

1248706

[0066017H]

Fluor Hanford
P.O. Box 1000
Richland, Washington 99352

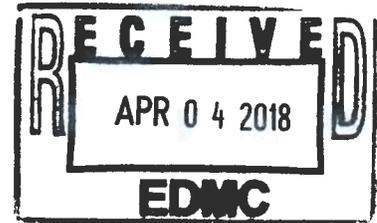
FLUOR

FH-0301108

CONTRACT NO. DE-AC06-96RL13200

MAR 27 2003

Mr. Keith A. Klein, Manager
U. S. Department of Energy
Richland Operations Office A7-50
Post Office Box 550
Richland, Washington 99352



Dear Mr. Klein:

NOTIFICATION OF POTENTIAL FOR RL TO MISS *HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER* PROPOSED INTERIM MILESTONE M-81-12, "INITIATE FFTF SODIUM DRAIN"

References: (1) Letter, K. A. Klein, RL, to E. K. Thomson, FH, "Maintaining Status of the Fast Flux Test Facility (FFTF)," 03-FFTF-0010, 0300720, dated February 7, 2003.

0058919

(2) Letter, K. A. Klein, RL, to E. K. Thomson, FH, "Suspended Deactivation Activities at the Fast Flux Test Facility (FFTF)," 03-AMRC-0004, 0205477, dated November 22, 2002.

0058355

(3) Letter, K. A. Klein, RL, to E. K. Thomson, FH, "Stop Decommissioning Activities at the Fast Flux Test Facility (FFTF)," 03-AMRC-0003, 0205289, dated November 8, 2002.

FH advises RL that proposed Interim Milestone M-81-12 of the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement [TPA]), initiation of Fast Flux Test Facility (FFTF) sodium drain by June 30, 2003, may be missed.¹ Further, FH advises RL that pursuant to Article VIII, Section 30.F of the TPA, RL must deliver a change request to the State of Washington Department of Ecology (Ecology) no later than April 1, 2003, in order to seek relief from, or dispute, the subject proposed milestone if that milestone is finalized by the parties to the TPA.²

¹ The sole reason for potential delay in complying with proposed Interim Milestone M-81-12 is the litigation in *Benton County v. U.S. Department of Energy*, 2:02-ct-05100 and the injunction imposed therein forbidding RL from initiating the FFTF decommissioning and deactivation activities.

² Although the formal change package that establishes this milestone date has not been signed, the date was established as the result of detailed discussions with RL and the regulator, and FH believes that this notification is warranted based on those discussions.

Mr. Keith A. Klein
Page 2
MAR 27 2003

FH-0301108
CONTRACT NO. DE-AC06-96RL13200

As directed by RL (References 1, 2, and 3), FH has stopped all FFTF decommissioning and deactivation activities, and is only undertaking activities associated with maintaining the "status quo" and performing the tasks delineated in Reference 1. Consistent with the direction set forth in that correspondence, FH also has reviewed all of the preparatory activities required to support successful and safe secondary loop drain. Based on that review FH has determined that May 16, 2003, is the latest date by which such actions must commence in order for RL to meet the June 30, 2003, proposed milestone.

Additionally, FH advises RL that Tri-Party Agreement Proposed Interim Milestone M-20-29B, "Submit sodium storage facility and sodium reaction facility closure plan or request for procedural closure to Ecology as defined in Agreement section 6.3.3," due June 30, 2003, is on schedule and will not be impacted by the on-going litigation.

For technical questions please contact A. Clegg Crawford at 376-5457; for contractual questions please contact Linda M. Culley at 373-5674.

Very truly yours,



David B. Van Leuven
President and
Chief Executive Officer

rep/dlr/iar

RL – R. A. Almquist
W. W. Ballard
H. E. Bilson
D. H. Chapin
E. B. Dagan
O. A. Farabee
J. B. Hebdon
M. H. Schlender
S. A. Sieracki
J. K. Yerxa

RECEIVED
MAR 27 2003
DOE-RL/RLCC

CORRESPONDENCE DISTRIBUTION COVERSHEET

Author	Addressee	Correspondence No.
D. B. Van Leuven, FH	K. A. Klein, RL	FH-0301108
D. B. Klos, 373-3574		CONTRACT NO. DE-AC06-96RL13200
S. B. Cherry, 376-6492		MAR 27 2003

Subject: NOTIFICATION OF POTENTIAL FOR RL TO MISS *HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER* PROPOSED INTERIM MILESTONE M-81-12, "INITIATE FFTF SODIUM DRAIN"

DISTRIBUTION

Approval	Date	Name	Location	w/att
		Correspondence Control	A3-01	
		President's Office (2)	H5-20	
X		B. A. Austin	H8-67	
		R. R. Beach	N2-33	
X		S. B. Cherry	B3-15	
X	<i>DBK per telcom 3/27/03</i>	A. C. Crawford	N2-51	
X		L. M. Culley	B3-70	
		S. V. Doebler	N2-51	
		R. H. Gurske	H8-73	
		J. S. Hertzell	A1-14	
X		W. J. Hoogendoorn	B3-70	
X		L. J. Hunter	B3-70	
X	<i>D.B. Klos 3/27/03</i>	D. B. Klos	N2-51	
X	<i>DBK per telcom</i>	R. E. Piippo	A1-14	
		M. S. Strickland	B3-70	
		DBK:DBV File/LB		