

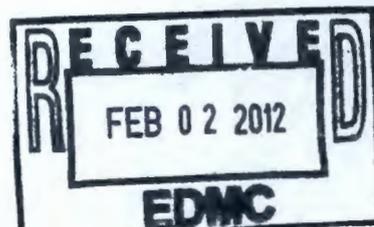


Department of Energy
 Richland Operations Office
 P.O. Box 550
 Richland, Washington 99352

12-AMCP-0065

JAN 27 2012

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



Dear Ms. Hedges:

**PROPOSED EXTENSION OF TRI-PARTY AGREEMENT INTERIM MILESTONE M-037-03
 COMPLETION DATE BY 30 MONTHS**

The purpose of this letter is to notify the State of Washington Department of Ecology (Ecology) that Tri-Party Agreement Interim Milestone **M-037-03**, Submit Revised Closure Plans to support Treatment, Storage, and Disposal (TSD) closure for two TSD Units: 216-B-3 Main Pond System, and 216-S-10 Pond and Ditch, is in jeopardy for completion by the current milestone date of April 30, 2012. This letter transmits Change Control Form M-37-11-02 for your review and approval. This Change Control Form proposes a 30 month extension to Tri-Party Agreement Interim Milestone M-037-03, to be completed October 30, 2014. The change in due date aligns completion of the closure plans with the completion of Tri-Party Agreement Interim Milestone **M-015-38B**, Submit a revised Feasibility Study Report and revised Proposed Plan(s) for the **200-CW-1, 200-CW-3, and 200-OA-1** Operable Units for Waste Sites in the Outer Area of the Central Plateau to the U.S. Environmental Protection Agency. The TSD units identified in Interim Milestone M-037-03 are included in the Outer Area of the Central Plateau, and TSD closure activities will be integrated into the Outer Area remediation defined in completion of Interim Milestone M-015-38B.

Ecology's approval is requested on the attached Change Control Form M-37-11-02. Should Ecology disapprove the Change Control Form, the U.S. Department of Energy Richland Operations Office (RL) will likely invoke the dispute resolution process pursuant to Article VIII, Paragraph 30 of the Tri-Party Agreement. However, RL would anticipate that through a good faith effort to informally resolve this issue with Ecology at the Project Manager's level, a mutually agreeable change form could be developed.

D-2-5
 D-2-7

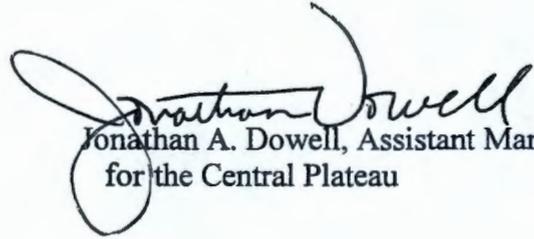
Ms. J. A. Hedges
12-AMCP-0065

-2-

JAN 27 2012

If you have any questions, please contact me, or your staff may contact Briant Charboneau, of my staff, on (509) 373-6137.

Sincerely,

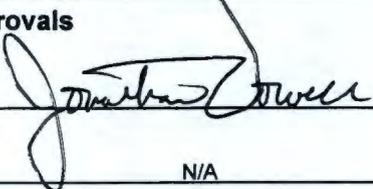
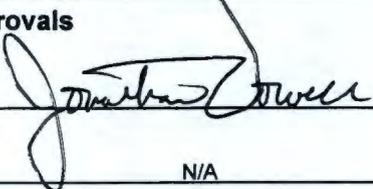
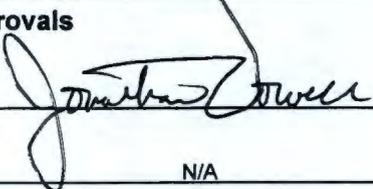

Jonathan A. Dowell, Assistant Manager
for the Central Plateau

AMCP:GLS

Attachment

cc w/attach:

G. Bohnee, NPT
L. Buck, Wanapum
L. C. Buelow, EPA
P. A. Burke, CHPRC
L. M. Dittmer, CHPRC
D. E. Dooley, CHPRC
M. H. Doornbos, CHPRC
D. A. Faulk, EPA
S. Harris, CTUIR
R. Jim, YN
R. A. Kaldor, MSA
S. L. Leckband, HAB
N. M. Menard, Ecology
K. Niles, ODOE
T. W. Noland, MSA
R. E. Piippo, MSA
J. B. Price, Ecology
D. Rowland, YN
Administrative Record (M-37)
Environmental Portal

The Change Number M-37-11-02	Federal Facility Agreement and Consent Order Change Control Form <small>Do not use blue ink. Type or print using black ink.</small>	Date January 24, 2012									
Originator J. A. Dowell		Phone (509) 373-9971									
Class of Change <input type="checkbox"/> I - Signatories <input checked="" type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager											
Change Title Extend Interim Milestone M-037-03, "Submit Revised Closure Plans to support TSD closure for two (2) TSD Units: 216-B-3 Main Pond System, and 216-S-10 Pond and Ditch" due date to October 30, 2014.											
Description/Justification of Change Approval of this change form delays M-037-03 interim milestone by 30 months. The Tri-Parties have agreed to focus cleanup resources on field activities in FY 2012 and FY 2013 consistent with the following priorities: <ul style="list-style-type: none"> · Safe and Compliant Operations · River Corridor Cleanup Completion · Site-wide Groundwater Pump & Treat Operations · Plutonium Finishing Plant (PFP) D&D · Deep Vadose Zone Treatability Testing <p><i>continued on page 2</i></p>											
Impact of Change This change package extends the M-037-03 Interim Milestone by 30 months, to October 30, 2014. Delay of completion of the closure plans aligns the work scope with completion of M-015-38B, <i>Submit a revised Feasibility Study Report and revised Proposed Plan(s) for the 200-CW-1, 200-CW-3, and 200-OA-1 Operable Units for Waste Sites in the Outer Area of the Central Plateau to EPA</i> , which was also extended 30 months and is due October 30, 2014.											
Affected Documents The <u>Hanford Federal Facility Agreement and Consent Order</u> , as amended, and Hanford Site internal planning management, and budget documents (e. g., USDOE and USDOE contractor Baseline Change Control documents; Project Management Plans).											
Approvals <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; border-bottom: 1px solid black;">  <small>DOE</small> </td> <td style="width: 20%; border-bottom: 1px solid black;"> 1.27.12 <small>Date</small> </td> <td style="width: 50%; border-bottom: 1px solid black;"> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> <small>EPA</small> N/A </td> <td style="border-bottom: 1px solid black;"> <small>Date</small> </td> <td style="border-bottom: 1px solid black;"> <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> <small>Ecology</small> </td> <td style="border-bottom: 1px solid black;"> <small>Date</small> </td> <td style="border-bottom: 1px solid black;"> <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved </td> </tr> </table>			 <small>DOE</small>	1.27.12 <small>Date</small>	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved	<small>EPA</small> N/A	<small>Date</small>	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	<small>Ecology</small>	<small>Date</small>	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
 <small>DOE</small>	1.27.12 <small>Date</small>	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved									
<small>EPA</small> N/A	<small>Date</small>	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved									
<small>Ecology</small>	<small>Date</small>	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved									

Description/Justification of change, continued

Based on current resource availability, there are insufficient resources to meet all TPA obligations. The alignment of near-term Central Plateau TPA milestones with these priorities was made through Change Packages (M-15-11-03, M-15-11-04, and M-85-11-01 dated September 14, 2011). In addition, while fully acknowledging DOE's obligation to seek a compliant budget under TPA Article XLVIII, the Tri-Parties anticipate that resources to support all TPA field activities may still be limited through FY 2013. Based on this, and given the priorities listed above, Ecology and DOE agree to extend the completion date for the listed M-037-03 milestone to coincide with completion of Milestone M-015-38B. This milestone requires submittal of a revised Feasibility Study Report and revised Proposed Plan(s) for the Waste Sites in the Outer Area (OA) of the Central Plateau, which will include the TSDs identified in the M-037-03 milestone. Milestone M-015-38B was extended 30 months on September 14, 2011, through Change Package M-15-11-04. Coordinating completion of the two milestones provides integration of the RCRA TSD closure requirements and CERCLA closure in the OA Operable Unit of the Central Plateau.

DOE agrees to pursue funding in accordance with TPA Article XLVIII to minimize the 30 month delay, and Ecology and DOE will continue to assess whether this 30 month delay can be shortened. This agreement is made without waiver of any obligation or reservation under TPA Article XLVIII with respect to any TPA obligation beyond the listed M-037-03 Interim Milestone.

Modifications to the interim milestone are denoted by the use of ~~strikeout~~ to indicate text to be deleted and double underline to indicate text to be added.

<p>M-037-03 <u>Lead</u> <u>Agency:</u> <u>Ecology</u></p>	<p>Submit Revised Closure Plans to support TSD closure for two (2) TSD Units: 216-B-3 Main Pond system, and 216-S-10 Pond and Ditch</p>	<p>04/30/2012 <u>10/30/2014</u></p>
--	---	---