



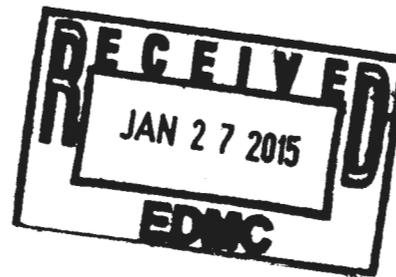
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 10
 HANFORD/INL PROJECT OFFICE
 309 Bradley Boulevard, Suite 115
 Richland, Washington 99352

December 22, 2014

Mr. Ray J. Corey
 Assistant Manager

Mark French
 Project Manager

U.S. Department of Energy
 Richland Operations Office
 P.O. Box 550
 Richland, Washington 99352



Re: DISAPPROVAL OF PROPOSED CHANGE REQUEST TO MODIFY THE SCOPE OF
 MILESTONE M-016-149, "COMPLETE 100-IU-2/6 INTERIM RESPONSE ACTIONS"

Dear Mr. Corey and French:

The purpose of this letter is to respond to your request to modify Hanford Federal Facility Agreement and Consent Order (the Tri-Party Agreement or TPA) milestone M-016-149. This response is provided in accordance with Section 12.3.3 of the TPA Attachment 2 (Action Plan).

EPA is disapproving your request. While EPA is supportive of consultations necessary to ensure NHPA requirements are met, insufficient information was provided on why a two year delay is needed. Also, any necessary revisions to approved RD/RA work plan schedules and requirements would need to be provided.

The Department of Energy (DOE) request letter contained Draft Change Control Form M-16-13-04 however, the Control Form contained a DOE signature although it was marked as "Draft." The Control Form also lists the "Affected Documents" as the "Remedial Design Report/Remedial Action Work Plan for the 100-N Area, DOE/RL-2005-93, Rev. 0." This is incorrect since the waste sites affected by the proposed change are not in the 100-N Area.

Pursuant to TPA Paragraph 59, DOE has 30 days to submit a written statement of dispute if DOE disputes EPA's disapproval of its change request and EPA and DOE fail to informally resolve the dispute.

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If you have any questions on this matter, please contact me at (509) 376-8631.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Faulk", written in a cursive style.

Dennis Faulk
Program Manager, Hanford Project Office

cc:

J. A. Hedges, Ecology
K. Niles, ODOE
R. Jim, Yakama Nation
G. Bohnee, Nez Perce
S. Harris, CTUIR

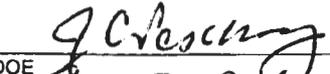
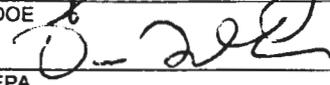
DRAFT

Change Number M-16-13-04	Federal Facility Agreement and Consent Order Change Control Form <small>Do not use blue ink. Type or print using black ink.</small>	Date 12/8/2014
Originator Phone R. J. Corey (U. S. Department of Energy, Richland Operations Office [DOE]) (509) 376-0108		
Class of Change <input type="checkbox"/> I - Signatories Manager <input checked="" type="checkbox"/> II - Executive Manager <input type="checkbox"/> III - Project		
Change Title Scope clarification of Tri-Party Agreement interim milestone M-016-149 to exclude the 600-326, 600-329, 600-334:2, 600-349, and 600-358 waste sites.		
Description/Justification of Change <p>The scope of milestone M-016-149, "Complete 100-IU-2/6 interim response actions" includes completion of interim remedial actions for 36 waste sites in the 100 Area Remaining Sites Interim Action Record of Decision (1999).</p> <p>This change proposes exclusion of the following sites from interim remedial actions. 600-326, Odorous Black Material, 600-329, Concrete Outfall Structure, 600-334:2, Burn Area Near CMX Building, 600-349, Unexploded Ordnance (UXO) outside of 600-149, and 600-358, Scattered Waste Areas in the Vicinity of the Gable Mountain Firing Range.</p> <p>Consultation on effects of remedial actions with the affected Tribal Nations is required in accordance with Section 106 of the National Historical Preservation Act of 1966 (16 U.S.C. 470 et seq.). The extended duration of consultation process has caused significant delay in start-up of remedial activities for the waste sites 600-326, 600-329, 600-334:2, and 600-349 that will delay completion past the March 31, 2015 milestone due date.</p> <p>Discovery of anomalous items during remedial activities at the 600-358 waste site created extensive delays due to anomaly response, characterization, and work stoppages.</p> <p>Description/Justification of Change continued on next page.</p>		
Impact of Change Establish that interim response actions for 600-326, 600-329, 600-334:2, 600-349, and 600-358 are not due under M-016-149. These waste sites will be addressed in the milestone M-016-00A, "Complete all response actions for the 100 Areas units by the specified due date as approved in a Remedial Design/Remedial Action Work Plan" which will include completion of final response actions for these waste sites.		
Affected Documents		

Hanford Federal Facility Agreement and Consent Order, Appendix D
 Remedial Design Report/Remedial Action Work Plan for the 100-N Area, DOE/RL-2005-93, Rev. 0

Approvals

Page 1 of 2

DOE		12-12-14	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Disapproved
		Date		
EPA		12-22-14	<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Disapproved
		Date		
Ecology	N/A		<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved
		Date		

Change Form M-16-13-04
 Page 2 of 2

Description/Justification of Change (continued):

Waste site 600-326 consists of two subsites located along the Columbia River in the Hanford Construction Camp. The waste appears to be black material in an area lacking vegetation. Waste site 600-329 consists of an unknown concrete structure underlying soils near the Construction Shop of the Hanford Townsite, on the high water line of the river. There have been several below-grade features identified on ground penetrating radar scans, consistent with buried debris. The subsite 600-334:2 is a burned area of unknown origin, near the northwest corner of the former CMX building complex, along the Columbia River just upstream of the Hanford Townsite. These waste sites (600-326, 600-329, & 600-334:2) are included in extended negotiations in accordance with Section 106 of the National Historical Preservation Act of 1966 (16 U.S.C. 470 et seq.) with the affected Tribal Nations due to the location of the sites near a culturally sensitive site.

Waste site 600-349 is an unexploded ordinance (UXO) area that extends from the perimeter of the firing range as far as a rifle grenade could travel. It is partially located on Gable Mountain, in the area with the highest potential to contain munitions and explosives. Because the waste site is located in the culturally sensitive area of Gable Mountain consultation with the affected tribal nations must occur prior to and during remediation.

Start-up of remediation at the four waste sites has been significantly delayed due to the need for additional consultation. With the extensive durations for these consultations remediation of these waste sites will extend beyond the milestone due date.

Waste site 600-358, Scattered Waste Areas in the vicinity of the Gable Mountain firing range. Remediation of this waste site began in July 2014; however, the site was found to contain numerous anomalous items including mercury containing equipment, beryllium, sealed canisters, tear gas, bottles with liquid, and opaque capped bottles requiring special worker protection procedures and extending the schedule beyond the milestone completion due date.

The M-016-149 milestone completion due date of March 31, 2015 is not achievable for these waste sites due to the extended cultural resource review durations and for the extended worker safety requirements.

Based on the technical challenges and cultural sensitivity of the area, DOE and EPA agree to remove the 600-326, 600-329, 600-334:2, 600-349, and 600-358 waste sites from the scope of TPA Milestone M-016-149 and include them in the scope of TPA Milestone M-016-00A.

Authorized Changes:

Hanford Federal Facility Agreement and Consent Order Interim Milestone is modified or created as shown below using ~~strikeout~~ to indicate text deletions and underlined to indicate text additions:

Milestone Number	Milestone Description	Completion Date
M-016-149 Lead Agency: EPA	Complete 100-IU-2/6 interim response actions for the following waste sites: 600-293, 600-294, 600-298, 600-299, 600-300, 600-301, 600-303, 600-305, 600-309, 600-310, 600-313, 600 316, 600-318, 600-319, 600-320, 600-321, 600-328, 600-329 , 600-331, 600-332, 600-334 , 600-326 , 600-349 , 600-358 , 600-368, 600-369, 600-370, 600-371, 600-372, 600-373, 600-374, 600-375, 600-376, 600-377, 600-378, 600-379.	03/31/2015
M-016-00A Lead Agency: Dual	Complete all response actions for the 100 Areas units (except groundwater actions which are covered under Major Milestone M-016-00 and 100 K Area response actions addressed in M-016-00C) by the specified due date as approved in a Remedial Design/Remedial Action Work Plan. Completion of response actions is defined as the completion of the ROD or action memorandum requirements in accordance with an approved RD/RA work plan or removal action work plan and EPA and/or Ecology approval of waste site reclassification forms.	03/31/2017