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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1315 W. 4th Avenue • Kennewick, Washington 99336-6018 • (509) 735-7581

December 22, 1998

Mr. George H. Sanders, Administrator  
Hanford Tri-Party Agreement  
U.S. Department of Energy  
P.O. Box 550, MSIN: A5-15  
Richland, WA 99352



Dear Mr. Sanders:

Re: Letter 99-EAP-051, dated November 24, 1998, from USDOE-RL to Ecology, Notice of Correction for Tank SX-104

This letter is a follow-up to our discussion at the December 15, 1998, IAMIT meeting.

As discussed, the U.S. Department of Energy – Richland Office (USDOE-RL) appears to be establishing a pattern of engaging in letter exchanges with respect to Notice of Correction letters emanating from the Washington State Department of Ecology's (Ecology) formal compliance inspections. Unfortunately, these letter exchanges create the potential for an impasse with respect to resolution of issues stemming from Ecology's determinations as a result of these compliance inspections.

Ecology proposes that the argument of invoking dispute resolution under Article VIII of the Tri-Party Agreement (TPA) as USDOE-RL proposes and Ecology's clear disagreement with this position be put aside and that Project Managers meet, outside of the TPA, in an effort to resolve these issues. Ecology's intent is to resolve the general issue that future compliance actions are not to be addressed under the dispute resolution process.

It is my understanding that corrective actions for all of the SX-104 violations have been agreed to by all parties. Ecology desires to further continue on this proposed course of action.

Please advise me, at your earliest convenience, of your response to this proposal and thank you for your immediate attention to this matter. If you have any questions, I can be contacted at (509) 736-5719.

Sincerely,

Antonio Valero, TWRS-Storage Project Manager  
Nuclear Waste Program

AV:sb

cc: Doug Sherwood, EPA  
Larry Arnold, FDH  
Anthony Umek, FDH  
Mary Lou Blazek, OOE  
Administrative Record