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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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October 26, 2011

11-NWP-0122

Joe Franco, Assistant Manager for River Corridor
Richland Operations Office
United States Department of Energy
PO Box 550, MSIN: A3-04
Richland, Washington 99352

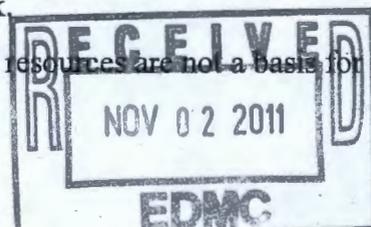
Re: Disapproval of the Proposed Changes to Hanford Federal Facility Agreement and Consent Order (HFFACO) M-16-47 and M-16-51 (90-day notice)

Dear Mr. Franco:

On October 7, 2011, the Department of Ecology (Ecology) received the signed Hanford Federal Facility Agreement and Consent Order (HFFACO) Change Numbers M-16-11-17 and M-16-11-18. HFFACO Action Plan Section 12.3.3 states that "within 14 days of receipt of a signed change control form . . . each party shall respond by either approving or disapproving the request in writing. If any affected party fails to respond within the 14 day period for review, it shall be deemed to constitute disapproval of the request."

The signature was required by October 21, 2011, which has passed. This letter explains the basis for Ecology's disapproval.

1. The Change Forms propose to remove specific waste sites from the milestone.
 - Ecology acknowledges that, in accordance with HFFACO Article VIII.F, it is in the interest of the United States Department of Energy Richland Operations Office (USDOE-RL) to submit this 90-day notice.
 - Ecology believes that USDOE-RL is likely to complete the work for most of the specific waste sites within the milestone date.
2. Letter 11-AMRC-0206 (REISSUE) referred to "several documents (RCBRA Ecological Assessment, Columbia River Risk Assessment Report, draft Remedial Investigation/Feasibility Studies and Proposed Plans) are expected to place significant demands on regulator resources."
 - Ecology asserts that the referenced pre-remedial investigatory reports are not relevant to the change requests for completing remedial field work.
 - Ecology asserts that significant demands on regulatory resources are not a basis for USDOE-RL to request a change to the milestone.

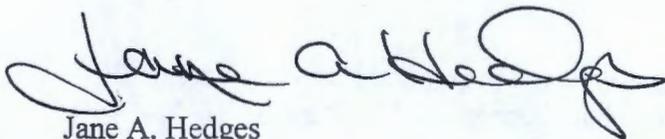


3. The Change Form section on "Impact of Change" refers to "unexpected delays".

- Ecology does not acknowledge that any delays occurred. The "Description/Justification of Change" does not describe any delays.
- The "Description/Justification of Change" states the milestone was established in April 2002. Ecology asserts that after nine years, USDOE-RL has extensive experience with the duration of "review and comment resolution on these closure documents for the remaining waste sites". Therefore, the fact that these closure documents are not yet approved is not "unexpected".

Ecology looks forward to your response to this letter or the submittal of revised change packages for M-16-47 and M-16-51. Nina Menard is the Ecology Project Manager responsible for these milestones. You may call her at 509-372-7941.

Sincerely,



Jane A. Hedges
Program Manager
Nuclear Waste Program

nm/dbm

cc:

Dennis Faulk, EPA
Woody Russell, USDOE
Stephen Weil, USDOE
Judy Vance, MSA
C.H. Page, WCH
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Administrative Record, H6-08
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