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Department of Energy

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MAR 28 1996

96-EAP-015

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

Ms. Mary Riveland, Director
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504-7600

Dear Mr. Clarke and Ms. Riveland:

EXTENSION FOR COMPLETION OF NEGOTIATION ON COMMITMENTS FOR SOLID WASTE AND MATERIALS AT THE HANFORD SITE

Negotiations between the U.S. Department of Energy (DOE) and the State of Washington Department of Ecology (Ecology) were severed on Wednesday March 27, 1996, when Ecology left the negotiating table. Prior to this, negotiations had proceeded in accordance with Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) milestone M-33-00 and the associated "Agreement in Principle" (AIP) approved on June 30, 1995. This AIP specified a negotiation completion date of no later than March 31, 1996.

DOE had entered into these negotiations in good faith and was of the view that the parties had been progressing toward a mutually acceptable goal. Ecology's decision to abandon these negotiations is very troubling. It is apparent that negotiations can not be completed by March 31, 1996. An Extension for Completion of Negotiation of Commitments for Solid Waste and Materials at the Hanford Site, the M-33 Milestone change package, is attached for your approval and signature. However, completion of negotiations requires that both parties participate. I am therefore requesting that Ecology resume negotiations immediately.

The development of appropriate commitments for the storage, processing, and/or disposal of Hanford Site solid waste and materials has proven to be very complex. Based upon this complexity and scope, and upon recommendations made by the Hanford Advisory Board, the U.S. Environmental Protection Agency (EPA), DOE and Ecology had agreed on the necessity to extend the date for completion of these negotiations to June 14, 1996.



Mr. Clarke and Ms. Riveland
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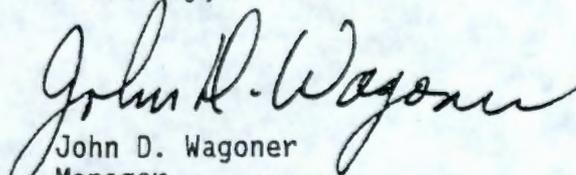
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This extension formalizes the verbal agreement between the lead negotiators for the parties to extend negotiations into June 1996. Additionally, on February 27, 1996, the Tri-Party Agreement Inter Agency Management Integration Team agreed that an extension of these negotiations was appropriate.

The original document is being provided to Ecology for Ms. Riveland's approval. The original document should then be forwarded to the offices of the EPA so that Mr. Clarke's approval may be obtained.

If you have any questions, please contact me, or your staff may contact James E. Rasmussen, of the Environmental Assurance, Permits, and Policy Division, on (509) 376-5441.

Sincerely,


John D. Wagoner
Manager

EAP:FRM

Enclosures

cc w/encl:
L. Arnold, WHC
D. Sherwood, EPA
R. Stanley, Ecology