

Meeting Minutes  
Inter Agency Management Integration Team (IAMIT)  
EPA Conference Room  
712 Swift Blvd., Richland  
October 28, 1997

Appvl.: Jackson, Kinzer Date: 11-18-97  
Jackson E. Kinzer, RL (S7-50)  
IAMIT Representative

Appvl.: Douglas R. Sherwood Date: 11/18/97  
Douglas R. Sherwood, EPA (B5-01)  
IAMIT Representative

Appvl.: Melodie A. Delby for Date: 11/18/97  
Michael A. Wilson, Ecology (B5-18)  
IAMIT Representative

Prepared by Appvl.: Larry D. Arnold Date: 11/18/97  
Larry D. Arnold (G3-27)  
Fluor Daniel Hanford, Inc.

Distribution

Almquist, R.	RL	R3-78	Kristofzski, J.	LMHC	R2-12*
Arnold, L. D.	FDH	G3-27	McLaughlin, M. A.	FDH	G3-27
Burk, L.	BWHC	N2-33	Poppiti, J.	RL	S7-54
Blazek, M. L.	OOE	*	Rasmussen, J. E.	RL	A5-15
625 Marion N.E.,	Salem, OR 97310		Richards, J.	CTUIR	*
Chapin, D.	RL	N2-36*	750 Swift Blvd, Ste. 12, Richland		
Dahl, S. L.	Ecology	B5-18	Robertson, J. R.	BWHC	T5-54
Dougherty, D.	Ecology	B5-15	Sanders, G.	RL	A5-15*
Dunning, D.	OOE	*	Selby, M. A.	Ecology	B5-18*
625 Marion N.E.,	Salem, OR 97310		Sherwood, D. R.	EPA	B5-01*
Einan, D.	EPA	B5-01	Skinnarland, R	Ecology	B5-18*
Hansen, C. A.	RL	S7-41*	Stephenson, M. J.	FDH	H6-23
Harvey, G.	PNNL	K6-51*	Tortoso, A.	RL	H0-12
Hensley, J.	Ecology	B5-18	Wilson, M. A.	Ecology	B5-18*
Hopkins, A. M.	FDH	N1-26*	Yerxa, J. K.	RL	A7-75
Jaraysi, M.	Ecology	B5-18	EDMC		H6-08

\* W/Attachments

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**EDMC**

**Inter Agency Management Integration Team  
EPA Conference Room  
712 Swift Blvd., Richland  
October 28, 1997**

**1. Approval of Minutes**

The minutes of the September 23, 1997 IAMIT meeting were approved by Messrs. Kinzer, Wilson and Sherwood.

**2. Milestone M-40-07 Lessons Learned Documents**

Comments regarding the lessons learned documents were provided by Ecology. Further discussions are required in order to fully understand Ecology's concerns. The DOE will schedule a meeting with Ecology during the week of November 3, 1997 for comment resolution. Additionally, a path forward meeting regarding M-40-07 to close all open issues will also be planned. An extension of the ongoing dispute resolution was also approved by the DOE and Ecology (Attachment 1). This action extends the dispute, at the Project Managers level, to December 16, 1997.

**3. Milestone M-45-03A (Attachment 2A & 2B)**

Ecology expressed that the agency had nothing to discuss regarding the M-45-03A dispute, other than excepting the receipt of the bi-monthly report per the Directors determination. The DOE will respond during next month (November 1997).

**4. Milestone M-41-22**

The DOE and Ecology approved an extension to the ongoing dispute resolution for milestone M-41-22 (Attachment 3). This action extends the dispute, at the IAMIT level, to December 16, 1997. (Attachment 4 provided as a handout)

**5. Fast Flux Test Facility (FFTF) Public Involvement (Attachment 5)**

Public Involvement meetings for the tentatively agreed FFTF Tri-Party Agreement changes still need to be scheduled and locations chosen.

**6. Plutonium Finishing Plant (PFP)**

A Teleconference is scheduled for October 30, 1997 to finalize the Agreement in Principle for PFP negotiations. The DOE is proposing finalizing a Tri-Party Agreement Change Request on PFP during January 1998. (Attachment 6 & 7 provided as a handout).

## **7. 100 N Area**

A presentation (Attachment 8) was made by David Olsen of DOE-RL on a proposed path forward for 100 N Area activities. The most outstanding comments received are from the EPA Region 10 RCRA Office. It was stressed that the requirements of the EPA/Ecology (single regulator approach) Memorandum of Understanding must be met in dealing with the comments.

## **8. 200 Area Soils Remediation Strategy Path Forward**

Greg Mitchem of Bechtel Hanford, Incorporated provided the status of the 200 Area Soil Remediation Strategy change package (Attachment 9), currently with Ecology and EPA for approval, for the upcoming public comment period. A target date of November 3, 1997 was set for approval of the tentative agreement on the change package.

Attachment 10 provided as information.

ATTENDEES

INTER AGENCY MANAGEMENT INTEGRATION TEAM (IAMIT) MEETING

DATE: 10/28/97

<u>NAME</u>	<u>ORGANIZATION</u>	<u>MAILSTOP</u>	<u>(✓) FOR ATTACHMENTS</u>
<u>Larry D. Arnold</u>	<u>FDH/TPAI</u>	<u>G3-27</u>	
<u>George H. Sanders</u>	<u>DOE-RL</u>	<u>A5-15</u>	
<u>Jackson Kinzer</u>	<u>DOE-RL</u>		
<u>MIKE WILSON</u>	<u>ECOLOG</u>	<u>—</u>	<input checked="" type="checkbox"/>
<u>Melodie Selby</u>	<u>Ecology</u>	<u>B5-18</u>	<input checked="" type="checkbox"/>
<u>Carol L. Sohn</u>	<u>DOE-RL</u>	<u>S7-51</u>	
<u>CARDYN C. HAAS</u>	<u>DOE-RL</u>	<u>S7-51</u>	<input checked="" type="checkbox"/>
<u>Doug Sherwood</u>	<u>EPA</u>	<u>B5-01</u>	<input checked="" type="checkbox"/>
<u>Suzanne Dahl</u>	<u>Ecology</u>		<input checked="" type="checkbox"/>
<u>DALE JACKSON</u>	<u>DOE-RL-EAP</u>	<u>A5-15</u>	
<u>TONY UMEK</u>	<u>FLOOR</u>		<input checked="" type="checkbox"/>
<u>Ron Skinnerland</u>	<u>Ecology</u>		
<u>Mary Ann McLaughlin</u>	<u>FDH/TPAI</u>	<u>G3-27</u>	
<u>STEVE SAUTTEL</u>	<u>OREGON</u>	<u>—</u>	<input checked="" type="checkbox"/>

ATTENDEES

INTER AGENCY MANAGEMENT INTEGRATION TEAM (IAMIT) MEETING

DATE: 10/28/97

<u>NAME</u>	<u>ORGANIZATION</u>	<u>MAILSTOP</u>	<u>(✓) FOR ATTACHMENTS</u>
<u>Felix R. Miera</u>	<u>RL/EMAP</u>	<u>A5-15</u>	<u>✓</u>
<u>Steven Alexander</u>	<u>Ecology</u>	<u>B5-18</u>	
<u>BASH MUKHERJEE</u>	<u>BHI</u>		
<u>Phil Stal</u>	<u>Ecology</u>	<u>B5-18</u>	
<u>Rich Holten</u>	<u>DOE RL/AMETP</u>		
<u>David Olson</u>	<u>DE-RL/AME</u>		
<u>K. Michael Thompson</u>	<u>DOE-RL/AME</u>	<u>H0-12</u>	
<u>Larry Barlow</u>	<u>EPA</u>	<u>B5-01</u>	
<u>Jay Warwick</u>	<u>WMH/222-S</u>	<u>T6-12</u>	
<u>Greg Mitchem</u>	<u>BHI</u>	<u>H0-17</u>	

AGENDA  
INTER AGENCY MANAGEMENT INTEGRATION TEAM (IAMIT) MEETING

OCTOBER 28, 1997  
1:00 PM - 3:30 PM

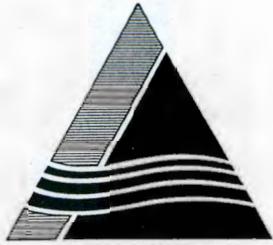
EPA CONFERENCE ROOM, 712 SWIFT BLVD., SUITE 5

(CHAIRPERSON: M. A. WILSON)

- 1:00 pm MILESTONE M-45-03A (SST RETRIEVAL) DISPUTE RESOLUTION  
(J. Kinzer, G. Sanders)
- 1:10 pm MILESTONE M-41-22 (SST STABILIZATION) DISPUTE RESOLUTION  
(J. McClusky, C. Haass, S. Dahl)
- 1:25 pm MILESTONE M-40-07 (C-103 VAPOR TREATMENT SYSTEM) DISPUTE RESOLUTION  
(C. Sohn, C. Haass, S. Dahl)
- 1:35 pm NEGOTIATIONS SUMMARY - PFP AND FFTF  
(G. Sanders)
- 1:45 pm BREAK
- 1:50 pm 100-N AREA - FY 1998 SCOPE OF WORK  
(R. Holten, P. Staats)
- 2:50 pm 200 AREA SOILS REMEDIATION STRATEGY BRIEFING PATH FORWARD  
(B. FOLEY)
- 3:00 pm 222-S PERMIT STATUS  
(C. Hansen, C. Clark)
- 3:30 pm ADJOURN

NOTE: Due to room size considerations if you plan to attend please do so only for your areas of responsibility.

IMAGENDA.OCT



Tri-Party Agreement

October 28, 1997

EXTENSION TO DISPUTE RESOLUTION FOR HANFORD FEDERAL FACILITY AGREEMENT AND  
CONSENT ORDER MILESTONE M-40-07

On April 9, 1997 the U.S. Department of Energy invoked the dispute resolution provisions of Tri-Party Agreement Article VIII concerning the State of Washington Department of Ecology assertions about completion of Interim Milestone M-40-07. The period during which the Department of Energy and Ecology Project Managers seek resolution of the dispute was previously extended through November 18, 1997. The dispute resolution period is hereby further extended through December 16, 1997 at the Project Manager level.

Jackson E. Kinzer  
Assistant Manager,  
Tank Waste Remediation System  
U.S. Department of Energy  
Richland Operations Office

Michael A. Wilson  
Manager, Nuclear Waste Program  
State of Washington  
Department of Ecology

cc: L. D. Arnold, FDH  
S. L. Dahl, Ecology  
B. G. Erlandson, LMHC  
C. C. Haass, DOE  
D. H. Irby, DOE  
A. B. Stone, Ecology  
A. M. Umek, FDH  
J. K. Yerxa, DOE  
M. L. Blazek, OOE  
D. Powaukee, Nez Perce  
R. Jim, YIN  
B. Burke, CTUIR  
Administrative Record



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

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OCT 27 1997

97-EAP-737

Mr. Tom Fitzsimmons, Director  
State of Washington  
Department of Ecology  
P.O. Box 47600  
Olympia, Washington 98504-7600

Dear Mr. Fitzsimmons:

THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY'S OCTOBER 8, 1997, FINAL DETERMINATION OF DISPUTE CONCERNING HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER INTERIM MILESTONE M-45-03A, INITIATE SLUICING RETRIEVAL OF C-106

The U.S. Department of Energy, Richland Operations Office (RL) has received your letter stating the Final Determination of the State of Washington Department of Ecology (Ecology) in the matter of the dispute concerning Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Change Control Form M-45-97-06. We disagree with your findings that RL's request for extension of the Milestone date arose from RL's "inefficient ... safety issue identification and resolution." The facts clearly show that a number of independent review panels, having access to the same factual material as RL, also failed to perceive the present safety issues prior to the point at which our current contractors raised the issue.

While we are disappointed in the decision not to grant the requested extension on Tri-Party Agreement Milestone M-45-03A, we sincerely appreciate that your letter has reflected a number of well-considered responses to the serious concerns which we had expressed to your staff regarding the earlier offers proposed by Ecology as the basis for settlement of this dispute.

Since we cannot agree that the current resolution of this dispute is consistent with the intent of the Tri-Party Agreement, it is our current determination to pursue review of this decision through appeal to the Pollution Control Hearings Board. However, we believe that the path forward you have indicated in your Final Determination may provide the starting point for a mutually agreeable settlement. I would propose that, on a parallel course, our staffs undertake discussions with the intent of resolving concerns regarding this path forward in the hope that we may be able to reach a settlement without the necessity of committing added resources to the appeal process.

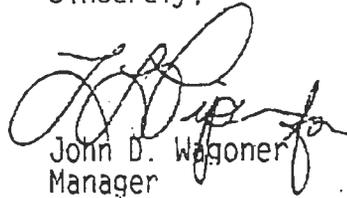
Mr. Tom Fitzsimmons  
97-FAP-737

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OCT 27 1997

If you have any questions, please contact me or Mr. Jackson Kinzer, Assistant Manager for the Tank Waste Remediation Systems at (509) 376-7591.

Sincerely,



John D. Wagoner  
Manager

cc: A. L. Alm, EM-1, HQ  
L. D. Arnold, FDH  
T. Barnett, WAGO  
M. L. Blazek, OOE  
C. Clarke, USEPA  
L. E. Hall, LMHC  
H. J. Hatch, FDH  
R. Jim, YIN  
D. Powaukee, Nez Perce  
M. Reeves, HAB  
D. R. Sherwood, USEPA  
J. R. Wilkinson, CTUIR  
Administrative Record

OCT 24 1997

Messrs. Clarke and Fitzsimmons  
97-MSD-289

-3-

cc: J. R. Wilkinson, CTUIR  
D. Powauke. Nez Perce Tribe  
R. Jim, YIN  
S. I. Dahl, Ecology  
M. A. Wilson, Ecology  
R. Stanley, Ecology  
D. R. Sherwood, EPA  
L. D. Arnold, FDH  
A. M. Umek, FDH  
L. E. Hall, LMHC  
M. Blazek, ODOE

# DOE NEWS

MEDIA CONTACT:  
Guy Schein (509) 376-0413

FOR IMMEDIATE RELEASE  
October 29, 1997

## DOE APPEALS STATE'S DECISION ON HANFORD TANK MILESTONE

The U.S. Department of Energy's Richland Operations Office announced today that it plans to appeal the Washington State Department of Ecology's recent decision denying a request for a one year delay in initiation of waste removal from one of Hanford's 177 underground waste storage tanks.

"We feel that we are proceeding in a responsible manner in making the decisions which have caused us to miss this milestone," said Jackson Kinzer, Assistant Manager for Hanford's Tank Waste Remediation System. "A safety issue was identified, and until resolved, we could not, in good conscience, proceed with the project at it's original pace. DOE's highest priority must be to protect the health and safety of its workers and the public while performing our cleanup mission."

The cause of the dispute centers over flammable gas and process controls associated with sluicing (high pressure water-driven waste removal) Tank C-106, one of the 149 single shell tanks located in Hanford's 200 Area. Under a Tri-Party Agreement requirement established in 1994, waste removal at Tank C-106 was originally scheduled to begin at the end of this month. One goal of the project is to transfer waste from Tank C-106 to Tank AY-102, which will be used to supply waste feed for future immobilization activities. However, as the project matured and new information was developed in 1996, it became apparent that additional steps and safety features had to be added to assure worker and public safety by preventing the release of steam or flammable gas during the waste removal process.

When the Fluor Daniel team was selected by DOE as the new Hanford contractor, the Lockheed Martin Hanford Corporation, the subcontractor charged with managing Hanford's underground tanks, completed a technical review and

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established a project cost and schedule that would meet the Tri-Party Agreement milestone. During the review, the team discovered an overestimate in the ventilation capacity for Tank AY-102, the receiver tank for C-106 wastes.

"Without appropriate controls, the transfer of high heat waste from tank C-106 to Tank AY-102 could result in a 'steam bump' or a potential for ignition of the flammable gases within the tanks. Either event could compromise tank integrity and endanger our workers or the public," said Harry Boston, Lockheed Martin Vice President for Tank Waste Retrieval. A steam bump occurs when gases under pressure cause the wastes in the tanks to turn over or "bump".

Consequently, the scope of a safety analysis for the project was expanded to address these safety concerns. However, since the safety analysis would not be completed in time to meet the Tri-Party Agreement milestone, DOE concluded it would not be prudent to rush the removal activities based on an incomplete safety analysis.

It is important to note that from the early stages, this project was subjected to close frequent scrutiny by several panels of nationally recognized technical experts who were completely independent of DOE. Neither those expert panels, nor DOE were able to identify the safety problems that resulted in delay until the project had matured in late 1996. DOE began advising the Department of Ecology this past May of the safety concerns and the expected delay for the project.

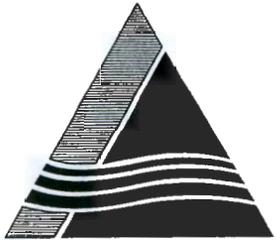
"Much of what is being done at Hanford by our employees is pioneer work," said John Wagoner, Manager of the Hanford Site. "We do work every day that no one has ever done before. Our first and foremost concern must always be safety."

With the revised safety analysis approved in September 1997, DOE submitted a proposed change request to Ecology identifying September 1998 as the new date for initiating sluicing of Tank C-106. In addition, it identifies five new milestones that provide substantial opportunity for Ecology to verify project performance, while also demonstrating DOE's willingness to be held accountable.

"We believe our proposal is an acceptable way to resolve this issue," said Wagoner. "We will continue to work with the Department of Ecology on this matter while our appeal to the Washington State Pollution Control Hearings Board is being pursued."

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Tri-Party Agreement

October 28, 1997

EXTENSION TO DISPUTE RESOLUTION FOR HANFORD FEDERAL FACILITY AGREEMENT AND  
CONSENT ORDER CHANGE REQUEST M-41-97-01

On July 16, 1997 the U.S. Department of Energy invoked the dispute resolution provisions of Tri-Party Agreement Article VIII concerning Tri-Party Agreement Change Request M-41-97-01. The initial period during which the Department of Energy and Ecology Project Managers seek resolution of the dispute was extended through August 26, 1997. On August 26, 1997 the dispute was elevated to the Inter Agency Management Integration Team (IAMIT) for resolution. The period during which the IAMIT seeks resolution of the dispute was extended through October 28, 1997.

Discussions between the Department of Energy and Ecology have indicated that the scope of the discussions on Change Request M-41-97-01 should be expanded to address impacts to the Major Milestone M-41-00, Complete Single Shell Tank Interim Stabilization. The time period for resolution of the dispute on Change Request M-41-97-01 is hereby extended through December 16, 1997 to allow time for further discussions between the Department of Energy and Ecology.

Jackson E. Kinzer  
Assistant Manager, Tank Waste  
Remediation System  
U.S. Department of Energy  
Richland Operations Office

Michael A. Wilson  
Manager, Nuclear Waste Program  
State of Washington  
Department of Ecology

cc: L. D. Arnold, FDH  
M. L. Blazek, OOE  
S. L. Dahl, Ecology  
B. G. Erlandson, LMHC  
C. C. Haass, DOE  
D. R. Sherwood, EPA  
A. M. Umek, FDH  
J. K. Yerxa, DOE

D. Powaukee, Nez Perce  
R. Jim, YIN  
B. Burke, CTUIR  
Administrative Record



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

57506

OCT 24 1997

97-MSD-289

Mr. Chuck Clarke  
 Regional Administrator  
 U.S. Environmental Protection Agency  
 Region 10  
 1200 Sixth Avenue  
 Seattle, Washington 98101

Mr. Tom Fitzsimmons, Director  
 State of Washington  
 Department of Ecology  
 P.O. Box 47600  
 Olympia, Washington 98504

Dear Messrs. Clark and Fitzsimmons:

HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (TRI-PARTY AGREEMENT)  
 MILESTONE M-41-00, "COMPLETE SINGLE SHELL TANK INTERIM STABILIZATION"

- References:
1. RL letter from G. Sanders to M. Wilson, Ecology, "Hanford Federal Facility Agreement and Consent Order Change Control Form M-41-97-01, Interim Milestone M-41-22, 'Start Interim Stabilization of 6 Single Shell Tanks'." 97-CAP-530, dated June 27, 1997.
  2. RL letter from G. Sanders to M. Wilson, Ecology, "Invocation of Dispute Resolution for Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Change Control Form M-41-97-01, Interim Milestone M-41-22, 'Start Interim Stabilization of 6 Single Shell Tanks'." 97-MSD-258, dated July, 16, 1997.
  3. Extension to Dispute Resolution for Tri-Party Agreement Change Request M-41-97-01, dated September 23, 1997.

On June 27, 1997, the U.S. Department of Energy, Richland Operations Office (RL) transmitted Tri-Party Agreement Change Control Form M-41-97-01 to the State of Washington Department of Ecology (Ecology) (Reference 1). The change control form requested a six-month delay in the due date for Milestone M-41-22, "Start Interim Stabilization of 6 Single Shell Tanks."

The change request was subsequently disapproved by Ecology's failure to respond within fourteen (14) days of RL transmitting the change control form. On July 16, 1997, RL notified Ecology that it was invoking the dispute resolution provisions of the Tri-Party Agreement (Reference 2). The dispute has subsequently been elevated to the Inter Agency Management Integration Team (IAMIT) for resolution and has been extended at that level through October 28, 1997 (Reference 3).

OCT 24 1997

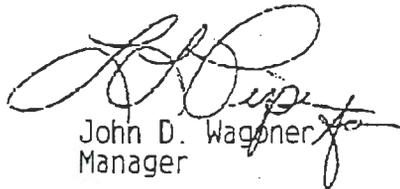
During this dispute resolution on Tri-Party Agreement Milestone M-41-22, RL has re-evaluated the status of completing Tri-Party Agreement Major Milestone M-41-00, "Complete Single Shell Tank Interim Stabilization" due September 2000." This evaluation indicated that the flammable gas issue associated with all 177 tanks and the Fiscal Year (FY) 1998 reduction in budget and scope for interim stabilization will cause a delay in the completion of the Tri-Party Agreement Major Milestone M-41-00. In addition, RL will be evaluating the process of how to reduce interim stabilization (saltwell pumping) costs. The present best cost estimate for saltwell pumping a tank is approximately \$2.5 million. However, substantial effort is being made to achieve a pumping process that will provide an interim stabilized flammable gas tank for less than \$1.0 million. The FY 1998 plan to achieve this cost reduction goal includes four major components:

- Perform cost efficiency studies on the saltwell pumping activities being performed in FY 1998. Specifically, the start of Tanks SX-104, BY-106, and AX-101 will be evaluated.
- Utilize field data as a major input into the re-engineering of the saltwell pumping process.
- Provide the contractor with a financial incentive to complete an effective re-engineering effort.
- Evaluate the presently defined safety envelope for saltwell pumping of flammable gas tanks and determine if older flammable gas data caused the envelope to be too conservative in response to the potential hazard.

With respect to the above information, RL proposes that the scope of the discussions on Change Control Form M-41-97-01 dispute be expanded to include the remainder of Tri Party Agreement Major Milestone M-41-00. RL believes that a partnering effort similar to that of the Tri-Party Agreement Major Milestone M-44-00, Tank Characterization Program negotiations, would be appropriate in resolving the issues identified on this major milestone.

We look forward to working with you and your staff on this issue. If you have any questions regarding this letter, please contact Carolyn Haass, Management Systems Division, on (509) 372-2731 or George Sanders, Environmental Assurance, Permits, and Policy Division, on (509) 376-6888.

Sincerely,

  
John D. Waggoner  
Manager

MSD:CCH



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

RECEIVED  
 OCT 15 1997  
 Environmental Cleanup Office

OCT 9 1997

97-SPO-063

Mr. Tom Fitzsimmons, Director  
 State of Washington  
 Department of Ecology  
 300 Desmond Drive SE  
 Olympia, Washington 98504

Mr. Chuck Clarke  
 Regional Administrator  
 U.S. Environmental Protection Agency  
 Region 10  
 1200 Sixth Avenue  
 Seattle, Washington 98101

Dear Messrs. Fitzsimmons and Clarke:

FAST FLUX TEST FACILITY (FFTF) HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (TRI-PARTY AGREEMENT) MILESTONES TENTATIVE AGREEMENT

Enclosed for your review and signature is the final Tentative Agreement for the M-81 series and M-20-29A Tri-Party Agreement Milestones. As you are aware, the former Secretary of the U.S. Department of Energy (DOE) made a decision to maintain the FFTF in a standby mode pending a decision to be made by December 1998 on whether the facility will play a future role in the national tritium production strategy. Until such a decision is made, the facility is being kept in a standby condition.

DOE Richland Operations Office (RL), State of Washington Department of Ecology (Ecology), and U.S. Environmental Protection Agency (EPA) staff have been working together to determine an acceptable path forward for the above milestones while the FFTF is in its current standby condition. The enclosed draft Change Request package recommends deleting all FFTF M-81 series milestones and target dates and revising the M-20-29A milestone within the Tri-Party Agreement. Also enclosed is the Public Involvement Plan for this change.

Please return the original signed Tentative Agreement package to this office. Ecology is requested to be the first signatory and then to forward the package to EPA for subsequent signature and return to DOE.

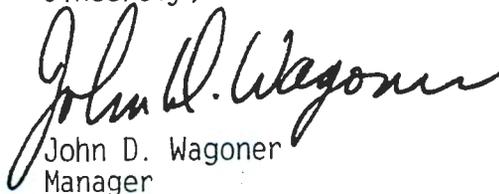
Messrs. Fitzsimmons and Clarke  
97-SPO-063

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OCT 09 1997

If you have any questions or concerns regarding this Change Request or Tentative Agreement, please call me, or your staff may contact Ernest J. Hughes, of the FFTF Standby Project Office, on (509) 373-9381.

Sincerely,



John D. Wagoner  
Manager

SPO:RAA

Enclosures (3)

cc w/encls:  
L. D. Arnold, FDH  
B. Burke, CTUIR  
J. L. Hensley, Ecology  
R. Jim, YIN  
D. Powaukee, Nez Perce  
D. R. Sherwood, USEPA  
M. A. Wilson, Ecology

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

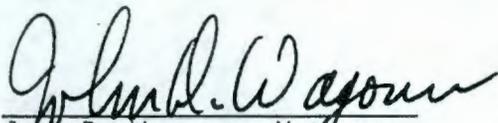
In January 1997, the Secretary of the U.S. Department of Energy (DOE) issued a decision to maintain Hanford's Fast Flux Test Facility (FFTF) in a standby mode pending a decision (to be made by December 1998) on whether the Facility will be utilized in the national tritium production strategy. In April, 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.

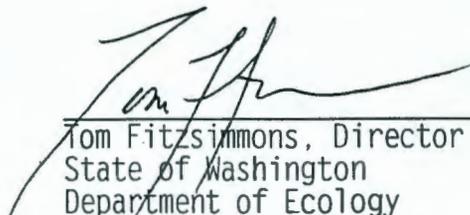
The parties further agree that to minimize additional delay in the event they fail to agree on any changes as the result of the comment period, all unresolved matters shall be referred to the Agreement dispute resolution process beginning at the Inter Agency Management Integration Team (IAMIT) level. 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 14<sup>TH</sup> 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  
U. S. Environmental Protection Agency  
Region 10

DRAFT  
FAST FLUX TEST FACILITY  
TRIBAL AND PUBLIC INVOLVEMENT PLAN

In January 1997, the Secretary of the U.S. Department of Energy (DOE), issued DOE's 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 or not the facility will play a role in the nation's tritium production strategy. As a consequence of this action, FFTF work is being limited to activities that would not inhibit a reactor restart, and work schedules are no longer valid. A change request which deletes out of date FFTF milestones and target dates from the scope of the Hanford Federal Facility Agreement And Consent Order (Tri Party Agreement or TPA) is proposed.

Class I proposals to modify the TPA require the initiation of an adequate proposal review/comment period. A 45 day comment period, beginning approximately November 8, 1997 and running through December 23, 1997 will be the principal tribal and public involvement activity. The Hanford Advisory Board, local and state officials in Washington and Oregon, and Tribal nations are among the groups that will receive briefings on the FFTF Standby Project on a requested basis. Public meetings will be held in conjunction with the public comment period to provide opportunities for citizens to comment on the proposed changes. A public meeting is scheduled for Thursday, November 20, 1997, from 7:00-9:00 p.m. in Portland, Oregon at the Monarch Hotel. A public meeting will also be held in Richland on Thursday, November 13, 1997, from 7:00 to 9:00 p.m. at the Tower Inn Hotel.

A Response to Comments Received Document will be created by the three agencies after the end of the comment period.

Copies of the proposed modifications and associated information and response to comments received will be sent to the TPA Public Information Repositories, as well as to members of the public requesting these documents.

If USDOE decides to utilize the FFTF in the nation's tritium production strategy, the department will consult with the public, complete necessary safety reviews and comply fully with the National Environmental Policy Act (NEPA) and other applicable requirements.

**DRAFT**

Change Number <b>M-81-97-01</b>	<b>Federal Facility Agreement and Consent Order                  Change Control Form</b> <small>Do not use blue ink. Type or print using black ink.</small>	Date <b>October 3, 1997</b>
Originator <b>USDOE/Ecology</b> <span style="float: right;">Phone</span>		
Class of Change <input checked="" type="checkbox"/> I - Signatories <input type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager		
Change Title <b>Deletion of Fast Flux Test Facility (FFTF) transition milestones and targets (M-81-00 series). Modification of milestone M-20-29A.</b>		
Description/Justification of Change In January 1997, the Secretary of the U.S. Department of Energy (DOE), issued DOE's 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 or not the facility will play a role in the nation's tritium production strategy. As a consequence of this action, FFTF transition work is being limited to activities that would not inhibit a reactor restart, and work schedules are no longer valid. This change request deletes out of date milestones and target dates from the scope of the TPA.  Should the Secretary of Energy's decision be that FFTF has no tritium production role, and that FFTF transition and initiation of the surveillance and maintenance phase should occur: DOE, Ecology and EPA (hereafter the parties) agree that within ninety (90) days following such final Secretarial decision, the DOE Richland Operations Office (RL) shall issue a draft change control request detailing a proposed set of FFTF transition milestones and associated targets. Such proposal shall also include proposed modifications to TPA interim milestone M-20-29A (Sodium Storage and Reaction Facilities closure planning). Following the receipt of this draft change request, the parties agree to complete negotiation of a new FFTF transition milestone series in no more than six (6) months time.		
Impact of Change Approval of this change control request deletes the current TPA FFTF transition milestones and target dates, and allows all activities required during the standby condition to proceed without jeopardizing any necessary future FFTF mission(s).		
Affected Documents The <u>Hanford Federal Facility Agreement and Consent Order</u> , as amended, and Hanford Site internal planning and budget documents (e.g., Project Management Plans and Multi Year Work Plans).		
Approvals  _____ Date _____ Approved _____ Disapproved DOE  _____ Date _____ Approved _____ Disapproved EPA  _____ Date _____ Approved _____ Disapproved Ecology		

The following M-81-00 series milestones and targets are deleted by this action:

Milestone	Description	Due Date
M-81-00	Complete FFTF Facility Transition and initiate the surveillance and maintenance phase.  This major milestone will be achieved by completion of all activities necessary to achieve the end point criteria for placing the facility in a safe and stable surveillance and maintenance mode.	<del>12/31/2001</del> <del>Deleted</del>
M-81-00-T01	Complete Reactor Defueling.  At the completion of defueling, there will be 236 non-fueled components in the reactor vessel, 113 fueled components in the interim decay storage and 258 fueled components in the fuel storage facility.	9/30/95 Completed 4/19/95
M-81-00-T02	Complete transfer of Irradiated Fuel to Dry Cask Storage.  The Irradiated Fuel assemblies and pin containers will be transferred from the interim decay storage vessel and the fuel storage facility to the IEM cell for residual sodium removal, loaded into a core component container, transferred to the reactor service building cask loading station for placement into an interim storage cask for dry storage, and transferred to the interim storage area located in the northeast corner to the FFTF complex.	<del>10/31/98</del> <del>Deleted</del>
M-81-00-T03	Complete transfer of unirradiated fuel to the Plutonium Finishing Plant.  Thirty two unirradiated fuel assemblies presently stored in the interim decay storage vessel will be transferred to the IEM cell for washing and drying, loaded into existing approved shipping containers, and transferred to an appropriate storage area in the Plutonium Finishing Plant.	<del>10/31/98</del> <del>Deleted</del>
M-81-00-T04	Complete transfer of special fuel to the Idaho National Engineering Laboratory for consolidated storage.  Sodium-bonded irradiated metal and carbide fuel pins from assemblies cleaned and disassembled in the IEM Cell will be loaded into existing, approved shipping casks, and transported to the Idaho National Engineering Laboratory in Idaho Falls, Idaho, for consolidated storage. One unirradiated metal fuel assembly will also be dispositioned in a similar manner.	<del>10/31/98</del> <del>Deleted</del>
M-81-00-T05	Complete auxiliary systems deactivation.  A major portion of the plant auxiliary systems are required to support hot sodium circulation prior to draining the sodium. As these systems, and the balance of plant systems, become available for shutdown, they will be deactivated to a safe, stable condition.	<del>3/21/2001</del> <del>Deleted</del>
M-81-01	Initiate sodium storage facility construction.  This milestone will be achieved when the construction contractor is issued the notice to proceed with construction by the contracting officer.	2/28/97 completed 10/09/95

- M-81-02** Complete sodium storage facility startup. 7/31/98  
completed  
01/97
- This milestone will be achieved by completion of the sodium storage facility startup activities which include final testing of the mechanical and electrical systems and confirmation that the facility is ready to receive sodium from FFTF. Construction of the new facility closely coupled to the FFTF complex is required to support sodium drain operations. This new facility will be designed, constructed and operated in compliance with RCRA and WAC 173-303 storage requirements. The facility will provide storage capacity for the 260,000 gallons of FFTF metallic sodium coolant.
- M-81-02-T01** Submit final sodium disposition evaluation report/decision point. ~~6/30/98~~  
~~Deleted~~
- Under this target DOE will submit its final report following evaluation of the acceptable sodium product form for the TWRS Tank Sludge Pretreatment Process (i.e., caustic washing). This evaluation will be conducted in concert with TWRS TPA Milestone M-50-03 (due date March 31, 1998). This Hanford Site Radioactive (FFTF, Hallam, and Sodium reaction experiment) sodium evaluation will address other conversion options for disposal of the sodium if the product use for TWRS is not viable, regardless of which option is selected, a new sodium reaction facility will be constructed adjacent to the sodium storage facility to convert the bulk metallic sodium to the appropriate chemical form. This report will include a decision on the final disposition of the Hanford Site Radioactive Sodium (e.g., disposal or reuse). Appropriate milestones and target dates will be established for construction and operation of the sodium reaction facility based on the option selected.
- M-81-03** Submit FFTF End Point Criteria Document. ~~12/31/98~~  
~~Deleted~~
- A document identifying the end point criteria necessary to place the FFTF in a safe and stable configuration will be developed. This document will be provided to EPA and Ecology for review, and approval for the hazardous substances proposed to remain at the facility.
- M-81-04** Complete FFTF Sodium Drain. ~~3/31/2000~~  
~~Deleted~~
- This milestone will be complete when all of the sodium coolant has been drained from the plant to the new sodium storage facility to the maximum practical extent. The sodium residuals that remain are integral to the system, are solid in form, and adhere to the surfaces to the system components. The residuals will be maintained under an inert gas blanket to minimize potential reactions during the long-term surveillance and maintenance phase. During final disposition of the facility, any regulated wastes generated from the cleaning or dismantlement of these systems, will be appropriately managed.
- M-81-04-T01** Complete reactor and heat transport system sodium drain. ~~4/30/98~~  
~~Deleted~~
- The reactor and primary and secondary heat transport system sodium coolant and supporting sodium systems will be maintained in a safe configuration, molten and circulating until the fuel is removed from the FFTF Reactor vessel and the sodium storage facility is operational. The sodium will then be drained to the tanks located in the sodium storage facility and allowed to freeze.

M-81-04-T02 Complete interim decay storage vessel and fuel storage facility sodium drain. 12/31/98  
Deleted

The interim decay storage vessel and fuel storage facility sodium will be maintained in a molten state until the fuel is removed from these storage locations. The sodium will then be drained to the tanks located in the sodium storage facility and allowed to freeze.

M-81-05 Submit FFTF Surveillance and Maintenance Plan. 6/30/2001  
Deleted

A plan describing the S&M phase will be developed. This plan will be provided to EPA and Ecology for review, and approval for the hazardous substances proposed to remain at the facility. This plan will include documentation of lists of hazardous substances, including dangerous waste that remain in the FFTF Facility upon completion of Phase I activities because the hazardous substance: (1) contains non-dangerous waste components that are highly radioactive, (2) is part of the plant structure and/or (3) is an intact piece(s) of equipment.

M-81-06 Complete PCB Transformer disposal. 9/30/2001  
Deleted

The nineteen Polychlorinated Biphenyl (PCB) electrical transformers at the FFTF will be disposed of after the transformers are removed from service. Twelve of the nineteen transformers, will be drained, flushed and removed from FFTF within thirty days after being removed from service as specified in 40 CFR 761. Seven of the transformers, which are in areas that are difficult to obtain access, will be drained, flushed and removed from FFTF within nine months of cessation of service to ensure their disposal within one year from the start of the storage. Cessation of service constitutes the start of the storage, and 40 CFR 761 limits the storage and subsequent disposal to a one-year period.

The following M-20-29A interim milestone due date is modified by this action. The parties agree to revisit and reestablish a due date as appropriate should FFTF transition resume:

M-20-29A Submit sodium storage facility and sodium reaction facility closure plan or request for procedural closure as defined in section 6.3.3 of this Tri-Party Agreement to EPA and Ecology. 12/31/99  
TBD

A potential use for the sodium as feedstock in the TWRS Program has been identified and will be evaluated as discussed pursuant to M-81-02-T01. The sodium will be stored as product material in the sodium storage facility until the final disposition of the material is determined. FFTF is proceeding on the basis of providing RCRA and WAC 173-303 compliant storage for the sodium. The sodium reaction facility is included in the permit request, even though the sodium reaction facility availability and regulatory status will be determined by the 1998 evaluation/decision point. If the sodium use for the TWRS is confirmed, a request for procedural closure as defined in section 6.3.3 of the Tri-Party Agreement will be submitted for the sodium storage facility and sodium reaction facility units. If the sodium is determined to be a waste, a closure plan will be submitted for the two units.



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

APR 30 1997

97-EAP-398

Mr. Mike A. Wilson, Manager  
Nuclear Waste Program  
State of Washington  
Department of Ecology  
P.O. Box 47600  
Olympia, Washington 98504-7600

Dear Mr. Wilson:

RESOLUTION OF DISPUTE FOR HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (TRI-PARTY AGREEMENT) CHANGE REQUEST M-83-97-02 ON TRANSITION COMMITMENTS FOR PLUTONIUM FINISHING PLANT

Reference: Statement of Dispute Regarding the Disapproval of Hanford Federal Facility and Consent Order Change Request M-87-97-02 on Transition Commitments for Plutonium Finishing Plant, Wagoner to Ecology and EPA, April 7, 1997.

Attached for your signature is the Resolution of Dispute agreement to end the dispute resolution process on Hanford Federal Facility and Consent Order (Agreement) Milestone M-83-00, the transition commitments for the Plutonium Finishing Plant (PFP). The parties reached agreement at the April 22, 1997, Inter Agency Management Integration Team (IAMIT) meeting, and this mutually acceptable resolution to the dispute is documented in the IAMIT meeting minutes.

It is also agreed that technical discussions between the parties will begin immediately. The discussions will define the boundaries of the regulatory units to be included in the Part A, form 3, to be submitted for public review by issuing the required Notice of Intent (NOI). The NOI will be prepared no later than July 15, 1997. The technical discussions will define materials and processes to be included in the NOI.

Formal negotiations, as defined in the Agreement, required to meet the milestone dates established by the signing of M-83-97-02 shall begin by September 1, 1997.

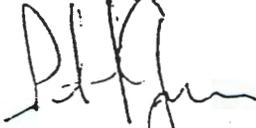
Mr. Mike A. Wilson  
97-EAP-398

-2-

APR 30 1997

We look forward to working closely with Ecology and kicking off technical exchange meetings in the near future so that all commitment dates will be met. If you have any questions, please contact me on (509) 376-7435.

Sincerely,



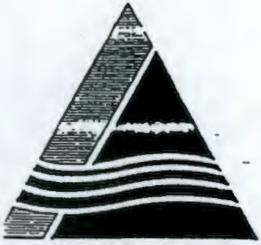
Peter M. Knollmeyer, Acting Assistant Manager  
for Facility Transition

EAP:JKY

Attachment

cc w/attach:

Larry Arnold, FDH  
Mary Lou Blazek, ODOE  
Bill Burke, CTUIR  
Moses Jaraysi, Ecology  
Russell Jim, YIN  
Donna Powauke, Nez Perce  
Marilyn Reeves, HAB  
Doug Sherwood, EPA  
Dan Silver, Ecology  
Randy Smith, EPA  
Larry Olguin, FDH



Tri-Party Agreement

RESOLUTION OF DISPUTE FOR MILESTONE M-83-00  
TRANSITION COMMITMENTS FOR THE PLUTONIUM FINISHING PLANT

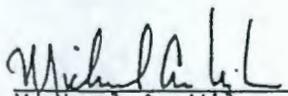
In accordance with the requirements of the Hanford Federal Facility and Consent Order (Agreement), the State of Washington Department of Ecology (Ecology), the U.S. Environmental Protection Agency, and the U.S. Department of Energy (the Parties) have come to agreement ending the dispute resolution process on Agreement milestone M-83-00, the transition commitments for the Plutonium Finishing Plant (PFP). The changes to the Agreement are attached agreed upon in the resolution of the dispute as Change Control Form M-83-97-02.

It is the parties' intent to submit these changes to the Agreement for a 45 day public comment period to run from approximately June 1, 1997, to July 15, 1997. Specific comment period dates will be coordinated to ensure Hanford Advisory Board opportunity for review and comment. Following successful resolution of any resulting public comments, a response to comments document will be issued. Final approval by the Parties is expected to occur by August 31, 1997.

It is also agreed that technical discussions between the parties will begin immediately. The discussions will define the boundaries of the regulatory units to be included in the Part A, form 3, to be submitted for public review by issuing the required Notice of Intent (NOI). The NOI will be prepared no later than July 15, 1997. The technical discussions will define materials and processes to be included in the NOI. As per the October 17, 1996, shutdown letter from the Department of Energy - Headquarters to the Department of Energy, Richland Operations Office, the PFP Plutonium Vaults and the required analytical labs that support the vaults will not be transitioned or shutdown. They will remain in operation for the foreseeable future.

Formal negotiations required to meet the milestones dates established by the signing of M-83-97-02 shall begin by September 1, 1997.

Contingent upon final approval of the tentative agreement by the Signatories, and consideration and resolution of any resulting public comment, it is the parties' intent to approve these changes and incorporate them into the Agreement.

 5/1/97  
Michael A. Wilson Date  
Manager, Nuclear Waste Programs  
State of Washington Department of Ecology

 4/30/97  
Peter M. Knollmeyer Date  
Acting Assistant Manager, Transition Facilities  
U.S. Department of Energy - Richland Operations Office

Change Number M-83-97-02	Federal Facility Agreement and Consent Order Change Control Form	Date April 24, 1997
Originators J.E. Mecca - DOE-RL		Phone 376-7471
Class of Change <input checked="" type="checkbox"/> I - Signatories <input type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager		
Change Title  Deletion of Hanford Federal Facility and Consent Order (Agreement) milestone series M-83-00. Establishment of a new M-83-00A milestone series covering transition of DOE's Plutonium Finishing Plant (PFP).		
Description/Justification of Change  The three parties were unsuccessful at initiating negotiations in accordance with milestone M-83-00 due to uncertainties associated with the issuance of the Weapons Usable Fissile Material Programmatic Environmental Impact Statement Record of Decision, and schedule impacts due to budget readjustments.  The U.S. Department of Energy remains committed to the decommissioning process for the PFP processing facilities. As indicated in the October 7, 1996 shutdown notice, the vault storage facilities and required support infrastructure will remain active beyond the decommissioning of the remainder of the PFP complex.		
Impact of Change  Approval of this change request deletes old Agreement milestone series M-83-00, and establishes new series M-83-00A (Completion of Plutonium Finishing Plant Transition Phase and Initiation of the Surveillance and Maintenance Phase).		
Affected Documents  Hanford Federal Facility and Consent Order, Appendix D		
Approvals  <i>Pme</i> DOE      ___ Approved      ___ Disapproved      ___ Date  <i>W</i> EPA      ___ Approved      ___ Disapproved      ___ Date  Ecology      ___ Approved      ___ Disapproved      ___ Date		

M-83-97-02  
April 24, 1997

Description Justification Continued:

Agreement milestone series M-83-00 milestones and target dates deleted by this action include M-83-00, M-83-T01, M-83-02, and M-83-02-T04 as follows:

M-83-00	<p>Complete stabilization of process areas, and other PFP cleanout actions resulting from the EIS ROD, within PFP.</p> <p>Completion of the process area stabilization activities will establish a safe and environmentally secure configuration for these plant areas. The major radioactive and chemical sources associated with these areas will be removed, reduced, and/or stabilized. Completion of stabilization and other cleanout activities will result in reduced risk to plant workers, the public, and the environment. This milestone includes completion of the National Environmental Policy Act (NEPA) process.</p> <p>The three parties will enter into negotiations within two months following issuance of the EIS Record of Decision to establish milestones for implementing the Record of Decision and will complete negotiations within 6 months thereafter<sup>1</sup></p>	TBD
M-83-01-T01	<p>Issue final Environmental Impact Statement Record of Decision (ROD).</p> <p>The final Environmental Impact Statement will be completed and all applicable NEPA requirements performed, including issuance of the ROD.</p>	6/30/96
M-83-02	<p>Complete identified interim actions.</p> <p>The currently identified interim actions as listed in the following target activities will be completed. Additional potential interim actions will be evaluated.</p>	12/31/98
M-83-02-T04	<p>Complete 234-56Z ductwork cleanout.</p> <p>Residual Plutonium-bearing materials will be removed from identified exhaust ventilation ducting (two sections totaling approximately 60 meters [197 feet]) and selected process vacuum system piping (approximately 45 meters [150 feet]).</p>	12/31/98

M-83-97-02  
April 24, 1997

The new M-83-00A milestone series established by this M-83-97-02 change request is as follows:

M-83-00A	Complete Plutonium Finishing Plant transition phase and initiate the surveillance and maintenance phase.	TBD
M-83-03	Complete Plutonium Finishing Plant transition phase negotiations.	3/31/98

These negotiations will establish agreement milestones (including a specific M-83-00A end date) and target dates sufficient to effectively drive necessary compliance activities, completion of the transition phase, and PFP transfer to DOE's Environmental Restoration program.

57505



Tri-Party Agreement

AMENDMENT TO RESOLUTION OF DISPUTE FOR MILESTONE M-83-00  
TRANSITION COMMITMENTS FOR THE PLUTONIUM FINISHING PLANT

On April 30, 1997, a Resolution of Dispute was signed by the U.S. Department of Energy and the Washington Department of Ecology on Milestone M-83-00.

Included in the language of the resolution was a statement that "[I]t is the parties' intent to submit these changes to the Agreement for a 45 day public comment period to run from approximately June 1, 1997, to July 15, 1997."

The purpose of this statement was to set out the parties commitment to submit the final changes to the Agreement for public comment. Further, as the negotiations for these final changes will occur beginning September 1, 1997, the statement in the original Resolution of Dispute was in error and the that it be amended to delete the above sentence and substitute the following:

"It is the parties intention to submit the final changes to the Agreement for a 45 day public comment period upon completion of the negotiations called for in this resolution."

*Michael A. Wilson*

Michael A. Wilson Date  
Manager, Nuclear Waste Programs  
State of Washington Department of Ecology

*Peter M. Knollmeyer*

6/30/97

Peter M. Knollmeyer Date  
Acting Assistant Manager, Transition Facilities  
U.S. Department of Energy - Richland Operations Office

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# 100-N AREA REMEDIAL ACTION

Presented to the IAMIT  
Richland, Washington  
October 28, 1997

# STRATEGY

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- Execute cleanup of RCRA units using CERCLA process to accommodate disposal of waste to ERDF (RCRA/CERCLA integration)

# REMEDIAL ACTION DECISION DOCUMENTS

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- RCRA permit modification for closure and corrective action
- Record of Decision (ROD)
- Action memorandum

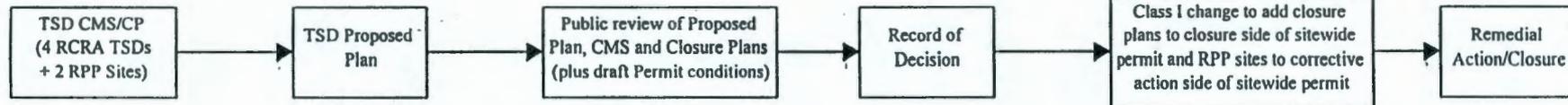
# SUPPORTING DOCUMENTS

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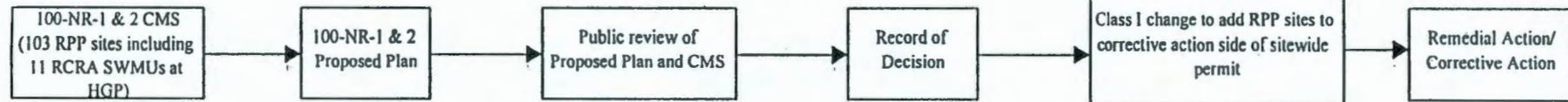
- One CMS and two closure plans for four TSDs
- One CMS for all other RPPs and groundwater
- Proposed plan for TSDs
- Proposed plan for all other sites and groundwater
- EE/CA for ancillary facilities

# 100-N AREA RCRA/CERCLA INTEGRATION STRATEGY

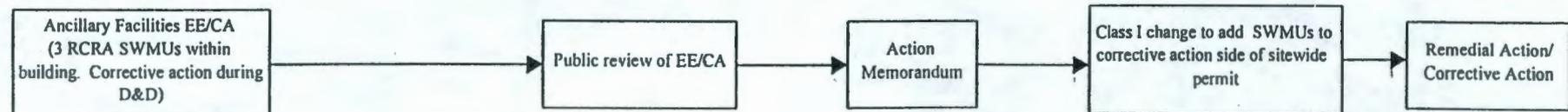
[Analogous to 300-FF-1  
Process Trenches (TSD)]



[Analogous to  
100-DR-2 OU (RPP)]



[Analogous to  
100-DR-2 OU (RPP)]



# ISSUES AND ACTIONS

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- Issues

- » N-Area priority
  
  
  
  
  
  
  
  
  
  
- » Feasibility of N-Cribs remedial action

- Actions

- » Do the three parties agree to support the DWP? < DETAILED WORK PLAN >
  
  
  
  
  
  
  
  
  
  
- » Engineering study, contracting strategy and ERDF waste disposal process confirm safe and cost effective operation can start in year 2000

# ISSUES AND ACTIONS

## (continued)

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### ● Issues

- » Current DWP  
Scope/Schedule/Budget
  - Remedial action/closure of TSD begins in July 2000
  - Public involvement for proposed plans in FY 99

### ● Actions

- » Maintain current priority as shown in DWP
- » Support funding per DWP
- » Bring forward public involvement scope in FY98

# ISSUES AND ACTIONS

## (continued)

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### ● Issues

- » Permit modification schedule
  - ROD will not be ready in time to support permit modification D

### ● Actions

- » Move 1324-N/NA from modification D (12/98) to modification E (12/99)

# ISSUES AND ACTIONS

## (continued)

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### ● Issues

- » Proposed plan comments
  - Received 109 comments from EPA on July 8
  - Resolved all comments except RCRA/CERCLA integration
  - Spent \$110K to date
  - More issues being raised on RCRA/CERCLA integration
- » TSD cost estimate

### ● Actions

- » Resolve comments on RCRA/CERCLA integration consistent with 300-FF-1 and 100-DR-2 Proposed Plans
- » Reduce level of details in proposed plans
- » No second review by EPA
- » Revise CMS estimate per N-Cribs Engineering Study

# ISSUES AND ACTIONS

## (continued)

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- Issues

- » DOE needs regulatory decision documents to support HGP project

- Actions

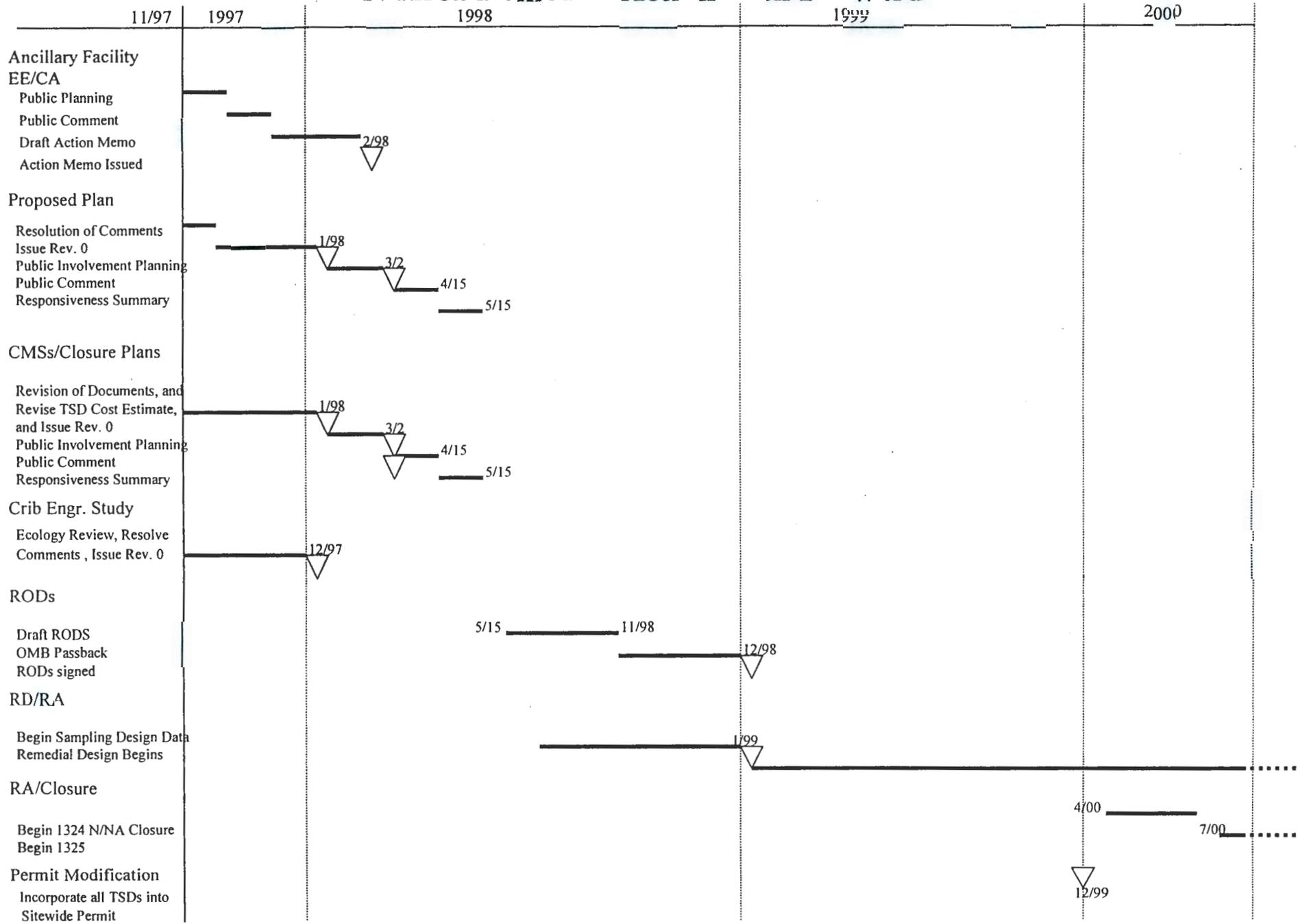
- » Regulatory agencies support of public involvement and issuance of Action Memorandum on Ancillary Facility EE/CA by 2/98

# PROPOSED PATH FORWARD

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- All three agencies agree to continue to support the DWP
  - » DOE will support public involvement in FY 98
  - » 1324-N/NA are moved from modification D to modification E
  - » Resolution of proposed plan issues
    - Personnel from three agencies get together to go through documents with finished product as the outcome
    - not* → –No second review
  - » Revision of TSD CMS cost estimate to reflect crib engineering study knowledge
  - » Regulatory agencies support Action Memorandum on Ancillary Facility EE/CA by 2/98

# N-Area Remedial Action Path Forward





**U.S. Department of Energy**

Richland Operations Office  
P.O. Box 550  
Richland, Washington 99352

48402

052506

**OCT 17 1997**

Mr. C. Clarke, Regional Administrator  
U.S. Environmental Protection Agency  
1200 Sixth Avenue  
Seattle, Washington 98101

Mr. T. Fitzsimmons, Director  
State of Washington  
Department of Ecology  
P.O. Box 47600  
Olympia, Washington 98504-7600

Dear Messrs. Clarke and Fitzsimmons:

COMPLETION OF NEGOTIATIONS FOR REVISION OF THE HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (TRI-PARTY AGREEMENT) MILESTONES FOR ENVIRONMENTAL RESTORATION'S (ER) 200 AREAS SOIL WASTE SITES

Enclosed for your signature is the tentative agreement (Enclosure 1) to approve the completed change packages to revise Milestones M-13 and M-20 of the Tri-Party Agreement as they relate to the ER Project's remediation of soil waste sites in the 200 Area of the Hanford Site. These negotiations were required because the existing interim and target milestones no longer accurately reflect the path forward for this project as determined by the ER Project's 200 Areas Soil Remediation Strategy and Waste Site Grouping for 200 Areas Soil Investigations. Also provided for your information, as Enclosures 2 and 3, are copies of the draft change packages to revise Milestones M-13 and M-20.

In October of 1996, the tri-parties agreed that negotiations should commence following the issuance of Revision 0 of the strategy document. It was also agreed that any new or revised milestones to be proposed would be consistent with the technical approach described in the strategy. An Agreement-in-Principle was signed on May 8, 1997. These commitments were developed in conjunction with members of the State of Washington Department of Ecology (Ecology) and U.S. Environmental Protection Agency (EPA) staff.

The negotiation team from the U.S. Department of Energy, Richland Operations Office (RL), Ecology, and EPA staffs have kept the Hanford Advisory Board and other interested stakeholders apprised of progress throughout the negotiations.

The original tentative agreement is being provided to Ecology for signature. It is then requested that Ecology forward the original signed agreement to EPA for signature. After signature is obtained by both Ecology and EPA, please return the original signed tentative agreement to Mr. Bryan L. Foley, RL Project Manager, at MSIN H0-12.

052506

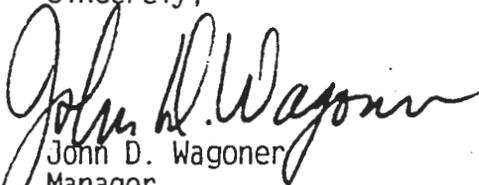
Messrs. Clarke and Fitzsimmons

-2-

OCT 17 1997

If you want to discuss this matter further or require additional information, please contact me, or your staff may contact Mr. Foley at (509) 376-7087.

Sincerely,

  
John D. Wagoner  
Manager

RAP:BLF

Enclosures: As stated

cc w/encls:

J. W. Donnelly, Ecology  
D. A. Faulk, EPA  
M. K. Harmon, EM-442  
G. B. Mitchem, BHI  
R. D. Morrison, FDH  
T. Post, EPA  
D. R. Sherwood, EPA  
E. R. Skinnerland, Ecology  
M. A. Wilson, Ecology



052506

Tri-Party Agreement

CONCLUSION AGREEMENT ON NEGOTIATION FOR THE  
200 AREAS SOIL REMEDIATION STRATEGY

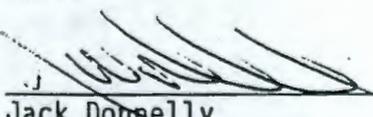
In accordance with the requirements of the parties Agreement in Principle, dated April 30, 1997, the State of Washington Department of Ecology, the U.S. Environmental Protection Agency, and the U.S. Department of Energy, (the parties) have concluded negotiations on commitments for the 200 Areas Soil Remediation Strategy at the Hanford Site. A Tentative Agreement has been reached and a package of proposed changes to the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) has been developed and found mutually acceptable to the parties. These changes are attached to this Negotiation Conclusion Agreement.

In addition to the attached changes to the Hanford Federal Facility Agreement and Consent Order, the parties have agreed that:

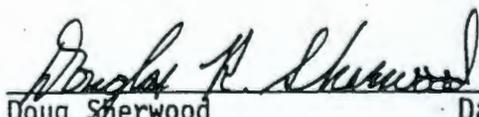
- The 200 Areas Soil Remediation Strategy - Environmental Restoration Program, DOE/RL-96-67, Rev. 0 and Waste Site Grouping for 200 Areas Soil Investigations, DOE/RL-96-81, Rev. 0 provide the necessary explanations to describe the improved investigation approach.
- USDOE shall drill a borehole in the B-2-2 Ditch to satisfy the requirement of the dispute resolution for 200-BP-11.
- Activities associated with the Hanford Prototype Barrier Program (200-BP-1) and 200-ZP-2 will continue and not be modified by this Agreement.
- Briefings and offers for consultations with stakeholders and the Tribes have been made and will continue, as appropriate, throughout the public comment and disposition period.

It is the parties' intent to submit the proposed changes for a 45 day public comment period to run from approximately October 20, 1997 to December 4, 1997. Specific Public Comment Period dates will be coordinated to ensure HAB opportunity for review and comment. Final approval of the Agreement changes is expected to occur by January 30, 1998. After successful resolution of any resulting public comments, a response to comments document will be issued.

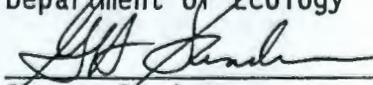
Contingent upon final approval of the Tentative Agreement by the Signatories, and consideration and resolution of any resulting public comments, it is the parties' intent to approve these changes and incorporate them into the Agreement.

  
Jack Donnelly  
Lead Negotiator for the  
State of Washington  
Department of Ecology

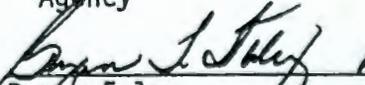
10/8/97  
Date

  
Doug Sherwood  
Lead Negotiator for the  
U. S. Environmental Protection  
Agency

10/8/97  
Date

  
George Sanders  
Lead Negotiator for the  
U.S. Department of Energy

10/8/97  
Date

  
Bryan Foley  
Lead Negotiator for the  
U. S. Department of Energy

10/8/97  
Date

TENTATIVE AGREEMENT ON NEGOTIATIONS FOR THE  
200 AREAS SOIL REMEDIATION STRATEGY

On April 30, 1997, the U.S. Department of Energy, the State of Washington Department of Ecology and the U.S. Environmental Protection Agency agreed to enter into negotiations on matters relating to developing an improved process for completing the soil investigations for Environmental Restoration Program contaminated soil sites in the 200 Areas. This agreement was followed by negotiation which established modifications to the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement). The parties agreed to change Appendix D, Work Schedule, M-13 and M-20 milestones.

Pursuant to the Agreement in Principle, dated April 30, 1997, the three parties have concluded the 200 Areas Soil Remediation Strategy negotiations and have reached tentative agreement. A copy of this agreement is attached.

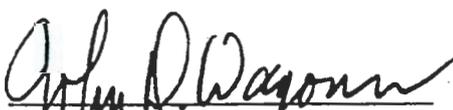
In accordance with the provisions of the Tri-Party Agreement, the proposed changes will be submitted to the public for review and comment over a 45 day period. Copies of the package will be available for review at the public information repositories. Following the 45 day public comment period, the parties will make appropriate revisions before finalizing these changes. The parties anticipate final signatures to take place by January 30, 1998. Prior to finalization, a response to comments document will be issued.

The parties further agree to minimize additional delay in the event the parties fail to agree on any changes as the result of public comment. All unresolved matters shall be referred to the Tri-Party Agreement dispute resolution process beginning at the Inter Agency Management Integration Team (IAMIT) level as described in the Tri-Party Agreement. The parties shall attempt to resolve the dispute(s) as provided in the Tri-Party Agreement paragraph 30 and/or 59.

Signed this \_\_\_\_\_ day of October 1997

\_\_\_\_\_  
Tom Fitzsimmons, Director  
State of Washington  
Department of Ecology

\_\_\_\_\_  
Chuck Clarke, Regional Administrator  
U.S. Environmental Protection Agency  
Region 10

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

Change Number M-13-97-01	<b>Federal Facility Agreement and Consent Order          Change Control Form</b> Do not use blue ink. Type or print using black ink.	Date 10/7/97												
Originator Linda Bauer		Phone 376-6628												
Class of Change <input checked="" type="checkbox"/> I - Signatories <input type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager														
Change Title Milestone Series M-13 Revisions to Support 200 Area Soil Remediation Strategy														
Description/Justification of Change <p>M-13-00 contains schedules for the submittal of work plans for accomplishing necessary investigations to complete all 200 Areas soil investigations by December 31, 2008 (M-15-00C). The three parties jointly developed an improved approach to investigation and subsequent remediation of 200 Areas contaminated soil sites within the responsibility of the Environmental Restoration Program (EM-40) based on lessons learned from Hanford's 100 and 300 Areas. To date, the investigation approach for the 200 Areas has been based on a geographic boundary (operable unit) consisting of different waste site types. Remedial investigations will now focus on representative sites from groups with similar history and waste site types (ponds, ditches, cribs, etc.), and the results will be generally applied to the entire waste site group.</p> <p>[Description/Justification of Change is continued]</p>														
Impact of Change <p>Modifications of the Tri-Party Agreement that are needed to accommodate this strategy are as follows:</p> <ul style="list-style-type: none"> <li>• Modify milestone M-13-00K to require only one work plan.</li> <li>• Delete milestone M-13-00Q to be consistent with the current reduced number of work plans.</li> <li>• Delete interim milestones M-13-11, M-13-12, M-13-13, M-13-14, M-13-15, M-13-16, and M-13-17. These milestones are replaced with milestones M-13-18 through M-13-24.</li> <li>• Add interim milestone M-13-18, "Submit 200 Area RI/FS (RFI/CMS) Implementation Plan.", 8/31/98.</li> </ul> <p>[Impact of Change is continued]</p>														
Affected Documents Hanford Federal Facility Agreement and Consent Order Action Plan.														
Approvals <table border="0" style="width: 100%;"> <tr> <td style="width: 30%; border-bottom: 1px solid black;">DOE</td> <td style="width: 15%; border-bottom: 1px solid black;">Date</td> <td style="width: 15%; text-align: center;">___ Approved</td> <td style="width: 15%; text-align: center;">___ Disapproved</td> </tr> <tr> <td style="border-bottom: 1px solid black;">EPA</td> <td style="border-bottom: 1px solid black;">Date</td> <td style="text-align: center;">___ Approved</td> <td style="text-align: center;">___ Disapproved</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Ecology</td> <td style="border-bottom: 1px solid black;">Date</td> <td style="text-align: center;">___ Approved</td> <td style="text-align: center;">___ Disapproved</td> </tr> </table>			DOE	Date	___ Approved	___ Disapproved	EPA	Date	___ Approved	___ Disapproved	Ecology	Date	___ Approved	___ Disapproved
DOE	Date	___ Approved	___ Disapproved											
EPA	Date	___ Approved	___ Disapproved											
Ecology	Date	___ Approved	___ Disapproved											

## Description/Justification of Change (continued)

The 200 Area RI/FS (RFI/CMS) Implementation Plan (which will be a primary document per Section 9 of the TPA and will establish the common requirements for future characterizations in the 200 Areas) will provide up front approval of all cross-cutting aspects of the characterizations and individual Work Plans for the 23 waste site groups (previously 32 work plans were required) which will be prepared to address site-specific requirements. These plans will incorporate both *Resource Conservation and Recovery Act* (RCRA) requirements as well as *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA) requirements (see associated Agreement Change Control Form for M-20-97-01 for additional detail). These documents in combination will meet all substantive requirements of CERCLA RI/FS and RCRA RFI/CMS Work Plans. Interim milestones M-13-18 through M-13-24 reflect this approach and replace milestones M-13-11 through M-13-17. Major milestone M-13-00K and M-13-00Q will be revised to accommodate the reduced number of work plans to be generated. The waste site groupings will require redesignation of existing Operable Units associated with 200 Areas soil remediation in the Environmental Restoration project. Changes to Appendix C of the Action Plan will be required to reflect these new operable unit designations and will be performed upon approval of this change control form. Please refer to associated Agreement Change Control Form M-20-97-01 for additional changes to M-20 milestones.

## Impact of Change (continued):

- Add interim milestone M-13-19, "Submit 200 North Pond and Trenches Cooling Water Group Work Plan.", 2/28/99.
- Add interim milestone M-13-20, "Submit 200 Gable Mountain/B Pond and Ditch Cooling Water Group Work Plan.", 4/30/99.
- Add interim milestone M-13-21, "Submit 200 Chemical Sewer Group Work Plan.", 8/31/99.
- Add interim milestone M-13-22, "Submit 200 U Pond/Z-Ditches Cooling Water Group Work Plan.", 12/31/99.
- Add interim milestone M-13-23, "Submit Uranium Rich Process Waste Group Work Plan.", 4/30/00.
- Add interim milestone M-13-24, "Submit General Process Waste Group Work Plan.", 8/31/00.

THE AGREEMENT TEXT IS MODIFIED AS FOLLOWS:

Table D. Major and Interim Milestones

<u>Number</u>	<u>Milestone</u>	<u>Due Date</u>
M-13-00K	SUBMIT 1 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2000
M-13-00L	SUBMIT 3 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2001
M-13-00M	SUBMIT 3 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2002
M-13-00N	SUBMIT 3 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2003
M-13-00O	SUBMIT 3 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2004
M-13-00P	SUBMIT 4 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2005
M-13-18	SUBMIT 200 AREA RI/FS (RFI/CMS) IMPLEMENTATION PLAN.	8/31/1998
M-13-19	SUBMIT 200 NORTH POND COOLING WATER GROUP WORK PLAN	2/28/1999
M-13-20	SUBMIT GABLE MOUNTAIN/B POND AND DITCH COOLING WATER GROUP WORK PLAN.	4/30/1999
M-13-21	SUBMIT CHEMICAL SEWER GROUP WORK PLAN.	8/31/1999
M-13-22	SUBMIT U POND/Z-DITCHES COOLING WATER GROUP WORK PLAN.	12/31/1999
M-13-23	SUBMIT URANIUM RICH PROCESS WASTE GROUP WORK PLAN.	4/30/2000
M-13-24	SUBMIT GENERAL PROCESS WASTE GROUP WORK PLAN.	8/31/2000

THE AGREEMENT TEXT IS MODIFIED AS FOLLOWS:

Table D. Major and Interim Milestones

<u>Number</u>	<u>Milestone</u>	<u>Due Date</u>
M-13-00K	SUBMIT 2 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2000
M-13-00L	SUBMIT 3 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2001
M-13-00M	SUBMIT 3 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2002
M-13-00N	SUBMIT 3 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2003
M-13-00O	SUBMIT 3 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2004
M-13-00P	SUBMIT 4 200 NPL RI/FS (RFI/CMS) WORK PLANS.	12/31/2005
<del>M-13-00Q</del>	<del>SUBMIT 4 200 NPL RI/FS (RFI/CMS) WORK PLANS.</del>	<del>12/31/2006</del>
<del>M-13-11</del>	<del>SUBMIT 200 PO 2 RFI/CMS CLOSURE/POSTCLOSURE WORK PLAN.</del>	<del>6/30/1998</del>
<del>M-13-12</del>	<del>SUBMIT 200 PO 4 RFI/CMS CLOSURE/POSTCLOSURE WORK PLAN.</del>	<del>10/31/1998</del>
<del>M-13-13</del>	<del>SUBMIT 1 200 NPL RI/FS (RFI/CMS) WORK PLAN.</del>	<del>12/31/1998</del>
<del>M-13-14</del>	<del>SUBMIT 200 IU 3 RFI/CMS CLOSURE/POSTCLOSURE WORK PLAN.</del>	<del>2/28/1999</del>
<del>M-13-15</del>	<del>SUBMIT 200 RO 1 RFI/CMS CLOSURE/POSTCLOSURE WORK PLAN.</del>	<del>6/30/1999</del>
<del>M-13-16</del>	<del>SUBMIT 200 PO 5 RFI/CMS CLOSURE/POSTCLOSURE WORK PLAN.</del>	<del>10/31/1999</del>
<del>M-13-17</del>	<del>SUBMIT 200 SO 1 RFI/CMS CLOSURE/POSTCLOSURE WORK PLAN.</del>	<del>2/28/2000</del>
M-13-18	SUBMIT 200 AREA RI/FS (RFI/CMS) IMPLEMENTATION PLAN.	8/31/1998
M-13-19	SUBMIT 200 NORTH POND COOLING WATER GROUP WORK PLAN	2/28/1999
M-13-20	SUBMIT GABLE MOUNTAIN/B POND AND DITCH COOLING WATER GROUP WORK PLAN.	4/30/1999
M-13-21	SUBMIT CHEMICAL SEWER GROUP WORK PLAN.	8/31/1999
M-13-22	SUBMIT U POND/Z-DITCHES COOLING WATER GROUP WORK PLAN.	12/31/1999
M-13-23	SUBMIT URANIUM RICH PROCESS WASTE GROUP WORK PLAN.	4/30/2000
M-13-24	SUBMIT GENERAL PROCESS WASTE GROUP WORK PLAN.	8/31/2000

Change Number M-20-97-01	<b>Federal Facility Agreement and Consent Order          Change Control Form</b> <small>Do not use blue ink. Type or print using black ink.</small>	Date 10/7/97
Originator Linda Bauer		Phone 376-6628
Class of Change <input checked="" type="checkbox"/> I - Signatories <input type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager		
Change Title Agreement Milestone series M-20 Revisions to Support 200 Area Soil Remediation Strategy		
Description/Justification of Change <p>M-20-00 contains schedules for the submittal of closure plans for the cleanup of treatment, storage, and disposal (TSD) sites under the <i>Resource Conservation and Recovery Act</i> (RCRA). The three parties jointly developed an improved approach to investigation and subsequent remediation of RCRA TSD waste sites closely associated with past-practice units within the Environmental Restoration (ER) Program (EM-40), based on lessons learned from Hanford's 100 and 300 Areas. The coordination of the TSD units closure with the past-practice investigation and remediation activity is necessary to prevent overlap and duplication of work, thereby economically and efficiently addressing the contamination. These TSD groups/units assigned to an operable unit are prioritized in conjunction with past-practice priorities for purposes of investigations and are to be investigated and managed in conjunction with past-practice units. Remedial investigations will now focus on representative sites from groups with similar history and waste site types (ponds, ditches, cribs, etc.), and the results will be generally applied to the entire waste site group.</p> <p style="text-align: center;">[Description/Justification of Change is continued]</p>		
Impact of Change <p>Modifications to implement this strategy are:</p> <ul style="list-style-type: none"> <li>• M-20-00 major milestone has been changed to February 28, 2004 and reference to EPA is to be deleted.</li> <li>• M-20-33 interim milestone has been changed to delete reference to EPA and to be in coordination with the Uranium Rich Process Waste Group with the corresponding Due Date changed to 10/31/2003.</li> <li>• M-20-39 interim milestone has been changed to delete reference to EPA and to be in coordination with the Chemical Sewer Group with the corresponding Due Date changed to 2/28/2003.</li> </ul> <p style="text-align: center;">[Impact of Change is continued]</p>		
Affected Documents Hanford Federal Facility Agreement and Consent Order Action Plan.		
Approvals  _____ Date _____ Approved _____ Disapproved DOE  _____ Date _____ Approved _____ Disapproved EPA  _____ Date _____ Approved _____ Disapproved Ecology		

Description/Justification of Change (continued):

These investigations will be sufficiently comprehensive to satisfy the technical requirements of both RCRA and *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA). Technical requirements of both RCRA and CERCLA are not all inclusive, but are focused on the initial stages of cleanup/closure where representative data is generally adequate for remedy selection purposes. However, it is recognized that waste site specific data is required to satisfy RCRA Closure/Postclosure requirements. The information necessary for performing RCRA closures/postclosures will be provided in coordination with past-practice sites investigations and various RFI/CMS documents. The 200 Area RI/RS (RFI/CMS) Implementation Plan (which will be a primary document per Section 9 of the TPA and will establish the common requirements for future characterizations in the 200 Areas) will provide up front approval of all cross-cutting aspects of the characterizations and individual Work Plans for the 23 waste site groups (previously 32 work plans were required) will be prepared. These plans will incorporate both RCRA requirements as well as CERCLA requirements (see associated Agreement Change Control Form for M-13-97-01 for additional detail). These documents in combination will meet all substantive requirements of CERCLA RI/FS and RCRA RFI/CMS Work Plans. The existing M-13 and M-20 milestones are not aligned to compliment integration and the adjustment of the M-20-00 milestone to 2/28/2004 allows for a coordinated alignment of these two milestones. Interim milestones M-20-33 through M-20-54 have been modified both in text and submittal dates to reflect this approach. Changes to Appendix B of the Action Plan will be required to reflect these new operable unit designations and will be performed upon approval of this change control form. Please refer to associated Agreement Change Control Form M-13-97-01 for additional changes to M-13 milestones.

Impact of Change (continued):

- M-20-52 interim milestone has been changed to delete reference to EPA and to be in coordination with the General Process Waste Group with the corresponding Due Date changed to 12/31/2003.
- M-20-53 interim milestone has been changed to delete reference to EPA and to be in coordination with the General Process Waste Group with the corresponding Due Date changed to 12/31/2003.
- M-20-54 interim milestone has been changed to delete reference to EPA and to be in coordination with the Infrastructure Waste Group with the corresponding Due Date changed to 2/28/2004.

THE AGREEMENT TEXT IS MODIFIED AS FOLLOWS:

Table D. Major and Interim Milestones

<u>Number</u>	<u>Milestone</u>	<u>Due Date</u>
M-20-00	SUBMIT PART B PERMIT APPLICATIONS OR CLOSURE/POSTCLOSURE PLANS FOR ALL RCRA TSD UNITS. <b>LEAD AGENCY:</b> PERMIT APPLICATIONS, CLOSURE, AND POST-CLOSURE PLANS <b>ECOLOGY</b> WILL BE SUBMITTED TO ECOLOGY FOR APPROVAL. INDIVIDUAL UNIT SUBMITTALS (ENFORCEABLE AS INTERIM MILESTONES) WILL OCCUR AS SHOWN IN APPENDIX D.  PRECLOSURE WORK PLANS WILL BE PREPARED AND SUBMITTED FOR APPROVAL FOR TSD UNITS WHICH WILL ACHIEVE CLOSURE IN CONJUNCTION WITH THE DISPOSITION OF THE FACILITY IN WHICH THEY ARE CONTAINED.	2/28/2004
M-20-33	SUBMIT 216-A-10 CRIB AND 216-A-36B CRIB CLOSURE/POSTCLOSURE PLANS TO ECOLOGY IN COORDINATION WITH THE WORK PLAN FOR THE URANIUM RICH PROCESS WASTE GROUP (TO BE COORDINATED WITH M-13-23).	10/31/2003
M-20-39	SUBMIT 216-S-10 POND AND DITCH CLOSURE/POSTCLOSURE PLANS TO ECOLOGY IN COORDINATION WITH THE WORK PLAN FOR THE CHEMICAL SEWER GROUP (TO BE COORDINATED WITH M-13-21).	2/28/2003
M-20-52	SUBMIT 216-A-37-1 CRIB CLOSURE/POSTCLOSURE PLAN TO ECOLOGY IN COORDINATION WITH THE WORK PLAN FOR THE GENERAL PROCESS WASTE GROUP (TO BE COORDINATED WITH M-13-24).	12/31/2003
M-20-53	SUBMIT 207-A RETENTION BASIN CLOSURE/POSTCLOSURE PLAN TO ECOLOGY IN COORDINATION WITH THE WORK PLAN FOR THE GENERAL PROCESS WASTE GROUP (TO BE COORDINATED WITH M-13-24).	12/31/2003
M-20-54	SUBMIT 241-CX TANK SYSTEM CLOSURE/POSTCLOSURE PLAN TO ECOLOGY IN COORDINATION WITH THE WORK PLAN FOR THE INFRASTRUCTURE WASTE GROUP (TO BE COORDINATED WITH M-13-00K).	2/28/2004

THE AGREEMENT TEXT IS MODIFIED AS FOLLOWS:

Table D. Major and Interim Milestones

Number	Milestone	Due Date
M-20-00	SUBMIT PART B PERMIT APPLICATIONS OR CLOSURE/POSTCLOSURE PLANS FOR ALL RCRA TSD UNITS. LEAD AGENCY: PERMIT APPLICATIONS, CLOSURE, AND POST-CLOSURE PLANS WILL BE SUBMITTED TO ECOLOGY AND/OR EPA FOR APPROVAL. INDIVIDUAL UNIT SUBMITTALS (ENFORCEABLE AS INTERIM MILESTONES) WILL OCCUR AS SHOWN IN APPENDIX D.	<del>12/31/2003</del> 2/28/2004
	PRECLOSURE WORK PLANS WILL BE PREPARED AND SUBMITTED FOR APPROVAL FOR TSD UNITS WHICH WILL ACHIEVE CLOSURE IN CONJUNCTION WITH THE DISPOSITION OF THE FACILITY IN WHICH THEY ARE CONTAINED.	
M-20-33	SUBMIT 216-A-10 CRIB AND 216-A-36B CRIB CLOSURE/POSTCLOSURE PLANS TO ECOLOGY AND EPA IN COORDINATION WITH THE WORK PLAN FOR OPERABLE UNIT 200 PO 2 (TO BE SATISFIED BY M 13 11) FOR URANIUM RICH PROCESS WASTE GROUP (TO BE COORDINATED WITH M-13-23).	<del>6/30/98</del> 10/31/2003
M-20-39	SUBMIT 216-S-10 POND AND DITCH CLOSURE/POSTCLOSURE PLANS TO ECOLOGY AND EPA IN COORDINATION WITH THE WORK PLAN FOR OPERABLE UNIT 200 RO 1 TO BE SATISFIED BY M 13 15) THE CHEMICAL SEWER GROUP WORK PLAN (TO BE COORDINATED WITH M-13-21).	<del>6/30/99</del> 2/28/2003
M-20-52	SUBMIT 216-A-37-1 CRIB CLOSURE/POSTCLOSURE PLAN TO ECOLOGY AND EPA IN COORDINATION WITH THE WORK PLAN OF OPERABLE UNIT 200 PO 4 (TO BE SATISFIED BY M 13 12) FOR THE GENERAL PROCESS WASTE GROUP (TO BE COORDINATED WITH M-13-24).	<del>10/31/98</del> 12/31/2003
M-20-53	SUBMIT 207-A RETENTION BASIN CLOSURE/POSTCLOSURE PLAN TO ECOLOGY AND EPA IN COORDINATION WITH THE WORK PLAN OF OPERABLE UNIT 200 PO 5 (TO BE SATISFIED BY M 13 16) FOR THE GENERAL PROCESS WASTE GROUP (TO BE COORDINATED WITH M-13-24).	<del>10/31/99</del> 12/31/2003
M-20-54	SUBMIT 241-CX TANK SYSTEM CLOSURE/POSTCLOSURE PLAN TO ECOLOGY AND EPA IN COORDINATION WITH THE WORK PLAN OF OPERABLE UNIT 200 SO 1 (TO BE SATISFIED BY M 13 17) FOR THE INFRASTRUCTURE WASTE GROUP (TO BE COORDINATED WITH M-13-00K).	<del>2/28/2000</del> 2/28/2004



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

OCT 09 1997

97-EAP-715

Mr. Michael A. Wilson  
Program Manager  
Nuclear Waste Program  
State of Washington  
Department of Ecology  
P.O. Box 47600  
Olympia, Washington 98504-7600

Dear Mr. Wilson:

INITIATION OF DISPUTE, HANFORD FACILITY DANGEROUS WASTE PERMIT PART A APPLICATION

The U.S. Department of Energy, Richland Operations Office (RL) has received from the State of Washington Department of Ecology (Ecology) a letter titled "Hanford Facility Dangerous Waste Part A Permit Application, Form 3, Revisions 4 and 5, for the 222-S Laboratory Complex," dated October 2, 1997. The letter was received at RL on October 8, 1997.

The referenced letter informs RL that Ecology is "unable to approve" Revision 4 or Revision 5 (Part A Revisions) of RL's Dangerous Waste Part A Permit Application addressing proposed changes at Hanford's 222-S Laboratory. As referred to in Ecology's letter, after nearly a year of discussion and exchange of substantial correspondence, the Parties have been unable to reach consensus on the various terms that Ecology proposes to make part of a Part A permit revision as conditions precedent to approval. Including cmail and other correspondence previously received by RL, Ecology's October 2, 1997, letter represents at least the third notice of deficiency issued in connection with the 222-S Part A Revisions. There is currently no indication, given the differences of the Parties, that further submission of revised Part A permit applications would reach a different result.

RL disagrees with Ecology's determination in this matter, and accordingly, exercises its right to enter dispute resolution as provided in Article VIII, Paragraph 30(K) of the Hanford Federal Facility Agreement and Consent Order, as amended. RL looks forward to promptly meeting with Ecology in order to more fully understand its basis for denying RL's Part A Revisions, and to working toward a mutually acceptable resolution.

Mr. Michael A. Wilson  
97-EAP-715

-2-

OCT 09 1997

Should you have any questions, please contact me at (509) 376-1366 or Paul Carter at (509) 376-0016.

Sincerely,



Thomas K. Teynor, Director  
Waste Programs Division

EAP:DEJ

cc: L. D. Arnold, FDH  
M. L. Blazek, ODOE  
L. J. Cusack, Ecology  
S. L. Dahl, Ecology  
A. D. Huckaby, Ecology  
M. N. Jaraysi, Ecology  
R. Jim, YIN  
D. Powaukee, NPT  
M. Reeves, HAB  
J. R. Wilkinson, CTUIR

Oct 28, 1997

IAMIT Meeting

1. Minutes of the September 23, 1997  
IAMIT were approved.

2. ~~CONCERN~~ <sup>CONCERN</sup> 5040-  
M40-07 Comments regarding Lessons Learned  
Documents were provided by Ecology.  
Further discussions are required - to understand  
concerns. OOE <sup>will</sup> schedule meeting with Ecology during  
the week of Nov. 3, 1997 for comment  
resolution. Secondly, plan a pullforward  
meeting for the M40-07 and close all open  
issues. Dispute Extension was signed. (12/16/97)

3. M45-03A nothing to discuss regarding state report  
Ecology is expecting the bi-monthly report on  
their direction. OOE will respond during  
next month (November 1997).

4. M41-22 - Dispute Extension was approved.  
(12/16/97).

5. FETE Public Involvement meetings still  
have to be scheduled, and locations  
to be chosen.

DFP - Telecom schedule for 10/30/97 to  
finalize AIP for negotiations.  
DOE preparing TPA change request on  
DFP during January 1998.

- 100N Area - a presentation by David Olson  
of DOE/RA on Personnel has been forwarded for 100N.  
Most outstanding comments are from the  
RCRA Office. Requirements of the MOU  
must be met.

- 200 Area Solid Remediation Strategy Pack Forward  
Guy MITCHEN of BHI provided status  
as to the package with Ecology & EPA  
for the Public Comment Period.  
Target Date NOV 3, 1997 for package to be  
signed.