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Sent: Wednesday, July 30, 2008 1:55 PM
To: HANFORD-INFO@LISTSERV.WA.GOV
Subject: ENERGY AND STATE AGREE ON ENFORCEMENT RESOLUTION

This is a message from the Washington State Department of Ecology and the U.S. Department of Energy

Energy and State Agree on Enforcement Resolution

Washington State Department of Ecology (Ecology) has reached an agreement with the U.S. Department of Energy's – Richland Operations Office (USDOE) to resolve two missed waste management milestone provisions of the Hanford Federal Facility Agreement and Consent Order, commonly referred to as the Tri-Party Agreement (TPA).

In 2006 and 2007, USDOE and its contractor Fluor Hanford, Inc., failed to certify the TPA-required volume of transuranic mixed waste (TRUM) so that it could be shipped to a deep geologic repository in New Mexico.

TRUM waste has both radioactive and dangerous waste constituents and resulted from Hanford's production of plutonium for national defense and, more recently, from efforts to clean up plutonium-contaminated facilities and waste sites. Waste to be certified comes from both the retrieval of buried waste and so-called "newly generated" material from cleanup.

The agreement includes payment of a \$25,000 penalty and the commitment to bring an expert from the U.S. Fish and Wildlife Service to Hanford to assist with assessing potential natural resource injuries at the site. Following completion of soil and groundwater clean-up, federal laws require restoration of ecological uses and mitigation of any remaining environmental damages. Assessing the damages to the environment is the first step in preparing a natural resource recovery plan.

"Rather than spending tax dollars on dispute and litigation costs, the agencies worked together to reach an agreement that will benefit the cleanup at Hanford," said Ron Skinnarland, Waste Management Section Manager for Ecology. "Putting some of the penalty proceeds to work at Hanford just makes good sense."

The expert position being created will bring institutional knowledge from the U.S. Fish and Wildlife Service, where natural resource injury assessments are a core business. The addition of natural resource expertise will allow lessons learned at other federal cleanup projects around the country to be shared among the parties.

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