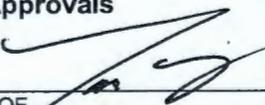
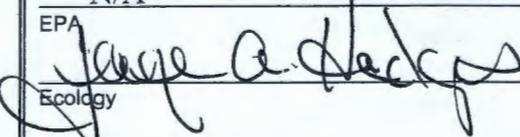
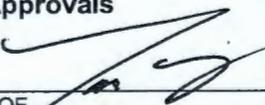
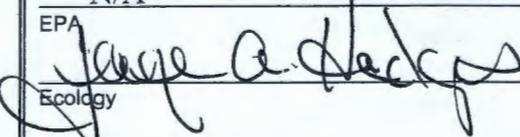
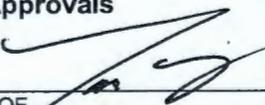
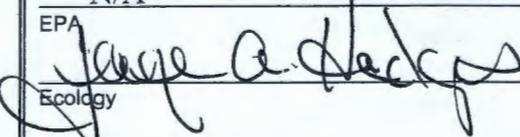


Change Number M-62-14-02	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date 01/30/2015															
Originator Thomas W. Fletcher, DOE-ORP		Phone (509) 376-3434															
Class of Change <input type="checkbox"/> I - Signatories <input checked="" type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project Manager																	
Change Title Deferral of negotiations under TPA Milestone M-062-45 for April 30, 2015																	
Description/Justification of Change <p>This change request defers TPA Milestone M-062-45 negotiations. DOE and the State have each filed motions to modify the Consent Decree in <i>State of Washington v. Moniz</i>, No. 08-5085-RMP (E.D. Wash.). The Parties seek to modify the Consent Decree due to delays in the construction and initial operation of the Waste Treatment and Immobilization Plant that have resulted from new and persistent technical issues. The Parties' motions are currently pending before the district court, with a hearing scheduled for February 19, 2015. The proceedings before the district court may result in modifications to the Consent Decree that affect the subject TPA Milestone, including its underlying bases. The requested change will allow DOE and the State to further assess and engage in the activities required by this milestone, including contingency planning, with the benefit of the Consent Decree modification.</p> <p>Following a resolution of the motions pending before the district court through the entry of a final order modifying the Consent Decree, DOE and Ecology will have a period of 6 months to assess whether any additional changes to the actions and milestones set forth in TPA Milestone M-062-45 are appropriate in view of the district court's decision and to address those actions and milestones.</p>																	
Impact of Change <p>This change request adds language to defer negotiations under TPA Milestone M-062-45 for April 30, 2015. DOE and Ecology will have a period of 6 months to assess whether any additional changes to the actions and milestones set forth in TPA Milestone M-062-45 are appropriate after entry of a final order modifying the Consent Decree in <i>State of Washington v. Moniz</i> No. 08-5085-RMP (E.D. Wash.).</p>																	
Affected Documents <p>The HFFACO as amended and Hanford Site internal planning, management, and budget documents (e.g., River Protection Project System Plan, Baseline Control documents, and related work authorizations and directives).</p>																	
Approvals <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; border-bottom: 1px solid black; vertical-align: bottom;">  DOE </td> <td style="width: 15%; border-bottom: 1px solid black; vertical-align: bottom;"> 1/30/15 Date </td> <td style="width: 10%; border-bottom: 1px solid black; vertical-align: bottom;"> <input checked="" type="checkbox"/> </td> <td style="width: 10%; border-bottom: 1px solid black; vertical-align: bottom;"> <input type="checkbox"/> </td> <td style="width: 35%; border-bottom: 1px solid black; vertical-align: bottom;"> Approved _____ Disapproved _____ </td> </tr> <tr> <td style="border-bottom: 1px solid black; vertical-align: bottom;"> N/A EPA </td> <td style="border-bottom: 1px solid black; vertical-align: bottom;"> _____ Date </td> <td style="border-bottom: 1px solid black; vertical-align: bottom;"> <input type="checkbox"/> </td> <td style="border-bottom: 1px solid black; vertical-align: bottom;"> <input type="checkbox"/> </td> <td style="border-bottom: 1px solid black; vertical-align: bottom;"> Approved _____ Disapproved _____ </td> </tr> <tr> <td style="border-bottom: 1px solid black; vertical-align: bottom;">  Ecology </td> <td style="border-bottom: 1px solid black; vertical-align: bottom;"> 2/12/15 Date </td> <td style="border-bottom: 1px solid black; vertical-align: bottom;"> <input type="checkbox"/> </td> <td style="border-bottom: 1px solid black; vertical-align: bottom;"> <input checked="" type="checkbox"/> </td> <td style="border-bottom: 1px solid black; vertical-align: bottom;"> Approved _____ Disapproved _____ </td> </tr> </table>			 DOE	1/30/15 Date	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Approved _____ Disapproved _____	N/A EPA	_____ Date	<input type="checkbox"/>	<input type="checkbox"/>	Approved _____ Disapproved _____	 Ecology	2/12/15 Date	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Approved _____ Disapproved _____
 DOE	1/30/15 Date	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Approved _____ Disapproved _____													
N/A EPA	_____ Date	<input type="checkbox"/>	<input type="checkbox"/>	Approved _____ Disapproved _____													
 Ecology	2/12/15 Date	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Approved _____ Disapproved _____													

Specific changes to Tri-Party Agreement Appendix D are displayed with double underline to indicate addition of text and by ~~strikeout~~ to indicate deletion of text.

M-062-45
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<p>M-062-45 Lead Agency: Ecology</p>	<p>Every six years, within six months of the issuance of the last revision of the System Plan, the parties will negotiate the following:</p>	<p>April 30, 2015, And Every Six Years Thereafter</p>
	<ol style="list-style-type: none"> 1. Commencing as target milestones in 2015 and enforceable milestones in 2021 and each negotiation thereafter, tank waste retrieval sequencing and milestones, and milestones for installation of infrastructure to feed tank waste from the DST system to the tank waste treatment system, for the next eight years. 2. Contingency actions and milestones, if and as necessary, for providing new, compliant tanks with sufficient capacity and in sufficient time to complete retrievals under this agreement, regardless of WTP operational deficiencies or retrieval conditions. 3. Supplemental treatment selection (a one time selection to be made not later than April 30, 2015) and milestones, which must be consistent with M-062-00 as established by M-062-45 item #5. A 2nd LAW Vitrification Facility must be considered as one of the options. *Milestones M-062-31-T01 through M-062-34-T01 are initially set as target dates and will be established (as may be modified) as interim milestones when they are converted to interim milestones in accordance with applicable HFFACO procedures at the conclusion of this negotiation. 4. The date in milestone M-045-70 for completion of the tank waste retrievals as expeditiously as possible. 5. The date in milestone M-062-00 for completion of tank waste treatment as expeditiously as possible. 6. Milestones for the provision of IHLW canister storage capacity for the six year period of WTP operation for the operating period that begins in January 2022. Additional milestones for the provision of such canister capacity will be established as needed every six years thereafter for the storage of IHLW for the subsequent six year period of WTP operations. 7. Reevaluate milestones to establish facilities to manage secondary waste streams from the WTP by the date that the WTP achieves initial plant operations. 	<p><u>Note: Per TPA Change Request M-62-14-02, DOE and Ecology defer negotiations under TPA Milestone M-062-45 for April 30, 2015. DOE and Ecology will have a period of 6 months to assess whether any additional changes to the actions and milestones set forth in TPA Milestone M-062-45 are appropriate after entry of a final order modifying the Consent Decree in State of Washington v. Moniz No. 08-5085-RMP (E.D. Wash.).</u></p>
	<p>As used in paragraphs 4 and 5, above, the phrase 'as expeditiously as possible' means, in the case of SST retrievals, completing such retrievals as quickly as is technically feasible but not later than the date established in milestone M-045-70, and in the case of tank waste treatment, completing such treatment as quickly as is technically feasible but not later than the date established in milestone M-062-00, and in each case without excessive difficulty or expense within the context of such activities, and in consideration of any impact on the overall cleanup mission.</p>	
	<p>By the milestone due date, the parties will complete negotiations on the above matters. Although multiple scenarios may be considered in the course of the negotiations, and none may be considered</p>	

	<p>wholly appropriate, the final decisions in items 1 through 7 above will be consistent with a single scenario, including any agreed-upon supplemental sensitivity analyses. The parties agree that the chosen scenario alone need not dictate matters in the negotiations and that other information may be considered as the parties deem appropriate. In the event Ecology and DOE do not reach agreement for the matters in M-062-45 paragraphs 1, 2, 3, 6, and 7 the dispute between Ecology and DOE will be resolved pursuant to the HFFACO Article VIII.</p> <p>The dispute resolution process in HFFACO, Article VIII, does not apply to the determinations in M-062-45 paragraphs 4 and 5. Rather, these disputes shall be governed by the Consent Decree in <i>Washington v. DOE, Case No. 08-5085-FVS</i>. No later than 12/31/2021, the United States and Ecology shall complete negotiations to establish a mechanism that will apply to resolve future disputes regarding the determinations in M-062-45 paragraphs 4 and 5. The United States and Ecology have reserved their rights regarding the mechanism that should apply to such future disputes, in the event that they cannot reach agreement.</p>	
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