

Hanford Federal Facility Agreement and Consent Order
(Tri-Party Agreement)



**FINAL APPROVAL PACKAGE
FOR THE
TENTATIVE AGREEMENT ON HANFORD FEDERAL
FACILITY AGREEMENT AND CONSENT ORDER
REVISIONS IN RESPONSE TO THE COORDINATED
CLOSURE NEGOTIATIONS**

U.S. Department of Energy
U.S. Environmental Protection Agency
Washington State Department of Ecology

March 2020

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**Comments and Responses to the Tentative Agreement
on Negotiations of Hanford Federal Facility Agreement
and Consent Order Revisions in Response to the
Coordinated Closure Negotiations**



In August 2019, the U.S. Department of Energy (DOE), the Washington State Department of Ecology (Ecology), and the U.S. Environmental Protection Agency (EPA), hereinafter referred to as the Parties, completed negotiations on revisions to the *Hanford Federal Facility Agreement and Consent Order* – also referred to as the Tri-Party Agreement (TPA). The TPA identifies how the closure of certain Treatment, Storage, and Disposal (TSD) Units can be coordinated with the clean-up of Past-Practice Units, including remedial action being performed under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and corrective action under the Resource Conservation and Recovery Act (RCRA).

At Hanford, TSD units and past-practice units can be closely associated with each other, either geographically or through similar processes and waste streams. In some cases, these closely associated units share the same ultimate goals based on applicable closure and cleanup requirements, respectively. At the same time, these two categories of units are subject to separate regulatory decision documents—a closure plans in the Hazardous Waste Management Act (HWMA) permit for a TSD unit, and a CERCLA Record of Decision (ROD) and/or a RCRA Corrective Action Decision (CAD) for a past-practice unit—and two different implementation schedules. The proposed changes will update four sections of the TPA Action Plan pertaining to “coordinated closure” and align new and existing TPA milestones in order to prevent overlap and duplication of work, thereby economically and efficiently addressing the contamination. The TPA Action Plan sections related to coordinated closure include:

- Section 3.3, Past-Practice Units
- Section 5.5, Treatment, Storage, and Disposal Units and Past Practice Units Interface
- Section 6.1, Treatment, Storage, and Disposal Unit Process, Introduction
- Section 7.4.2, Resource Conservation and Recovery Act Facility Investigation and Remedial Investigation
- Appendix D, Milestone and Target Dates Including Designation of Lead Regulatory Agency; specifically existing interim milestones M-037-10, M-037-11, and M-037-13, as well as 10 new interim milestones M-037-20, M-037-21, M-037-22, M-037-23, M-037-24, M-037-25, M-037-26, M-037-27, M-037-28, and M-037-29.

The parties briefed the Hanford Advisory Board on October 16, 2019 regarding the proposed changes.

A formal 45-day public comment period on the proposed change control forms was held from October 14, 2019 through November 29, 2019. More than 2,600 copies of the fact sheet were distributed by mail and sent electronically at the start of the public comment period. A notice advertising the start of the comment period ran in the Tri-City Herald newspaper on October 14, 2019.

The Parties received four (4) comments during the public comment period. The comments received and agency responses are below:

Comment 1: From Mike Conlan, Redmond, WA

1. *Remove all nuclear waste,*
2. *Do not allow any more nuclear waste into the facility,*
3. *Replace all the single storage tanks,*
4. *Stop all the nuclear leakage entering the Columbia River*

TPA agency response to Comment 1:

Response to Comment 1 is provided in the same numerical order as presented above.

1: The Parties is working to ensure storage, treatment, and disposal of waste at Hanford is protective of human health and the environment.

2: The proposed TPA and milestone changes allow for better management and integration of certain waste sites subject to closure and the cleanup of past practice waste sites already at Hanford.

3: Single-shell tanks are not in the scope of this comment period, except to the extent that the proposed changes allow for coordinated closure of inactive SST System components that are located outside the Tank Farm Waste Management Areas s. All tanks and ancillary equipment located within the tank farms will be subject to standard RCRA closure plans. The Parties agrees single-shell tanks pose a threat. The Parties believes waste should be removed from the single-shell tanks and placed in compliant double-shell tanks to prepare for eventual treatment in the Waste Treatment and Immobilization Plant.

4: Ground water impacts are being addressed through other technical and regulatory processes for dangerous waste management units, including the 200 area units currently considered for coordinated closure. Ensuring that closure and cleanup of Hanford TSD and waste sites is fully protective of groundwater and surface water is one of the primary goals of the Tri Parties.

Comment 2: From Judy Pigott

I'm writing to comment on the Proposed Coordinated Closure Changes to the Tri-Party Agreement of the Hanford Site. My strong input is that no matter which agency or law is in charge or operating, the decisions reached should be to support the SAFEST (often most costly, but not always) choice. Over many years it has been true that proposals have been made to delay classification, look to waste storage/evaporation/sludge removal to solve serious issues related to contaminant spread, or to assume that taking later action will prove better. I reject these approaches, and hope that interim storage will not be implemented except where it's in support of a fully-funded and currently undertaken approach to full clean up. The Capsule Interim Storage Operating Unit 19, being added to the Site-wide Permit sounds pretty good.

Thank you.

TPA agency response to Comment 2:

We agree that the final closure and/or clean up should support safe and compliant waste management configuration. The decision process will involve a CERCLA remedial investigation and feasibility study (RI/FS), resulting in an approved record of decision (ROD). In some cases, the decision process will also involve a RCRA Facility Investigation and Corrective Measures Study (RFI/CMS) and Corrective Action Decision (CAD), which will be developed in parallel with the applicable RI/FS and ROD, respectively. The CERCLA regulatory process and the RCRA permitting process are both subject to public review and regulatory approval. The portions of a particular remedial action work plan that are related to an associated RCRA TSD Unit will be incorporated into the Hanford Site-wide Permit through the permit modification process.

The other issues identified by the commenter are outside this TPA modification request.

Comment 3: From Don Meyers

Hi Jennifer Drey, Geof Tyree, David Reeploeg, Alex Smith, Randy Bradberry, Doug Shoop, Brian Vance, Paul Dabbar, and WRPS,

I enjoyed Jennifer L. Drey's article in Senior Times of June 2019, regarding "Alternative treatment methods explored", which pertained to Hanford Cleanup. Wanted to send my thoughts from many past years of Cleanup comments to Jennifer and again to several of Distribution.

My concerns are generally on completion of Hanford Cleanup, and specifically about retrieval of Waste Tank contents. Risks with delaying retrieval of tank liquid waste, some of which was already leaking then, were identified back about 1990! Now the current existence of these same risks is of concern to me. Actually, my main concern is for the health of tank waste retrieval workers, and the prolonged progress of Waste Treatment Plant/ New Facilities construction.

After 25+ years of Hanford Cleanup, we still have most risky conditions existing. Originally we were told to get tank waste retrieved as high priority to assure no contamination to the Groundwater, Columbia River and Environment. Also to minimize risk to Workers' Health, the Public and the Columbia Corridor.

My previous Cleanup comments have included an "Alternate Approach" for completing Hanford Cleanup in an optimum way. Concerns with continual increases in cost and schedule towards completion of Hanford Cleanup are renewed with each annual Hanford Budget Meeting. Action on the FY 2018 Budget requires a Realistic PLAN for completing Cleanup in a Safe, Timely and Cost Effective way. That PLAN will be the basis for an optimum Spending Proposal that Congress can approve and fund. The Spending Proposal must be safe for workers, utilize proven methods and equipment, and meet realistic radiological levels.

My recommended action for generating that Realistic PLAN is to:

- 1. Get all authors of the Tri Party Agreement (TPA) together and revisit, evaluate and update the existing very stringent TPA requirements*

2. *PLAN how to meet those updated and more realistic Requirements, sell the Proposal to Congress, and obtain Time/Funding to get the Hanford Cleanup Done! SAVE TIME, RISK, AND COST!*
3. *Retrieve high risk liquid wastes from tanks, basins, cribs, etc. with past proven Hanford methods, (i.e. sluicing and evaporating).*
4. *Dispose of structures/solid waste volumes in-place - some could become Monuments for our Manhattan Project Historical National Park?*
5. *Clean the 324 Bldg. and non-retrievable solid waste storage sites of radioactivity as much as possible, then isolate and caccoon similar to reactors.*
6. *Complete Cleanup this way with funds separate from Waste Vitrification Plant, with its problems and two separate waste streams.*

*For years now, Hanford Cleanup has struggled to meet very stringent Tri Party Agreement (TPA) requirements, i.e. to restore the Site to its original natural state. A PLAN is now needed to **complete Cleanup in a realistic manner!** The present approach requires retrieval, handling, re-identification, and repackaging of previously disposed waste. These operations result **in generating more waste while exposing workers to more danger, radiation and inhalation exposure.***

*Its time NOW, for all original authors of TPA to get together and revisit those tough requirements. Applying "lessons learned" and characterizing waste retrieved from original storage and disposal locations can show what true and realistic extent of cleanup- is required. **That would be a good unanimous basis for The PLAN!***

*I think back over all the years of Time, Spending, Risk, and added Waste Generation during Hanford Cleanup. The Risks we have been **very fortunate to dodge** include those to River, Groundwater, Public, River Corridor, and Workers' Health. I get the feeling that our President Trump will not be too impressed with our overall cleanup progress, much more its economical and optimization aspects.*

Wonder what He would think of the above "Alternate Approach" features which have been suggested over the years? That cleanup approach has been rejected by the authors of the Tri Party Agreement (TPA), which established very stringent requirements (now found to be unreasonable!).

*Those authors must realize by now that The TPA should be revisited by an "in the-know" group to arrive at a more realistic approach **to complete Cleanup.** President Trump would surely consider a simpler, more cost effective and quicker cleanup approach that's still within all acceptable risk limits. You can bet that a simpler and more economical completion of construction/use of the Vitrification Plant would also result!*

*Congress and our Country wants HANFORD to get this Cleanup done in a safe, timely and cost effective way, then help other nuclear sites cleanup in similar what. **Surely we can get more new DOE contracts here to develop other types of clean energy at Hanford/PNNL, where nuclear work is welcomed!***

TPA agency response to Comment 3:

These comments are unrelated to the TPA modification request for implementing coordinated closure. Therefore, no further response is provided.

Comment 4: From Anonymous Author

Following are comments on the proposed changes to the Tri-Party Agreement as announced for the 45 day comment period from October 14 to November 29, 2019¹. According to the Fact Sheet and the proposed agreement these changes are intended to:

- *"Integrate and streamline Resource Conservation and Recovery Act (RCRA) closures with Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) actions to clean up Hanford's nuclear waste,"*
- *"Add the needed details (per the change summary table) to the TPA for better coordination and alignment of schedules for closure and past-practice cleanup actions," and*
- *Align milestones "to prevent overlap and duplication of work, thereby economically and efficiently addressing the contamination."*

The review package includes 4 change forms. The changes appear to be a reaction to the inclusion of both RCRA and CERCLA facilities in the same operable unit, so that there are dual regulatory authorities by EPA and the Washington Department of Ecology over decisions to be implemented.

Change Nos. P-03-19-01, No. P-05-19-01, No. P-06-19-01, and P-07-19-01

I noticed that risk is not among the seven prioritization criteria listed on page 3 of the P-03-19-01 control form for assigning CERCLA past practice and selected RCRA TSD facilities to the operable units.

The Government Accountability Office just released a new report, GAO-19-339². This report points out that DOE needs to evaluate risk and the impact of new decisions. The proposed changes appear to be a good place to start that process.

If the goal is to efficiently address contamination by making the proposed paperwork changes, it might help to revisit the groupings of units and estimate the number of new pages of paperwork. Risk might be more effectively addressed by seeking out the high risk places that have a potential for subsidence or release, instead of by geographic area. For example, tank 241-Z-361 has risks that differ significantly from other locations in its operable unit, and it is at risk of subsidence.

1. *The page 3 criteria did not address the waste contribution from each of the past practice or TSD waste sites to the ERDF disposal site. A mass balance to show what should go to ERDF as a priority for risk reduction could be helpful in looking at efficiency and the impact on other decisions,. Do the amounts to be exhumed from the operable units exceed the ERDF*

¹ Tentative Agreement on Tri-Party Agreement Revisions in Response to the Coordinated Closure Negotiations, dated July 2019, August 26, 2019

² GAO-19-339, *Environmental Liabilities, DOE Would Benefit from Incorporating Risk-Informed Decision-Making into Its Cleanup Policy*, September 2019.

capacity? The entire Hanford site cannot be cleaned to pristine levels of contamination. Which removals actually make a difference?

2. *Instead of reducing work, the addition of Coordinated Closure Proposals and negotiations appears to create more paperwork, which subtracts from funding available for actual remediation. CERCLA and RCRA have the same goals, to protect the public and the environment. Why not just pick one set of rules and follow it? Adding permit modification documentation to past practice units may not add any value. I would appreciate if the spirit of the paperwork reduction act could be invoked, so that extended reviews and disputes do not create new costs. Or perhaps EPA and Ecology could agree in advance on general risk-based terms so that work going forward does not have so many individual negotiations. Let's adopt each other's documents, not re-write them. Rewriting existing documents to incorporate coordinated closure proposals should be avoided because it is no-value-added rework.*
3. *Each of these Change Control Forms states that "no work schedules or milestones are impacted by this change. " How can this be true if DOE and Ecology and EPA will be writing more and negotiating more documents in the form of coordinated closure plans? Doesn't each new action take time/cost money? Certainly a work schedule will change if staff are working on the new plans instead of other work. How many coordinated closure proposals will there be across all of the TPA? What will be the cost for each? Was there a process review performed to look at the details? Was there a quality management or "Kaizen" quality improvement session? The new documents do not appear to be informed by a root cause analysis of why they were proposed in the first place. Perhaps they are not the best solution.*

Change No. M-37-19-01, Modification of M-037 Series Milestones in TPA Appendix D

4. *Change Control Form M-37-19-01 modifies TPA milestones by deleting milestones with firm dates and replacing them with instructions to "submit concurrently" with another milestone (makes the reader hunt) or to be due "within 270 days of the last decision signatures for the operable unit (dates unknown). The milestones are for the new scope of work associated with writing the coordinated closure proposals. They insert 270 days of work, followed by reviews, which by all accounts, have in the past been protracted and subject to dispute. The most recent TPA monthly report (September 2019), for example, uses the word "dispute" a dozen times in reference to TPA milestones. GAO has noted³ that schedule delays are associated with re-negotiated milestones and that the delays increase the overall costs of cleanup. As a result, could you consider alternative approaches? What about inserting the basis for coordinated closure in each of the records of decision, and forgoing new documents? The Records of Decision for what to do could benefit from a prior discussion of how the work will be accomplished, instead of disputes after the fact.*

I would appreciate if you will consider these comments in support of the TPA revisions.

³ GAO-19-207, Nuclear Waste - DOE Should Take Actions to Improve Oversight of Cleanup Milestones, February 2019.

TPA agency response to Comment 4:

Commenter recommends adding to the list of criteria used to assign past-practice units and TSD units to particular operable units (OUs), as set forth in TPA Action Plan Section 3.3, in order to provide for more risk-based decision making. Commenter also identified GAO-19-335 in support of risk-based decision making for clean-up and corrective action.

The assignment of past-practice units and TSD units to particular OUs is largely an administrative exercise, which does not have a substantive impact on subsequent regulatory decisions regarding the scope of remedial actions that need to be performed as part of closure and/or cleanup.

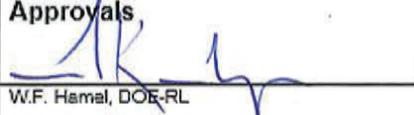
Regardless of whether or not the coordinated closure framework is used, all TSD units must be closed pursuant to WAC 173-303-610 and must have approved closure plans incorporated into the Site-wide permit.

Commenter provides recommendations for addressing coordinated closure within the context of CERCLA clean-up without generating coordinated closure plans. Ecology is required to issue closure plans for all of Hanford's Dangerous Waste Management Units (DWMUs), which fall under the State's delegated RCRA authority (Hazardous Waste Management Act, RCW 70.105, and Dangerous Waste regulations, WAC 173-303). The proposed TPA strategy involves the preparation of those RCRA closure plans in coordination with CERCLA investigation and decision documents in order to minimize unnecessary duplication of work while still ensuring compliance with applicable legal requirements. Coordination of clean-up activities is desired when a DWMU falls within or is otherwise associated with a CERCLA Operable Unit (OU). DOE plans to prepare and submit coordinated closure plans when the appropriate CERCLA documents are available, thereby using the investigation work performed under CERCLA to inform the closure decisions made for associated DWMUs. By implementing this process, both sets of legal requirements will be met and duplication of closure and/or remediation work, will actually be minimized or eliminated.

Hanford Federal Facility Agreement and Consent Order
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**Final Change Control Forms for Tentative Agreement
on Negotiations of Hanford Federal Facility Agreement
and Consent Order Revisions in Response to the
Coordinated Closure Negotiations**



Change Number P-03-19-01	Federal Facility Agreement and Consent Order Change Control Form	Date 06/20/2019	
Originator Mostafa Kamal		Phone 376-0289	
Class of Change <input type="checkbox"/> I – Signatories <input checked="" type="checkbox"/> II – Executive Managers <input type="checkbox"/> III – Project Managers			
Change Title Modify Tri-Party Agreement (TPA), Action Plan, Section 3.3, Past-Practice Units, to Reflect RCRA Closures as Part of CERCLA Actions			
Description/Justification of Change This change control form modifies the TPA Action Plan, Section 3.3, Past-Practice Units, to be consistent with TPA Action Plan, Section 5.5, Treatment, Storage, and Disposal Units and Past-Practice Units Interface. This change proposes to modify the RCRA Facility Investigation/Corrective Measures (RFI/CM) documents to past-practice documents pursuant to TPA Action Plan, Section 5.5, Treatment, Storage, and Disposal Units and Past Practice Units Interface. This change control form was coordinated with the following change control forms in the Coordinated Closure negotiations: <ul style="list-style-type: none"> • P-05-19-01, Modify TPA, Action Plan, Section 5.5, Treatment, Storage, and Disposal Units and Past-Practice Units Interface, to Reflect RCRA Closures as Part of CERCLA Actions, • P-06-19-01, Modify TPA, Action Plan, Section 6.1, Treatment, Storage, and Disposal Unit Process, Introduction, • P-07-19-01, Modify TPA, Action Plan, Section 7.4.2, Resource Conservation and Recovery Act Facility Investigation and Remedial Investigation, and • M-37-19-01, Modification of M-037 Series Milestones in TPA Appendix D. 			
Impact of Change No work schedules or milestones are impacted by this change.			
Affected Documents The Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement), as amended.			
Approvals		Page 1 of 3	
 W.F. Hamal, DOE-RL	03/19/2020 Date		Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>
 R.G. Hastings, DOE-ORP	3/18/20 Date		Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>
 A.K. Smith, Ecology	3/20/2020 Date		Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>
DAVID EINAN Digitally signed by DAVID EINAN Date: 2020.04.14 15:12:12 -07'00' D.R. Einar, EPA	Date		Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>

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Authorized Changes

Modifications to the HFFACO are displayed by using double underline to indicate added text and ~~strikeout~~ to indicate deleted text.

3.3 Past-Practice Units

A past-practice unit is a waste management unit where wastes or substances (intentionally or unintentionally) have been disposed and that is not subject to regulation as a TSD unit as specified in Section 3.2.

Due to the relatively large number of past-practice units at the Hanford Site, a process has been established for organizing these units into groups called operable units. The concept of operable units is to group the numerous units (primarily by geographic area) into manageable components for investigation and response action and to prioritize the cleanup work to be done at the Site.

The WIDS (see Section 3.5) contains information on waste management units that was used to support the development of operable units. This information, combined with operable unit identification and prioritization criteria described in this section, resulted in the designation of operable units across the Hanford Site (see Appendix C). Each of the operable units will be subject to an investigation in the form of either a CERCLA or a RCRA-CERCLA past-practice process as described in Sections 7.3 and 7.4, respectively. Appendix C includes a list of all the past-practice units on the Hanford Site by operable unit. In addition, current listings of all the past-practice units on the Hanford Site are maintained electronically in the WIDS.

Some TSD units, primarily land disposal units, will be investigated and managed in conjunction with past-practice units and have been assigned to appropriate operable units (see Appendix B for current assignment of TSD groups/units to operable units).¹ The information necessary for performing RCRA closures within an operable unit will be provided in coordination with various past-practice RFI/CMS documents pursuant to Section 5.5. These documents will include a coordinated past practice site investigation/RCRA closure/RCRA corrective action approach in order to efficiently implement applicable regulations. Those TSD units not assigned to an operable unit are typically treatment or storage units that are likely to be “clean closed” as described in Section 6.3.1.

¹ These TSD units have been assigned to appropriate operable units for the sole purpose of coordinating the development and implementation of closure plans for such TSD units with the investigation and remediation of closely associated past-practice units, in accordance with the process described in Action Plan Section 5.5. These assignments are purely administrative in nature and do not in and of themselves subject any TSD unit to the CERCLA decision-making process.

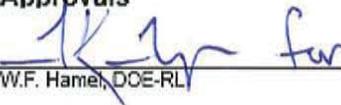
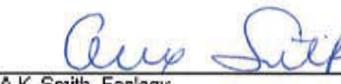
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Individual past-practice units (and selected TSD units) have been assigned to a specific operable unit based on the following criteria:

- General patterns of waste disposal from specific process sources
- Spatial relationship to other waste units
- Contribution to the same groundwater contaminant plume
- Physical characteristics of area (e.g., geologic/hydrogeologic)
- Access considerations (e.g., buildings, buried pipes)
- Anticipation of similar remedial action strategy (economy of scale)
- Reasonable number of total units to effectively manage.

In addition to the operable units discussed above, groundwater operable units can be established where multiple sources from different operable units have contributed to the same plume. Operable units that are associated with a groundwater operable unit are referred to as source operable units. The schedule for investigation of each groundwater operable unit will coincide with the schedule for investigation of the source operable unit that is the major contributor to the plume. Other associated source operable units that are lower priority will be investigated at a later time, in accordance with the established criteria for prioritization of operable units.

Change Number P-05-19-01	Federal Facility Agreement and Consent Order Change Control Form		Date 06/20/2019
Originator Mostafa Kamal			Phone 376-0289
Class of Change <input type="checkbox"/> I – Signatories <input checked="" type="checkbox"/> II – Executive Managers <input type="checkbox"/> III – Project Managers			
Change Title Modify Tri-Party Agreement (TPA), Action Plan, Section 5.5, Treatment, Storage, and Disposal Units and Past-Practice Units Interface, to Reflect RCRA Closures as Part of CERCLA Actions			
Description/Justification of Change This change control form modifies the TPA Action Plan, Section 5.5, Treatment, Storage, and Disposal Units and Past-Practice Units Interface, to coordinate the development and implementation of closure plans for such Treatment, Storage and Disposal (TSD) units with the investigation and remediation of closely associated past-practice units. This change proposes to change Remedial Investigation/Feasibility Study (RI/FS) to Coordinated Closure (CC) Proposal. This change control form was coordinated with the following change control forms in the Coordinated Closure negotiations: <ul style="list-style-type: none"> • P-03-19-01, Modify TPA, Action Plan, Section 3.3, Past-Practice Units, to Reflect RCRA Closures as Part of CERCLA Actions, • P-06-19-01, Modify TPA, Action Plan, Section 6.1, Treatment, Storage, and Disposal Unit Process, Introduction, • P-07-19-01, Modify TPA, Action Plan, Section 7.4.2, Resource Conservation and Recovery Act Facility Investigation and Remedial Investigation, and • M-37-19-01, Modification of M-037 Series Milestones in TPA Appendix D. 			
Impact of Change No work schedules or milestones are impacted by this change.			
Affected Documents The Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement), as amended.			
Approvals			Page 1 of 4
 W.F. Hamel, DOE-RL	for <u>03/18/2020</u> Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	
 R.G. Hastings, DOE-DRP	for <u>3/18/20</u> Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	
 A.K. Smith, Ecology	for <u>3/20/2020</u> Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	
DAVID EINAN D.R. Einan, EPA	Digitally signed by DAVID EINAN Date: 2020.04.14 15:19:12 -07'00' Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	

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Authorized Changes

Modifications to the HFFACO are displayed by using double underline to indicate added text and ~~strikeout~~ to indicate deleted text.

5.5 Treatment, Storage, and Disposal Units and Past Practice Units Interface

In some cases, TSD units are closely associated with past-practice units at the Hanford Site, either geographically or through similar processes and waste streams. Although disposition of all TSD ~~such~~ units must be managed in accordance with Section 6.0, a procedure to coordinate the TSD unit closure and ~~or~~ other applicable dangerous waste permitting activity with the past-practice investigation and/or remediation activity is necessary to prevent overlap and duplication of work, thereby economically and efficiently addressing the contamination. In Appendix B, selected TSD groups/units, primarily land disposal units, were ~~have been~~ initially assigned to operable units based on the criteria defined in Section 3.3.

In order to coordinate the development and implementation of closure plans for such TSD units with the investigation and remediation of closely associated past-practice units, DOE will provide Ecology with ~~The~~ information necessary for performing RCRA closures/postclosures within an operable unit will be provided in various RFI/CMS documents to satisfy any outstanding closure plan requirements under WAC 173-303-610(3) in the form of one or more Coordinated Closure (CC) Proposals. Each CC Proposal will be submitted to Ecology as a permit modification request in accordance with WAC 173-303-830(4) and in conjunction with the submission of the associated past-practice document(s) to the lead regulatory agency for the operable unit, pursuant to the applicable milestone(s) set forth in Appendix D.¹

The type of information required for each CC Proposal will depend on the category of past-practice documents with which it is associated. Unless otherwise agreed to in writing by DOE and Ecology, the timing and content of each CC proposal shall be consistent with the following requirements:

1. Coordination with Proposed Plan and/or Proposed Correction Action Decision

To request the use of alternative requirements under WAC 173-303-610(1)(e), DOE must provide Ecology with a CC Proposal for the applicable TSD unit(s) in conjunction with its submission of the Proposed Plan and/or Proposed Corrective Action Decision for the associated operable unit. CC Proposals submitted in accordance with this paragraph must:

¹ In the event that there is a conflict between the requirements of Appendix I and the requirements of this Section as applied to the Single-Shell Tank System, the requirements of Appendix I shall control.

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- Set forth the justification for the use of alternative requirements as required by WAC 173-303-610(1)(e)(i)–(ii);
- Identify which closure requirements are proposed to be replaced with alternative requirements and describe the alternative requirements that would apply, to the extent such information is available, as required by WAC 173-303-610(3)(a)(ix); and
- Explain how closure of the TSD unit(s) using the proposed alternative requirements will comply with the closure performance standard set forth in WAC 173-303-610(2)(a), as required by WAC 173-303-610(3)(a)(i).

2. Coordination with Remedial Design/Remedial Action Work Plan and/or Corrective Measures Implementation Work Plan

For all TSD units being closed in coordination with closely associated past-practice units, DOE must provide Ecology with a CC Proposal for the applicable TSD unit(s) in conjunction with its submission of the Remedial Design/Remedial Action Work Plan and/or Corrective Measures Implementation Work Plan for the associated operable unit. Each CC Proposal submitted in accordance with this paragraph must:

- Provide all outstanding closure information required by WAC 173-303-610(3)(a)(i)–(vii)²;
- Provide all outstanding post-closure information required by WAC 173-303-610(8)(b), as applicable; and
- If DOE has requested the use of alternative requirements for closure of the applicable TSD unit(s) under WAC 173-303-610(1)(e), provide all outstanding information required by WAC 173-303-610(3)(a)(ix).

~~The initial workplan will contain a Sampling and Analysis Plan (SAP) for the associated RCRA units and it will outline the manner in which RCRA closure/postclosure plan requirements will be met in the work plan and subsequent documents. The selected closure/postclosure method and associated design details will (unless otherwise agreed to by the parties) be submitted as part of the CMS report at a later date, as specified in the work plan.~~

² Because DOE does not use trust funds to establish financial assurance, WAC 173-303-610(3)(a)(viii) does not apply. In addition, if DOE has requested the use of alternative requirements for closure of the applicable TSD unit(s), the extent of information required by WAC 173-303-610(3)(a)(i)–(vii) will be determined by the scope of the Director’s determination made for the applicable TSD unit(s) pursuant to WAC 173-303-610(1)(e).

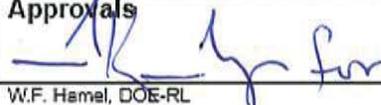
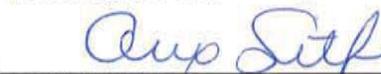
Tentative Agreement on Tri-Party Agreement Revisions in Response to the Coordinated Closure Negotiations

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The ~~information proposed closure/postclosure activities~~ contained in a CC Proposal must ~~the CMS report will:~~ (1) ~~meet RCRA closure standards and requirements~~ include all information required by the milestone and/or permit condition under which the CC Proposal is submitted, (2) be consistent with closure requirements specified elsewhere in the Hanford Site-Wide (RCRA) permit, and (3) be coordinated with the recommended remedial action(s) for the associated operable unit and any applicable post-closure care requirements. Additionally, the closure/post-closure implementation schedule will reflect an overall prioritization between closure/post-closure and other remedial activities within the subject operable unit, considering environmental protection, health and safety, availability of technology, etc.

Each CC Proposal ~~RFI/CMS closure document will~~ must be structured such that RCRA closure requirements ~~can be readily~~ are identified as separate and distinct from the CERCLA or RCRA Corrective Action requirements contained in the past-practice document(s), for a separate review/approval process and so that all applicable RCRA closure/post-closure requirements can be easily incorporated into the existing closure plan(s) for the applicable TSD unit(s) in the RCRA Permit. If at a later date TSD groups/units need to be deleted from or added to an operable unit, the procedures defined in Section 12.2 will be used.

Ecology, the EPA, and DOE agree that past-practice authority may provide the most efficient means for addressing mixed-waste groundwater contamination plumes originating from a combination of TSD and past-practice units. However, in order to ensure that TSD units within the operable units are brought into compliance with RCRA and State hazardous waste regulations, Ecology intends, subject to part four of the Agreement, that all response or corrective actions, excluding situations where there is an imminent threat to the public health or environment as described in Section 7.2.3, will be conducted in a manner which ensures compliance with the technical requirements of the HWMA (Chapter 70.105 RCW and its implementation regulations). In any case, the parties agree that CERCLA remedial actions and, as appropriate, HSWA corrective measures will comply with ARARs.

Change Number P-06-19-01	Federal Facility Agreement and Consent Order Change Control Form		Date 06/20/2019
Originator Mostafa Kamal			Phone 376-0289
Class of Change <input type="checkbox"/> I – Signatories <input checked="" type="checkbox"/> II – Executive Managers <input type="checkbox"/> III – Project Managers			
Change Title Modify Tri-Party Agreement (TPA), Action Plan, Section 6.1, Treatment, Storage, and Disposal Unit Process, Introduction			
Description/Justification of Change This change control form modifies the TPA Action Plan, Section 6.1, Treatment, Storage, and Disposal Unit Process, Introduction, to change RCRA Facility Investigation/Corrective Measures (RFI/CM) documents to past-practice documents pursuant to TPA Action Plan, Section 5.5 Treatment, Storage, and Disposal Units and Past-Practice Units Interface, and adds the requirement of RCRA and the State of Washington Hazardous Waste Management Act, Chapter 70.105 RCW, and pertains to all units that were used to store, treat, or dispose of mixed waste after August 19, 1987. This change control form was coordinated with the following change control forms in the Coordinated Closure negotiations: <ul style="list-style-type: none"> • P-03-19-01, Modify TPA, Action Plan, Section 3.3, Past-Practice Units, to Reflect RCRA Closures as Part of CERCLA Actions, • P-05-19-01, Modify TPA, Action Plan, Section 5.5, Treatment, Storage, and Disposal Units and Past-Practice Units Interface, to Reflect RCRA Closures as Part of CERCLA Actions, • P-07-19-01, Modify TPA, Action Plan, Section 7.4.2, Resource Conservation and Recovery Act Facility Investigation and Remedial Investigation, and • M-37-19-01, Modification of M-037 Series Milestones in TPA Appendix D. 			
Impact of Change No work schedules or milestones are impacted by this change.			
Affected Documents The Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement), as amended.			
Approvals			
 W.F. Hamel, DOE-RL	for 03/10/2020 Date	Approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>
 R.G. Hastings, DOE-ORP	3/18/20 Date	Approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>
 A.K. Smith, Ecology	3/20/2020 Date	Approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>
DAVID EINAN D.R. Einan, EPA	Digitally signed by DAVID EINAN Date: 2020.04.14 15:21:56 -07'00' Date	Approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>

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Authorized Changes

Modifications to the HFFACO are displayed by using double underline to indicate added text and ~~strikeout~~ to indicate deleted text.

6.0 Treatment, Storage, and Disposal Units

6.1 Introduction

This section discusses the requirements of RCRA and the State of Washington Hazardous Waste Management Act, Chapter 70.105 RCW, and pertains to all units that were used to store, treat, or dispose of (1) RCRA hazardous waste and hazardous constituents after November 19, 1980; (2) State-only hazardous waste after March 12, 1982; or (3) mixed waste after August 19, 1987; and units at which such wastes will be stored, treated, or disposed in the future, except as provided by 173-303-200 WAC.

A list of these units, or grouping of units, is provided in Appendix B. Section 3.0 identifies the criteria by which these units will be scheduled for permitting and closure actions.

Some of the TSD groups/units (primarily land disposal units) have been included in operable units, as discussed in Section 3.3.⁷ The information necessary for performing RCRA closures within an operable unit will be provided in coordination with various ~~past-practice RFI/CMS or RI/FS~~ documents. These documents will include a coordinated past-practice site investigation/RCRA closure/RCRA corrective action approach in order to implement applicable regulations ~~as discussed in pursuant to~~ Section 5.5.

Some of the TSD groups/units (primarily those located within large processing facilities) will be integrated with the disposition of the facility, and therefore closed in accordance with the process defined in Section 8.0. These units are those that have physical closure actions that need to be done in conjunction with the physical disposition actions in the facility (e. g. removal of structural components). Even though TSD units are closed in accordance with Section 8.0, applicable requirements defined in this section still apply (e.g. 6.5 Quality Assurance).

⁷ These TSD units have been assigned to appropriate operable units for the sole purpose of coordinating the development and implementation of closure plans for such TSD units with the investigation and remediation of closely associated past-practice units, in accordance with the process described in Action Plan Section 5.5. These assignments are purely administrative in nature and do not in and of themselves subject any TSD unit to the CERCLA decision-making process.

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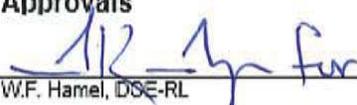
Currently identified actions necessary to bring TSD units into compliance with Federal and State laws are identified in the work schedule (see Appendix D) including necessary interim milestones. These interim milestones are consistent with the major milestones for achieving interim status compliance requirements specified in Section 2.4. A schedule for completing interim status compliance actions is provided as part of Appendix D.

The RCRA land disposal restrictions (LDR) require that established treatment requirements be met prior to land disposal of hazardous wastes. While treatment capacity generally exists for the nonradioactive hazardous wastes which are subject to LDR, treatment is currently not available for some of the mixed wastes subject to LDR which require storage at the Hanford Site.

Ecology has received authorization from EPA to implement ~~certain~~ LDR provisions of RCRA pursuant to Section 3006 of RCRA. Accordingly, these authorized state provisions are effective in lieu of the Federal requirements. ~~Both EPA and Ecology anticipate that Ecology will receive authorization for the additional LDR provisions in the future. EPA and Ecology intend to use the LDR provisions under M-26 and other HSWA provisions which have comparable state analogs that have not yet been authorized as an example of regulatory streamlining at the Hanford Site, by designating Ecology as the lead regulatory agency for those provisions under applicable state law.~~ This includes review and approval of LDR annual reports, plans, and schedules for compliance with M-26-00. ~~While EPA must retain legal authority over portions of the LDR which are not yet authorized to the state, EPA will not assign staff to oversee the routine completion of activities related to M-26-00.~~ In the event that EPA involvement in a specific matter is requested by Ecology or is otherwise necessary, Ecology staff will brief EPA and EPA will become involved to the extent necessary to help resolve that specific matter. EPA and Ecology intend that such involvement on the part of EPA will be the exception, rather than the rule.

In accordance with Milestone M-26-00, DOE has submitted the "Hanford Land Disposal Restrictions Plan for Mixed Wastes," (LDR Plan) to Ecology, as the lead regulatory agency. This plan describes a process for managing mixed wastes subject to LDR at the Hanford Site and identifies actions which will be taken by DOE to achieve full compliance with LDR requirements.

These actions will be taken in accordance with approved schedules specified in the LDR Plan and in the Work Schedule (Appendix D). The DOE will submit annual reports which shall update the LDR Plan and the prior annual report, including plans and schedules. The annual report will also describe activities taken to achieve compliance and describe the activities to be taken in the next year toward achieving full compliance. The LDR Plan and annual reports are primary documents, subject to review and approval by Ecology. Ecology also has approval authority for schedules in the LDR Plan and annual reports. Changes to approved final schedules must be made in accordance with the Change Control System described in Section 12.0.

Change Number P-07-19-01	Federal Facility Agreement and Consent Order Change Control Form		Date 06/20/2019
Originator Mostafa Kamal			Phone 376-0289
Class of Change <input type="checkbox"/> I – Signatories <input checked="" type="checkbox"/> II – Executive Managers <input type="checkbox"/> III – Project Managers			
Change Title Modify Tri-Party Agreement (TPA), Action Plan, Section 7.4.2, Resource Conservation and Recovery Act Facility Investigation and Remedial Investigation			
Description/Justification of Change <p>This change control form modifies the TPA Action Plan, Section 7.4.2, Resource Conservation and Recovery Act Facility Investigation and Remedial Investigation, to change RCRA Facility Investigation/Corrective Measures (RFI/CM) and Remedial Investigation/Feasibility Study (RI/FS) documents to past-practice documents pursuant to TPA Action Plan, Section 5.5 Treatment, Storage, and Disposal Units and Past-Practice Units Interface.</p> <p>This change control form was coordinated with the following change control forms in the Coordinated Closure negotiations:</p> <ul style="list-style-type: none"> • P-03-19-01, Modify TPA, Action Plan, Section 3.3, Past-Practice Units, to Reflect RCRA Closures as Part of CERCLA Actions, • P-05-19-01, Modify TPA, Action Plan, Section 5.5, Treatment, Storage, and Disposal Units and Past-Practice Units Interface, to Reflect RCRA Closures as Part of CERCLA Actions, • P-06-19-01, Modify TPA, Action Plan, Section 6.1, Treatment, Storage, and Disposal Unit Process, Introduction, and • M-37-19-01, Modification of M-037 Series Milestones in TPA Appendix D. 			
Impact of Change No work schedules or milestones are impacted by this change.			
Affected Documents The Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement), as amended.			
Approvals			Page 1 of 2
 W.F. Hamel, DSE-RL	03/19/2020 Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	
 R.G. Hastings, DOE-ORP	3/18/20 Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	
 A.K. Smith, Ecology	3/20/2020 Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	
DAVID EINAN Digitally signed by DAVID EINAN Date: 2020.04.14 15:24:23 -07'00' D.R. Einan, EPA	Date	Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/>	

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Authorized Changes

Modifications to the HFFACO are displayed by using double underline to indicate added text and ~~strikeout~~ to indicate deleted text.

7.4.2 Resource Conservation and Recovery Act Facility Investigation and Remedial Investigation

Each RCRA Facility Investigation (RFI) and Remedial Investigation (RI) will address all past-practice units within a specific operable unit, as identified in the RFI/CMS and RI/FS work plan. Certain operable units also contain TSD units, primarily land disposal units that are to be investigated and managed in conjunction with past-practice units. The information necessary for performing RCRA closures within an operable unit will be provided in coordination with various past-practice RFI/CMS and RI/FS documents ~~as discussed in pursuant to~~ Section 5.5. Timing for submittal of the work plan will be in accordance with the work schedule (Appendix D).

An RFI and RI report will be prepared by the DOE, and it will document the results of the RFI and RI. The RFI and RI report is a primary document as described in Section 9.0. The schedule for conducting the RFI and RI will be specified for each operable unit in the work schedule (Appendix D) and integrate any planned facility dispositioning in accordance with Section 8. The information obtained through the RFI and RI must include information gathered in the CERCLA process through the RI Phases I and II, as described in Sections 7.3.3 and 7.3.6.

Based on the results of the RFI and RI, the lead regulatory agency may determine that no further investigation or corrective action is required for each R-CPP unit in an operable unit. The project manager from the lead regulatory agency for that operable unit may direct the DOE to conduct a CMS and FS based on results of the RFI.

Alternatively, a CERCLA RI prepared as described in Section 7.3.2, 7.3.3 and 7.3.6 may substitute for an RFI and RI.

Change Number M-37-19-01	Federal Facility Agreement and Consent Order Change Control Form		Date 7/01/2019
Originator Mostafa Kamal			Phone 509-376-0289
Class of Change <input type="checkbox"/> I – Signatories <input checked="" type="checkbox"/> II – Executive Managers <input type="checkbox"/> III – Project Managers			
Change Title Modification of M-037 Series Milestones in TPA Appendix D			
Description/Justification of Change <p>The U.S. Department of Energy, Richland Operations Office (DOE-RL) and the Washington State Department of Ecology (Ecology) began informally negotiating changes to the M-037 series milestones in June 2018 as part of the "Coordinated Closure" Initiative. The DOE-RL and Ecology agreed there was good cause to coordinate the development and implementation of closure plans for such Treatment, Storage and Disposal (TSD) units with the investigation and remediation of closely associated past-practice units.</p> <p>This change control form was coordinated with the following change control forms in the Coordinated Closure negotiations:</p> <ul style="list-style-type: none"> • P-03-19-01, Modify TPA, Action Plan, Section 3.3, Past-Practice Units, to Reflect RCRA Closures as Part of CERCLA Actions, • P-05-19-01, Modify Tri-Party Agreement (TPA), Action Plan, Section 5.5, Treatment, Storage, and Disposal Units and Past-Practice Units Interface, to Reflect RCRA Closures as Part of CERCLA Actions, • P-06-19-01, Modify TPA, Action Plan, Section 6.1, Treatment, Storage, and Disposal Unit Process, Introduction, and • P-07-19-01, Modify TPA, Action Plan, Section 7.4.2, Resource Conservation and Recovery Act Facility Investigation and Remedial Investigation. 			
Impact of Change This change control form deletes Interim milestones M-037-10, M-037-11, and M-037-13 and creates 10 new interim milestones. NOTE: the TSDs in milestone M-037-10 were added into new milestone M-037-21, the TSDs in milestone M-037-11 were added into new milestone M-037-23, and the TSD in milestone M-037-13 was added into new milestone M-037-24.			
Affected Documents The Hanford Federal Facility Agreement and Consent Order (HFFACO), 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		Approved	Disapproved
 W.F. Hamel, DOE-RL	03/19/2020 Date	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 A.K. Smith, Ecology	3/20/2020 Date	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A		<input type="checkbox"/>	<input type="checkbox"/>
EPA		<input type="checkbox"/>	<input type="checkbox"/>

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Authorized Changes

Modifications to HFFACO Appendix D, “Milestones and Target Dates Including Designation of Lead Regulatory Agency,” are denoted by using ~~strikeout~~ to indicate text deletions and double underline to indicate text additions.

Number	Milestone	Due Date
<p>M-037-10 Lead Regulatory Agency: Ecology</p>	<p>Complete Unit Specific Closure Requirements according to the closure plan(s) for six (6) TSD Units: 207 A South Retention Basin, 216 A 29 Ditch, 216 A 36B Crib, 216 A 37-1 Crib, 216 B 63 Trench, and Hexone Storage and Treatment Facility (276 S 141/142).</p>	<p>09/30/2020</p>
<p>M-037-11 Lead Regulatory Agency: Ecology</p>	<p>Complete unit specific closure requirements for two (2) TSD Units: 216 B 3 Main Pond system and 216 S 10 Pond and Ditch.</p>	<p>09/30/2024</p>
<p>M-037-13 Lead Regulatory Agency: Ecology</p>	<p>Complete Unit Specific Closure Requirements according to the closure plan 241 CX Tank System (241 CX 70/71/72).</p>	<p>09/30/2022</p>
<p><u>M-037-20</u> Lead Regulatory Agency: Ecology</p>	<p><u>If requesting the use of alternative requirements for closure of the 216-A-29 Ditch, 216-A-36B Crib, 216-A-37-1 Crib, and/or 216-B-63 Trench under WAC 173-303-610(1)(e), DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4). The CC Proposal shall be submitted to Ecology at the same time as the Proposed Corrective Action Decision/Proposed Plan for the 200-EA-1 OU is submitted to Ecology pursuant to M-015-92B.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include the following information:</u></p> <ol style="list-style-type: none"> 1. <u>Justification for the use of alternative requirements as required by WAC 173-303-610(1)(e)(i)-(ii);</u> 2. <u>Identification of which closure requirements are proposed to be replaced with alternative requirements and description of the alternative requirements that would apply, to the extent such information is available, as required by WAC 173-303-610(3)(a)(ix); and</u> 3. <u>Explanation of how closure of the TSD unit(s) using the proposed alternative requirements will comply with the closure performance standard set forth in WAC 173-303-610(2)(a), as required by WAC 173-303-610(3)(a)(i).</u> 	<p><u>Submit concurrently with M-015-92B</u></p>

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Number	Milestone	Due Date
<p><u>M-037-21</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4) for the following TSD Units: 216-A-29 Ditch, 216-A-36B Crib, 216-A-37-1 Crib, and 216-B-63 Trench. The CC Proposal shall be submitted to Ecology within 270 days of the last CAD/ROD signature for the 200-EA-1 OU.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include all outstanding closure information required by WAC 173-303-610(3)(a)(i)–(vii) and, as applicable, all outstanding post-closure information required by WAC 173-303-610(8)(b). If the use of alternative requirements has been requested for closure of any of these TSD Units under WAC 173-303-610(1)(e), the CC Proposal shall also include all outstanding information required by WAC 173-303-610(3)(a)(ix).</u></p>	<p><u>Within 270 days of the last CAD/ROD signature for the 200-EA-1 OU</u></p>
<p><u>M-037-22</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>If requesting the use of alternative requirements for closure of the 216-B-3 Main Pond system and/or 216-S-10 Pond and Ditch under WAC 173-303-610(1)(e), DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4). The CC Proposal shall be submitted to Ecology at the same time as the Proposed Plan for the 200-OA-1 OU is submitted to EPA pursuant to M-015-38B.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include the following information:</u></p> <ol style="list-style-type: none"> <u>1. Justification for the use of alternative requirements as required by WAC 173-303-610(1)(e)(i)–(ii);</u> <u>2. Identification of which closure requirements are proposed to be replaced with alternative requirements and description of the alternative requirements that would apply, to the extent such information is available, as required by WAC 173-303-610(3)(a)(ix); and</u> <u>3. Explanation of how closure of the TSD unit(s) using the proposed alternative requirements will comply with the closure performance standard set forth in WAC 173-303-610(2)(a), as required by WAC 173-303-610(3)(a)(i).</u> 	<p><u>Submit concurrently with M-015-38B</u></p>

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Number	Milestone	Due Date
<p><u>M-037-23</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4) for the following TSD Units: 216-B-3 Main Pond system and 216-S-10 Pond and Ditch. The CC Proposal shall be submitted to Ecology within 270 days of the last ROD signature for the 200-OA-1 OU.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include all outstanding closure information required by WAC 173-303-610(3)(a)(i)–(vii) and, as applicable, all outstanding post-closure information required by WAC 173-303-610(8)(b). If the use of alternative requirements has been requested for closure of any of these TSD Units under WAC 173-303-610(1)(e), the CC Proposal shall also include all outstanding information required by WAC 173-303-610(3)(a)(ix).</u></p>	<p><u>Within 270 days of the last ROD signature for the 200-OA-1 OU</u></p>
<p><u>M-037-24</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4) for the following TSD Units: 241-CX Tank System (CX-70, CX-71, and CX-72) and Inactive SST Components outside the WMAs. The CC Proposal shall be submitted to Ecology within 270 days of the last CAD/ROD signature for the 200-IS-1 OU.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include all outstanding closure information required by WAC 173-303-610(3)(a)(i)–(vii) and, as applicable, all outstanding post-closure information required by WAC 173-303-610(8)(b). If the use of alternative requirements has been requested for closure of any of these TSD Units under WAC 173-303-610(1)(e), the CC Proposal shall also include all outstanding information required by WAC 173-303-610(3)(a)(ix).</u></p>	<p><u>Within 270 days of the last CAD/ROD signature for the 200-IS-1 OU</u></p>

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Number	Milestone	Due Date
<p><u>M-037-25</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>If requesting the use of alternative requirements for closure of the Inactive SST Components Outside the WMAs under WAC 173-303-610(1)(e), DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4). The CC Proposal shall be submitted to Ecology at the same time as the Proposed Corrective Action Decision/Proposed Plan for the 200-IS-1 OU is submitted to Ecology pursuant to M-015-92C.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include the following information:</u></p> <ol style="list-style-type: none"> 1. <u>Justification for the use of alternative requirements as required by WAC 173-303-610(1)(e)(i)–(ii);</u> 2. <u>Identification of which closure requirements are proposed to be replaced with alternative requirements and description of the alternative requirements that would apply, to the extent such information is available, as required by WAC 173-303-610(3)(a)(ix); and</u> 3. <u>Explanation of how closure of the TSD unit(s) using the proposed alternative requirements will comply with the closure performance standard set forth in WAC 173-303-610(2)(a), as required by WAC 173-303-610(3)(a)(i).</u> 	<p><u>Submit concurrently with M-015-92C</u></p>

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Number	Milestone	Due Date
<p><u>M-037-26</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>If requesting the use of alternative requirements for closure of any of the Green Island TSD units located in the Low-Level Burial Grounds under WAC 173-303-610(1)(e), DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4). The CC Proposal shall be submitted to Ecology at the same time as the Proposed Corrective Action Decision/Proposed Plan for the 200-SW-2 OU is submitted to Ecology pursuant to M-015-93B.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include the following information:</u></p> <ol style="list-style-type: none"> 1. <u>Justification for the use of alternative requirements as required by WAC 173-303-610(1)(e)(i)–(ii);</u> 2. <u>Identification of which closure requirements are proposed to be replaced with alternative requirements and description of the alternative requirements that would apply, to the extent such information is available, as required by WAC 173-303-610(3)(a)(ix); and</u> 3. <u>Explanation of how closure of the TSD unit(s) using the proposed alternative requirements will comply with the closure performance standard set forth in WAC 173-303-610(2)(a), as required by WAC 173-303-610(3)(a)(i).</u> 	<p><u>Submit concurrently with M-015-93B</u></p>
<p><u>M-037-27</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4) for the following TSD Units: Low-Level Burial Grounds Green Islands. The CC Proposal shall be submitted to Ecology within 270 days of the last CAD/ROD signature for the 200-SW-2 OU.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include all outstanding closure information required by WAC 173-303-610(3)(a)(i)–(vii) and, as applicable, all outstanding post-closure information required by WAC 173-303-610(8)(b). If the use of alternative requirements has been requested for closure of any of the Green Island TSD Units under WAC 173-303-610(1)(e), the CC Proposal shall also include all outstanding information required by WAC 173-303-610(3)(a)(ix).</u></p>	<p><u>Within 270 days of the last CAD/ROD signature for the 200-SW-2 OU</u></p>

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Number	Milestone	Due Date
<p><u>M-037-28</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4) for all TSD Units in the 221-B Canyon Facility. The CC Proposal shall be submitted to Ecology within 270 days of the last CAD/ROD signature for the 200-CB-1 OU.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include all outstanding closure information required by WAC 173-303-610(3)(a)(i)–(vii) and, as applicable, all outstanding post-closure information required by WAC 173-303-610(8)(b). If the use of alternative requirements has been requested for closure of any of these TSD Units under WAC 173-303-610(1)(e), the CC Proposal shall also include all outstanding information required by WAC 173-303-610(3)(a)(ix).</u></p>	<p><u>Within 270 days of the last CAD/ROD signature for the 200-CB-1 OU</u></p>
<p><u>M-037-29</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>DOE shall submit a Coordinated Closure (CC) Proposal as a permit modification request pursuant to WAC 173-303-830(4) for the following TSD Units: PUREX Tunnels 1 and 2 and all TSD Units in the PUREX Canyon Facility. The CC Proposal shall be submitted to Ecology within 270 days of the last CAD/ROD signature for the 200-CP-1 OU.</u></p> <p><u>The CC Proposal shall be prepared in accordance with the process described in TPA Action Plan Section 5.5 and include all outstanding closure information required by WAC 173-303-610(3)(a)(i)–(vii) and, as applicable, all outstanding post-closure information required by WAC 173-303-610(8)(b). If the use of alternative requirements has been requested for closure of any of these TSD Units under WAC 173-303-610(1)(e), the CC Proposal shall also include all outstanding information required by WAC 173-303-610(3)(a)(ix).</u></p>	<p><u>Within 270 days of the last CAD/ROD signature for the 200-CP-1 OU</u></p>