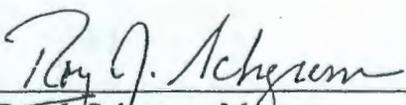


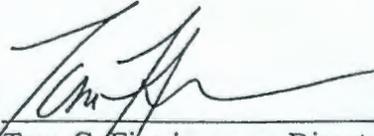


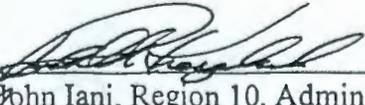
TENTATIVE AGREEMENT AND RESOLUTION OF NEGOTIATIONS ADJUSTING THE HANFORD VITRIFICATION PLANT SCHEDULE AND ESTABLISHING NEGOTIATIONS TO TREAT THE HANFORD TANK WASTE BY 2028.

The State of Washington Department of Ecology, the U.S. Environmental Protection Agency (EPA), and the U.S. Department of Energy (DOE) [Parties] have concluded negotiations of Change Requests to the Hanford Federal Facility Agreement and Consent Order (HFFACO) Milestones M-47, M-62, and M-90. The Parties have tentatively agreed, subject to public comment, to approve the negotiated milestone changes in the attached Change Requests No. M-47-03-01, M-62-03-02 and M-90-03-02. On approval, these changes will bring the contract to construct the Hanford Waste Treatment and Immobilization Plant and the HFFACO into alignment.¹ These change requests will also accelerate DOE's current HFFACO commitment to develop more definitized plans for completing treatment of all Hanford Tank Wastes by 2028. If these change requests are approved, this DOE commitment will be advanced by approximately nine years to the 2005-06 timeframe from the current HFFACO requirement of 2014.

Approval by the Parties is subject to public comment and appropriate change request modifications, if any. Change request finalization is anticipated by November 1, 2003. The Parties will submit the proposed change requests for a 45-day public comment period to run from approximately July 28, 2003, to September 10, 2003. Following conclusion of the public comment period, a response to comments document will be prepared and issued, the change requests will be modified as appropriate, and will be approved by the signatories. On approval, the requirements in Change Requests No. M-47-03-01, M-62-03-02, and M-90-03-02 will be incorporated into the HFFACO.

 Date 6/24/03
Roy J. Schepens, Manager
U.S. Department of Energy
Office of River Protection

 Date 6-26-03
Tom C. Fitzsimmons, Director
State of Washington
Department of Ecology

 Date 6/27/03
John Iani, Region 10, Administrator
U.S. Environmental Protection Agency

RECEIVED
JUL 29 2003
EDMC

¹ Note that while Ecology has reached tentative agreement with DOE on changes that would align the HFFACO with DOE's contract baseline, Ecology is deeply concerned that DOE revised its baseline and directed its contractors accordingly without first obtaining Ecology approval of HFFACO revisions as required by HFFACO milestone M-62-00. By approving this change request, Ecology expressly reserves its enforcement discretion with respect to any past or future failure to comply with the HFFACO, and fully expects that DOE not modify its internal work schedules or issue contractor directives in a manner that is inconsistent with the HFFACO.

Attachments: (3)

CC w/attachs:

R. Gay, CTUIR

L. Cusack, Ecology

S. Dahl, Ecology

J. S. Hertz, FHI

J. L. Hanson, INNOV

P. Sobotta, NPT

K. Niles, Oregon Energy

W. Russell, ORP

J. H. Swailes, ORP

W. J. Taylor, ORP

J. Shorin, WAAGO

R. Jim, YN

Administrative Record

Attachment 1

Federal Facility Agreement and Consent Order
Change Control Form M-47-03-01

Change Number M-47-03-01	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date June 24, 2003																																				
Originator Washington State Department of Ecology		Phone																																				
Class of Change <input checked="" type="checkbox"/> I – Signatories <input type="checkbox"/> II – Executive Manager <input type="checkbox"/> III – Project Manager																																						
Change Title Modification of <u>Hanford Federal Facility Agreement and Consent Order</u> (HFFACO) requirements M-47-00, M-47-01, M-47-02, M-47-03A, M-47-04 and M-47-06 to accelerate joint agency decisions and schedule establishment regarding completion of tank waste treatment options.																																						
Description/Justification of Change This M-47-03-02 change package modifies M-47-00, M-47-01, M-47-02, M-47-03A, M-47-04 and M-47-06 to be consistent with the Parties concurrent M-62-03-02 Change Request deleting the Phase I and Phase II tank waste treatment concept. These M-47 changes are made to align waste feed operations with other elements of DOE's tank waste treatment, storage and disposal system.																																						
Impact of Change This change request Modifies <u>Hanford Federal Facility Agreement and Consent Order</u> (HFFACO) work requirements at M-47-00, M-47-01, M-47-02, M-47-03A, M-47-04 and M-47-06.																																						
Affected Documents The <u>Hanford Federal Facility Agreement and Consent Order</u> , as amended, including HFFACO Action Plan Appendix D, DOE's Annual Land Disposal Restrictions Report, DOE's Tank Farm Closure/Post-Closure Workplan Update and Hanford site internal planning, management, and budget documents (e.g., DOE and DOE contractor Baselines, Baseline Change Control documents and contracts.																																						
Approvals <table style="width: 100%; border: none;"> <tr> <td style="width: 45%; border: none;">_____</td> <td style="width: 15%; border: none;">_____</td> <td style="width: 15%; border: none;">_____</td> <td style="width: 15%; border: none;">Approved</td> <td style="width: 10%; border: none;">_____</td> <td style="width: 10%; border: none;">Disapproved</td> </tr> <tr> <td style="border: none;">Ecology</td> <td style="border: none;">Date</td> <td style="border: none;"></td> <td style="border: none;"></td> <td style="border: none;"></td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none;">_____</td> <td style="border: none;">_____</td> <td style="border: none;">Approved</td> <td style="border: none;">_____</td> <td style="border: none;">Disapproved</td> </tr> <tr> <td style="border: none;">DOE</td> <td style="border: none;">Date</td> <td style="border: none;"></td> <td style="border: none;"></td> <td style="border: none;"></td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none;">_____</td> <td style="border: none;">_____</td> <td style="border: none;">Approved</td> <td style="border: none;">_____</td> <td style="border: none;">Disapproved</td> </tr> <tr> <td style="border: none;">EPA</td> <td style="border: none;">Date</td> <td style="border: none;"></td> <td style="border: none;"></td> <td style="border: none;"></td> <td style="border: none;"></td> </tr> </table>			_____	_____	_____	Approved	_____	Disapproved	Ecology	Date					_____	_____	_____	Approved	_____	Disapproved	DOE	Date					_____	_____	_____	Approved	_____	Disapproved	EPA	Date				
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DOE	Date																																					
_____	_____	_____	Approved	_____	Disapproved																																	
EPA	Date																																					

Description/Justification of Change (continued)

Modifications to the M-47 milestone series incorporated into the HFFACO by approval of this M-47-03-02 Change Request are shown here as either ~~shaded~~ additions, or ~~strikethrough~~ deletions.

MS Number	Milestone Description	Due Date
M-47-00	DOE, DOE'S PROJECT HANFORD MANAGEMENT CONTRACTOR (PHMC), AND ASSOCIATED CONTRACTORS SHALL COMPLETE ALL WORK NECESSARY IN SUPPORT OF THE ACQUISITION AND PHASE-I OPERATIONS OF HANFORD SITE HIGH-LEVEL RADIOACTIVE TANK WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES. WORK INCLUDED UNDER THIS MILESTONE SERIES SHALL INCLUDE BUT IS NOT LIMITED TO WORK NECESSARY TO : 1.) PROVIDE TIMELY TANK WASTE FEED TO TANK WASTE TREATMENT FACILITIES, 2.) PROVIDE ADEQUATE DOUBLE SHELL TANK (DST) SPACE, 3.) PROVIDE NECESSARY INFRASTRUCTURE INCLUDING SOLID WASTE SERVICES AND SECONDARY WASTE TREATMENT FACILITY LIQUID EFFLUENTS). SEE ALSO MILESTONE SERIES M-90-00. THE PARTIES WILL REVISE OR CONFIRM THE DUE DATES FOR MILESTONES M-47-01, M-47-02, M-47-03, M-47-03A, M-47-04, M-47-05 AND M-47-05A WITHIN 6 MONTHS OF AUTHORIZATION TO PROCEED (SEE MILESTONE M-62-04). REVISION, IF NECESSARY, SHALL BE CONSISTENT WITH COMPLETION OF HOT COMMISSIONING BY 2007, COMMERCIAL OPERATIONS BY 1/31/2011 09, AND COMPLETION OF THE PRETREATMENT AND VITRIFICATION OF NO LESS THAN 10% OF HANFORD'S TANK WASTE BY MASS AND 25% BY WEIGHT PHASE-I TREATMENT BY 2/28/2018 . COMPLIANCE WITH THE WORK SCHEDULES SET FORTH IN THIS M-47 SERIES IS DEFINED AS THE PERFORMANCE OF SUFFICIENT WORK TO ASSURE WITH REASONABLE CERTAINTY THAT DOE WILL ACCOMPLISH SERIES M-47 MAJOR AND INTERIM MILESTONE REQUIREMENTS. DOE INTERNAL WORK SCHEDULES (I.E., DOE APPROVED SCHEDULE BASELINES) AND ASSOCIATED WORK DIRECTIVES AND AUTHORIZATIONS SHALL BE CONSISTENT WITH THE REQUIRMENTS OF THIS AGREEMENT. MODIFICATION OF DOE CONTRACTOR BASELINE(S) AND ISSUANCE OF ASSOCIATED DOE WORK DIRECTIVES AND/OR AUTHORIZATIONS THAT ARE NOT CONSISTENT WITH AGREEMENT REQUIREMENTS SHALL NOT BE FINALIZED PRIOR TO APPROVAL OF AN AGREEMETN CHANGE REQUEST SUBMITTED PURSUANT TO AGREEMENT ACTION PLAN 12.0.	02/28/2018
M-47-01	COMPLETE CONSTRUCTION OF THE TRANSFER SYSTEM FROM THE 241-AP TANK FARM TO THE BNFL WTP FACILITY TO SUPPORT THE START OF HOT COMMISSIONING OF THE PHASE-I TANK WASTE TREATMENT COMPLEX.	03/31/2006
M-047-02	COMPLETE STARTUP AND TURNOVER ACTIVITIES FOR REQUIRED TRANSER SYSTEM UPGRADES TO ALLOW TRANSER OF FIRST HIGH-LEVEL WASTE FEED TO THE PRETREATMENT/TREATMENT COMPLEX.	3/31/2007 3/31/2009
M-47-03A	COMPLETE STARUP AND TURNOVER ACTIVITIES FOR WASTE RETRIEVAL AND MOBILIZATION SYSTEMS FOR SELECTED INITIAL HIGH-LEVEL WASTE FEED TANK.	2/28/2007 3/31/2009
M-47-04	COMPLETE STARUP AND TURNOVER ACTIVITIES FOR REQUIRED TRANSFER SYSTEM UPGRADES TO ALLOW TRANSFER OF FIRST LOW-ACTIVITY WASTE FEED TO THE PRETREATMENT/TREATMENT COMPLEX. INSTALLATION OF THE PUMP, WILL NOT BE REQUIRED UNTIL NECESSARY TO SUPPORT WTP WASTE FEED ACTIVITIES.	6/30/2007 3/31/2009
M-47-05	START CONSTRUCTION OF WASTE RETRIEVAL AND MOBILIZATION SYSTEMS FOR SELECTED INITIAL LOW-ACTIVITY WASTE FEED TANK (OTHER THAN AZ-101 AND AZ-102).	5/31/2004
M-47-05A	COMPLETE STARTUP AND TURNOVER ACTIVITIES FOR WASTE RETRIEVAL AND MOBILIZATION SYSTEMS FOR SELECTED INITIAL LOW-ACTIVITY WASTE FEED TANK (OTHER THAN AZ-101 OR AZ-102).	4/30/2006
M-47-06	COMPLETE NEGOTIATION OF ADDITIONAL AGREEMENT REQUIREMENTS	6/30/2010

Description/Justification of Change (continued)

(MILESTONES, TARGET DATES, AND ASSOCIATED LANGUAGE) GOVERNING WORK
NECESSARY TO SUPPORT COMPLETION OF TREATMENT COMPLEX PHASE-I
OPERATIONS BY 2018.

Attachment 2

Federal Facility Agreement and Consent Order
Change Control Form M-62-03-02

Change Number M-62-03-02	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date June 24, 2003																														
Originator Washington State Department of Ecology		Phone																														
Class of Change <input checked="" type="checkbox"/> I – Signatories <input type="checkbox"/> II – Executive Manager <input type="checkbox"/> III – Project Manager																																
Change Title Modification of <u>Hanford Federal Facility Agreement and Consent Order</u> (HFFACO) requirements M-62-00A, M-62-03, M-62-07B, M-62-08, M-62-09, M-62-10, M-62-11 and M-62-12 to accelerate joint agency decisions and schedule the establishment of requirements regarding the completion of Phase-II tank waste treatment.																																
Description/Justification of Change The M-62 milestone series was initially established based on a two phased approach to treatment system construction. Phase I requirements were to provide a Waste Treatment Plant (WTP) capable of vitrifying no less than 10% of the tank waste by mass and 25% of the tank waste by activity by December 2018. The WTP would be fully operating by 2011 and, based on processing throughput achieved and system availability, decisions would be made in 2014 regarding the facilities necessary to vitrify the remaining tank waste (Phase II). As part of the agencies' recent Cleanup, Constraints and Challenges "C3T" process (and in an effort to identify valid opportunities to accelerate tank waste treatment) the DOE has been evaluating potential supplemental treatment technologies and has proposed that supplemental treatment technology and balance of mission decisions be made much earlier than previously envisioned. This new approach moves away from a Phase I and Phase II treatment complex and is based on the assumption that by 2011 ORP will have met the M-62 requirement to have a WTP operating, and will have an initial complement of supplemental treatment systems in place (if agreed to by the Parties) and a plan and schedule for any additional facilities and capabilities (second LAW vitrification facility, supplemental treatment, etc.) needed to treat the remainder of Hanford's tank waste by 2028. On May 21, DOE-ORP provided Ecology with DOE's revised baseline to complete tank waste treatment by 2028. This baseline is founded in part on DOE's commitment to make final decisions on the array of supplemental treatment technologies to be applied to Hanford tank wastes by 2005. In recognition of these commitments, the M-62 milestone series is being modified to support accelerated joint decision making by Ecology and DOE regarding Waste Treatment Plant (WTP) and supplemental treatment system capabilities, configuration(s) and schedule(s) to complete the treatment of all Hanford tank waste by 2028. The Parties agree that these decisions must be made jointly and in a timely manner to support timely mission completion																																
Impact of Change This change request Modifies <u>Hanford Federal Facility Agreement and Consent Order</u> (HFFACO) work requirements at M-62-00A, M-62-03, M-62-07B, M-62-08, M-62-09, M-62-10, M-62-11, and M-62-12.																																
Affected Documents The <u>Hanford Federal Facility Agreement and Consent Order</u> , as amended, including HFFACO Action Plan Appendix D, DOE's Annual Land Disposal Restrictions Report, DOE's Tank Farm Closure/Post-Closure Workplan Update and Hanford site internal planning, management, and budget documents (e.g., DOE and DOE contractor Baselines, Baseline Change Control documents and contracts.																																
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DOE	Date																															
_____	_____	N/A	Approved _____	Disapproved _____																												
EPA	Date																															

Description/Justification of Change – Cont.

In addition, this change request incorporates a higher confidence schedule that extends the construction period for the WTP and changes the commissioning strategy. This approach continues to assume completion of hot commissioning and transition to full operations on or before January 31, 2011.

This M-62-03-02 Change Request modifies milestones M-62-00A, M-62-03, M-62-07B, M-62-08, M-62-09, M-62-10, M-62-11 and M-62-12 to delete the Phase I and Phase II concept and to accelerate the Parties decision making process. In coordination with this change package, due dates within the milestone M-47 and M-90 series' are revised through separate change packages to align waste feed operations and canister storage capacity to the above referenced M-62 milestone changes.

Modifications to the M-62 milestone series incorporated into the HFFACO by approval of this M-62-03-02 Change Request are shown here as either shaded additions, or ~~strikethrough~~ deletions.

MS Number	Milestone Description	Due Date
M-62-00	<p>COMPLETE PRETREATMENT PROCESSING AND VITRIFICATION OF HANFORD HIGH LEVEL (HLW) AND LOW ACTIVITY (LAW) TANK WASTES.</p> <p>COMPLIANCE WITH THE WORK SCHEDULES SET FORTH IN THIS M-62 SERIES IS DEFINED AS THE PERFORMANCE OF SUFFICIENT WORK TO ASSURE WITH REASONABLE CERTAINTY THAT DOE WILL ACCOMPLISH SERIES M-62 MAJOR AND INTERIM MILESTONE REQUIREMENTS.</p> <p>DOE INTERNAL WORK SCHEDULES (E.G., DOE APPROVED SCHEDULE BASELINES) AND ASSOCIATED WORK DIRECTIVES AND AUTHORIZATIONS SHALL BE CONSISTENT WITH THE REQUIREMENTS OF THIS AGREEMENT. MODIFICATION OF DOE CONTRACTOR BASELINE(S) AND ISSUANCE OF ASSOCIATED DOE WORK DIRECTIVES AND/OR AUTHORIZATIONS THAT ARE NOT CONSISTENT WITH AGREEMENT REQUIREMENTS SHALL NOT BE FINALIZED PRIOR TO APPROVAL OF AN AGREEMENT CHANGE REQUEST SUBMITTED PURSUANT TO AGREEMENT ACTION PLAN SECTION 12.0</p>	12/31/2028
M-62-00A	<p>COMPLETE WTP PRETREATMENT PROCESSING AND VITRIFICATION OF HANFORD HLW AND LAW PHASE I TANK WASTES.</p> <p>PHASE I TANK WASTE PROCESSING SHALL COMPLETE THE WTP PRETREATMENT AND VITRIFICATION OF NO LESS THAN 10% OF HANFORD'S TANK WASTE BY MASS* AND 25% BY ACTIVITY.</p> <p>*[IN MEETING THIS REQUIREMENT DOE WILL PRETREAT AND VITRIFY NO LESS THAN 6000 METRIC TONS OF SODIUM (IN THE INSTANCE OF LAW FEED) AND 800 METRIC TONS OF WASTE OXIDES (IN THE INSTANCE OF HLW FEED)].</p>	2/28/2018
M-62-01	<p>SUBMIT SEMI-ANNUAL PROJECT COMPLIANCE REPORT</p> <p>DOE'S MANAGER, OFFICE OF RIVER PROTECTION (ORP), WILL SUBMIT A "<u>PROJECT COMPLIANCE REPORT</u>" TO ECOLOGY SEMI-ANNUALLY (A COPY OF THIS REPORT WILL ALSO BE PROVIDED TO EPA'S REGION 10 OFFICE OF WASTE AND CHEMICALS MANAGEMENT). THIS REPORT WILL DOCUMENT DOE COMPLIANCE WITH AGREEMENT REQUIREMENTS AND SHALL BE SEQUENTIALLY UPDATED BY INFORMATION DOCUMENTING WORK PERFORMED AND ISSUES ENCOUNTERED DURING THE PREVIOUS REPORT PERIOD. THE ORP PROJECT COMPLIANCE REPORT WILL BE PROVIDED AS PART OF THE PARTIES' INTER AGENCY MANAGEMENT INTEGRATION TEAM (IAMIT) MEETINGS, AND SHALL DOCUMENT THE STATUS OF PROGRESS TO DATE, PROGRESS MADE DURING THE REPORT</p>	Semi-annually beginning July 31, 2001

Description/Justification of Change (continued)

PERIOD, AND ACTIVITIES EXPECTED IN THE FORSEEABLE FUTURE. THE REPORT WILL INCLUDE, BUT IS NOT LIMITED TO: (1) A CONCISE DESCRIPTION OF PROJECT ACCOMPLISHMENTS AND ISSUES INCLUDING THOSE ENCOUNTERED DURING THE PREVIOUS YEAR AND THOSE EXPECTED IN THE NEAR TERM, (2) WHEN APPLICABLE, A DESCRIPTION OF ACTIONS INITIATED OR OTHERWISE TAKEN TO RECOVER ANY AGREEMENT SCHEDULE SLIPPAGE, (3) A BUDGET AND COST STATUS, (4) A STATEMENT DOCUMENTING WHETHER OR NOT DOE AND DOE'S CONTRACTOR(S) REMAIN IN COMPLIANCE WITH AGREEMENT REQUIREMENTS, I.E., WHETHER OR NOT "DOE AND DOE'S CONTRACTOR(S) REMAIN IN COMPLIANCE WITH AGREEMENT REQUIREMENTS, I.E., WHETHER OR NOT "DOE AND DOE'S CONTRACTOR(S) HAVE COMPLETED SUFFICIENT WORK TO ALLOW ACHIEVEMENT OF AGREEMENT REQUIREMENTS.", AND (5) CONCISE DESCRIPTIONS OF ANY NONCOMPLIANCE. COPIES OF ALL PERTINANT DOE WORK DIRECTIVES AND/OR AUTHORIZATIONS ISSUED TO DOE'S CONTRACTOR(S) SHALL BE PROVIDED ON REQUEST.

M-62-02 SUBMITTAL OF HANFORD TANK WASTE TREATMENT ALTERNATIVES REPORT. 3/01/2000

DOE WILL SUBMIT A REPORT THAT DESCRIBES THE ALTERNATIVES (TECHNICAL, FINANCIAL, AND CONTRACTUAL) TO TREAT HANFORD TANK WASTE. THE REPORT WILL: 1.) IDENTIFY AND DESCRIBE CREDIBLE ALTERNATIVES TO THE CURRENT PRIVATIZATION APPROACH THAT MEET DOE COMMITMENTS TO ACHIEVE HOT OPERATIONS BY DECEMBER, 2007, AND TO TREAT NO LESS THAN 10 PERCENT OF THE TANK WASTE BY MASS AND 25 PERCENT OF THE TANK WASTE BY ACTIVITY BY FEBRUARY, 2018, 2.) SERVE AS A BASIS TO AMEND THE FISCAL YEAR 2001 BUDGET REQUEST FOR AUTHORITY TO IMPLEMENT A CONTINGENCY OPTION (AUTHORITY TO USE PRIVATIZATION SET-ASIDE FUNDS), AND 3.) BE RELEASED CONCURRENTLY TO ECOLOGY, EPA, AND THE PUBLIC.

M-62-03 SUBMIT DOE PETITION FOR RCRA DELISTING OF VITRIFIED HLW. 12/31/2006

DOE WILL SUBMIT ITS PETITION FOR DELISTING OF THE IMMOBILIZED HIGH-LEVEL WASTE (HLW) FROM THE PHASE I WASTE TREATMENT PLANT FROM RCRA AND THE WASHINGTON STATE HWMA (DELISTING PETITION) IN ACCORDANCE WITH 40 CFR 260.22 AND WAC 173-303-072.

M-62-04T READINESS TO PROCEED – SUPPORT TO PHASE I TREATMENT. 5/01/2000

DOE AND ITS HANFORD TANK FARMS OPERATIONS CONTRACTOR WILL COMPLETE ALL NECESSARY WORK AND ACHIEVE READINESS TO PROCEED IN SUPPORT OF PHASE I.

M-62-06 START OF CONSTRUCTION – PHASE I TREATMENT COMPLEX. 12/31/2002

FIRST PLACEMENT OF STRUCTURAL CONCRETE AT ONE OF THE TREATMENT COMPLEX PRINCIPAL FACILITIES (I.E., PRETREATMENT, LOW-ACTIVITY WASTE VITRIFICATION, OR HIGH-LEVEL WASTE VITRIFICATION FACILITIES).

M-62-07A INITIAL ERECTION OF LOW-ACTIVITY WASTE VITRIFICATION FACILITY ELEVATION –21' STRUCTURAL STEEL COLUMNS, BEAMS, AND Q DECK AT ELEVATION +3 (BNI BASELINE SCHEDULE ACTIVITY 4DL131B000 AS PART OF DOE CONTRACT No. DE-AC27-01RV14136). 10/30/2003

This milestone represents the placement of the first structural steel column as part of initiation of BNI Baseline Schedule activity 4DL131B000 –LAW – Elev –21 SS Columns, Beams & Q-Deck at +3 (Contract No. DE-AC27-01RV14136). In addition activity 4DL121B100 LAW – Elev –21 Place Basemat Concrete shall be substantially completed and activities 4DL121D000 LAW – Elev –21 Perimeter Walls FREP and 4DL121F000 LAW – Elev –21 Interior Walls FREP shall have been initiated.

Completion of this milestone will be met when the first structural steel column is installed at the -21foot elevation in the LAW facility. This milestone demonstrates a significant progress in design and engineering as well as construction of the LAW facility because basemat concrete will have been poured and construction of walls will have been started. In addition, procurements will have been made, not only for this facility, but for the other major facilities. Erection of structural steel in the LAW facility will also provide a lessons learned opportunity because it will be the first facility to begin this aspect of construction.

M-62-07B

COMPLETE ASSEMBLY OF LOW ACTIVITY WASTE VITRIFICATION FACILITY MELTER #1 SO THAT IT IS READY FOR TRANSPORT AND INSTALLATION IN THE LAW VITRIFICATION BUILDING (BNI BASELINE SCHEDULE ACTIVITY 4DL321A3200 AS PART OF DOE CONTRACT No. DE-AC27-01RV14136) AND COMPLETE SCHEDULE ACTIVITY ID 4DH46102A2 MOVE #1 MELTER INTO THE HIGH LEVEL WASTE VITRIFICATION FACILITY.

11/30/2005
12/31/2007

This milestone represents 1) the assembly of LAW Melter #1 to the point it is ready for Refractory as part of BNI Baseline activities 3EL3212A00 *Specifications and Analysis*, 4DL321A000 *LAW - Procure Material & Equipment for Melters* and 4DL321A200 *LAW- Assemble Melter #1* (Contract No. DE-AC27-01RV14136). In addition, activities 4DL121U100 *LAW - Elev +3 South Melter FREP* and 4DL131D000 *LAW - Elev +28 Columns, Beams & Q-Decking at +48* shall be substantially completed. 2) moving the first HLW melter into the HLW facility as defined in BNI baseline activities ID 4DH46102A2.

Completion of this milestone will be met when 1) LAW melter #1 will have been fully fabricated, assembled and ready for refractory material to be installed. Assembly of the melter is scheduled to occur near the end of LAW construction when the facility is most ready to have the assembled melter moved into the LAW cell where the refractory material will be installed. Meeting this milestone therefore represents significant accomplishment of the engineering, design and construction of the LAW facility. Furthermore, assembly of the first melter provides significant opportunity for lessons learned that can be applied in the assembly of the other two LAW melters as well as the HLW melter, and 2) HLW melter #1 has been fully fabricated and moved into the HLW vitrification facility.

M-62-08

SUBMITTAL OF HANFORD TANK WASTE SUPPLEMENTAL PHASE-II TREATMENT ALTERNATIVES TECHNOLOGIES REPORT, DRAFT HANFORD TANK WASTE TREATMENT BASELINE, AND DRAFT NEGOTIATIONS AGREEMENT IN PRINCIPLE (AIP).

7/31/2005
1/30/2005

DOE WILL SUBMIT A PRELIMINARY SUPPLEMENTAL TREATMENT TECHNOLOGIES REPORT THAT DESCRIBES THE TECHNICAL, FINANCIAL, AND CONTRACTUAL ALTERNATIVES WHICH IN COMBINATION WITH THE WTP AND ANY REQUIRED ADDITIONAL LAW VITRIFICATION FACILITIES, ARE NEEDED TO TREAT ALL OF HANFORD'S TANK WASTES THE TANK WASTES REMAINING AFTER COMPLETION OF PHASE I TREATMENT. THE REPORT WILL IDENTIFY AND DESCRIBE VIABLE PATH(S) FORWARD CREDIBLE ALTERNATIVES TO COMPLETE TREATMENT OF REMAINING ALL TANK WASTES BY 12/31/2028, AND AID IN BUDGET PLANNING FOR FUTURE BUDGET AUTHORITY SUBMITTAL. THE REPORT SHALL APPLY THE SAME SELECTION CRITERIA TO ALL OPTIONS AND INCLUDE THE 2ND LAW VITRIFICATION

Description/Justification of Change (continued)

FACILITY AS AN OPTION. THE REPORT WILL INCLUDE THE RESULTS OF ALL WASTE FORM PERFORMANCE DATA (COMPARED AGAINST THE PERFORMANCE OF BOROSILICATE GLASS) FOR ALL THE TREATMENT TECHNOLOGIES BEING CONSIDERED. PERFORMANCE DATA WILL BE ADEQUATE TO MAKE DECISIONS AS TO THE ACCEPTABILITY OF ANY PROPOSED WASTE FORM FOR THE WASTE BEING CONSIDERED AND DESCRIPTION OF THE CONSIDERED TREATMENT TECHNOLOGIES (INCLUDING SIZE, THROUGHPUT, TECHNICAL VIABILITY, AND LIFE CYCLE COST ESTIMATES). THE REPORT WILL BE UPDATED EVERY TWO YEARS UNTIL THE TANK WASTE TREATMENT PHASE II PLAN IS FINALIZED.

THIS REPORT WILL ALSO INCLUDE A DISCUSSION OF WASTE TREATMENT PLANT THROUGHPUT COMMITMENTS AND THE REALISTIC POTENTIAL FOR ENHANCING THE THROUGHPUT OF CURRENTLY PLANNED MELTERS, PROPOSED ADDITIONAL MELTERS AND POTENTIAL SECOND GENERATION MELTERS INSTALLED AT FIRST MELTER CHANGE OUT.

THE DRAFT BASELINE WILL CONTAIN DOE'S PROPOSED APPROACH FOR TREATING ALL HANFORD TANK WASTES (HLW, LAW, AND TRU) BY 12/31/2028 INCLUDING LIFE CYCLE COST ESTIMATES THAT INDICATE PROJECTED FUNDING REQUIREMENTS THROUGH COMPLETION OF THE RIVER PROTECTION PROJECT MISSION, A SCHEDULE FOR CONSTRUCTION AND OPERATION OF PROPOSED NEW FACILITIES AND/OR ENHANCEMENTS TO THE WTP, AND PROJECTED THROUGHPUT FOR EACH FACILITY.

THE REPORT AND BASELINE WILL BE ACCOMPANIED BY A DRAFT NEGOTIATIONS AGREEMENT IN PRINCIPLE (AIP) AND DRAFT AGREEMENT CHANGE REQUEST CONTAINING MILESTONES AND ASSOCIATED AGREEMENT REQUIREMENTS SUFFICIENT TO EFFECTIVELY DRIVE ALL REQUIRED WORK, INCLUDING BUT NOT LIMITED TO: 1) THE ESTABLISHMENT OF REQUIREMENTS REGARDING ANY NECESSARY WTP MODIFICATION(S); 2) THE ESTABLISHMENT OF REQUIREMENTS SCHEDULING THE ACQUISITION AND OPERATION OF ANY APPROVED TREATMENT TECHNOLOGY SYSTEMS; 3) THE ESTABLISHMENT OF PRODUCTION METRICS FOR TREATMENT COMPLEX (WTP PLUS ANY SUPPLEMENTAL TREATMENT SYSTEM OR SECOND LAW VITRIFICATION FACILITY) CONSISTENT WITH COMPLETION OF TREATMENT BY 12/31/2028; 4) THE ESTABLISHMENT OF REQUIREMENTS SCHEDULING ACQUISITION AND OPERATION OF FEED DELIVERY SYSTEMS FOR ANY APPROVED SUPPLEMENTAL TECHNOLOGY (M-47 MILESTONES). THE AIP WILL BE FINALIZED WITHIN 30 DAYS OF SUBMITTAL AND PROVIDE THAT NEGOTIATIONS WILL BE COMPLETED WITHIN ONE HUNDRED AND EIGHTY (180) DAYS OF AIP FINALIZATION, AND WILL PROVIDE THAT, IN THE EVENT THE PARTIES DO NOT REACH AGREEMENT WITHIN THIS TIMEFRAME, THE NEGOTIATIONS WILL BE RESOLVED AS A RESOLUTION OF A DISPUTE VIA FINAL DETERMINATION OF THE DIRECTOR OF ECOLOGY PURSUANT TO HFFACO ARTICLE VIII. UNLESS OTHERWISE AGREED BY THE PARTIES, THIS FINAL DETERMINATION WILL BE ISSUED WITHIN SEVEN MONTHS OF AIP FINALIZATION.

M-62-09	START (HOT) COLD COMMISSIONING - PHASE-I WASTE TREATMENT COMPLEX PLANT.	12/31/2007 2/28/2009
	DOE WILL START HOT COLD COMMISSIONING OF ITS TANK WASTE TREATMENT COMPLEX PLANT. START OF COLD COMMISSIONING IS DEFINED AS INTRODUCTION OF FIRST FEED SIMULANT INTO A PROCESS BUILDING. (DEFINED AS FIRST PRINCIPAL FACILITY RECEIPT OF RADIOACTIVE TANK WASTE FOR TREATMENT).	
M-62-10	COMPLETE HOT COMMISSIONING - PHASE-I WASTE TREATMENT PLANT COMPLEX	01/31/2011
	DOE WILL ACHIEVE SUSTAINED THROUGHPUT OF PRETREATMENT, LOW-ACTIVITY WASTE VITRIFICATION, AND HIGH-LEVEL WASTE VITRIFICATION PREPROCESSES AND DEMONSTRATED WTP TREATMENT COMPLEX AVAILABILITY TO COMPLETE TREATMENT OF NO LESS THAN 10% OF THE TANK WASTE BY MASS AND 25% OF	

THE TANK WASTE BY ACTIVITY BY DECEMBER 2018.

M-62-11

~~SUBMITTAL OF HANFORD TANK WASTE TREATMENT PHASE II PLAN~~ SUBMIT/A
~~FINAL HANFORD TANK WASTE TREATMENT BASELINE~~

01/30/2006

DOE WILL SUBMIT TO ECOLOGY A DETAILED PLAN AND PROPOSAL FOR THE PROCESSING OF THE REMAINDER OF DOE'S LAW AND HLW WASTES (PHASE II WASTES). THIS PLAN AND PROPOSAL WILL BE ACCOMPANIED BY A DRAFT NEGOTIATIONS AGREEMENT IN PRINCIPLE (AIP), AND DRAFT AGREEMENT CHANGE REQUEST CONTAINING SUFFICIENT ENFORCEABLE MILESTONES AND ASSOCIATED AGREEMENT REQUIREMENTS TO EFFECTIVELY DRIVE PHASE II WORK TO COMPLETION IN ACCORDANCE WITH AGREEMENT REQUIREMENTS. PHASE II AGREEMENT NEGOTIATIONS WILL BE COMPLETED WITHIN SIX (6) MONTHS OF AIP FINALIZATION.

~~FOLLOWING THE COMPLETION OF NEGOTIATIONS REQUIRED IN M-62-08, DOE WILL MODIFY ITS DRAFT BASELINE AS REQUIRED AND SUBMIT ITS REVISED AGREED TO BASELINE FOR TREATING ALL HANFORD TANK WASTE (HLW, LAW AND TRU) BY 12/31/2028.~~

M-62-12

ISSUANCE OF DOE AUTHORIZATION TO PROCEED - PHASE II TREATMENT AND/OR WTP MODIFICATION(S).

TBD (To be determined by negotiations provided for at M-62-11).

DOE WILL AUTHORIZE THE CONTRACT PHASE TO DESIGN, CONSTRUCT, COMMISSION, AND PROVIDE SERVICES FOR HANFORD TANK WASTE PRETREATMENT, LOW ACTIVITY WASTE VITRIFICATION, AND HIGH LEVEL WASTE VITRIFICATION ALL REMAINING HANFORD TANK WASTE, CONSISTENT WITH COMPLETION OF TREATMENT BY DECEMBER 2028.

Attachment 3

**Federal Facility Agreement and Consent Order
Change Control Form M-90-03-02**

Change Number M-90-03-02	Federal Facility Agreement and Consent Order Change Control Form Do not use blue ink. Type or print using black ink.	Date June 24, 2003																		
Originator Washington State Department of Ecology		Phone																		
Class of Change <input checked="" type="checkbox"/> I – Signatories <input type="checkbox"/> II – Executive Manager <input type="checkbox"/> III – Project Manager																				
Change Title Modification of <u>Hanford Federal Facility Agreement and Consent Order</u> (HFFACO) requirements M-90-10 and M-90-11 to accelerate joint agency decisions and schedule establishment regarding the completion of Phase-II tank waste treatment options.																				
Description/Justification of Change This M-90-03-02 Change Request modifies milestones M-90-10 and M-90-11 consistent with the Parties concurrent M-62-03-02 Change Request deleting the Phase I and Phase II tank waste treatment concept. These M-90 series changes are made to align treated tank waste storage and disposal facilities with other elements of DOE's tank waste treatment, storage and disposal system..																				
Impact of Change This change request Modifies <u>Hanford Federal Facility Agreement and Consent Order</u> (HFFACO) work requirements at M-90-10 and M-90-11.																				
Affected Documents The <u>Hanford Federal Facility Agreement and Consent Order</u> , as amended, including HFFACO Action Plan Appendix D, DOE's Annual Land Disposal Restrictions Report, DOE's Tank Farm Closure/Post-Closure Workplan Update and Hanford site internal planning, management, and budget documents (e.g., DOE and DOE contractor Baselines, Baseline Change Control documents and contracts.																				
Approvals <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; border-bottom: 1px solid black;">Ecology</td> <td style="width: 15%; border-bottom: 1px solid black;">Date</td> <td style="width: 15%; border-bottom: 1px solid black;">_____</td> <td style="width: 15%; border-bottom: 1px solid black;">Approved</td> <td style="width: 15%; border-bottom: 1px solid black;">_____</td> <td style="width: 10%; border-bottom: 1px solid black;">Disapproved</td> </tr> <tr> <td style="border-bottom: 1px solid black;">DOE</td> <td style="border-bottom: 1px solid black;">Date</td> <td style="border-bottom: 1px solid black;">_____</td> <td style="border-bottom: 1px solid black;">Approved</td> <td style="border-bottom: 1px solid black;">_____</td> <td style="border-bottom: 1px solid black;">Disapproved</td> </tr> <tr> <td style="border-bottom: 1px solid black;">EPA</td> <td style="border-bottom: 1px solid black;">Date</td> <td style="border-bottom: 1px solid black;">_____</td> <td style="border-bottom: 1px solid black;">Approved</td> <td style="border-bottom: 1px solid black;">_____</td> <td style="border-bottom: 1px solid black;">Disapproved</td> </tr> </table>			Ecology	Date	_____	Approved	_____	Disapproved	DOE	Date	_____	Approved	_____	Disapproved	EPA	Date	_____	Approved	_____	Disapproved
Ecology	Date	_____	Approved	_____	Disapproved															
DOE	Date	_____	Approved	_____	Disapproved															
EPA	Date	_____	Approved	_____	Disapproved															

Modifications to the M-90 milestone series incorporated into the HFFACO by approval of this M-90-03-02 Change Request are shown here as either ~~shaded~~ additions, or ~~striketrough~~ deletions.

MS Number	Milestone Description	Due Date
M-90-00	<p>COMPLETE ACQUISITION OF NEW FACILITIES, MODIFICATION OF EXISTING FACILITIES, AND/OR MODIFICATION OF PLANNED FACILITIES AS NECESSARY FOR STORAGE OF HANFORD SITE IHLW AND ILAW, AND DISPOSAL OF ILAW.</p> <p>COMPLIANCE WITH THE WORK SCHEDULES SET FORTH IN THEIR M-90 SERIES IS DEFINED AS THE PERFORMANCE OF SUFFICIENT WORK TO ASSURE WITH REASONABLE CERTAINTY THAT DOE WILL ACCOMPLISH SERIES M-90 MAJOR AND INTERIM MILESTONE REQUIREMENTS.</p> <p>DOE INTERNAL WORK SCHEDULES (E.G., DOE APPROVED SCHEDULE BASELINES) AND ASSOCIATED WORK DIRECTIVES AND AUTHORIZATIONS SHALL BE CONSISTENT WITH THE REQUIREMENTS OF THIS AGREEMENT. MODIFICATION OF DOE CONTRACTOR BASELINE(S) AND ISSUANCE OF ASSOCIATED DOE WORK DIRECTIVES AND/OR AUTHORIZATIONS THAT ARE NOT CONSISTENT WITH AGREEMENT REQUIREMENTS SHALL NOT BE FINALIZED PRIOR TO APPROVAL OF AN AGREEMENT CHANGE REQUEST SUBMITTED PURSUANT TO AGREEMENT ACTION PLAN SECTION 12.0.</p>	<p>TO BE ESTABLISHED 6 MONTHS AFTER APPROVAL OF PROJECT MANAGEMENT PLAN</p>
M-90-08	<p>INITIATE ILAW DISPOSAL FACILITY CONSTRUCTION.</p> <p>INITIATION OF CONSTRUCTION OCCURS WHEN DOE OR ITS CONTRACTOR (AS AUTHORIZED) ISSUES AN APPROVAL TO START CONSTRUCTION AND THE CONTRACTOR COMMENCES EXCAVATION OF NON-CRITICAL SYSTEMS WITHIN THE RCRA DISPOSAL FACILITY.</p>	2/28/2005
M-90-09-T-01	<p>COMPLETED DETAILED DESIGN OF ILAW DISPOSAL FACILITY CRITICAL SYSTEMS TO 80%.</p> <p>DETAILED DESIGN OF CRITICAL SYSTEMS INCLUDES THE A) LINER, B) LEACHATE COLLECTION SYSTEM AND C) LEAK DETECTION SYSTEM.</p>	5/30/2003
M-90-10	<p>INITIATE READY TO ACCEPT PLACEMENT OF ILAW WASTE CANISTERS IN ILAW DISPOSAL FACILITY. (LOW ACTIVITY WASTE PACKAGES PLACED WITHIN THESE FACILITIES WILL BE RETRIEVABLE).</p>	8/31/2008
M-90-11	<p>COMPLETE CANISTER STORAGE FACILITY CONSTRUCTION.</p> <p>COMPLETION OF THIS MILESTONE REQUIRES THE COMPLETION OF ALL CONSTRUCTION, INTERNAL/EXTERNAL FACILITY(S) MODIFICATIONS AND STARTUP ACTIVITIES NECESSARY FOR CANISTER STORAGE FACILITY RECEIPT OF ALL PHASE-I HANFORD SITE HIGH LEVEL WASTE CANISTERS FROM TANK WASTE REMEDIATION SYSTEM (TWRS) PROCESSING TREATMENT PLANT RESULTING FROM COMPLIANCE WITH M-62-00A. FOR PURPOSES OF THIS INTERIM MILESTONE PHASE-I IHLW CANISTER STORAGE IS DEFINED AS THE CAPABILITY FOR STORAGE OF AT LEAST 600 IHLW CANISTERS. INTERIM MILESTONES AND ASSOCIATED TARGET DATES ESTABLISHING WORK SCHEDULES FOR ADDITIONAL PHASE-II IHLW CANISTER STORAGE WILL BE ESTABLISHED PURSUANT TO THE PHASE-II REQUEST FOR PROPOSAL FOR TWRS PRIVITIZATION DURING NEGOTIATIONS REQUIRED BY MILESTONE M-62-08. FOR PERMITTING PURPOSES DETAILS DESIGNS OF CRITICAL SYSTEMS INCLUDES THE CANISTER STORAGE TUBE SYSTEM.</p>	<p>6/30/2009 8/31/2010</p>

59715



Tri-Party Agreement

EXTENSION OF THE TIME PERIOD FOR REVIEW AND CONSIDERATION REGARDING U.S. DEPARTMENT OF ENERGY'S (DOE) CHANGE REQUEST M-62-03-01 PROPOSING MODIFICATION OF THE HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (HFFACO) M-62, M-90, AND M-47 MILESTONE SERIES

On May 5, 2003, DOE, Office of River Protection presented the State of Washington Department of Ecology (Ecology) with HFFACO Change Request M-62-03-01. Pursuant to HFFACO Action Plan Section 12.3.3, Ecology's response to this change request was due on or before May 19, 2003. On May 16, 2003, Ecology requested an extension of two weeks so that Ecology could consider, in its review of DOE's change request, documentation requested of DOE concerning DOE's newly revised baseline. Subsequently, on May 28, 2003, Ecology requested further time to evaluate the documentation. Because Ecology and DOE have reached a tentative agreement that requires preparation of additional documents and discussion with the U.S. Environmental Protection Agency, Region 10, the Parties hereby agree to extend the period for Ecology's review of DOE's Change Request M-62-03-01 until July 2, 2003.

AGREED TO THIS 19th Day of June, 2003

Roy J. Schepens

Roy J. Schepens, Manager
U.S. Department of Energy
Office of River Protection

Tom C. Fitzsimmons

Tom C. Fitzsimmons, Director
State of Washington
Department of Ecology

- CC: W. T. Dixon, CHG
- S. B. Fowler, CHG
- M. N. Jarayssi, CHG
- R. Gay, CTUIR
- S. Dahl, Ecology
- J. S. Hertzell, Ecology
- J. L. Hanson, INNOV

- P. Sobotta, NPT
- K. Niles, Oregon Energy
- W. Russell, ORP
- J. H. Swailes, ORP
- J. Shorin, WAAGO
- R. Jim, YN
- Administrative Record