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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

November 9, 2006

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Mr. Keith A. Klein  
Richland Operations Office  
United States Department of Energy  
PO Box 550, MSIN: A7-50  
Richland, Washington 99352

- Re: 1. Change Control Form M-91-06-01 Modification of *Hanford Federal Facility Agreement and Consent Order* (Tri-Party Agreement M-91 Series Milestones) Submitted to the Department of Ecology, September 29, 2006.
- 2. Letter 07-AMCP-009, dated October 20, 2006, *Initiation of Dispute at the Project Managers Level Hanford Federal Facility Agreement and Consent Order* (Tri-Party Agreement) Change Control Form M-91-06-01.
- 3. Agreement: "*Extension of Dispute at the Project Managers Level Hanford Federal Facility Agreement and Consent Order* (Tri-Party Agreement [HHFACO]), Change Control Form M-091-06-01, Modification of HHFACO Series from October 21, 2006, to January 31, 2007."

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Dear Mr. Klein:

The Department of Ecology reviewed the documents listed above. Based on discussions held from January to March 2006, we concluded that the M-91 milestone series does not warrant the proposed changes at this time, and therefore, denied Change Control Form M-91-06-01.

Considering the project timeline with respect to the change control form and request for extension of dispute at the project manager's level, Ecology grants a partial approval of the request for extension. We approve the request for an extension of the dispute timelines at the project manager level for all issues identified in the change control form except those related to milestones due on or before December 31, 2006. We recognize the complex nature of these issues and agree that more time would be beneficial to discuss these issues.

With respect to issues related to milestones due on or before December 31, 2006 (retrieval, treatment/certification requirements), Ecology is denying the request for extension at the project managers' level (see enclosure).

The United States Department of Energy (USDOE) must submit a Statement of Dispute to the Inter-Agency Management Integration Team (IAMIT) by December 21, 2006, or that portion of the dispute will be terminated.



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We are not extending the dispute with regard to these requirements because USDOE and Ecology have been in constant communication concerning the milestones over the past year. Each month, the requirements—and what USDOE has done to meet the requirements—have been discussed at the IAMIT meeting. Ecology does not believe that additional time is needed to understand the issue associated with USDOE's ability to meet those requirements.

If you have any questions or concerns, contact Deborah Singleton at 509-372-7923, or Laura Cusack at 509-372-7891.

Sincerely,



Jane A. Hedges  
Program Manager  
Nuclear Waste Program

ds/pll

Enclosure

cc: Mark French, USDOE  
Jeffrey Frey, USDOE  
Rob Piippo, USDOE  
Greg Sinton, USDOE  
Barbara Williamson, USDOE  
Stephen Cherry, FH  
Dale McKenney, FH  
Ken Quigley, FH  
Stuart Harris, CTUIR  
Gabriel Bohnee, NPT  
Russell Jim, YN  
Todd Martin, HAB  
Ken Niles, ODOE  
Laura Cusack, Ecology  
Administrative Record: M-91  
Environmental Portal