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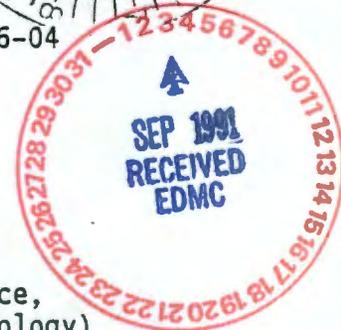
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United States Government

Department of Energy

Richland Operations Office

memorandum



DATE: **AUG 20 1991**

REPLY TO
ATTN OF: **AME:JER 91-TPA-151**

SUBJECT: **TRI-PARTY AGREEMENT MILESTONES M-17-00, M-17-08, M-26-03 AND M-26-04**

TO: **K. W. Bracken, WMD
R. E. Gerton, TFP
J. E. Mecca, OPD**

As you know, liquid effluent negotiations between DOE Field Office, Richland (RL), the State of Washington Department of Ecology (Ecology) and the U.S Environmental Protection Agency, Region 10 (EPA) have been ongoing as required by the May 1991 proposed changes to the Tri-Party Agreement:

o **Section 13.1.2 State Waste Discharge Permits**

..., "Ecology and DOE agree to negotiate a separate agreement by September 1991 or such later date as the parties agree upon, which will provide a schedule for obtaining permits and all necessary actions leading to obtaining such permits pursuant to these provisions of state law at the Hanford Site."

o **Section 13.1.3 Liquid Effluent Discharge Milestones and Negotiations**

"The parties will also negotiate additional interim and final milestones to be included in this Agreement addressing, without limitation, waste reduction, interim and final treatment, and/or termination of the 33 Phase I and Phase II streams. These negotiations will be completed by September 1991. Negotiations will be included in the 1992 Annual Update to the Work Schedule..."

It has recently come to our attention that the schedule for Project C-018H (LERF Treatment Facility) that was presented to the regulators, during the negotiations held August 14 and 15, 1991, was not a realistic schedule. The schedule presented showed an October 1994 date for start of operations for the LERF Treatment Facility. However, this schedule was based upon several substantial assumptions that cast the project schedule in severe jeopardy.

The schedule of this project appears to be uncertain for the following reasons:

1. The Project C-018H schedule presented to the regulators assumed a March 1992 restart date of the Evaporator. The current schedule for Evaporator restart was later learned to be June 1992 at the

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earliest. It is anticipated that any delay past the March 1992 restart date will force a day-for-day slip in the Project C-018H schedule past the October 1994 start of operations.

2. The schedule presented assumed a 14 month EPA headquarters approval time for the RCRA delisting petition. EPA has specifically stated that 24 months will be required for approval.
3. The schedule showed a 10 month permitting review by Ecology. Ecology has specifically stated that at least 12 months are required for review of a RCRA Part B and a State Waste Discharge (216) Permit.

Factoring these realistic time frames into the Project C-018H schedule results in a start of operations date for Project C-018H of approximately December 1995, not the October 1994 date presented. The December 1995 date for start of operations will cause the following Tri-Party Agreement milestones to be missed:

MILESTONE NUMBER	MILESTONE DESCRIPTION	DATE
M-17-00	Complete liquid effluent treatment facilities/upgrades for Phase 1 effluents	6/95
M-17-08	Complete 200 Area Effluent Disposal System	6/95
M-26-03	Remove all hazardous waste residues from the 242-A Evaporator LERF Unit	12/94
M-26-04	Cease Discharge of 242-A Evaporator Process Condensate effluent to the LERF units	6/95

Please prepare an assessment of the relevant Project C-018H schedule issues and identify corrective actions and work-arounds that would be needed to support meeting the subject Tri-Party Agreement milestones and avoid submittal of Change Package requests at this early date. EPA acceptance of Change Packages concerning the recently negotiated June 1995 LDR milestones would be, at best, extremely difficult, and most likely categorically denied, unless all potential corrective actions and work-arounds are first exhausted.

The assessment should include a realistic schedule (including a critical path identification for both Programmatic and Project components) for Project C-018H and a realistic projected start date for the 242-A Evaporator. To support the liquid effluent negotiations with Ecology and EPA that are to resume August 27, 1991, disposition of these Project C-018H schedule issues is needed by August 26, 1991.

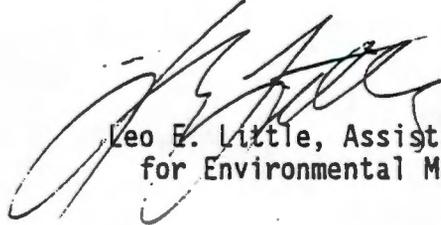
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Addressees

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91-TPA-151
AUG 20 1991

If you have any questions, please do not hesitate to contact
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Subject: TRI-PARTY AGREEMENT MILESTONES M-17-00, M-17-08, M-26-03 AND M-26-04

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