ Disapproved
EPA	Date		
_____	_____	___ Approved	___ Disapproved
Ecology	Date		

Description/Justification Continued.

Shaded text is added, ~~strikethrough~~ text is deleted.

Milestone/Target	Description	Date
M-034-00A LEAD AGENCY: EPA	COMPLETE REMOVAL OF THE K BASINS AND THEIR CONTENTS. NOTE: UNLESS OTHERWISE NOTED, THE TERM "K BASINS" IS USED TO DENOTE BOTH K EAST AND K WEST BASINS. THIS MILESTONE WILL BE COMPLETE WHEN BOTH K EAST AND K WEST BASINS, SPENT NUCLEAR FUEL, SLUDGE, DEBRIS AND WATER ARE REMOVED.	03/31/2009 (TBD)
M-034-30	INITIATE SLUDGE TREATMENT. THIS INTERIM MILESTONE WILL BE COMPLETE FOLLOWING TREATMENT AND PACKAGING OF THE FIRST UNIT OF SLUDGE INTO A FORM THAT IS CERTIFIABLE FOR DISPOSAL OFFSITE.	12/31/2008 (TBD)
M-034-31	COMPLETE SLUDGE TREATMENT. THIS INTERIM MILESTONE WILL BE COMPLETE FOLLOWING TREATMENT AND PACKAGING OF ALL SLUDGE FOR DISPOSAL OFFSITE.	11/30/2009 (TBD)
M-034-42	DOE WILL PROPOSE NEW MILESTONE DATES FOR M-034-00A, M-034-30, M-034-31, FOR THE OVERALL COMPLETION OF K AREA CLEANUP (M-16 AND M-034 MILESTONES) INCLUDING INTERIM SAFE STORAGE OF THE K AREA REACTORS (M-093 MILESTONES)	03/31/2011

Change Number M-16-08-05 DRAFT	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date May 27, 2008
Originator: Matthew S. McCormick		Phone: (509) 373-9971
Class of Change <input type="checkbox"/> I – Signatories <input checked="" type="checkbox"/> II – Executive Manager <input type="checkbox"/> III – Project Manager		
Change Title Modification of <u>Hanford Federal Facility Agreement and Consent Order</u> (Agreement) 100 K Area M-016 Major and Interim Milestones		
Description/Justification of Change Approval of this change package modifies two Hanford Federal Facility Agreement and Consent Order interim milestones to align with the impacts from the sludge treatment project. The parties recognize that M-016-00A will be missed for K Area only, and is not recoverable due to delays in removal of sludge from the K West Basin. M-016-00A will be adjusted for K Area cleanup completion when the path forward for sludge is known and agreed to by the parties (see Change Package M-34-08-01 and Milestone M-034-42). Interim Milestone M-016-53 will also be missed due to delays in sludge removal and is not recoverable. The Agencies agree that technical difficulties encountered on the sludge treatment project do not allow the parties to establish revised milestone dates until the sludge treatment project obtains Critical Decision 2 approval (CD 2 relates directly to the formal approval of the project performance baseline). The Agencies agree in this change package that DOE will propose new milestone dates six months after the CD 2 has been approved. Therefore, per Milestone M-034-42, DOE will propose new dates for: 1) A new major milestone for completion of all interim response actions at the 100 K Area 2) Milestone M-016-58 3) Milestone M-016-53		
Impact of Change This change is due to a delay in the removal and treatment of sludge that will impact the remediation of waste sites and the decontamination and decommissioning of facilities in K Area. The impact to the K Area cleanup schedule will not be known until the path forward for K West basin sludge removal is agreed upon by the parties.		
Affected Documents 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; Multi-Year Work Plan; Site Wide Systems Engineering Control Documents; Project Management Plans, and, if appropriate, Land Disposal Restrictions Report requirements).		

Approvals		
_____ Ecology _____	_____ Date _____	_____ Approved ___ Disapproved
_____ DOE-RL _____	_____ Date _____	_____ Approved ___ Disapproved
_____ EPA _____	_____ Date _____	_____ Approved ___ Disapproved

Modifications to existing Tri-Party Agreement milestones are denoted with ~~strikeout~~; new milestone/text are denoted with shading.

Milestone/Target	Description	Date
M-016-52	INITIATE RESPONSE ACTIONS FOR THE REMAINING WASTE SITES FOR THE 100 K AREA THAT ARE NOT IMPACTED BY CONTINUED STORAGE OF SLUDGE IN THE K WEST BASIN, INCLUDING INITIATION OF CLOSURE OF THE 1706-KE WASTE TREATMENT SYSTEM IN ACCORDANCE WITH SECTION 5.5 OF THE AGREEMENT ACTION PLAN.	07/31/2009
M-016-58	INITIATE SOIL REMEDIATION AT K WEST BASIN. INITIATE FULL SCALE REMEDIAL ACTION OF THE 105-KW FUEL STORAGE BASIN WASTE SITE WITHIN ONE MONTH OF COMPLETING MILESTONE M-34-00A.	04/30/2009 (TBD)