



Tri-Party Agreement

0050545

January 26, 1999

**HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER
(AGREEMENT)**

RESOLUTION OF DISPUTE REGARDING MILESTONE M-40-07

On April 9, 1997 the U. S. Department of Energy (DOE) invoked the dispute resolution provisions of Agreement Article VIII following receipt of State of Washington Department of Ecology (Ecology) concerns regarding completion of Interim Milestone M-40-07. The dispute is currently at the IAMIT level through January 26, 1999.

On consideration, DOE and Ecology have agreed to incorporate stabilization work at Single-Shell Tank C-103 (the subject of Agreement interim milestone M-40-07) within the scope of the parties' tentatively agreed-to Single-Shell Tank Interim Stabilization Consent Decree. Consequently, this M-40-07 dispute is hereby suspended, and will be resolved effective upon final approval of the Single-Shell Tank Interim Stabilization Consent Decree and its associated M-41-99-01 change request.

The process of developing, submitting for public comment, resolution of resulting comments and final approval of the Single-Shell Tank Interim Stabilization Consent Decree and its associated M-41-99-01 change request will proceed in lieu of the underlying dispute resolution for Milestone M-40-07. Should the Parties fail to achieve final approval of the Consent Decree and/or the associated M-41-99-01 change request, this milestone M-40-07 dispute shall resume uninterrupted at the IAMIT level. Whereupon, the IAMIT shall have 21 days in which to resolve, extend or elevate the underlying dispute per the requirements of Agreement Paragraph 30.

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: Administrative Record

