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00-AMI-011

JUL 21 2000

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 Department of Ecology
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Mr. Charles E. Findley, Acting Regional Administrator
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Addressees:

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**FURTHER CLARIFICATION REGARDING THE 90-DAY COMMITMENT TO PROVIDE
 REGULATOR NOTIFICATION OF MILESTONE JEOPARDY**

In my June 26, 2000, letter, I notified you that certain Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) milestones are in substantial jeopardy of not being achieved per the Tri-Party Agreement schedule. This notification was done consistent with my personal commitment to Tom to alert the State of Washington Department of Ecology (Ecology) and the U.S. Environmental Protection Agency (EPA) of pending issues early enough to thoroughly discuss alternative approaches to compliance and/or corrective actions. This commitment goes beyond the U.S. Department of Energy, Richland Operations Office's (RL) Tri-Party Agreement requirement to notify Ecology and EPA 110 days prior to missing a Tri-Party Agreement milestone. I have since learned that my letter has caused some confusion and concern.

The following points are provided to promote clear understanding of the purpose and planned/ongoing actions regarding this very important commitment:

- It is my intent to use the milestones-in-jeopardy listing to bring attention to those milestones that are believed to be at risk in order to provide sufficient time to take corrective action(s) to bring those milestones back on track for successful completion.
- It is my intent and expectation that all available options will be exercised to get jeopardy-stated milestones back on track before pursuing the Tri-Party Agreement change request process.
- The milestones-in-jeopardy listing is intended to create a focus for communication and action between RL and the regulators in order to resolve and complete all Tri-Party Agreement milestones, and ensure the safe and timely cleanup of Hanford.

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- The milestones-in-jeopardy listing is for milestones that are currently, and only recently, determined to be at risk of being missed – NOT a notification of milestones that WILL be missed.

The following are corrections and clarifications to the milestone listing in my June 26, 2000, letter:

- The M-16-00A and M-16-00B Milestones were erroneously added to this list. These milestones are presently listed as "to be determined (TBD)" in the Tri-Party Agreement. Due to a computer database coding issue, the words TBD are not accepted in the field and the date was listed as December 31, 2049. This will not occur in the future. These are the milestones that are the subject of our River Corridor acceleration strategy and should never have been included.
- The M-13-00K and M-13-25 milestones are on schedule for completion by December 31, 2000. Although funding had not been identified for FY 2001 scope, the level of funding needed is small and will be provided to allow on-time completion.
- The M-16-26B and M-16-26C milestones are behind schedule as a result of past emerging workscope that diverted funds and technical issues that slowed progress toward these commitments. Completion of these milestones is a priority and our staffs have been working together toward mutual success. We are now on a recovery path and must continue to work together toward completion.
- The other milestones are listed because funding has not been identified in current year and out-year plans to support on-time completion. The funding required is based on planning assumptions. The projected funding available is based on our priority list and anticipated annual funding levels. For these milestones, we would like to revisit planning assumptions and priorities and work together to develop a strategy for progress.

I continue to believe we can accelerate the cleanup of Hanford particularly the "River Corridor," but changes are needed. Our current baseline technical assumptions and compliance priorities need collaborative review and conversation with your staff. We are looking at all of our scope and evaluating how it can more effectively be completed to allow accelerated progress.

It is my expectation that within the next several months we can undertake such reviews and agree to a more systematic approach to commitment management. Such an approach would be based on life-cycle cost and schedule baselines and quarterly reviews.

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Mike Wilson and Doug Sherwood have participated in efforts to develop a river corridor strategy which would be an important part of the integrated site baseline development. As we move to develop the remainder of our strategy targeted toward the central plateau, I would encourage you to consider directly participating in these efforts. Our next two meetings will be August 1 and August 8 in Richland. Please attend if you can.

I apologize if the June 26, 2000, letter created confusion and subsequent issues for you; that was certainly not the intent. If you wish to discuss this further, please call me, or your staff may contact W. Wade Ballard, Assistant Manager for Planning and Integration, on (509) 376-6657.

Sincerely,



Keith A. Klein
acting for

Keith A. Klein
Manager

AMI:WWB

cc: D. R. Sherwood, EPA
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