

START

AGREEMENT IN PRINCIPLE

EVALUATION OF HANFORD TANK WASTE REMEDIATION ALTERNATIVES

The U.S. Department of Energy (USDOE) has recently completed a fifteen month "rebaselining" study of Hanford's Tank Waste Remediation System. The study examined a wide range of technical issues and activities associated with the safe storage, retrieval, treatment, and disposal of Hanford's tank wastes. As a result of this effort, USDOE believes there exists a compelling technical rationale for restructuring the tank waste remediation program.

USDOE, the U.S. Environmental Protection Agency (USEPA), and the Washington Department of Ecology (Ecology) agree that the Hanford tank waste remediation program must give the highest priority to the protection of Hanford workers, the public, and the environment. In order to minimize any delay in the retrieval, treatment, and disposal of tank wastes, the three parties further agree that any changes to the tank waste remediation program must be technically sound and compelling. It is recognized, however, that restructuring of the tank waste remediation program could result in major changes to the activities and schedules embodied in the milestones of the Hanford Federal Facility Agreement and Consent Order.

In recognition of the complexity and sensitivity of the issues involved, the three parties believe that a period of six months is needed to jointly examine alternative proposals, consult with the public, and to conclude negotiations on a reasonable course of action for handling Hanford's tank wastes. Furthermore, the three parties believe that this period could also be used to explore and reach agreement on additional measures which could be taken to strengthen the Hanford cleanup effort in general.

Specifically, the USDOE, USEPA, and Ecology:

1. Agree to initiate a formal negotiation process covering tank waste remediation issues, related commitments and other matters identified pursuant to paragraph 3 below under the Hanford Federal Facility Agreement and Consent Order with the goal of concluding such negotiations by September 30, 1993. The parties further agree that in order to avoid additional delays in the event they fail to reach agreement, Ecology shall issue a decision that shall be considered the final written decision of the Director of Ecology in accordance with paragraph 29(D) of the Hanford Federal Facility Agreement and Consent Order, and USEPA shall issue a decision which shall be considered the final written decision of the USEPA Regional Administrator in accordance with paragraph 50(G). Such decisions shall include a determination as to whether the effectiveness of the decision shall be stayed pending resolution of an appeal of the decision by USDOE.



2. Agree to provide opportunities for early and continuing public participation and for consultation with affected Indian tribes and the State of Oregon. It is the goal of the three parties to solicit, consider, and respond to input from affected parties on a regular basis throughout the duration of the negotiations.
3. Agree to suspend the April 1, 1993 vitrification plant start of construction milestone (M-03-05) until September 30, 1993 in order to allow the three parties to examine vitrification options. The parties recognize that a delay in the start of vitrification plant construction will result in a corresponding six-month delay in the start of hot operations. This suspension is contingent upon the parties reaching agreement on the full scope and terms of the negotiations to be undertaken by April 23, 1993. No other terms or conditions of the Hanford Federal Facility Agreement and Consent Order are affected by this suspension.
4. Commit to identify additional measures which will be taken to accelerate cleanup of the Hanford site. The three parties agree to look for such cleanup opportunities both within and outside the current scope of the Hanford Federal Facility Agreement and Consent Order. To this end, USDOE has already committed to:
 - a. In conjunction with USEPA and Ecology, expedite the cleanup of the North Slope and the Arid Lands Ecology Reserve to complete all remediation activities by October 1994.
 - b. Accelerate the decommissioning and decontamination of the B-Reactor water treatment complex, the F-Reactor fan room, and other surplus buildings in the 100 areas of the Hanford site. Such actions will address environmental and safety risks associated with these structures and will allow a demonstration of material recycling.
 - c. Expedite actions to encapsulate the irradiated fuel in the K-East Basin and to provide for the environmentally acceptable final disposition of this fuel.
 - d. Implement the recommendations of its Schedule Optimization Study in cooperation with Ecology and USEPA and where such recommendations are within USDOE's authority to act. Where USDOE lacks the authority to implement study recommendations, USDOE will work with other parties as necessary to pursue implementation of the remaining recommendations. Priority shall be given to recommendations which when implemented could result in significant cost savings and acceleration of environmental restoration activities.
 - e. Incorporate decommissioning and decontamination of major facilities such as PUREX, PFP, UO3 Plant, and N Reactor in the Hanford Federal Facility Agreement and Consent Order and to integrate such activities with other environmental restoration work.

2. Invite USEPA and Ecology to review and comment on the proposed allocations of the President's FY 1994 Environmental Restoration and Waste Management budget for the Hanford Site.

Specific schedules for the above actions and other measures to accelerate cleanup actions will be negotiated by the parties. It is the goal of the parties to complete such negotiations by September 30, 1993.

5. Commit to negotiate changes to the Hanford Federal Facility Agreement and Consent Order which will make its implementation and administration more effective and efficient. At a minimum, the parties agree to negotiate changes to acknowledge and reflect the provisions of the Federal Facilities Compliance Act and to consider other changes to streamline the dispute resolution process.
6. Commit to identify and initiate management measures which can be taken outside the scope of the Hanford Federal Facility Agreement and Consent Order to reduce internal reviews and speed decision making. The Secretary of Energy has committed to work toward decentralizing USDOE's decision making authority.
7. Agree to examine measures which can be taken to ensure better control and containment of Hanford cleanup costs. To this end, the parties will negotiate changes to the Hanford Federal Facility Agreement and Consent Order to provide for the efficient and timely exchange and discussion of work scope and cost information.
8. Agree to identify actions which could be taken as a result of the Hanford cleanup program to support local economic development and diversification and to develop remediation programs which can be applied to environmental cleanup problems nationally. To this end, the parties agree to conduct an economic conference to explore opportunities.

Signed this 31st day of March 1993.

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