

Meeting Minutes Transmittal

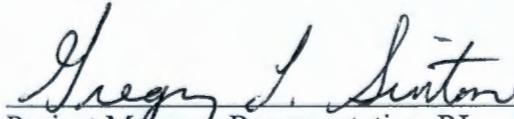
M-91

Project Managers Meeting
 825 Jadwin/Room 340
 Hanford, Washington
 September 27, 2007

The undersigned indicate by their signatures that these meeting minutes reflect the actual occurrences of the above dated Project Managers Meeting. Signatures denote concurrence with content only and are not intended to imply agreement to any commitments.


 Project Manager, Ecology

Date: 10/25/07


 Project Manager Representative, RL

Date: 10/25/07


 Project Manager Representative, FH

Date: 10/25/07

M-91 Administrative Record
 GL Sinton
 DG Singleton
 M Mandis
 KM Quigley

H6-08
 A6-38
 H0-57
 H0-57
 H8-44

RECEIVED
 OCT 29 2007

EDMC

M-91 PROJECT MEETING MINUTES
Project Managers Meeting
825 Jadwin/Room 340/700 Area
Richland, Washington

September 27, 2007

- I. Approval of August 23, 2007 M-91 Project Meeting Minutes (Ecology/DOE-RL/FH). The PMM minutes were approved.
- II. Status Report
 - A. TPA Milestone Update
The M-91 milestone status summary was provided by Greg Sinton (RL). Regarding M-91-03, Revision 3 of the TRUM/MLLW Project Management Plan (PMP) that was submitted to Ecology on August 30, 2007, Michelle Mandis (Ecology) noted that she had comments outside of Ecology's comments letter which is anticipated to be sent to RL around October 1, 2007. A discussion ensued regarding the process for updating the PMP without approval of the current PMP. Ken Quigley (FH) noted that from a document control standpoint, the latest revision cannot be submitted if the previous revision is not approved. It was agreed to discuss this issue outside of the PMM.

Mr. Sinton provided Ms. Mandis a draft change package for M-91-42, which requests a change in date from 12/31/07 to 3/31/08. A copy of the RH and/or Large Size Waste 2007 annual report, associated with M-91-45, was provided to Ms. Mandis. A copy was mailed to Ecology on 9/24/07.
 - B. Concerns Regarding Meeting Scheduled Milestone Completion Dates
The concerns are addressed in the M-91 status summary.
 - C. SAP Implementation
There was nothing to report on SAP implementation.
- III. General Discussions
 - A. Mr. Sinton provided Ms. Mandis a draft regarding a proposed certification definition.
- IV. Status of Actions
 - A. There were no actions to status.
- V. New Action Items
 - A. There were no new action items.
- VI. Documents for Submittal to the Administrative Record
 - A. There were no documents identified.
- VII. Next Project Managers Meeting
 - A. The next PMM was scheduled for October 25, 2007.

M-91 PROJECT MEETING
825 Jadwin/Room 340
Hanford, Washington
September 27, 2007

9:15 a.m. to 9:45 a.m.

Agenda

- I. Approval of August 23, 2007 M-91 Project Meeting Minutes (Ecology/DOE-RL/FH)
- II. Status Report
 - A. TPA Milestone Update
 - B. Concerns regarding meeting scheduled milestone completion dates
 - C. SAP Implementation
- III. General Discussions
- IV. Status of Actions
- V. New Action Items
- VI. Documents for Submittal to the Administrative Record
- VII. Next Project Managers Meeting

M91
 Project Managers Meeting
 825 Jadwin/Room 340
 Hanford, Washington

September 27, 2007

Attendance List

Name	Organization	Phone Number
Brian Dixon	FH/EFS	376-7053
Joseph Williams Jr	FH/EP	376-4282
Rick Engelmann	FH/TPA	376-7485
Kathy Conway	ECU	372-7890
KEN GUILLEY	FH	376-7779
Jennifer Diller	ECU	372-7988
Greg Sinton	RC	373-7939
Brett M Barnes	FH/US	376-3640
Darcia Faulk	FH/EP-GMSD	373-1811
Michael Canton	FGG/SP6W	376-6383
ROB PIIPPO	FH	373-3285
Kathy Croone	FH-EP	376-2377
Kathy Knox	Knox Court Reporting	946-5535
Michelle Mandis	ECU	2-7970



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

SEP 24 2007

07-AMCP-0293

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

Dear Ms Hedges:

**ANNUAL PROGRESS REPORT ON REMOTE-HANDLED MIXED WASTE AND
CONTACT-HANDLED MIXED WASTE IN BOXES/LARGE CONTAINERS**

The purpose of this letter is to transmit the Annual Progress Report on Remote-Handled Mixed Waste and Contact-Handled Mixed Waste in Boxes/Large Containers. The report describes completed and scheduled work relating to remote-handled waste and large container contact-handled and remote-handled waste performed in accordance with the requirements of the Tri-Party Agreement Milestone M-91 series. This completes the Tri-Party Agreement Interim Milestone M-91-45 requirement for 2007.

If there are any questions, please contact me, or your staff may contact, Mark French, of my staff, on (509) 373-9863.

Sincerely,


Matthew S. McCormick Assistant Manager
for the Central Plateau

AMCP:GLS

Enclosure

cc: See Page 2

Ms. J. A. Hedges
07-AMCP-0293

-2-

SEP 24 2007

cc w/encl:

G. Bohnee, NPT

L. Buck, Wanapum

N. Ceto, EPA

R. H. Engelmann, EFSH

S. Harris, CTUIR

R. Jim, YN

S. M. Joyce, FHI

S. L. Leckband, HAB

K. Niles, ODOE

R. E. Piippo, FHI

D. G. Singleton, Ecology

R. Skinnarland, Ecology

J. G. Vance, FFS

Administrative Record (M-91)

Environmental Portal

ANNUAL PROGRESS REPORT ON REMOTE-HANDLED (RH) MIXED WASTE AND CONTACT-HANDLED (CH) MIXED WASTE IN BOXES/LARGE CONTAINERS

As required by Tri-Party Agreement Milestone M-91-45, this report has been prepared to describe work completed during Fiscal Year (FY) 2007 on remote-handled (RH) mixed waste and contact-handled (CH) mixed waste in large containers and to identify work scheduled for these waste streams in FY 2008.

FY 2007 Accomplishments

- No remote-handled (RH) and large-container Land Disposal Restriction (LDR) Report Treatability Group Mixed Low-level Waste (MLLW)-07 waste was treated or disposed in FY 2007, due to the emphasis on treating MLLW meeting the requirements of Tri-Party Agreement Milestones M-91-12 and M-91-42 (i.e., LDR Treatability Groups MLLW-02, 03, 04, 05, 06, 08, 09 and 10). A cumulative total of 194 m³ of MLLW-07 waste has been treated and disposed.
- Revisions to the PermaFix Northwest (PFNW - formerly Pacific EcoSolutions [PEcoS]) contract have been completed which has expanded the capability to treat larger MLLW packages.
- The Environmental Restoration Disposal Facility (ERDF) continues to be used in FY 2007 to dispose of other MLLW Treatment Groups (i.e., MLLW-04A/B). The ERDF Record of Decision (ROD) Amendment was approved, which allows disposal of multiple LDR treatability groups, including MLLW-07 waste.
- Critical Decision zero (CD-0) documentation was submitted to DOE-HQ for the Solid Waste Processing Center (SWPC) capital construction project. This project will support RH and large container processing (M-91-43 and M-91-44) that can not be provided by in-trench treatment, or existing commercial or Hanford facilities. Approval of CD-0 will allow initiation of conceptual design. A Fluor Hanford, Inc. Project Manager was hired and a Project Team established.
- Several alternative studies were initiated to evaluate various processing options for RH and large-package CH wastes. Alternatives being evaluated include the construction of a new Solid Waste Processing Center (SWPC) facility instead of the current T Plant baseline, upgrades to establish earlier on-site processing capabilities and capacities for selected waste packages (generally CH Transuranic (TRU) waste packages less than 10 m³), construction of a RH TRU loading station for earlier waste shipment to the Waste Isolation Pilot Plant (WIPP) in New Mexico, and expanding the use of commercial processing for MLLW-07 waste packages.

- Discussions were held with the State of Washington Department of Ecology (Ecology) for implementation of in-trench treatment and proposed revised mixed waste trench Part A language.
- Started retrieval of RH waste from the Low-Level Burial Grounds. Test Reactor Isotope General Atomics (TRIGA) spent fuel previously managed as RH TRU was removed from burial ground 218-W-4C and transferred to the 200 Area Interim Storage Area.
- The Tri-Party Agreement Milestone M-91 Project Management Plan (PMP) was updated twice in FY 2007, once in December 2006 and again in August 2007.

Planned FY 2008 Activities

- Re-initiate treatment at PFNW of some of the large MLLW packages.
- Continue disposal of MLLW in the Mixed Waste Disposal Trenches (MWDT) trenches and at ERDF.
- Formally submit revised Low-level Burial Ground Part A to expand capability in the MWDTs to include in-trench treatment.
- Complete alternative evaluations for waste processing by March 2008 and revise the baseline for those alternatives selected. Initiate conceptual design for the SWPC project.
- Revise the M-91 PMP in June 2008 to reflect results from the alternatives evaluations, reflect cleanup progress, and to incorporate the updated President's budget.
- Continue retrieval of some RH waste as it is encountered during CH retrieval.

Publicly Available Reports

1. Letter 06-AMCP-0314 Matthew S. McCormick to Jane Hedges, "Completion of Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) interim milestone M-91-45, submit to Ecology a report describing completed and scheduled work relating to remote-handled (RH) waste and boxes and large containers of RH and contact-handled (CH) waste", September 29, 2006.
2. Amended Record of Decision for the ERDF Environmental Restoration & Disposal Facility, U.S. Department of Energy and Environmental Protection Agency Region X, May 2007.
3. HNF-19169 Rev. 3, "M-91 TRU Mixed/Mixed Low-Level Waste Project Management Plan", August 2007.

FOR

~~“CERTIFICATION” AS USED HEREIN IS DEFINED AS COMPLETION OF ALL ACTIVITIES REQUIRED FOR APPROVAL IN THE WIPP WASTE INFORMATION SYSTEM AND ACCEPTANCE INTO WIPP FOR DISPOSAL.~~

“DESIGNATION” AS USED HEREIN IS DEFINED AS THE PROCESS FOR DETERMINING: (1) WHICH CONTAINERS OF LOW-LEVEL WASTE ARE MLLW; AND, (2) WHICH CONTAINERS OF TRANSURANIC WASTE ARE MIXED TRANSURANIC WASTE (CH-TRUM OR RH-TRUM). DESIGNATION OF WASTE WILL BE PERFORMED PURSUANT TO WAC 173-303-070 THROUGH 100. THESE REGULATIONS ALLOW THE USE OF “ACCEPTABLE KNOWLEDGE,” SURROGATE SAMPLING AND OTHER MEASURES FOR DESIGNATION TO MINIMIZE WORKERS’ RADIATION EXPOSURE AND TO REDUCE COSTS. WHERE APPLICABLE, DOE INTENDS TO USE INFORMATION GATHERED THROUGH THE CERTIFICATION OF TRANSURANIC WASTE IN SUPPORT OF ITS DESIGNATION OF RELATED LOW-LEVEL WASTE STREAMS. WHERE APPROPRIATE, DOE WILL USE MEASURES ALLOWED UNDER STATE AND FEDERAL REGULATIONS TO PERFORM ACCURATE AND COST EFFECTIVE DESIGNATIONS OF LOW-LEVEL WASTE.

“LOW-LEVEL WASTE” AS USED HEREIN IS DEFINED AS RADIOACTIVE WASTE THAT IS NOT SPENT FUEL, HIGH-LEVEL WASTE, TRANSURANIC WASTE, BYPRODUCT MATERIAL, OR NATURALLY OCCURRING RADIOACTIVE MATERIAL. LOW-LEVEL WASTE INCLUDES BOTH “MIXED LOW-LEVEL WASTE” AND “NON-MIXED LOW-LEVEL WASTE.” “MIXED LOW-LEVEL WASTE” (MLLW) IS LOW-LEVEL WASTE THAT IS SUBJECT TO RCRA OR 70.105 RCW. “NON-MIXED LOW-LEVEL WASTE” (LLW) IS LOW-LEVEL WASTE THAT IS NOT SUBJECT TO RCRA OR 70.105 RCW. LLW AND MLLW CAN BE CONTACT-HANDLED (CH), I.E., CH-LLW OR CH-MLLW, OR REMOTE-HANDLED (RH), I.E., RH-LLW OR RH-MLLW.

“CONTACT HANDLED” (CH) WASTE IS A WASTE PACKAGE WITH A SURFACE DOSE RATE LESS THAN ~~OR EQUAL TO~~ 200 MILLIREM PER HOUR.

“REMOTE HANDLED” (RH) WASTE IS A WASTE PACKAGE WITH A SURFACE DOSE RATE ~~EQUAL TO OR~~ GREATER THAN 200 MILLIREM PER HOUR.



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

07-AMCP-0304

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

Dear Ms. Hedges:

CLASS II CHANGE CONTROL FORM M-91-07-02, MODIFICATION OF HANFORD
FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (TRI-PARTY
AGREEMENT) INTERIM MILESTONE M-091-42

The purpose of this letter is to transmit a U.S. Department of Energy, Richland Operations Office (RL) Tri-Party Agreement M-91-07-02 Class II Change Control Form for the State of Washington Department of Ecology's (Ecology) approval. The change control form extends the completion date for the treatment of 6,520 cubic meters (cumulative) of Contact-Handled (CH) Mixed Low-Level Waste (MLLW) from December 31, 2007, to March 31, 2008.

6520 Ecology has been kept apprised of the status of the M-91-42 Mixed Low-Level Waste (MLLW) milestones through the monthly M-91 project manager meetings and the quarterly TPA review meetings. Beginning in the summer of 2007 Ecology was informed that there was no float left in the schedule for completion of this requirement. In August 2007 Fluor Hanford Inc. (FHI) notified RL that their risk analysis indicated a low confidence in meeting the requirement to treat 6,250 cubic meters of CH-MLLW by December 31, 2007. RL and FH have continued to work on recovery actions. Ecology was formally notified that the requirement was at risk in the August 23, 2007 M-91 project managers meeting.

As described in the Description/Justification of Change section of the change control form, the change is necessary due to operational difficulties encountered at MLLW Treatment and Disposal Facilities processing this waste. The due date is being extended under the good cause provision per the Tri-Party Agreement Article XL. Actions being taken to attempt to increase the confidence in meeting the milestone, or completing it as soon as possible, are also described in the change control form.

Despite the challenges experienced in trying to meet the requirement, RL continues to make good progress towards treating the 6,520 m³ required by the TPA milestone and has treated/disposed 5,731m³ to date. RL will continue to aggressively monitor and challenge the contractors to meet

Ms. J. A. Hedges
07-AMCP-0304

-2-

RL will continue to keep Ecology informed of the progress toward completing the required volume of treatment. If you have any questions, please contact me, or your staff may contact Matt McCormick, Assistant Manager for the Central Plateau, on (509) 373-9971.

Sincerely,

David A. Brockman
Manager

AMCP:GLS

Attachment

cc w/attach:

G. Bohnee, NPT
L. Buck, Wanapum
N. Ceto, EPA
R. R. Connolly, EFSH
R. H. Engelmann, EFSH
S. Harris, CTUIR
R. Jim, YN
S. M. Joyce, FHI
S. L. Leckband, HAB
K. Niles, ODOE
R. E. Piippo, FHI
K. M. Quigley, EFSH
D. G. Singleton, Ecology
R. Skinnarland, Ecology
J. G. Vance, FFS
Administrative Record
Environmental Portal

DRAFT

Change Number M-91-07-02	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date September 20, 2007																
Originator M. French		Phone (509) 373-9863																
Class of Change <input type="checkbox"/> I – Signatories <input checked="" type="checkbox"/> II – Executive Manager <input type="checkbox"/> III – Project Manager																		
Change Title Modification of Hanford Federal Facility Agreement and Consent Order (Agreement) M-91-42 interim milestone Description/Justification of Change This change package extends the due date of interim milestone M-091-42, item 2, D. “6520 cubic meters (cumulative) shall be treated by 12/31/2007”, to 3/31/2008. The due date is being extended due to good cause per the Agreement Article XL’s Good Cause for Extensions provisions. Operational difficulties at the treatment and disposal facilities (Pacific EcoSolutions Inc. (PEcoS), PermaFix and the Environmental Restoration Disposal Facility (ERDF)) have resulted in project schedule delays that have impacted the ability of RL to get the required treatment accomplished by the December 31, 2007 completion date. (Continued on page 2.)																		
Impact of Change Approval of this change package extends the completion date for the treatment of 6,250 cubic meters of CH-Mixed Low-Level Waste (MLLW) from 12/31/07 to 3/31/08.																		
Affected Documents The Hanford Federal Facility Agreement and Consent Order, as amended and Hanford Site internal planning, management and budget documents (e.g., baseline control documents, related work authorization and directives).																		
Approvals <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Ecology</td> <td style="width: 10%; border-bottom: 1px solid black;">Date</td> <td style="width: 20%; border-bottom: 1px solid black;">_____ Approved</td> <td style="width: 20%; border-bottom: 1px solid black;">_____ Disapproved</td> </tr> <tr> <td style="border-bottom: 1px solid black;">DOE-RL</td> <td style="border-bottom: 1px solid black;">Date</td> <td style="border-bottom: 1px solid black;">_____ Approved</td> <td style="border-bottom: 1px solid black;">_____ Disapproved</td> </tr> <tr> <td style="border-bottom: 1px solid black;">N/A</td> <td style="border-bottom: 1px solid black;">Date</td> <td style="border-bottom: 1px solid black;">_____ Approved</td> <td style="border-bottom: 1px solid black;">_____ Disapproved</td> </tr> <tr> <td style="border-bottom: 1px solid black;">EPA</td> <td style="border-bottom: 1px solid black;">Date</td> <td style="border-bottom: 1px solid black;">_____ Approved</td> <td style="border-bottom: 1px solid black;">_____ Disapproved</td> </tr> </table>			Ecology	Date	_____ Approved	_____ Disapproved	DOE-RL	Date	_____ Approved	_____ Disapproved	N/A	Date	_____ Approved	_____ Disapproved	EPA	Date	_____ Approved	_____ Disapproved
Ecology	Date	_____ Approved	_____ Disapproved															
DOE-RL	Date	_____ Approved	_____ Disapproved															
N/A	Date	_____ Approved	_____ Disapproved															
EPA	Date	_____ Approved	_____ Disapproved															

Description/Justification continued:

Operational difficulties at the treatment facilities have included 1) A nearly three month delay in shipments to PEcoS due to problems at that facility relating to processing of some americium waste, radionuclide inventory issues, and secondary waste processing; 2) Delays in shipments to PEcoS/PermaFix Northwest (PFNW) due to delays in shipment approval from the Washington State Department of Health and 3) Treatment subcontractors not being able to complete treatment within contractually required timeframes. These issues have caused the treatment facilities to be unable to accept additional waste for treatment at the rates required to ensure meeting the 12/31/07 milestone.

Ecology has been kept apprised of the status of the M-91-42 Mixed Low-Level Waste (MLLW) milestones through the monthly M-91 project manager meetings and the quarterly TPA review meetings. Beginning in the summer of 2007 Ecology was informed that there was no float left in the schedule for completion of this requirement. In August 2007 Fluor Hanford Inc. (FHI) notified RL that their risk analysis indicated a low confidence in meeting the requirement to treat 6,250 cubic meters of CH-MLLW by December 31, 2007. RL and FH have continued to work on recovery actions. Ecology was formally notified that the requirement was at risk in the August 23, 2007 M-91 project managers meeting.

Following is a description of actions that are being aggressively implemented between RL and its contractors to recover the requirement or complete the treatment as soon as possible:

1. FHI has met with PEcoS (prior to the PFNW acquisition) to discuss the challenge associated with meeting the milestone requirements. Although not contractually obligated to do so, PEcoS had verbally committed to FHI to maintain an accelerated schedule that included treatment and shipment back to Hanford as early as 2-3-months after receipt at their facility for the majority of the waste needing treatment. After the acquisition of PEcoS by PFNW, FHI met with the new management at PFNW to share the previous discussions that occurred with PEcoS and to get assurance that PFNW would also support an accelerated schedule for the M-91-42 CH-MLLW volumes. PFNW expressed their commitment to FHI and RL's success and followed up with a schedule that showed them treating all of the PFNW volume required to meet the M-91-42 CH-MLLW December 31, 2007 due date.
2. PermaFix Northwest (PFNW) has explored opportunities to accelerate their schedule for treating the MLLW and has implemented the following actions:
 - 2a. Completed the corrective actions, including removing more legacy waste from the facility, which EPA identified in a Notice of Violation in June 2007. These actions have eliminated the requirements for a 30-day notification to the Washington Department of Health prior to receipt of MLLW. This requirement has previously delayed shipments to PFNW.
 - 2b. Increased facility inventory limits for two primary isotopes (Sr-90 and Am-241) that previously placed constraints on PFNW's ability to receive RL's waste.

- 2c. Implemented a second shift for all MLLW processing lines.
- 2d. Provided FHI up to three additional shipments into PFNW during September, moving these shipments up from the original October schedule.
3. PF East has notified FHI that they will not be able to complete treatment (by 12/31/07) of the 26 m³ of reactive waste FHI sent to them in the February & March 2007 timeframe. This development occurred after the schedule showing completion of treatment by 12/31/07 was provided. RL had counted on this waste volume being treated in accordance with subcontract requirements to support meeting the volume requirement. As a result, FHI is now working with PF East to identify other wastes that could be shipped and treated within this CY to offset the reactive waste stream. FHI is currently looking at additional state only waste as the greatest confidence for success this late in the year.
4. FHI is scheduled to resume onsite processing in September of the Albany soils, Tank Farm soils, and grouted Uranium drums. Completion of this activity will provide approximately 70 m³ of MLLW that contributes to the M-91-42 requirement. As of mid-September, 18 m³ has been processed.
5. FHI has substituted 45 m³ of debris waste requiring treatment at PFNW for a volume of MLLW oils and state only waste conducive to short treatment durations that could be shipped and treated at PermaFix East (PF East), again to reduce volume and reliance on PFNW facility for treatment of all the required volume.
6. FHI has a contract in place with EnergySolutions-Clive of Utah and profiles approved to send up to 50 m³ for treatment and disposal. RL is working to gain offsite disposal approval to implement this option but it has a low confidence of happening in time to support the December due date.

Despite the challenges experienced in trying to meet the requirement, RL continues to make good progress towards treating the 6,520 m³ required by the TPA milestone and has treated/disposed 5,731 m³ to date. RL will continue to aggressively monitor and challenge the contractors to meet the December due date. As of September 20, 2007 FHI had shipped all but 138 m³ of CH-MLLW needed to meet the 6,520 m³ total. All waste shipments required to meet the 6,520 m³ treatment requirement are currently planned to be shipped by October 19, 2007. Although the actions taken to date provide an increased level of confidence, accomplishing the milestone by the December due date is still at risk and is expected to be impacted by approximately 3 months.

Modifications to existing Tri-Part Agreement milestones are denoted with ~~strikeout~~; new milestone/text are denoted with shading.

<p>M-91-42</p>	<p>REGARDING: (1) NEWLY GENERATED CH WASTE; AND (2) CH WASTE CURRENTLY IN ABOVE-GROUND STORAGE (NOT INCLUDING CH WASTE CURRENTLY IN ABOVE-GROUND STORAGE IN BOXES AND LARGE CONTAINERS).</p> <ol style="list-style-type: none"> 1. DOE SHALL DESIGNATE ALL NEWLY GENERATED CH WASTE AT THE POINT OF GENERATION. SUCH DESIGNATION SHALL COMPLY WITH THE REQUIREMENTS OF WAC 173-303-070 THROUGH 100. 2. THERE ARE 5,066 CUBIC METERS OF CH-MLLW IN PERMITTED STORAGE AT DOE'S CENTRAL WASTE COMPLEX (CWC) AND ELSEWHERE AT HANFORD AS OF 12/31/02 (AS IDENTIFIED IN DOE HFFACO MILESTONE M-26-01 LDR REPORT MLLW TREATABILITY GROUPS MLLW-02 THROUGH MLLW-10, EXCLUDING MLLW-07) THAT HAS NOT BEEN TREATED TO MEET LDR REQUIREMENTS. (THIS VOLUME DOES NOT INCLUDE 600 CUBIC METERS OF WASTE REQUIRING THERMAL TREATMENT, AS THAT WASTE IS REQUIRED TO BE TREATED BY 2006 UNDER HFFACO MILESTONES M-91-12 AND M-91-12A). DOE'S 2002 LDR REPORT ESTIMATES THAT IT WILL GENERATE AN ADDITIONAL ANNUAL VOLUME OF APPROXIMATELY 330 CUBIC METERS OF CH-MLLW (AS WASTE TYPES IDENTIFIED IN DOE HFFACO MILESTONE M-26-01 LDR REPORT MLLW TREATABILITY GROUPS MLLW-02 THROUGH MLLW-10, EXCLUDING MLLW-07). DOE WILL RETRIEVE APPROXIMATELY 800 CUBIC METERS OF CH-MLLW BY 2010. IN ADDITION TO MEETING THE REQUIREMENTS OF M-91-12 AND M-91-12A, DOE SHALL TREAT THE WASTE DESCRIBED ABOVE TO MEET LDR REQUIREMENTS ON A SCHEDULE MEETING, AT MINIMUM, THE FOLLOWING: <ol style="list-style-type: none"> A. 1630 CUBIC METERS (CUMULATIVE) SHALL BE TREATED BY 12/31/04, B. 3260 CUBIC METERS BY (CUMULATIVE) SHALL BE TREATED BY 12/31/05, C. 4890 CUBIC METERS (CUMULATIVE) SHALL BE TREATED BY 12/31/06, D. 6520 CUBIC METERS (CUMULATIVE) SHALL BE TREATED BY 12/31/07, <u>3/31/08</u> 	<p>DUE DATES AS INDICATED IN THE DESCRIPTIVE TEXT OF THIS MILESTONE</p>
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- E. 8150 CUBIC METERS (CUMULATIVE) SHALL BE TREATED BY 12/31/08, AND
- F. COMPLETE TREATMENT OF ALL CH-MLLW (5066 CUBIC METERS IN STORAGE AS OF 12/31/02 AS DESCRIBED ABOVE, AND RETRIEVED CH-MLLW AND NEWLY GENERATED CH-MLLW IN THE TREATABILITY GROUPS DESCRIBED ABOVE, AS OF 6/30/09, BY 12/31/09

IF CH-MLLW IN THE TREATABILITY GROUPS SUBJECT TO THIS MILESTONE GENERATED DURING THE PERIOD FROM 12/31/02 THROUGH 6/30/09 IS TREATED TO LDR STANDARDS PRIOR TO DELIVERY TO STORAGE OR DISPOSAL, THE ORIGINAL PRE-TREATMENT VOLUME OF THAT WASTE SHALL BE COUNTED TOWARD MEETING THE VOLUME REQUIREMENTS OF THIS MILESTONE. EXCEPT FOR WASTE ALREADY IN PERMITTED STORAGE, TREATMENT OF CERCLA WASTE WILL NOT BE COUNTED TOWARD MEETING THE VOLUME REQUIREMENTS OF THIS MILESTONE. IF THE ACTUAL VOLUME OF NEWLY GENERATED OR RETRIEVED CH-MLLW COVERED BY THIS MILESTONE IS LOWER THAN THE ESTIMATED VOLUMES ANTICIPATED BY THESE MILESTONES DOE WILL ONLY BE REQUIRED TO TREAT THE VOLUME OF WASTE GENERATED, RETRIEVED AND/OR IN STORAGE. IF THE ACTUAL VOLUME OF NEWLY GENERATED OR RETRIEVED CH-MLLW COVERED BY THIS MILESTONE IS SIGNIFICANTLY MORE THAN THE ESTIMATED VOLUMES THE PARTIES MAY AGREE TO REVISE THESE REQUIREMENTS.

3. AFTER JUNE 30, 2009, DOE SHALL TREAT TO MEET LDR TREATMENT REQUIREMENTS ALL NEWLY GENERATED CH-MLLW CONTAINING LDR CONSTITUENTS IN COMPLIANCE WITH WAC 173-303-140 AND BY REFERENCE TO CFR 268.
4. THERE ARE APPROXIMATELY 440 CUBIC METERS OF CH-TRUM IN PERMITTED STORAGE AT DOE'S CENTRAL WASTE COMPLEX (CWC) AND ELSEWHERE AT HANFORD AS OF 12/31/02. DOE'S 2002 LDR REPORT ESTIMATES THAT IT WILL GENERATE AN ADDITIONAL ANNUAL VOLUME OF APPROXIMATELY 220 CUBIC METERS OF CH-TRUM AND DOE ESTIMATES THEY WILL RETRIEVE APPROXIMATELY 1600 CUBIC METERS OF CH-TRUM BY 2010. CONSIDERING THESE ESTIMATES AND THE

CONSIDERABLE UNCERTAINTY ASSOCIATED WITH THEM DOE SHALL TREAT THE WASTE CATEGORIES DESCRIBED ABOVE TO MEET LDR REQUIREMENTS ON THE FOLLOWING SCHEDULE:

- 700 CUBIC METERS BY 12/31/04;
- 1,800 CUBIC METERS (CUMULATIVE) BY 12/31/05;
- 3,000 CUBIC METERS (CUMULATIVE) BY 12/31/06,
- 4,200 CUBIC METERS (CUMULATIVE BY 12/31/07
- 5,400 CUBIC METERS (CUMULATIVE BY 12/31/08
- 6,600 CUBIC METERS (CUMULATIVE BY 12/31/09
- 7,600 CUBIC METERS (CUMULATIVE) BY 12/31/10;
- 8,600 CUBIC METERS (CUMULATIVE) BY 12/31/11.

IF THE ACTUAL VOLUME OF NEWLY GENERATED OR RETRIEVED CH-TRUM COVERED BY THIS MILESTONE IS LOWER THAN THE ESTIMATED VOLUMES ANTICIPATED BY THESE MILESTONES DOE WILL ONLY BE REQUIRED TO TREAT THE VOLUME OF WASTE GENERATED, RETRIEVED AND/OR IN STORAGE. IF THE ACTUAL VOLUME OF NEWLY GENERATED OR RETRIEVED CH-TRUM COVERED BY THIS MILESTONE IS SIGNIFICANTLY MORE THAN THE ESTIMATED VOLUMES THE PARTIES' MAY AGREE TO REVISE THESE REQUIREMENTS.

5. FOR CH TRANSURANIC WASTE NEWLY GENERATED ON OR AFTER 7/1/11 THAT IS DESIGNATED IN ACCORDANCE WITH WAC 173-303-070 THROUGH 100 AS MIXED AND AS CONTAINING LDR RESTRICTED CONSTITUENTS, DOE SHALL TREAT SUCH WASTES TO MEET LDR REQUIREMENTS PURSUANT TO WAC 173-303-140 WITHIN ONE YEAR OF GENERATION.

DOE MAY CHOOSE TO COMPLETE CERTIFICATION OF CH TRANSURANIC WASTE FOR DISPOSAL AT WIPP IN LIEU OF LDR TREATMENT, PROVIDED THAT ECOLOGY IS NOTIFIED IN WRITING OF SUCH COMPLETION OF CERTIFICATION, AND ONLY IF, AS OF THE TIME OF CERTIFICATION, SUCH WASTE IS EXEMPT FROM LDR TREATMENT REQUIREMENTS WHEN DISPOSED AT WIPP. IF DOE CHOOSES TO CERTIFY IN LIEU OF TREATMENT, IT MAY MEET THE VOLUME REQUIREMENTS SPECIFIED IN THIS MILESTONE FOR ANY GIVEN YEAR BY CERTIFYING CH TRU OR CH TRUM. , PROVIDED THAT 1) ALL CH TRUM IN PERMITTED STORAGE AS OF 12/31/02 IS TREATED TO MEET LDR REQUIREMENTS OR CERTIFIED BY 12/31/2006 AND 2)

ALL CH TRUM IN PERMITTED STORAGE AS OF 7/1/11 IS TREATED TO MEET LDR REQUIREMENTS OR IS CERTIFIED BY 12/31/2011.

NOTE:-IN THE EVENT THAT ITEMS 4 OR 5 BECOME APPLICABLE, AMOUNTS OF CH TRUM CERTIFIED BETWEEN 12/31/02 AND THE DATE ON WHICH ITEMS 4 OR 5 BECOME APPLICABLE SHALL COUNT TOWARDS SATISFACTION OF THE OBLIGATIONS IN ITEMS 4 AND 5.

EACH REQUIREMENT OF THIS MILESTONE IS CONSIDERED A DISTINCT WORK REQUIREMENT INDEPENDENTLY SUBJECT TO THE ENFORCEMENT PROVISIONS OF THE AGREEMENT.

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M-91 Status Summary 9/27/07

Milestone	Due Date(s)	Status Summary	Comments
General Comments			<p>A. Status of Change Package M-91-07-01: Ecology management provided extensive comments on the change package on May 8. The change package was revised and tentative agreement was again reached in a meeting on July 5. The revised change package is currently in EPA, Ecology and DOE management review. A revised version was provided by Ecology September 20 that proposes changes based on Ecology/EPA discussions. This revision is currently in RL/DOJ/FH review.</p> <p>B. In this table "On-Schedule" means it is anticipated the milestone will be met.</p>
M-91-00: Major Milestone for acquisition of needed facilities/capabilities for mixed and suspect mixed MLLW, and TRUM and suspect TRUM.	TBD	On Schedule	Draft change package M-91-07-01 includes clarifications and changes to definitions in M-91-00.
M-91-01: Facility/Capability Interim Milestone (RH and/or large container TRUM)	6/30/12	At Risk The current understanding is that this milestone will be considered met	<ul style="list-style-type: none"> • Engineering Study and Functional Design Criteria were delivered to EPA and Ecology 9/29/06 (06-AMCP-0311). • Briefed Ecology and EPA on the FDC/ES submittal on October 11, 2006. • Comments on the FDC/ES were received from Ecology on November 13, 2006, and responses were provided December

		<p>by achieving capabilities to treat RH/Large transuranic waste at the rates described in M-91-44. As with M-43 it may be desirable to allow early treatment of some of this waste to count toward the initial annual M-91-44 volume</p>	<p>13, 2006.</p> <ul style="list-style-type: none">• Additional evaluation of alternatives to meet needed capabilities is ongoing and updated information is included in the August PMP update.• Preparing necessary documentation to gain approval for continuation of development of capabilities at T-Plant: The CD-0 package was formally sent to HQ for approval March 26, 2007. Final HQ approval had not been obtained as of September 25, but it was to EM-1. We are proceeding with the alternatives analysis. An alternatives analysis study is expected to be completed by March 2008.
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<p>M-91-03: Submit TRUM/MLLW PMP</p>	<p>12/31/03 (COMPLETE), 12/28/06 (Submitted) 3/31/09, 3/31/13</p>	<p>On Schedule CP M-91-07-01 will delete the 3/09 and 3/13 submittals. These will be replaced by annual June submittals.</p>	<p>Ecology comments on the PMP were received February 8, 2007. Comment responses with a plan for updating the PMP were provided to Ecology March 12, 2007, in accordance with the schedule in Figure 9.1 of the TPA Action Plan. The plan proposed that the updated PMP addressing comments and revisions based on the change package currently being developed (M-91-07-01) will be submitted 90 days after a Tentative Agreement on change package M-91-07-01 is reached. Ecology responded April 24 indicating the revised PMP should be submitted August 30, 2007. Subsequent revisions are proposed annually in June of each year. The response did not address the M-91-07-01 Change Package tentative agreement which was important in consideration of the proposed timing of the PMP revision since the change package would establish critical information that would guide how the PMP should be updated. In order to meet the August PMP due date preparation of the PMP was conducted based on an "assumed agreement" on the July 7, 2007 draft M-91-07-01 change package. The PMP (Rev 3) was delivered to Ecology August 30. Ecology comments are expected by approximately October 1.</p>
<p>M-91-05-T01: Complete RH and or large TRUM retrieval/processing Engineering Study/FDC</p>	<p>12/31/07</p>	<p>Complete</p>	<p>Submitted FDC/ES 9/29/06 (06-AMCP-0311). This met the Target date a year early. Comments on the FDC/ES were received from Ecology on November 13, 2006, and responses were provided December 13, 2006 (AMCP-0060).</p>
<p>M-91-12: CH-MLLW Thermal Treatment (600 m³ cumulative)</p>	<p>11/16/07</p>	<p>Complete (6-14-07)</p>	<p>Documentation for completion of treatment of enough thermal treatment waste to meet the 600 cubic meters milestone was received from Permafrix June 14, 2007, approximately five months before the milestone due date. Thermal treatment volumes above the 600 cubic meters are being applied to M-91-42 MLLW treatment requirements.</p>
<p>M-91-12A:</p>	<p>9/30/05</p>	<p>Complete</p>	<p>Completion letter (05-AMCP-0420) sent to Ecology 9/27/05</p>

CH-MLLW Thermal Treatment (240 m ³)		Met 8-16-05	
M-91-15: RH MLLW and/or Large Size MLLW Treatment	6/30/08	On Schedule	<p>“COMPLETE ACQUISITION OF FACILITIES AND/OR CAPABILITIES AND INITIATE TREATMENT OF RH-MLLW AND CH MLLW IN BOXES AND LARGE CONTAINERS”</p> <ul style="list-style-type: none"> Approval of the M-91-07-01 change package will clarify the requirements of this milestone
M-91-40: Retrieval and designation of CH-RSW (regardless of size)	7200 m ³ cumulative by 12/31/07 and annual retrieval volumes through 2010. Complete retrieval in T-4 by 12/31/06. Plus various other requirements	On Schedule Met 4700 level in November 2006	<ul style="list-style-type: none"> Completed retrieval of 4C Trench 4 waste 11/21/06 Completed retrieval of 4700 cubic meters 1 month early (11/30/06) The April - June SAP quarterly report was sent to Ecology August 14 (no sampling results were received in that quarter). “Step II” sampling (soil sampling in the bottom of and beneath the trenches) is scheduled to start in burial ground W-4C this Fall. 6687 m³ of RSW retrieved as of 9/25/07. Currently plan to start retrieval in E-12B around December, 2007.
M-91-41: Retrieval and Designation of RH RSW (regardless of size)	See comment column	On Schedule (Planning)	<ul style="list-style-type: none"> 1/1/11: Initiate retrieval of RH RSW 12/31/14: Complete non-caisson RH RSW retrieval 12/31/18: Complete 4B RH RSW retrieval
M-91-42: Treatment of non-large size CH-MLLW and certification of non-large size CH TRUM	Annual treatment requirements through 12/31/09 (MLLW), 12/31/11	At Risk For MLLW : Funding above the FY08 President’s Budget level is needed ;	<ul style="list-style-type: none"> Met the MLLW 12/31/06 milestone (4890 cubic meters) 4 months early (Aug 29, 2006). Completion letter sent to Ecology October 27. 5731 m³ of the MLLW subject to this milestone (MLLW-2 through MLLW-10 excluding MLLW-7) has been dispositioned as of 9/20/07 (6520 m³ required by 12/31/07).

	(TRUM)	Behind schedule for CH TRUM certification	<p>Expect to have all waste needed to meet the 12/31/07 milestone shipped by October 19, 2007.</p> <ul style="list-style-type: none"> • A change package is planned to be submitted to Ecology within the next few days proposing moving the 12/31/07 milestone date to 3/31/08 (Draft attached). • Shipped 2419 cubic meters of M-91-42 TRU/M and had accumulated a backlog of 270 cubic meters of certified but not shipped TRU/M bringing the total certified TRU/M counting toward M-91-42 to 2689 as of 9/24/07. • Now have two shifts doing repackaging at T-Plant. Ramp-up is continuing and expect to have 2 lines on each shift doing repackaging by the end of the calendar year. • Repackaged 86 55 gal drums into 98 55s in T-plant in August. • Have obtained most staff for second shift at WRAP (in training). Expect to have all staff and needed training complete to have second shift operational by the end of the calendar year. • • Approximately 86% of the 12/31/02 TRUM backlog had been certified or was determined to be LLW as of mid September.
M-91-43: Designation and treatment of RH and or Large Size MLLW	See Comment Column	On Schedule	<ul style="list-style-type: none"> • Treated 193 m³ of MLLW-07 since 12/31/02. • Clarifications on how M-91-43 will be met are being proposed in change package M-91-07-01. • Pursuing PFNW capability to process containers larger than 10 cubic meters. Currently planning shipment of a large container to test/demonstrate the capability.
M-91-44: Designation of Newly Generated and Stored RH	See Comment Column	At Risk	<ul style="list-style-type: none"> • Existing requirements include: a) Designate all RH and large size Transuranic waste in storage by 12/31/12. b)Begin treating RH and/or large container TRUM at a

and or Large Size Transuranic Waste and Large/RH TRUM certification			minimum rate of 300 cubic meters per year by 6/30/2012
M-91-45: RH and or Large Size Waste Annual Report	9/30/04 and annually thereafter	On Schedule	<ul style="list-style-type: none"> • 2007 report was mailed to Ecology 9/24/07 (07-AMCP-0293). (copy attached)
M-16-93: Submit implementation workplan for acquisition of capabilities necessary to prepare TRU/M waste generated by CERCLA clean-up actions at Hanford for disposal at WIPP.	9/30/2006	Complete	<ul style="list-style-type: none"> • Report Delivered to EPA and Ecology 9/29/06 (06-AMCP-312) • Briefing to EPA and Ecology on workplan October 11, 2006

Fn: M-91 PMM Status table 9-27-07