



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

07-AMRC-0172

MAY 01 2007

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

RECEIVED
 MAY 03 2007

Dear Ms. Hedges:

EDMC

INITIATION OF DISPUTE RESOLUTION FOR M-16-50

References: 1) Ecology ltr. to Keith A Klein, RL, from Jane Hedges, "Signed Hanford Federal Facility Agreement and Consent Order (HFFACO) (Tri-Party Agreement) Change Package Number M-16-07-03," dtd. April 26, 2007. 0072808

2) Federal Facility Agreement and Consent Order Change Control Form, Change Number M-16-07-03, dated April 12, 2007, submitted to Ecology.

On April 12, 2007, the U.S. Department of Energy, Richland Operations Office (RL), provided the State of Washington Department of Ecology (Ecology) with a signed M-16-50 class two Hanford Federal Facility Agreement and Consent Order, (HFFACO) (Tri-Party Agreement) Change Package (Reference 2). On April 26, 2007, Ecology responded with a letter of disapproval of Change Request M-16-07-01 with the signed form attached (Reference 1).

Pursuant to Article VIII Resolution of Disputes, Paragraph 30 of the HFFACO, RL objects to Ecology's disapproval. RL is proceeding with activities in coordination with Ecology, including focusing additional resources to the 100-D Area remediation due to extensive chromium contamination, and accelerating completion of 100-D remediation efforts. This is one part of an overall strategic evaluation of the changed River Corridor priorities. Areas of focus for acceleration at 100-D include: 1) removal of railroad tracks and areas under the tracks that are highly suspect areas for chromium contamination from leaking railcars, 2) characterization and potential remediation of several suspect waste sites that may contain chromium, and 3) general overall remediation of other remaining sites and burial grounds. An integral part of this approach includes delaying initiation of the remaining waste site remediation at 100-H Area. By this letter, RL is notifying Ecology in writing of that objection. RL is formally notifying Ecology that it is entering into dispute and will make reasonable efforts to informally resolve this dispute with Ecology within 30 days at the project manager level. RL would like to keep the informal dispute resolution period open as long as progress towards establishing a new schedule for the 100-H area work continues to be made at the project manager level.

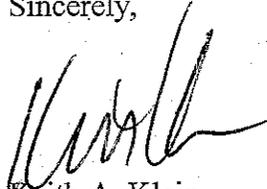
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RL looks forward to working with Ecology on developing a new path forward for the completion of the remaining M-16-50 field remediation work scope at 100-H Area. If you have any questions, please contact me, or your staff may contact Joe R. Franco, Assistant Manager for the River Corridor, on (509) 376-6628.

Sincerely,



Keith A. Klein
Manager

AMRC:KRW

cc: G. Bohnee, NPT
N. Ceto, EPA
L. J. Cusack, Ecology
R. H. Engelmann, FHI
H. S. Harris, CTUIR
R. Jim, YN
M. E. Jones, Ecology
S. L. Leckband, HAB
K. Niles, ODOE
R. E. Piippo, FHI
J. B. Price, Ecology
J. G. Vance, FFS

Administrative Record, H6-08 *M-16, 100-HR-2, 100-HR-3*
Environmental Portal, A3-01