



Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352
DEC 17 1999

00-ORL-014

Mr. Michael A. Wilson, Program Manager
Nuclear Waste Program
State of Washington
Department of Ecology
P. O. Box 47600
Olympia, Washington 98504

RECEIVED
JAN 12 2000
EDMC

Dear Mr. Wilson:

POTENTIAL LAND DISPOSAL RESTRICTION (LDR) RESOLUTION OF DISPUTE, AND VIOLATION #4

Reference: Electronic message, from Roger Stanley, State of Washington Department of Ecology, to Hector M. Rodriguez, U.S. Department of Energy, (same subject) dated December 16, 1999. (Attached)

I am not in a position to respond either confirming or denying the agreement of the subject approach to item #4 of the Notice of Correction letter dated June 3, 1999, from Laura Ruud. I believe Mr. Stanley and George Sanders have had extensive discussions on this subject without coming to an agreement. I must defer this question to Mr. Sanders upon his return on January 11, 2000.

If you have any question, please call me on (509) 376-6421.

Sincerely,

Hector M. Rodriguez
Office of Regulatory Liaison

ORL:HMR

Attachment

- cc w/attach:
- L. Cusack, Ecology
- L. Ruud, Ecology
- J. Shorin III, Ecology
- R. F. Stanley, Ecology
- D. Bartus, EPA
- TPA Administrative Record, FDH

Rodriguez, Hector M

From: Stanley, Roger [rost461@ECY.WA.GOV]
Sent: Thursday, December 16, 1999 12:32 PM
To: 'Hector Rodriguez'
Cc: 'george sanders'; 'Jeff Hertzell'; Shorin III, Joseph (ATG); Cusack, Laura; Ruud, Laura; 'dave bartus'
Subject: potential LDR resolution of dispute, and Violation #4 (See L. Ruud NOC dated June 3, 1999)

Hector: Pursuant to our discussion this morning regarding violation #4 (testing, tracking and recordkeeping requirements per 40CFR, Part 268.7).

As I noted, during a discussion with George Sanders on December 14, George asked whether the State anticipated dealing with issue #4 as (either): (1) part of our potential LDR resolution of dispute (covering M-26, NOC violations 1, 2, & 3, etc.), or (2) as a separate matter. This note is to confirm to you that we expect to deal with Violation #4 as a separate matter. As such, and though issue 4 is covered by the Parties October 26, 1999 (LDR) "Mutual Agreement and Extension...", I expect that this issue will be worked separately. Please confirm your agreement to this approach by return e mail. Thanks, RS