



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Richland Field Office

3100 Port of Benton Blvd., Richland, WA 99354 • 509-372-7950

August 2, 2023

23-NWP-087

Paul Schroder, Deputy Assistant Manager
Tank Farms Division
Office of River Protection
United States Department of Energy
PO Box 450, MSIN: H6-60
Richland, Washington 99352

Re: Department of Ecology Determination for *Tri-Party Agreement* Milestone M-062-56

Dear Paul Schroder:

The Department of Ecology (Ecology) has regulatory authority over the *Tri-Party Agreement* (TPA) Milestone M-062-56 at the United States Department of Energy (USDOE) Hanford Site. Under the *TPA* Action Plan, Section 4.1, the lead regulatory agency's project manager shall notify USDOE in a timely manner if the project manager forms the opinion that USDOE actions or failure to act jeopardizes completion of an Agreement milestone.

I have been closely following this milestone since January 2023 in the TPA Project Manager Meetings with anticipation of the completion of this milestone. The requirement for completion of this milestone is to "Submit Permit Application for Design and Construction of the LAWP Capability" by December 31, 2023.

All TPA Monthly Reports, and the M-062-01 Semiannual Project Compliance Report submitted in January 2023, have indicated that this milestone is "on schedule" with a completion date of December 31, 2023. Additionally, in the March 2023 edition of the TPA monthly report, unfavorable schedule variance, showing procurement delays supporting Advanced Modular Pretreatment System (AMPS) conceptual design, indicate that there is no impact to TPA milestones.

At the Project Manager Meeting on April 26, 2023, USDOE shared the need to extend the due date of this milestone by three years, to December 31, 2026. Further, a presentation entitled "Advanced Modular Pretreatment System (AMPS) Analysis of Alternatives (AoA) Update," dated March 30, 2023, lists the estimated project completion date for this initiative as late 2028.

Given this turn of events, I have formed the opinion that USDOE actions or failure to act now jeopardizes the completion of this TPA milestone. What is more, many other commitments, actions, and timelines within the TPA hinge upon completion of this milestone.

In accordance with TPA Section 4.1, Ecology requests a reply within 15 working days to describe in detail expected impact(s), causative factors, and action(s) USDOE has or is taking in response.

If you have questions or need further information, please contact me at 509-372-7950 or dan.mcdonald@ecy.wa.gov.

Sincerely,

McDonald, Dan (ECY) Digitally signed by McDonald, Dan
(ECY)
Date: 2023.08.02 13:16:17 -07'00'

Dan McDonald
Tank Waste Treatment Project Manager
Nuclear Waste Program

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cc electronic w/o enc:

David Einan, EPA	Suzanne Dahl, Ecology
Jon Perry, HMIS	Theresa Howell, Ecology
Mason Murphy, CTUIR	Dan McDonald, Ecology
Jack Bell, NPT	Stephanie Schleif, Ecology
Alyssa Buck, Wanapum	Environmental Portal
Laurene Contreras, YN	Hanford Administrative Record
ERWM Staff, YN	Hanford Facility Operating Record
Susan Coleman, HAB	HAB Correspondence Control
David Reeploeg, Hanford Communities	HMIS Correspondence Control
Max Woods, ODOE	USDOE Correspondence Control

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