

**AGENDA  
INTER AGENCY MANAGEMENT INTEGRATION TEAM (IAMIT)  
MEETING**

**April 24, 2001  
1:00 PM – 2:15 PM**

**EPA CONFERENCE ROOM  
712 SWIFT BLVD., SUITE 5**

**CHAIRPERSON: W. W. Ballard**

1:00 pm M-91 DISPUTE RESOLUTION EXTENSION  
(W. Ballard, M. Wilson)

1:05 pm WASTE TREATMENT PLANT BASELINE UPDATE BRIEFING  
(W. Taylor, M. Wilson, D. Sherwood)

1:25 pm PARAGRAPHS 148/149 DISPUTE RESOLUTION DISCUSSION  
(D. Sherwood, M. Wilson, W. Ballard, C. Clark)

1:40 pm U. S. EPA - ENVIRONMENTAL CLEANUP OFFICE, OFFICE OF WASTE  
CHEMICALS MANAGEMENT – ROLES AND RESPONSIBILITIES  
(D. Sherwood, W. Ballard, M. Wilson)

1:55 pm ENVIRONMENTAL ISSUES MANAGEMENT LIST STATUS DISCUSSION  
(H. Rodriguez, M. Wilson, D. Sherwood)

2:15 pm ADJOURN

# EXECUTIVE CORRESPONDENCE



## TIMED TPA CRITICAL CORRES.

IF FOR ANY REASON THIS DOCUMENT CANNOT BE CONCURRED  
ASAP PLEASE CALL GINA AT 376-1906

EXTENSION OF DISPUTE RESOLUTION FROM APRIL 24, 2001, TO MAY 22, 2001, TO RESPOND TO HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (TRI-PARTY AGREEMENT) CHANGE REQUEST M-91-00-04 (FOR M-091-03) AND CHANGE REQUEST M-91-00-03 (FOR M-091-01)

An extension from April 24, 2001, to May 22, 2001, is agreed to by the parties in order to continue dispute resolution discussions at the Project Manager level on the Tri-Party Agreement Change Request M-91-00-04 for M-091-03 "Transuranic (TRU)/Transuranic Mixed (TRUM) Project Management Plan (PMP)."

Furthermore, the related due date for Tri-Party Agreement Change Request M-91-00-03 (for M-091-01) "Complete acquisition of facilities . . . for storage, treatment and disposal of post 1970 TRU/TRUM" is hereby extended from April 24, 2001, to May 22, 2001, to allow for completion of the TRU/TRUM PMP dispute resolution.

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

W. Wade Ballard, Assistant Manager  
for Planning and Integration  
U.S. Department for Energy  
Richland Operations Office

cc: R. Gay, CTUIR  
L. J. Cusack, Ecology  
F. Jamison, Ecology  
R. F. Stanley, Ecology  
D. R. Sherwood, EPA  
J. S. Hertzfel, FHI  
O. S. Kramer, FHI  
E. J. Murphy-Fitch, FHI  
R. E. Piippo, FHI  
T. M. Martin, HAB  
P. Sobotta, NPT  
M. L. Blazek, Oregon Energy  
D. E. McKenney, WMH  
R. Jim, YN  
Administrative Record

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**RETURN IT WITH THE FILE COPIES TO ORIGINATING OFFICE**

# WTP Baseline

Review Team Initial Assessment

4/24/01

# WTP Baseline Assessment

- BNI Baseline includes Scope (Technical), Schedule and Cost
- Technical Baseline Complies with the Contract Requirement
- Schedule Complies with Section F-Milestones
- Funding Profile update exceeds the Contract Target Cost

# WTP Baseline Review

- Technical Requirements
  - Baseline includes all the major facilities necessary to treat and immobilize the tank waste.

*Trying to optimize pre-treatment facility  
insufficient consideration given for replacing equipment (life > 40 yrs)*

# WTP Baseline Review

- Schedule
  - Schedule submitted meets the Contract requirements and dates per Section F.
  - \* Start of Construction does not meet the TPA Milestone of 7/31/01. (TBD in Contract)
  - The late start date for the start of Hot Commissioning is ~3 months past the Contract Specified Date. (See Chart)

- START OF

CON  
PSA

CONTRACT

# WTP Baseline Review

Milestone Description	Contract Dates	Baseline (Early Dates)	Baseline (Late Dates)
M1 Start of Construction	TBD	11/4/02	11/5/02
M2 Start of Cold Commissioning	TBD	2/12/07	4/16/07
M3 Completion of Acceptance Testing	11/30/07	9/19/06	2/15/06
M4 Start of Hot Commissioning	<b>12/31/07</b>	12/11/07	<b>4/9/08</b>
M5 Completion of Hot Commissioning	7/13/11	5/3/10	5/03/10
M6 Completion of Contract Requirements	7/13/11	11/3/10	11/3/10

# WTP Baseline

- Cost
  - Proposed Baseline Cost of \$4.375 Billion exceeds Contract Target Cost of \$3.965 Billion
  - Funding exceeds the funding specified in the contract (Over \$690 Million per year in FY 03, FY 04 and FY 05)

# WTP Baseline

- Acceptability Criteria
  - Review against the criteria continues and expected completion by 5/15/01.
  - Where ORP questions the information, a more thorough review will be preformed. ORP plans to coordinate with BNI to assure DOE has complete understanding of the information.

# WTP Baseline

- Path Forward
  - Continue the Review of the Baseline
  - Consolidate the Team's Review Comments and provide to BNI by May 15, 2001
  - Continue to work closely with BNI
  - Finalize the WTP Baseline as quickly as possible



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600  
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

April 24, 2001

Mr. Harry L. Boston, Manager  
Office of River Protection  
U. S. Department of Energy  
P. O. Box 450  
Richland, WA. 99352

Mr. Keith A. Klein, Manager  
Richland Operations Office  
U. S. Department of Energy  
P. O. Box 550  
Richland, WA. 99352

Dear Messrs. Boston and Klein:

**RE: Hanford Federal Facility Agreement and Consent Order (HFFACO) requirements governing the provision of budget information and coordination between the Parties during the development and allocation of yearly site-wide budgets<sup>1, 2</sup>.**

We are responding to you today at the request of Director Fitzsimmons and Acting Regional Administrator Findley.

To begin, we want to make it clear that our concerns regarding this matter have not been resolved by our receipt of the Department of Energy's (DOEs) April 18, 2001 letter. However, our focus is not on forcing dispute, but on the lack of timely sharing of budget information. HFFACO Paragraphs 148 and 149 were specifically designed by the parties to afford Ecology and EPA detailed budget information with sufficient time for them to consider its implications, to work with DOE in an attempt to resolve differences, and with sufficient time for DOE to make appropriate adjustments (e.g., see HFFACO paragraphs 148(B) and 149(C)(2)). We are concerned that the time frames and process that you have outlined within your letter of April 18 do not allow for this reasoned consideration. We are also concerned that DOE has not provided Ecology and EPA copies of DOE-HQ

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<sup>1</sup> Letter (ORC-158): March 28, 2001; Chuck Findley, Acting Regional Administrator, U. S. Environmental Protection Agency Region 10 and Tom Fitzsimmons, Director, Washington Department of Ecology to Harry L. Boston, Manager, Office of River Protection and Keith A. Klein, Manager Richland Operations Office, U. S. Department of Energy, Richland Washington.

<sup>2</sup> Letter (01-AMI-011), April 18, 2001; Harry L. Boston, Manager, Office of River Protection and Keith A. Klein, Manager Richland Operations Office, U. S. Department of Energy, Richland Washington to Tom Fitzsimmons, Director, Washington Department of Ecology and Chuck Findley, Acting Regional Administrator, U. S. Environmental Protection Agency Region 10.



Messrs. Boston and Klein  
April 24, 2001

Environmental Management planning and/or budget guidance, and subsequent DOE (Hanford site) guidance to its contractors, as required by HFFACO paragraph 149(A). If DOE has not received such guidance from DOE HQ, how can it formulate its 2003 budget? How has the deadline for submittal been established?

In regard to your proposed path forward, we request that DOE provide us all information required by HFFACO paragraphs 148 and 149, including but not limited to: a) FY2002 related information as soon as possible but no later than May 9, 2001 (e.g., See paragraph 149(D)), and b) FY2003 related information as soon as possible but no later than two weeks prior to submittal of its FY2003 request.

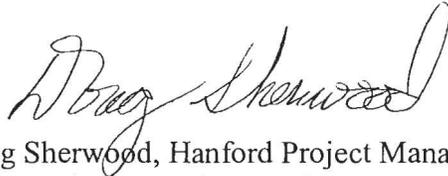
You have specifically proposed that DOE provide its FY2002/2003 budget briefing and information on April 26. As your staffs have known for some time, Ecology management and staff have long had a prior commitment on the 26<sup>th</sup>, making budget-briefing attendance on that date difficult to say the least. We are consequently suggesting that you provide us written information meeting the requirements of paragraphs 148 and 149 later this week and that a follow-on meeting for detailed discussion be scheduled. We understand that this meeting has in fact already been tentatively scheduled for May 3.

Your continued attention to this matter is appreciated.

Sincerely,



Mike Wilson, Manager  
Washington Department of Ecology  
Nuclear Waste Program.



Doug Sherwood, Hanford Project Manager  
U. S. Environmental Protection Agency  
Region 10.

- c. E. A. Livingston, DOE
- C. L. Huntoon, DOE
- M. W. Frei, DOE
- R. Gay, CTUIR
- R. Jim, YN
- P. Sobotta, NPT
- J. S. Hertz,el, FHI
- T. M. Martin, HAB
- M. L. Blazek, OOE
- Administrative Record



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue  
Seattle, WA 98101

April 23, 2001

Reply To  
Attn Of: WCM-127

Mr. Keith Klein  
United States Department of Energy  
Richland Operations Office  
P.O. Box 550, A7-50  
Richland, WA 99352

Dr. Harry Boston  
United States Department of Energy  
Office of River Protection  
P.O. Box 450, MS H6-6  
Richland, WA 99352

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

Dear Mr. Klein, Dr. Boston, and Mr. Fitzsimmons:

As you may know, our current focus on moving forward with a successful tank waste treatment project at Hanford, as well as other key waste management issues, has placed an increasing emphasis on hazardous/dangerous waste issues. Working closely with the Department of Ecology, Region 10 has elected to reflect this need for increased support in the Resource Conservation and Recovery Act (RCRA) program by assigning Dave Bartus of EPA's Office of Waste and Chemicals Management (OWCM) to be co-located on-site with the Washington State Department of Ecology.

To insure that Dave's work is fully integrated with that of EPA's Hanford Project Office, and best meets the objectives of supporting EPA and Ecology waste management work, the Region 10 Offices of Waste and Chemicals Management and the Office of Environmental Cleanup have developed a Memorandum of Agreement outlining the respective roles and responsibilities of Dave and Doug Sherwood in the Hanford Project Office. A copy of this agreement is enclosed for your information.

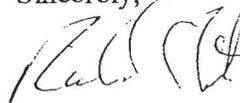
If you have any questions or comments on the Agreement, or on its effectiveness in supporting EPA's RCRA and CERCLA activities at Hanford, please feel free to call us at (206) 553-7151 (Mike) or (206) 553-1847(Rick), respectively.

Sincerely,



Michael Gearheard, Director for  
Office of Environmental Cleanup

Sincerely,



Richard Albright, Director  
Office of Waste and Chemical  
Management

Enclosure

cc: Andy Boyd, ORC  
Joe Schorin, Washington Attorney General  
Mike Wilson, Ecology Nuclear Waste Program  
Joy Turner, Ecology Nuclear Waste Program

**EPA Region 10 Memorandum of Agreement (MOA)  
Regarding CERCLA/RCRA Coordination at the Hanford Reservation  
Between  
Office of Waste & Chemicals Management (OWCM)  
And  
Environmental Cleanup Office (ECL)**

**Purpose**

This Memorandum of Agreement is to clarify the roles and areas of responsibility between the Region 10 OWCM and the ECL Hanford Project Office (HPO). EPA Region 10 has been focused on hazardous waste cleanup and waste management at the Hanford Reservation since the signing of the Tri-Party Agreement (TPA) in 1989. EPA Region 10 established a Hanford Project Office in Richland in 1988 to carry out its responsibilities at four National Priorities List (NPL) sites within the Hanford Reservation. The HPO has also carried out responsibilities related to EPA Region 10's RCRA authorities.

In November 2000, the Washington Department of Ecology (Ecology) requested assistance from EPA Region 10 in the form of a "place-based detail assignment" to work with the Ecology Nuclear Waste Program's (NWP) Kennewick Office. Ecology requested the focus of the detail be assisting the NWP to continue to develop its regulatory capacity in the RCRA area and to focus on EPA direct implementation work necessary to support cleanup and waste management activities at Hanford. EPA Region 10 is in support of Ecology's request and plans to assign Dave Bartus, Senior Policy Analyst, OWCM, on a temporary detail assignment to work with Ecology as requested. This MOA describes the primary roles and responsibilities for Dave Bartus' detail in relationship to the existing and continuing responsibilities of the HPO, led by HPO Manager Doug Sherwood. This agreement will be reviewed periodically to determine whether changes are needed to this and/or other existing agreements (i.e. EPA/Ecology MOA, TPA etc.), beginning with an initial review 3 months after the effective date of this MOA.

**Guiding Principles**

Given the complex, highly-interdependent nature of regulatory aspects of waste management and cleanup at Hanford, work of the Office of Environmental Cleanup/Hanford Project Office and the Office of Waste and Chemicals Management under this MOA will be guided by the following principles:

- 1) Ensuring timely and effective cleanup at Hanford is paramount.
- 2) EPA must establish clear, consistent priorities and guiding principles endorsed by the region when interacting with Ecology and the Department of Energy (DOE) management.
- 3) Clear and effective communications between the two offices, and in particular between Doug Sherwood and Dave Bartus as on-site representatives of these offices, is essential to

ensure that the needs and perspectives of OWCM and ECL are fully addressed in Hanford cleanup work and decisions.

### **Key Contacts & Reporting Responsibilities**

Doug Sherwood, Manager, Hanford Project Office, ECL, serves as the lead Region 10 contact for all Hanford issues and will remain as such under this agreement, except for the RCRA and TSCA-related work described in this MOA. Doug has primary responsibility for implementing this MOA for ECL. Doug reports directly to Mike Gearheard, Director of ECL. Doug will continue to be the primary Hanford contact with OSWER and OECA and OA for cleanup, budget, and TPA matters.

Dave Bartus, Senior Policy Analyst, OWCM, has the primary responsibility for implementing this MOA for OWCM and is the OWCM main point of contact. Dave will continue to report directly to Rick Albright, Director of OWCM. Dave will be lead contact for matters concerning RCRA, PCB, LDRs, delisting, and permitting.

### **Detail Location and Duration**

Dave Bartus will be located at the Department of Ecology, Kennewick, Washington, office for a period of 1 year beginning April 8, 2001. After 1 year, the two offices will review the need for a possible extension of the detail in consultation with Ecology.

### **Communication:**

#### *Internal:*

Regular information exchange between Dave and Doug will be critical. Weekly meetings will be arranged to facilitate regular communication, but updates on ongoing and new issues will not be limited to those meetings. The HPO Office Manager will develop a schedule for these weekly status meetings.

Briefings for senior management both in the region and in HQ will be the responsibility of Doug and Dave for their respective areas of responsibility. For example, OWCM (Dave Bartus) has the responsibility for senior management briefings for the principal areas of responsibility outlined below.

Disputes that may arise between ECL and OWCM for issues that affect both programs will be resolved by elevation of the issue to the office directors. If the office directors cannot reach agreement on an issue, it can be elevated to the Regional Administrator for resolution.

#### *External:*

This MOA will be shared with Ecology, DOE, and other appropriate external parties to ensure clarity of ECL & OWCM responsibilities.

Doug Sherwood, as HPO Manager, will maintain his EPA Region 10 lead role with respect to budget, the TPA (except Ecology-lead Class I change packages, which require EPA signature, as

described below), and communications with the public, Hanford Advisory Board (HAB), Defense Nuclear Facilities Safety Board (DNFSB), and DOE management. Doug is responsible for coordinating with Dave in advance on those matters as appropriate. Dave may attend Hanford Advisory Board meetings for information purposes and to assist HPO in its lead role for preparing advice and briefings in areas of responsibility under this MOA. Dave may communicate with DOE management as necessary to carry out assigned responsibilities under this MOA.

Dave and Doug will coordinate with each other before making any verbal or written agreements with external customers on issues with an impact on both offices.

Work under this MOA is not intended to change in any way the EPA-Ecology relationship under the TPA one-regulator agreement. EPA and Ecology may, of course, elect to modify the one-regulator agreement and/or the implementing Memorandum of Agreement (MOU) as necessary to support Hanford cleanup work.

### **Principal Areas of Responsibility for OWCM Detail Position**

In the November 2000 request from Ecology for an EPA place-based detail assignment, Ecology identified the following as “key functions” that Ecology would like assistance with:

- 1) Continue to lead the resolution of the Polychlorinated Biphenyl (PCB) issues related to the tanks and the tank waste treatment plant
- 2) Lead the delisting for the Effluent Treatment Facility (ETF), mixed waste trenches leachate, and vitrified tank waste.
- 3) Provide support to NWP staff on RCRA permitting and compliance issues.
- 2) Work with NWP subject area specialists to develop and/or provide training, training materials, and guidance documents on RCRA permitting and compliance for existing staff and to create capacity for the training of future new NWP staff.
- 5) Work on specific facility permits that can be completed within the period of the detail.

The following provides additional information on how Dave Bartus will carry out these principal areas of responsibility, with the understanding that HPO, Ecology, and OWCM will be frequently interacting and dependant on each other’s activities. Timely and effective communication beyond the specific instances and roles enumerated below is a prerequisite for success. Further, the fundamental responsibility for RCRA/CERCLA coordination and integration will remain between Ecology and the HPO.

- 3) Serve as lead for developing TSCA risk-based disposal approvals within the OWCM for all elements of the tank waste treatment system. (Note: the Tri-Party Agreement does not

RCRA issues are part of HPO-lead activities. The following are some key examples within this general context:

1) CERCLA & RCRA past-practice waste sites:

HPO will continue to lead EPA's efforts to monitor, investigate, characterize, assess and clean up CERCLA & RCRA past-practice waste sites and associated groundwater plumes. OWCM does not have a substantive role in addressing these waste sites; however HPO may request assistance from OWCM as appropriate and in consultation with Ecology. OWCM will not take positions on behalf of Region 10 on these issues, but will provide input to HPO as requested.

2) Hanford Advisory Board Issues and Advice:

HPO will continue to prepare all responses to HAB advice and request for briefings. To the extent that HPO speaks to RCRA issues from EPA's perspective independent of Ecology as the lead RCRA agency, HPO will seek input from OWCM to ensure consistency at Hanford and across the Region 10 RCRA program in general. HPO does not routinely prepare responses to HAB advice dealing specifically with RCRA issues, and the region expects that practice to continue.

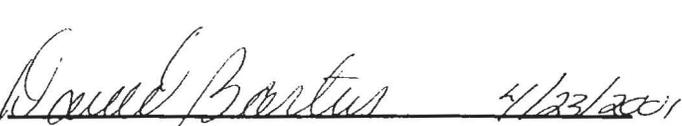
3) TRU Waste Management (M-91)

Will remain a joint HPO/OWCM activity. OWCM involvement will be principally as requested by Ecology under the one-regulator agreement, with full involvement of HPO.

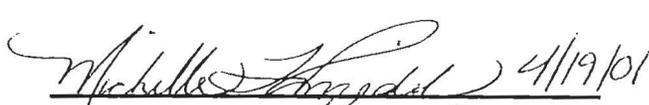
4) PCB Remediation Waste:

With respect to Dave Bartus' work, only tank waste PCB issues are included. Other PCB management issues should be the responsibility of project managers with appropriate coordination between HPO and Ecology staff or referred to Dan Duncan, Region 10 PCB coordinator. Dave may assist HPO project managers as requested in developing risk-based disposal approaches at CERCLA sites along with Dan for purposes of ensuring reasonable consistency between programs and offices.

**Concurrence**

 _____ Date	 _____ Date
Doug Sherwood, Manager Hanford Project Office	Dave Bartus, Senior Policy Analyst Office of Waste & Chemicals Mgmt.

**Approval**

 _____ Date	 _____ Date
Michael Gearheard, Director <sup>for</sup> Environmental Cleanup Office	Richard Albright, Director Office of Waste & Chemicals Mgmt.