

TENTATIVE AGREEMENT
HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER
NEGOTIATIONS REGARDING THE FAST FLUX TEST FACILITY

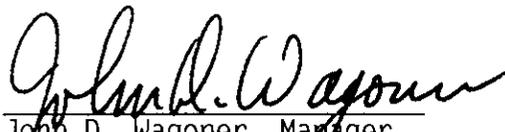
In January 1997, the Secretary of the U.S. Department of Energy (DOE) issued a decision to maintain Hanford's Fast Flux Test Facility (FFTF) in a standby mode pending a decision (to be made by December 1998) on whether the Facility will be utilized in the national tritium production strategy. In April, 1997 the DOE Richland Operations Office (RL), State of Washington Department of Ecology (Ecology), and U.S. Environmental Protection Agency (EPA) staff personnel, hereinafter the Parties, agreed to conduct negotiations for the purpose of revising Hanford Federal Facility Agreement and Consent Order (Agreement) milestones for the FFTF. These negotiations have resulted in this tentative agreement to delete existing M-81 series milestones and target dates, and to place the M-20-29A milestone in a "To Be Determined" (TBD) status pending the Secretary of Energy's decision. Should environmental compliance issues arise during this interim period of consideration, they will be addressed as part of Ecology's sitewide compliance assurance program.

This tentative agreement will be submitted for tribal and public review and comment for a 45 day period. Copies of this agreement will also be available for review at the parties public information repositories. The comment period will run from approximately November 8, 1997 to December 23, 1997. Prior to final agreement, a response to comments document will be developed and the parties will make appropriate revisions to the agreement before final signature. The parties anticipate that final approval will take place by January 23, 1998.

The parties further agree that to minimize additional delay in the event they fail to agree on any changes as the result of the comment period, all unresolved matters shall be referred to the Agreement dispute resolution process beginning at the Inter Agency Management Integration Team (IAMIT) level. The parties shall attempt to resolve the dispute(s) as provided for in Agreement paragraph(s) 30.

The parties also agree, that should the Secretary's decision be not to use the FFTF in the tritium production strategy and to resume shutdown activities, the original M-81 milestone language and structure deleted by this proposed action will be used as the starting point for new TPA transition milestone negotiations. The parties commit to initiate negotiations on FFTF transition within 90 days of a decision not to use FFTF as a production facility. It is the intent of DOE that the Office of Nuclear Energy, Science and Technology, will establish and maintain the management and funding responsibility for FFTF starting in Fiscal Year 1999 through shutdown.

Signed this 14th day of October 1997


John D. Wagoner, Manager
U. S. Department of Energy
Richland Operations Office


Tom Fitzsimmons, Director
State of Washington
Department of Ecology


Chuck Clarke, Regional Administrator
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Region 10