



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

September 6, 2019

19-NWP-143

William F. Hamel, Assistant Manager  
Richland Operations Office  
United States Department of Energy  
PO Box 450, MSIN: H6-60  
Richland, Washington 99352

Re: Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement)  
Milestone M-035-09K, Project Manager Level Dispute

References: See page 2

Dear William F. Hamel:

The Department of Ecology (Ecology) received your three letters (Reference 1-3) responding to Ecology's determination that the Tri-Party Agreement Milestone M-035-09K was missed (Reference 4).

As part of the Tri-Party Agreement dispute resolution process, (Tri-Party Agreement Article VII, paragraph 30) Ecology met with the United States Department of Energy (USDOE) on September 3, 2019. Ecology acknowledges the positive discussion between the USDOE and Ecology's project managers in an attempt to resolve this dispute.

Ecology will postpone further response to your letters, pending the outcome of the dispute resolution process.

If there are any questions, please contact Adam Palomarez, M-035 TPA Project Manager, at (509) 372-7969 or [Adam.Palomarez@ecy.wa.gov](mailto:Adam.Palomarez@ecy.wa.gov).

Sincerely,

Alexandra K. Smith  
Program Manager  
Nuclear Waste Program

jbp/so

cc: See page 2

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References:

1. Letter 19-AMRP-0078, dated August 29, 2019 “Actionable Electronic Data Needs List”
2. Letter 19-AMRP-0076, dated August 22, 2019, “Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Milestone M-035-09K, Data Access Needs Completion”
3. Letter 19-AMRP-0075, dated August 20, 2019, “Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Milestone M-035-09K, Data Access Needs Completion”
4. Letter 19-NWP-092, dated August 19, 2019, “United States Department of Energy Missed Completion of Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) Milestone M-035-09K and is Non-compliant with Action Plan Sections 9.6.2 and 9.6.5”

cc electronic:

Dave Bartus, EPA  
Dave Einan, EPA  
Ben Ellison, USDOE-RL  
Kathy Higgins, USDOE-RL  
Brian Stickney, USDOE-RL  
ERWM Staff, YN  
Ken Niles, ODOE  
Kathy Conaway, Ecology  
Jared Mathey, Ecology  
Adam Palomarez, Ecology  
John Price, Ecology  
Environmental Portal  
Hanford Facility Operating Record  
USDOE-RL Correspondence Control

cc: Matt Johnson, CTUIR  
Jack Bell, NPT  
Laurene Contreras, YN  
Susan Leckband, HAB  
TPA Administrative Record: M-035  
NWP Central File