



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

0100009

12-AMRC-0014

OCT 27 2011

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

Dear Ms. Hedges:

INVOKE TRI-PARTY AGREEMENT DISPUTE AND PROPOSED CHANGE TO TRI-PARTY AGREEMENT MILESTONES M-16-47 AND M-16-51 (DISPUTE INITIATION)

On October 6, 2011, the U.S. Department of Energy Richland Operations Office (RL) submitted Tri-Party Agreement change requests (M-16-11-17 and M-16-11-18) proposing that certain waste sites be excluded from the subject milestones. On October 26, 2011, the State of Washington Department of Ecology (Ecology) formally disapproved the original change requests. RL is invoking dispute pursuant to Tri-Party Agreement Article VIII.F. 0099654

Since the October 6, 2011 submittal of the change control forms, closure of several of the sites identified in the original change control forms have been approved. The purpose of this letter is to provide the new change control forms M-16-11-21 and M-16-11-22 that reflect the current waste site status for Ecology approval. The attached new change control forms propose exclusion of the 100-D-30, 128-H-1, 126-H-2, and 116-H-5 waste sites from the subject milestones. Ecology approval of the attached change control forms will resolve this dispute.

We look forward to working with you and your staff to achieve prompt resolution of the proposed changes, and to meet the December 31, 2011 Tri-Party Agreement Milestones M-16-47 and M-16-51. If you have questions, please contact me or your staff may contact Joanne Chance or Tom Post, of my staff on (509) 376-0811 or (509) 376-3232, respectively.

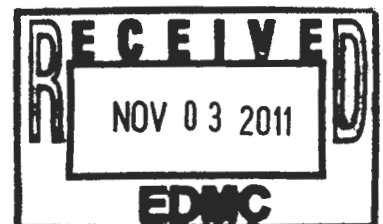
Sincerely,

Joe R. Franco, Assistant Manager
for the River Corridor

AMRC:JPN

Attachments

cc: w/attachs (see page 2)



Ms. J. A. Hedges
12-AMRC-0014

-2-

OCT 27 2011

cc: w/attachs:

D. A. Faulk, EPA

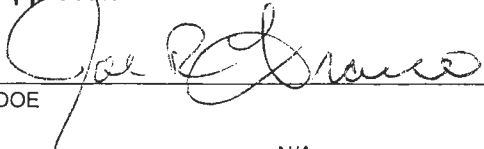
N. M. Menard, Ecology

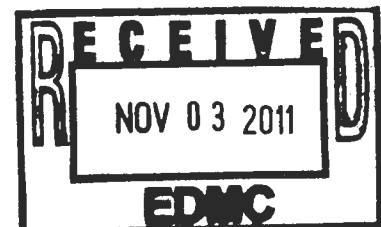
D. L. Plung, WCH


J. B. Price, Ecology

D. M. Yasek, WCH

Administrative Record, H6-08

Change Number M-16-11-21	Federal Facility Agreement and Consent Order Change Control Form <small>Do not use blue ink. Type or print using black ink.</small>	Date October 26, 2011
Originator M. S. French (U. S. Department of Energy, Richland Operations Office [DOE])		Phone (509) 373-9863
Class of Change <input type="checkbox"/> I - Signatories <input checked="" type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager		
Change Title Remove outstanding waste sites from the scope of Tri-Party Agreement milestone M-16-51 "Complete interim remedial actions for 100-H Area", due December 31, 2011.		
Description/Justification of Change <p>The 100-H Area interim milestone M-16-51 was developed in April 2002 to provide a schedule to complete interim remedial actions for waste sites in the 100 Area Remaining Sites Interim Action Record of Decision (July 1999) and the 100 Area Burial Grounds Interim Action Record of Decision (September 2000) from the 100-HR-1 and 100-HR-2 Operable Units.</p> <p>This change proposes removal of the 116-H-5, 126-H-2, and 128-H-1 waste sites from the M-16-51 Tri-Party Agreement Milestone. DOE and Ecology have determined that additional time is needed to address technical issues associated with closure of these waste sites. Extension of the completion date is not intended to supersede TPA change request M-16-11-12, which refined the scope of the milestone</p>		
Authorized Changes: Hanford Federal Facility Agreement and Consent Order Interim Milestone is modified or created as shown below using <u>strikeout</u> to indicate text deletions and <u>underlined</u> to indicate text additions:		
No actual changes to the M-16-51 milestone are required.		
Milestone Number	Milestone Description	Completion Date
M-16-51	Complete the interim response actions for the 100-H Area.	12/31/2011
Impact of Change The 116-H-5, 126-H-2, and 128-H-1 waste sites will be removed from the M-16-51 milestone and closure will be completed under the Tri-Party Agreement Milestone M-16-00A.		
Affected Documents Hanford Federal Facility Agreement and Consent Order, Appendix D Remedial Design Report/Remedial Action Work Plan for the 100 Area, DOE/RL-1996-17, Rev 6		
Approvals		Page 1 of 1
DOE	 _____ Date: 10/27/2011 <input checked="" type="checkbox"/> Approved _____ Disapproved	
EPA	N/A _____ Date: _____ Approved _____ Disapproved	
Ecology	_____ Date: _____ Approved _____ Disapproved	



Change Number M-16-11-22	Federal Facility Agreement and Consent Order Change Control Form <small>Do not use blue ink. Type or print using black ink.</small>	Date October 26, 2011						
Originator M. S. French (U. S. Department of Energy, Richland Operations Office [DOE-RL])		Phone (509) 373-9863						
Class of Change <input type="checkbox"/> I - Signatories <input checked="" type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager								
Change Title Remove outstanding waste sites from the scope of milestone M-016-47 "Complete the interim remedial actions for the 100-D Area," due December 31, 2011.								
Description/Justification of Change <p>The 100 D Area interim milestone M-16-47 was developed in April 2002 to provide a schedule to complete interim remedial actions for waste sites in the 100 Area Remaining Sites Interim Action Record of Decision (July 1999) and the 100 Area Burial Grounds Interim Action Record of Decision (September 2000) from the 100-DR-1 and 100-DR-2 Operable Units.</p> <p>This change proposes removal of the 100-D-30 waste site from the M-16-47 Tri-Party Agreement Milestone. DOE and Ecology have agreed to extend completion of 100-D-30 to allow for additional waste site remediation to be performed. Extension of the completion date is not intended to supersede TPA change request M-16-11-10, which refined the scope of the milestone.</p> <p>Authorized Changes: Hanford Federal Facility Agreement and Consent Order Interim Milestone is modified or created as shown below using <u>strikeout</u> to indicate text deletions and <u>underlined</u> to indicate text additions:</p> <p>No actual changes to M-016-47 milestone are required.</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width:20%;">Milestone Number</th> <th style="width:50%;">Milestone Description</th> <th style="width:30%;">Completion Date</th> </tr> </thead> <tbody> <tr> <td style="text-align:center;">M-016-47</td> <td>Complete the interim remedial actions for the 100-D Area.</td> <td style="text-align:center;">12/31/2011</td> </tr> </tbody> </table>			Milestone Number	Milestone Description	Completion Date	M-016-47	Complete the interim remedial actions for the 100-D Area.	12/31/2011
Milestone Number	Milestone Description	Completion Date						
M-016-47	Complete the interim remedial actions for the 100-D Area.	12/31/2011						
Impact of Change The 100-D-30 waste site will be removed from the M-16-47 milestone and waste site closure will be completed under the Tri-Party Agreement Milestone M-16-00A.								
Affected Documents Hanford Federal Facility Agreement and Consent Order, Appendix D Remedial Design Report/Remedial Action Work Plan for the 100 Area, DOE/RL-96-17, Rev. 6								
Approvals		Page 1 of 1						
DOE	 Date <u>10/27/11</u> <input checked="" type="checkbox"/> Approved _____ Disapproved _____							
EPA	Date _____ <input type="checkbox"/> Approved _____ Disapproved _____							
Ecology	Date _____ <input type="checkbox"/> Approved _____ Disapproved _____							

