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Tri-Party Agreement

U.S. Department of Energy
Washington State Department of Ecology
U.S. Environmental Protection Agency

EXTENSION TO THE AGREEMENT IN PRINCIPLE FOR THE NEGOTIATION OF HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (HFFACO) MILESTONE M-091 SERIES

This extension is to the Agreement in Principle (AIP), originally signed on March 15, 2018 to begin negotiations on March 19, 2018 related to the milestone M-091 series. On December 28, 2017, the U.S. Department of Energy (DOE) and the Washington State Department of Ecology (Ecology) agreed on non-enforceable target dates to:

- Remove 132 containers from outside storage areas at the Hanford Central Waste Complex.
- Submit a work plan to resume retrieval of Retrievably Stored Waste from Hanford Low-Level Burial Grounds.
- Submit a Conceptual Design Report package for the Facility/Capability for Remote Handled waste containers, and a TPA change request establishing a submittal date for the Preliminary Design Report package.

HFFACO milestone M-091-53, due September 30, 2018, requires the DOE and Ecology to replace those target dates with enforceable milestones. DOE and Ecology agreed to enter into formal negotiations for M-091-53 and to establish revisions to the HFFACO Appendix D milestone M-091 series.

DOE and Ecology previously agreed to conclude negotiations on December 31, 2018. DOE and Ecology are now in agreement that it is prudent to extend the completion of these negotiations until January 31, 2019.

Upon signing this AIP by DOE and Ecology and throughout the pendency of these negotiations, DOE and Ecology agree that there shall be a day-for-day extension in the due date for milestones M-091-47D and M-091-53, analogous to the relief granted in HFFACO Article VIII.30 and Article XVI.59 to remain in effect until the HFFACO Change Control Forms, including revisions as necessary, are incorporated into the HFFACO.

DOE and Ecology will cooperate in providing periodic briefings to the State of Oregon, affected Tribes, the Hanford Advisory Board and other stakeholders as necessary.

DOE and Ecology agree that following successful conclusion of the negotiations that are documented in a signed Tentative Agreement, they will perform an appropriate 45-day public comment period in accordance with the Public Involvement Plan. The milestones will be finalized following the public comment period.

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The signatures below represent the acceptance of DOE and Ecology on these subject HFFACO negotiations.

12/19/18

William F. Hamel, Date
Assistant Manager for River and Plateau
U.S. Department of Energy
Richland Operations Office

12/20/18

Alex K. Smith, Program Manager Date
Nuclear Waste Program
Washington State Department of Ecology

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