

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

**TENTATIVE AGREEMENT ON
HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT
ORDER (TRI-PARTY AGREEMENT) REVISIONS IN RESPONSE TO
THE MILESTONE M-091 SERIES NEGOTIATIONS**

February 2021



**Tentative Agreement on Hanford Federal Facility Agreement and Consent Order
(Tri-Party Agreement) Revisions in Response to the Milestone M-091 Series Negotiations**

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**Tentative Agreement on Hanford Federal Facility Agreement and Consent Order
(Tri-Party Agreement) Revisions in Response to the Milestone M-091 Series Negotiations**



**TENTATIVE AGREEMENT ON
HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (TRI-
PARTY AGREEMENT) REVISIONS IN RESPONSE TO THE MILESTONE M-091
SERIES NEGOTIATIONS**

The U.S. Department of Energy, Richland Operations Office (DOE-RL), the Washington State Department of Ecology (Ecology), and the U.S. Environmental Protection Agency (EPA), hereinafter referred to as the Parties, have concluded negotiations and reached a tentative agreement on proposed changes to the Hanford Federal Facility Agreement and Consent Order (HFFACO) M-091 series milestones.

The Parties reinitiated milestone series M-091 negotiations on July 13, 2020, as they agreed there was a need to establish revisions to the HFFACO, Action Plan, Appendix D to include:

- Submitting Revision of Transuranic (TRUM) Waste and Mixed Low-Level Waste (MLLW) Project Management Plan (PMP) to Ecology,
- Submitting a Change Request to Establish a Schedule for Achieving the Retrieval of Retrievable Stored Waste (RSW),
- Submitting a change request to establish a schedule for achieving the offsite shipment of all TRUM waste (in above ground storage as of June 30, 2009, and in retrievable storage), and
- Completing milestone negotiations initiated under milestone M-091-53, Submit Milestone Change Request to Replace Target Dates for Capabilities to Process TRUM Waste.

The proposed HFFACO change control forms implementing the tentative agreement is attached and listed below:

Change Control Form	Title
M-91-19-02	Establish Due Date of Major Milestone M-091-00 in TPA Appendix D
M-91-19-03	Modification of M-091 Series Milestones and Target Dates in TPA Appendix D

**Tentative Agreement on Hanford Federal Facility Agreement and Consent Order
(Tri-Party Agreement) Revisions in Response to the Milestone M-091 Series Negotiations**

This Tentative Agreement and the HFFACO Change Control Forms are subject to public comment and modification, as required. A notice of the upcoming public comment period for the HFFACO Change Control Forms will be distributed to the public, followed by a 45-day public comment period. Upon conclusion of the public comment period, the Parties will consider the comments and the HFFACO Change Control Forms will be revised, as appropriate. When agreed upon, the HFFACO Change Control Forms will be approved by the Parties, then incorporated into the HFFACO.

Unresolved revisions will be subject to HFFACO dispute resolution as provided for in HFFACO Article VIII and/or Article XVI.

This Tentative Agreement is to take effect upon the signatures of the Parties.

**Tentative Agreement on Hanford Federal Facility Agreement and Consent Order
(Tri-Party Agreement) Revisions in Response to the Milestone M-091 Series Negotiations**



**TENTATIVE AGREEMENT ON
HANFORD FEDERAL FACILITY AGREEMENT AND
CONSENT ORDER (TRI-PARTY AGREEMENT) REVISIONS
IN RESPONSE TO THE MILESTONE M-091 SERIES
NEGOTIATIONS**

William F. Hamel Digitally signed by William F. Hamel
Date: 2021.02.10 16:12:54 -08'00'

William F. Hamel, Assistant Manager
for the River and Plateau
U. S. Department of Energy
Richland Operations Office

Date

David B. Bowen Digitally signed by Bowen,
David (ECY)
Date: 2021.02.05 08:19:44
-08'00'

David B. Bowen, Program Manager
Nuclear Waste Program
Washington State Department of Ecology

Date

David R. Einan Digitally signed by DAVID EINAN
Date: 2021.02.10 12:47:59 -08'00'

David R. Einan, Program Manager
Hanford Project Office
U.S. Environmental Protection Agency

Date

**Tentative Agreement on Hanford Federal Facility Agreement and Consent Order
(Tri-Party Agreement) Revisions in Response to the Milestone M-091 Series Negotiations**

Change Number DRAFT M-91-19-02	Federal Facility Agreement and Consent Order Change Control Form	Date 05/30/2019																																				
Originator Mark French		Phone 509-373-9863																																				
Class of Change <input checked="" type="checkbox"/> I – Signatories <input type="checkbox"/> II – Executive Managers <input type="checkbox"/> III – Project Managers																																						
Change Title Establish Due Date of Major Milestone M-091-00 in TPA Appendix D																																						
Description/Justification of Change The Washington State Department of Ecology (Ecology) and the U.S. Department of Energy, Richland Operations Office (DOE-RL) initiated M-091-53 negotiations on March 15, 2018, as they agreed there was a need to establish revisions to the milestone M-091 series. This change control form establishes the due date of major milestone M-091-00, for completing the treatment to Land Disposal Restriction (LDR) treatment standards for all Hanford Site Resource Conservation and Recovery Act of 1976 (RCRA) mixed low-level waste (MLLW) and RCRA transuranic mixed (TRUM) waste. TPA Change Control Form M-91-09-01 (approved September 15, 2010) stipulated that the due date for the M-091-00 major milestone read “date to be established pursuant to milestone M-091-44T.” This change control form proposes a new due date of September 30, 2050. This change control form also modifies the milestone scope to include “...and RCRA transuranic (TRUM) waste (in above ground storage as of June 30, 2009 and in retrievable storage).”																																						
Impact of Change This change control form modifies the due date for major milestone M-091-00 from "Date To Be Established Pursuant To Milestone M-091-44T" to "09/30/2050". This change control form is being worked in conjunction with Change Control Form M-91-19-03, Modification of M-091 Series Milestones and Target Dates in TPA Appendix D.																																						
Affected Documents HFFACO (Tri-Party Agreement) Action Plan Appendix D, “Work Schedule Milestones and Target Dates Including Designation of Lead Regulatory Agency.”																																						
Approvals <table border="0"> <tr> <td>_____</td> <td>_____</td> <td>Approved</td> <td>_____</td> <td>Disapproved</td> <td>_____</td> </tr> <tr> <td>Brian Vance, DOE</td> <td>Date</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>_____</td> <td>_____</td> <td>Approved</td> <td>_____</td> <td>Disapproved</td> <td>_____</td> </tr> <tr> <td>Michelle Pirzadeh, EPA</td> <td>Date</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>_____</td> <td>_____</td> <td>Approved</td> <td>_____</td> <td>Disapproved</td> <td>_____</td> </tr> <tr> <td>Laura Watson, Ecology</td> <td>Date</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>		_____	_____	Approved	_____	Disapproved	_____	Brian Vance, DOE	Date					_____	_____	Approved	_____	Disapproved	_____	Michelle Pirzadeh, EPA	Date					_____	_____	Approved	_____	Disapproved	_____	Laura Watson, Ecology	Date					Page 1 of 4
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**Tentative Agreement on Hanford Federal Facility Agreement and Consent Order
(Tri-Party Agreement) Revisions in Response to the Milestone M-091 Series Negotiations**

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-091-00 Lead Regulatory Agency: Ecology</p>	<p>Complete the treatment to Land Disposal Restriction (LDR) treatment standards for all Hanford Site <i>Resource Conservation and Recovery Act of 1976 (RCRA)</i> mixed low-level waste (MLLW) and <i>RCRA</i> transuranic mixed (TRUM) waste <u>(in above ground storage as of June 30, 2009 and in retrievable storage)</u>.</p> <p>DOE may choose to complete certification and shipment of TRUM waste for disposal at the Waste Isolation Pilot Plant (WIPP) in lieu of LDR treatment if, as of the time of shipment, such waste is exempt from LDR treatment standards when disposed at WIPP. Notification of certification in support of shipment will be reported at least annually as part of the project manager meetings or quarterly milestone review for inclusion in the administrative record.</p> <p>Definitions "Certification" as used herein is defined as:</p> <ul style="list-style-type: none"> • Completion of all activities necessary for waste to be packaged such that it can meet the Waste Isolation Pilot Plant Waste Acceptance Criteria (WIPP WAC). If subsequent WIPP certification reveals the waste cannot be shipped to WIPP this waste will not count toward meeting the milestone volume requirements (and will be subtracted from meeting such requirements) until such time as it has been determined to meet WIPP WAC or; • The TRUM has been shipped to Idaho. TRUM waste shipped to Idaho may also count toward certification based upon actual shipment to Idaho and contingent upon the waste not returning to the Hanford Site, or; • The waste has been treated to meet LDR treatment standards. <p>"Contact Handled (CH)" waste is a waste container with a surface dose rate less than or equal to 200 millirem per hour.</p> <p>"MLLW" is LLW that is subject to <i>RCRA</i> or 70.105 RCW. "LLW" is defined as radioactive waste that is not spent fuel, high-level waste, TRU waste, byproduct material, or naturally occurring radioactive material.</p> <p>"Remote Handled (RH)" waste is a waste container with a surface dose rate greater than 200 millirem per hour.</p>	<p><u>09/30/2050</u> Date To Be Established Pursuant To Milestone M-091-44T</p>

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Number	Milestone	Due Date
	<p>“Retrievably Stored Waste (RSW)” as used herein is defined as waste that is or was believed to meet the TRU waste criteria when it was placed in the 218-W-4B, 218-W-4C, 218-W-3A and 218-E-12B burial ground trenches after May 6, 1970. RSW does not include waste in containers that have deteriorated to the point that they cannot be retrieved and stabilized (e.g. placed in over-packs) in a manner that would allow them to be transported and designated without posing significant risks to workers, the public or the environment. With respect to any such containers, and with respect to any release of RSW, how to move forward will be determined through the cleanup process set forth in <i>RCRA</i>, <i>CH. 70.105 RCW</i>, and/or the <i>Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)</i> as appropriate. Those processes may result in additional requirements for the remediation of such wastes.</p> <p>“Retrieval of CH RSW” is defined as uncovering CH wastes within DOE’s RSW trenches, removing such CH wastes from the trenches, and transferring the waste to a permitted and compliant treatment, storage or disposal unit or the Environmental Restoration and Disposal Facility (ERDF).</p> <p>“Retrieval of RH RSW” is defined as uncovering RH wastes within DOE’s RSW trenches and caissons, removing such RH wastes from the trenches and caissons, and transferring the waste to a permitted and compliant treatment, storage or disposal unit or the ERDF.</p> <p>“Shipment” is defined as TRUM waste containers leaving the Hanford Site, and includes waste shipped to either Idaho or the Waste Isolation Pilot Plant (WIPP), and contingent upon the waste not returning to the Hanford Site.</p> <p>“Small Containers and Large Containers” as used herein have different meanings depending on whether they are used in reference to MLLW or TRUM waste.</p> <ul style="list-style-type: none"> • When referring to MLLW, small containers are containers less than 10 cubic meters, including 55-gallon drums. A large container is anything not defined as a small container. • When referring to TRUM waste, small containers are 55-gallon drums or smaller containers even if over packed in 85-gallon drums, and WIPP standard waste boxes (SWB). A WIPP SWB is a 1.8 cubic meter steel container that is approximately 0.94 meters in height, 1.8 meters in length, and 1.4 meters in width and was qualified by the DOE in 1988 as meeting the U.S. Department of Transportation (DOT) requirements for specification 7A type A packaging. A large container is defined 	

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Number	Milestone	Due Date
	<p>as any container that is not defined as a small container.</p> <p>“TRUM Waste” is TRU waste that is subject to <i>RCRA</i> or 70.105 RCW.</p> <p>“TRU Waste” as used herein is defined as waste that meets the definition in Subsection (18) of Section 2 of the WIPP Land Withdrawal Act. Pub. L. 102-579.</p> <p>“200 Area Caissons” as used herein are defined as RSW in the 218-W-4B burial ground caissons Alpha-1 through Alpha-4.</p> <p>Note: To provide further clarification on how volumes should be determined in different M-091 contexts, and to be consistent with the volumes of waste listed in the Hanford Site Solid Waste Inventory Tracking System (SWITS), the following descriptions are provided:</p> <ul style="list-style-type: none"> • Volumes for the purposes of determining amounts retrieved shall be based on the volume of the original containers in retrievable storage. For example, the volume of a 55-gallon RSW drum that would be counted toward “retrieval” would be 55-gallons (0.208 cubic meters), even if in the process of retrieval the drum needed to be over-packed into an 85 gallon drum. • The volume of MLLW “treated” will be counted as the retrieval volume (for RSW) or the MLLW pre-treatment container volume (for stored waste). • The volume of small container CH TRUM waste counted as certified will be the volume of the certified container containing the waste unless the waste is compacted. In the event that the waste is compacted, the volume of the pre-compaction container will be counted. • The volume of large container CH TRUM waste and RH TRUM waste (in above ground storage as of June 30, 2009 and in retrievable storage) will be based on the pre-treatment volume of each large container CH TRUM waste as listed in Hanford’s SWITS. <p>Note: Each requirement of these M-091 series milestones is considered a distinct work requirement independently subject to the enforcement provisions of the agreement <u>TPA</u>.</p>	

**Tentative Agreement on Hanford Federal Facility Agreement and Consent Order
(Tri-Party Agreement) Revisions in Response to the Milestone M-091 Series Negotiations**

Impact of Change (continued):

This change control form completes the following interim milestones:

- M-091-44T, Submit a change request to establish a schedule for achieving the offsite shipment of all TRUM waste (in above ground storage as of June 30, 2009 and in retrievable storage).
- M-091-49A, Submit a change request to establish a schedule for achieving the retrieval of RSW.

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-091-03 Lead Regulatory Agency: Ecology</p>	<p>Submit a revision of the Hanford Site TRUM waste and MLLW Project Management Plan (PMP) to Ecology pursuant to, and in compliance with, the requirements of agreement TPA Action Plan-sSection 11.5. Revisions of the PMP shall address RCRA MLLW and TRUM waste and will consider and expressly evaluate the impact on M-091 retrieval, treatment and processing capabilities that may result from retrieval, treatment and/or processing of any other TRUM waste including but not limited to offsite TRUM waste and Hanford Site TRUM waste generated after January 1, 2003.</p> <p>Annual revisions of the PMP will be submitted on June 30 every year starting in 2008 and continuing until the M-091 milestones are completed. The PMP revisions shall include:</p> <ul style="list-style-type: none"> • <u>plans and schedules to meet all the requirements set forth in the M-091 milestone series;</u> • <u>as an appendix, a schedule for retrieving RSW, and for certifying and shipping CH waste to the Waste Isolation Pilot Plant, including annual shipping volumes; and</u> • <u>with respect to RH TRUM waste, large container TRUM waste, RH MLLW and large container MLLW, the PMP submitted yearly will specifically include at least one measurable action to be taken by DOE to acquire capabilities to manage such wastes.</u> <p>Each revision of the M-091-03 PMP shall upon approval by Ecology, supersede previous M-091-03 PMPs.</p> <p>The PMP will include a description of completed and scheduled work relating to RH waste and large containers of RH and CH waste performed in accordance with the requirements of the M-091 milestone series. The PMP will document work completed during the previous federal fiscal year and work scheduled for the coming fiscal year. The PMP shall identify by citation all publicly available reports describing pertinent project issues and accomplishments, and shall identify anticipated projects for the coming year.</p>	<p>Due Date Annually By June 30</p>

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Number	Milestone	Due Date
	<p>With respect to RH TRUM waste, large container TRUM waste, RH MLLW and large container MLLW; the PMP submitted yearly will specifically include at least one measurable action to be taken by DOE to acquire capabilities to manage such wastes.</p> <p>PMP revisions will be submitted to Ecology for review and approval as primary documents pursuant to agreement TPA-a Action p Plan Section 9.2.1.</p> <p>DOE shall implement the plan as approved.</p>	
<p><u>M-091-47-T01</u> Lead Regulatory Agency: Ecology</p>	<p><u>Certify or treat 280 cubic meters of TRUM waste and MLLW DOE achieves credit towards this volumetric requirement through some combination of: 1) certification of small or large container TRUM waste or 2) treatment and disposal of MLLW from small or large containers. Certification of TRUM waste and MLLW and/or treatment and disposal of MLLW in excess of the volumetric requirement of previous M-091-47 series target dates can be credited towards future M-091-47 series target dates.</u></p>	<p align="center"><u>9/30/2021</u></p>
<p><u>M-091-47-T02</u> Lead Regulatory Agency: Ecology</p>	<p><u>Certify or treat 280 cubic meters of TRUM waste and MLLW subsequent to completing certification or treatment of the volume required by M-091-47-T01. DOE achieves credit towards this volumetric requirement through some combination of: 1) certification of small or large container TRUM waste or 2) treatment and disposal of MLLW from small or large containers. Certification of TRUM waste and MLLW and/or treatment and disposal of MLLW in excess of the volumetric requirement of previous M-091-47 series target dates can be credited towards future M-091-47 series target dates.</u></p> <p><u>Submit to Ecology a TPA change control form (in accordance with TPA Action Plan Section 12.0) to establish the next two annual target dates for certification of TRUM waste and disposal of MLLW.</u></p>	<p align="center"><u>9/30/2022</u></p>
<p>M-091-48 Lead Regulatory Agency: Ecology</p>	<p>Complete the offsite shipment of all TRUM waste (in above ground storage as of June 30, 2009 and in retrievable storage).</p>	<p align="center"><u>09/30/2030</u> <u>09/30/2050</u></p>

**Tentative Agreement on Hanford Federal Facility Agreement and Consent Order
(Tri-Party Agreement) Revisions in Response to the Milestone M-091 Series Negotiations**

Number	Milestone	Due Date
<p>M-091-49 Lead Regulatory Agency: Ecology</p>	<p>1. Complete the retrieval and designation of RH RSW (includes the 200 area caissons).</p> <p>2. Complete the retrieval and designation of CH RSW in burial grounds 218-W-4B, 218-W-3A and 218-E-12B.</p> <p>a. If specific large containers cannot be removed from a trench within 60 days of being exposed DOE shall notify Ecology within the 60-day period. Ecology will inspect the containers and impose specific conditions for that waste container to prevent releases to the environment. In determining such conditions Ecology will consider among other factors: whether the waste containers has been inspected and found to be intact and not posing a threat to human health and the environment (or re-packaged to prevent release to the environment) and existing documentation concerning the presence of free liquids.</p> <p>b. As RSW retrieval proceeds, DOE shall sample and analyze trench substrates with the purposes of determining whether or not releases of contaminants to the environment have occurred, and, if so, the nature and extent of contamination.</p> <p>Such sampling and analysis shall be in accordance with Ecology approved sampling and analysis plans (SAP). DOE will implement approved SAPs, as a requirement of this milestone, during retrieval of all RSW.</p> <p>The results of burial ground vent and substrate sampling and analysis pursuant to approved SAPs shall be submitted to Ecology quarterly in the project managers' meetings for inclusion in the administrative record. Such reports shall document results and methodologies, shall assess results against regulatory requirements, shall include a description (or descriptions) of documented contaminant releases to the environment, and shall describe planned and/or scheduled additional work.</p> <p>c. Within 90 days of retrieval, DOE shall designate all CH RSW retrieved from the RSW trenches pursuant to the Washington Administrative Code (WAC) 173-303-070 through 100.</p>	<p>09/30/2028 <u>09/30/2039</u></p>
<p><u>M-091-49B</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>Complete the retrieval and designation of RH RSW (includes the 200 area caissons).</u></p>	<p><u>9/30/2048</u></p>

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Number	Milestone	Due Date
<p><u>M-091-53A</u> <u>Lead Regulatory</u> <u>Agency: Ecology</u></p>	<p><u>Remove ten (10) additional mixed waste containers from Outside Storage Area A and/or Outside Storage Area B.</u></p> <p><u>Removal constitutes either:</u></p> <ul style="list-style-type: none"> • <u>Shipment of the container(s) to a TSDF for repack or disposal</u> • <u>Relocating the container(s) to a storage area authorized by the Hanford Facility Dangerous Waste Permit, Permit Condition 1.A, or a Temporary Authorization issued pursuant to WAC 173-303-830.</u> 	<p align="center"><u>11/30/2021</u></p>
<p><u>M-091-53B</u> <u>Lead Regulatory</u> <u>Agency: Ecology</u></p>	<p><u>Remove ten (10) additional mixed waste containers from Outside Storage Area A and/or Outside Storage Area B.</u></p> <p><u>Removal constitutes either:</u></p> <ul style="list-style-type: none"> • <u>Shipment of the container(s) to a TSDF for repack or disposal</u> • <u>Relocating the container(s) to a storage area authorized by the Hanford Facility Dangerous Waste Permit, Permit Condition 1.A, or a Temporary Authorization issued pursuant to WAC 173-303-830.</u> 	<p align="center"><u>11/30/2022</u></p>
<p><u>M-091-53C</u> <u>Lead Regulatory</u> <u>Agency: Ecology</u></p>	<p><u>Remove ten (10) additional mixed waste containers from Outside Storage Area A and/or Outside Storage Area B.</u></p> <p><u>Removal constitutes either:</u></p> <ul style="list-style-type: none"> • <u>Shipment of the container(s) to a TSDF for repack or disposal</u> • <u>Relocating the container(s) to a storage area authorized by the Hanford Facility Dangerous Waste Permit, Permit Condition 1.A, or a Temporary Authorization issued pursuant to WAC 173-303-830.</u> 	<p align="center"><u>11/30/2023</u></p>
<p><u>M-091-53D</u> <u>Lead Regulatory</u> <u>Agency: Ecology</u></p>	<p><u>Remove ten (10) additional mixed waste containers from Outside Storage Area A and/or Outside Storage Area B.</u></p> <p><u>Removal constitutes either:</u></p> <ul style="list-style-type: none"> • <u>Shipment of the container(s) to a TSDF for repack or disposal</u> • <u>Relocating the container(s) to a storage area authorized by the Hanford Facility Dangerous Waste Permit, Permit Condition 1.A, or a Temporary Authorization issued pursuant to WAC 173-303-830.</u> 	<p align="center"><u>11/30/2024</u></p>

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Number	Milestone	Due Date
<p><u>M-091-53E</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>Remove ten (10) additional mixed waste containers from Outside Storage Area A and/or Outside Storage Area B.</u></p> <p><u>Removal constitutes either:</u></p> <ul style="list-style-type: none"> • <u>Shipment of the container(s) to a TSDF for repack or disposal</u> • <u>Relocating the container(s) to a storage area authorized by the Hanford Facility Dangerous Waste Permit, or a Temporary Authorization issued pursuant to WAC 173-303-830.</u> 	<p align="center"><u>11/30/2025</u></p>
<p><u>M-091-54</u> <u>M-091-52-T02</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p>Submit to Ecology for review as a primary document, an Interim Response Action (IRA) to resume waste retrieval and develop a schedule in accordance with M-91-49A. IRA evaluation shall identify facilities or capabilities necessary to treat, store and dispose of RH waste including caissons.</p> <p><u>Submit to Ecology for approval, in accordance with Action Plan Section 7.2.3, an Interim Response Action (IRA) proposal (including implementation schedule) to resume RSW retrieval. The IRA proposal shall identify facilities or capabilities necessary to treat, store, and dispose of CH and RH waste including caissons.</u></p>	<p align="center"><u>9/30/2021</u> <u>9/30/2028</u></p>
<p><u>M-091-55</u> <u>M-091-52-T03</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p>Submit to Ecology as a primary document, a Conceptual Design Report package (Critical Decision 1) for the Facility/Capability for Contact Handled waste containers, and a TPA Change Request (in accordance with TPA Action Plan Section 12.0) to submit to Ecology, a Preliminary Design Report package (Critical Decision 2). The Conceptual Design Report package shall include the system specification outline, preliminary drawings, the preliminary hazard analysis, preliminary cost estimate, site development plan, and preliminary schedule for the design, construction, and operation of the facility.</p> <p><u>Submit to Ecology, a 30 percent Conceptual Design Report package for the Facility/Capability for Contact Handled (CH) waste containers. The Conceptual Design Report package shall include the system specification outline, preliminary drawings, preliminary hazard analysis, preliminary cost estimate, site development plan, and preliminary schedule for the design, permitting, construction, and operation of the facility.</u></p>	<p align="center"><u>9/30/2022</u> <u>9/30/2024</u></p>
<p><u>M-091-56</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>Submit to Ecology, a permit modification request to modify the Hanford Facility Dangerous Waste Permit to include the Facility and/or Capability for CH waste containers, based on the 90 percent Final Design Report package. The 90% design shall be complete as necessary to obtain bids for construction, include the system specifications, final drawings, the final hazard analysis, final cost estimate, site development plan, and final schedule for construction, and start-up of the facility.</u></p>	<p align="center"><u>9/30/2026</u></p>

**Tentative Agreement on Hanford Federal Facility Agreement and Consent Order
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Number	Milestone	Due Date
<p><u>M-091-57</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>Initiate CH certification activities by processing a TRUM container with results meeting the M-091-00 definition of “Certification.”</u></p>	<p><u>9/30/2026</u></p>
<p><u>M-091-58</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>Submit to Ecology, an engineering study of the impacts of radiological decay on the cost and schedule for retrieval, processing, certification, and shipment/disposal of all RH MLLW and RH TRUM waste (in above ground storage as of June 30, 2009 and in retrievable storage).</u></p>	<p><u>9/30/2024</u></p>
<p><u>M-091-59</u> <u>M-091-52-T04</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p>Remove all mixed waste containers from Outside Storage Area A and B. Removal constitutes either:</p> <ul style="list-style-type: none"> • Shipment of the container(s) to a TSDF for repack or disposal • Relocating the container(s) to a storage area authorized by the Hanford Facility Dangerous Waste Permit Condition 1.A, or a Temporary Authorization issued pursuant to WAC 173-303-830. 	<p>9/30/2026</p>
<p><u>M-091-60</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>Initiate treatment to LDR treatment standards for MLLW and TRUM waste (in above ground storage as of June 30, 2009). DOE may choose to initiate certification and shipment of TRUM waste for disposal at WIPP in lieu of LDR treatment if, as of the time of shipment, such waste is exempt from LDR treatment standards when disposed at WIPP.</u></p>	<p><u>9/30/2028</u></p>
<p><u>M-091-61</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>Complete treatment to LDR treatment standards for CH small containers of TRUM waste (in above ground storage as of June 30, 2009). DOE may choose to initiate certification and shipment of TRUM waste for disposal at WIPP in lieu of LDR treatment if, as of the time of shipment, such waste is exempt from LDR treatment standards when disposed at WIPP.</u></p>	<p><u>9/30/2040</u></p>
<p><u>M-091-62</u> <u>Lead Regulatory Agency: Ecology</u></p>	<p><u>Complete treatment to LDR treatment standards for CH large containers of TRUM waste (in above ground storage as of June 30, 2009). DOE may choose to initiate certification and shipment of TRUM waste for disposal at WIPP in lieu of LDR treatment if, as of the time of shipment, such waste is exempt from LDR treatment standards when disposed at WIPP.</u></p>	<p><u>9/30/2045</u></p>