



## Department of Energy

Richland Field Office

P.O. Box 550

Richland, Washington 99352

92-TRB-135

OCT 14 1992

Mr. P. T. Day  
 Hanford Project Manager  
 U.S. Environmental Protection Agency  
 Region 10  
 712 Swift Boulevard, Suite 5  
 Richland, Washington 99352

Mr. D. B. Jansen, P. E.  
 Hanford Project Manager  
 State of Washington  
 Department of Ecology  
 P.O. Box 47600  
 Olympia, Washington 98504-7600

Dear Messrs. Day and Jansen:

### DISPUTE RESOLUTION

Pursuant to the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement), Article XL, Paragraph 114, Extensions, the U. S. Department of Energy, Richland Field Office (RL), is notifying you that RL objects to the disapproval by the State of Washington Department of Ecology (Ecology) of Tri-Party Agreement Change Request M-31-92-03, "Defer the Completion of M-31-02 Milestone Evaluating Future Tank Capacity Needs Until After the TWRS Planning is Complete", and RL hereby invokes its rights under the Disputes provisions of the Tri-Party Agreement.

In the letter formally denying Change Request M-31-92-03, received on October 7, 1992, Ecology notified this office that it denied the change request based on timeliness. RL objects to the reason of timeliness used as the basis for that decision, and is so notifying you within the 7 days allocated by the Tri-Party Agreement. RL acknowledges that the actual transmittal of the change request was via fax on September 24, 1992. However, RL did notify Ecology during the Tri-Party Agreement Milestone Review Meeting on August 19, 1992, of the change to M-31-02 and conveyed details associated with the impending change request in phone conversations with Mr. Jansen on September 17, 1992, and with Mr. McKinney on September 18, 1992. Consequently, it is RL's position that this change request should be evaluated based on the technical arguments presented for delaying the completion of this milestone rather than the date the change package was received.



Messrs. Day and Jansen  
92-TRB-135

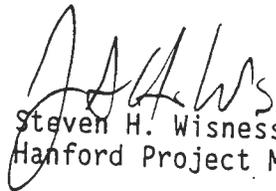
-2-

OCT 14 1992

In an attempt to promptly resolve this dispute informally, RL suggests that a short meeting of the Tri-Party Agreement Project Managers be held on October 21, 1992, in conjunction with the Project Managers' meeting.

If you have any questions regarding this issue, please contact me on (509) 376-6798, or Jon Peschong on (509) 376-6687.

Sincerely,

  
Steven H. Wisness  
Hanford Project Manager

cc: B. A. Austin, WHC  
D. W. Lindsey, WHC  
D. J. Newland, WHC  
R. D. Morrison, WHC  
M. A. Payne, WHC  
S. McKinney, Ecology



# CORRESPONDENCE DISTRIBUTION COVERSHEET

Author

S. H. Wisness, RL

Addressee

P. T. Day, EPA  
D. B. Jansen, Ecology

Correspondence No.

Incoming 9207529

Subject: DISPUTE RESOLUTION

## INTERNAL DISTRIBUTION

Approval	Date	Name	Location	w/att
		Correspondence Control	A3-01	
		President's Office		
		B. A. Austin	B2-35	
		T. D. Blankenship	R2-30	
		S. L. Bradley	B3-06	
		R. L. Fritz	R3-49	
		H. D. Harmon, (Level 1)	R2-52	
		B. A. Kendall	B4-66	
		D. W. Lindsey	B2-35	
		P. J. Mackey	B3-15	
		H. E. McGuire	B3-63	
		R. D. Morrison	B2-35	
		D. J. Newland	S4-55	
		M. A. Payne	R2-50	
		J. H. Roecker	B1-59	
		M. A. Siano, (Assignee)	G6-02	
		J. D. Thomson	R1-30	
		EDMC	H4-22	
		TPA File (M-31)	B2-35	

