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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1315 W. 4th Avenue • Kennewick, Washington 99336-6018 • (509) 735-7581

April 8, 2002

Mr. James E. Rasmussen
United States Department of Energy
Office of River Protection
P.O. Box 550, MSIN: H6-60
Richland, Washington 99352

RECEIVED
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EDMC

Dear Mr. Rasmussen:

Re: Hanford Federal Facility Agreement and Consent Order, Document
No. 89-10, Rev. 5 (The Tri-Party Agreement), Milestone M-44-00A

The Washington State Department of Ecology is requesting an opportunity to enter into discussions regarding the subject milestone and its associated milestones. We are including a draft of Federal Facility Agreement and Consent Order Change Control Form Change Number M-44-02-01 for your review. If this issue is not resolved within 45 days, a signed change control form will be delivered.

If you have any questions or concerns regarding this letter, please feel free to contact me at (509) 736-3098 or Deborah Singleton at (509) 736-5722.

Sincerely,

Jeff Lyon
Tank Waste Storage Project Manager
Nuclear Waste Program

JL:DS:lkd
Enclosure

cc/enc: Mike Goldstein, EPA
Mary Burandt, USDOE
Wen-Shou Liou, USDOE
Woody Russell, USDOE
Tom Pauley, CHG
Administrative Record: M-44/Tank Characterization
Owen Kramer, FH

cc: William Dixon, CHG
Felix Miera, CHG
R. Gay, CTUIR
Pat Sobotta, NPT
Russell Jim, YN
Todd Martin, HAB
Ken Niles, OOE

DRAFT

Change Number DRAFT M-44-02-01	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date April 8, 2002
Originator Ecology	Phone	
Class of Change <input checked="" type="checkbox"/> I – Signatories <input type="checkbox"/> II – Executive Manager <input type="checkbox"/> III – Project Manager		
Change Title Modification of <u>Hanford Federal Facility Agreement and Consent Order</u> (Agreement) provisions governing characterization deliverables and submittal of Waste Information Requirements Document (WIRD).		
Description/Justification of Change <u>Introduction</u> <p>Agreement modifications are necessary to continue the sampling and analysis for characterization of High Level Waste tanks, the development and submittal of the WIRD, and to achieve compliance with federal and state hazardous waste requirements including the Land Disposal Restriction (LDR) requirements of the Resource Conservation and Recovery Act (RCRA) in a manner equivalent to Site Treatment Plans as required by the Federal Facility Compliance Act of 1992. Ecology submits this M-44-02-01 change, the approval of which will establish / modify Hanford Federal Facility Agreement and Consent Order requirements.</p>		
Impact of Change Work under this M-44-02-01 modification shall be managed through one unified schedule incorporating Agreement milestones and target dates, DOE (internal agency) milestones, and DOE contractor baseline. Modification of DOE contractor baseline(s) and issuance of associated DOE work directives and/or authorizations that are not consistent with Agreement requirements shall not be finalized prior to approval of an Agreement Change Control Form submitted pursuant to Action Plan Section 12.0. On approval of this M-44-02-01 change, Hanford site baselines, internal planning, management, and budget documents will be modified accordingly.		
Affected Documents The <u>Hanford Federal Facility Agreement and Consent Order</u> , as amended, DOE's Annual Land Disposal Restrictions Report, and Hanford site internal planning, management, and budget documents (e.g., Agreement Action Plan, Appendix D, DOE and DOE contractor Baseline Change Control documents; Site-wide Systems Engineering Control documents; Project Management Plans; and the Hanford site Integrated Priority List (IPL).		
Approvals		
_____ Ecology	_____ Date	_____ Approved _____ Disapproved
_____ DOE-ORP	_____ Date	_____ Approved _____ Disapproved
_____ DOE-RL	_____ Date	_____ Approved _____ Disapproved
_____ EPA	_____ Date	_____ Approved _____ Disapproved

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Description/Justification of Change (Cont.)

The following modifications are hereby made to HFFACO major milestone series M-44-00-A (Complete delivery of information requirements as identified in the annually submitted WIRD). Modifications made to existing HFFACO requirements are shown here as either shaded new text or deleted strikeout text as follows:

<u>Number</u>	<u>Milestone</u>	<u>Due Date</u>
M-44-00A	COMPLETE DELIVERY OF INFORMATION REQUIREMENTS AS IDENTIFIED IN THE ANNUALLY SUBMITTED WIRD.	9/30/2028
M-44-13F	SUBMIT DRAFT WIRD TO ECOLOGY ANNUALLY STARTING WITH FISCAL YEAR 2003. ECOLOGY WILL PROVIDE COMMENTS WITHIN 30 DAYS AFTER SUBMITTAL.	6/30/2003 and annually thereafter
M-44-14F	SUBMIT FINAL WIRD TO ECOLOGY ANNUALLY STARTING WITH FISCAL YEAR 2003. IF THE THREE PARTIES DO NOT AGREE ON ANY INDIVIDUAL DELIVERABLE THEN ECOLOGY WILL ISSUE A FINAL DECISION NO LATER THAN SEPTEMBER 30 OF THAT YEAR FOR THE SCOPE OF THE DELIVERABLE. ORP WILL IMPLEMENT THE FINAL DECISION ISSUED BY ECOLOGY. IF ORP DISPUTES THE FINAL DECISION, ECOLOGY'S FINAL DECISION WILL BE IMPLEMENTED DURING THE DISPUTE RESOLUTION PROCESS.	8/31/2003 and annually thereafter
M-44-15G	COMPLETE CHARACTERIZATION DELIVERABLES CONSISTENT WITH WIRD DEVELOPED ANNUALLY STARTING WITH FISCAL YEAR 2003. REPORTING ON PROGRESS OF THESE DELIVERABLES WILL BE DONE IN QUARTERLY REPORTS DUE AT THE END OF THE MONTH FOLLOWING EACH FISCAL YEAR QUARTER. THE FOURTH QUARTERLY REPORT, DUE AT THE END OF OCTOBER, WILL ALSO INCLUDE A YEAR END SUMMARY OF ALL DELIVERABLES DUE FOR THE FISCAL YEAR.	9/30/2003 and
M-44-16E	COMPLETE INPUT OF CHARACTERIZATION WIRD INFORMATION FOR HLW TANKS FOR WHICH SAMPLING AND ANALYSIS WERE COMPLETED PER WIRD, INTO AN ELECTRONIC DATABASE. OFF-SITE ACCESS TO THE DATABASE CONTAINING TANK WASTE CHARACTERIZATION INFORMATION WILL BE MADE AVAILABLE TO EPA AND ECOLOGY.	9/30/2003 and annually thereafter