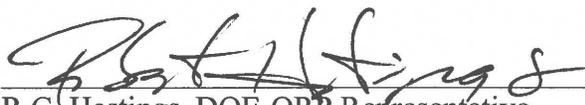


Inter-Agency Management Integration Team Meeting Minutes
June 20, 2019



SIGNATURES:

Approval:  Date: 8/20/19
W.F. Hamel, DOE-RL Representative

Approval:  Date: 9/9/19
R.G. Hastings, DOE-ORP Representative

Approval:  Date: 9/24/19
A.K. Smith, Ecology Representative

Approval:  Date: 9/26/19
C.R. Einan, EPA Representative (C. Cameron, for)

1.0 WELCOME AND LOGISTICS/FORMAT

Mission Support Alliance, LLC (MSA) welcomed the Inter-Agency Management Integration Team (IAMIT) members, explained this standard IAMIT meeting would cover action tracking tables, and would run for 1 hour because the Department of Energy-Richland Operations Office (RL) Quarterly Milestone Review meeting was immediately following the IAMIT.

2.0 ACTION TRACKING TABLES

2.1 Action Items

2.1.1 Sign IAMIT Determination on Sensitivity Analysis on Groundwater Recharge Rates for the 200-EA-1 Operable Unit Agreement

Ecology noted that the IAMIT determination was not quite ready for signature and suggested that once the language issues were resolved, it could be signed by the IAMIT prior to the next IAMIT meeting (scheduled for July 18, 2019).

2.1.2 Sign IAMIT Determination on Polychlorinated Biphenyl (PCB) – Method Analysis Selection 8082 and 1668A for the 200-EA-1 Operable Unit Agreement

This IAMIT determination has been reviewed by subject matter experts/project managers from the parties and was provided to the IAMIT for signature (reference IAMIT Determination number 2019-003).

2.1.3 Baseline Risk Assessment for WMA-C

MSA noted there were four issues involved with the Waste Management Area C (WMA-C) Baseline Risk Assessment (BRA), of which two had been resolved, resulting in draft IAMIT determinations. MSA noted the two draft determinations had been sent to the IAMIT for review. The two draft IAMIT determinations, when signed, will resolve issues on Judgmental Samples and Hazards Indices. Two issues with the WMA-C BRA remain to be resolved, Groundwater Ingestion and Food Chain Pathway. The IAMIT will meet on a to-be-scheduled date to attempt resolution of the remaining two issues.

2.1.4 Tri-Party Agreement Dispute (IAMIT Level) 241-C-106 Waste Retrieval Denial of Waiver Request

MSA noted that, per the Tri-Party Agreement (TPA) dispute resolution process, the next action is the Washington State Department of Ecology (Ecology) issuing a Final Determination from its director, which is due on June 26, 2019. There was no other discussion on this action.

2.1.5 Tri-Party Agreement Dispute (IAMIT Level) Milestone M-015-93C / TPA Change Control Form M-15-18-03 – “Initiate Characterization Field Work for 200-SW-2 OU Landfills”

MSA noted that this dispute is potentially impacted by a draft TPA Agreement in Principle (AIP) regarding funding issues, which could include this milestone. Ecology stated they have a draft letter that is currently with their attorney concerning the draft budget AIP, but that attorney is on medical leave. Ecology will be sharing a draft of that letter with RL upon the attorney’s return to work and review of the letter.

2.1.6 Possible Adoption of the Inner Area Principles as a Standard in Regulatory Documents

MSA noted that the Inner Area Principles (IAP) language (which was approved as part of the 200-SW-2 Radioactive Landfills Group Operable Unit RCRA Facility Investigation/Corrective Measures Study/Remedial Investigation/Feasibility Study Work Plan - DOE/RL-2004-60, Revision 1) had been sent to the IAMIT. RL noted that this item was on the action-tracking table at its request, but its intent was to get an IAMIT endorsement of a greater effort to possibly include the IAP in regulatory documents. The U.S. Environmental Protection Agency (EPA) stated that the “outer area” also needed to be defined, as well as what levels it would be cleaned up to, and further, considering land use, what the difference between the inner and outer areas was. RL stated that it was seeking consistency. Ecology stated that it needed more time to discuss this proposal internally. EPA said that a similar effort had been done in the past, with the goal of producing a meaningful CERCLA document, but also noted that it looked as if RL was seeking more consistency between different Operable Units. RL agreed and reiterated that it was not seeking an IAMIT “decision,” but an endorsement. Ecology proposed, and EPA agreed, that the effort might be better suited to working it through and applying to individual work plans, of which there are only two remaining. The Department of Energy (DOE)-Office of River Protection (ORP) stated its interest was in getting its decision documents in line with RL decision documents, using the example that future land-use decisions are not the same in the tank farms as they are in the River Corridor. Ecology countered that this example involved two different regulatory authorities, but acknowledged the inconsistencies and again stated that more internal discussion was needed by their agency. The IAMIT agreed to keep tracking this issue.

2.1.7 Changes/Updates to TPA Paragraphs 148/149

MSA noted that there was a meeting scheduled for June 27, 2019 with the goal of re-educating or re-setting the efforts to date on changing this section of the TPA. After the parties and associated legal staffs are reengaged with the effort, possible TPA negotiations could result.

2.1.8 Review of Draft Agreement in Principle for Revising and Updating TPA Appendices H and I

MSA noted that a draft AIP was generated internally by ORP, but had not yet been shared with the parties. The parties agreed to schedule a kick-off meeting and share the draft AIP.

2.2 Status Updates

2.2.1 TPA Five-Year Review

MSA noted that this status update had been tracked for nearly 2 years and was a residual of the last TPA-mandated five-year review, of which three items were agreed to be pursued, but had yet to be resolved. Two of those items are being tracked separately in the action-tracking table, TPA Paragraphs 148/149 and potential changes to TPA Appendices H and I. The third is ORP's Critical Path Process, TPA Section 11.8. MSA restated that these items needed to be resolved before a decision could be made to reprint a hard-copy run of the TPA. The IAMIT agreed to keep tracking these items as-is and to delay the reprint decision pending significant updates to the TPA still being worked.

2.2.2 Modifications to TPA Section 9.4, "Administrative Record," to Eliminate Hard Copy Requirements

MSA noted that this potential change – to go to an all-electronic (no hard copy) Hanford Administrative Record (AR) – was tied to an upgrade of the existing AR. MSA reported that the upgrade is near completion (MSA is the responsible contractor for the upgrade). Ecology stated it will check the functionality when the upgrade is complete. Ecology wanted to make sure all were using the same processes regarding the AR. RL offered that there would be training for interested parties on the upgrades and functions of the AR.

2.2.3 Agreement in Principle for the Negotiation of HFFACO Revisions in Response to Federal Fiscal Year (FFY) 2018 Appropriation and FFY 2019 President's Budget

The parties discussed this item under 2.1.5. RL noted there was a meeting scheduled with Ecology and EPA on this topic today, June 20, 2019.

2.2.4 Milestone M-035-09K "Conduct biennial assessments of information and data access needs with EPA and Ecology"

MSA noted that Ecology had recently provided RL a list of what were presumed to be TPA documents and Ecology was thereby entitled access to via the TPA milestone M-035. RL acknowledged receiving the list, but it needed to be broken down to "easy" and "hard," and afterwards, it would be giving its contractors direction on providing Ecology access in what it called a pilot project. RL also stated it would be proposing a new or replacement milestone for M-035-09K. Ecology stated it had an issue with the milestone being called "complete" and called RL's classifying that milestone as such, "unilateral." RL stated it would not be classifying the milestone as anything but complete and if Ecology disagreed, it could state so, which would initiate the formal TPA dispute process. RL stated if dispute were initiated, it would not stop the process it had already begun to meet this milestone and Ecology's needs, so dispute would be a parallel action. RL also stated that the "hard" list was still not agreed upon and it might take some time to reach agreement.

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Ecology again stated it felt RL had missed the milestone and was considering sending a letter. Ecology had also asked that the milestone be “restored” to TPA Appendix D. RL said restoring the milestone to Appendix D and calling it missed were separate things, but after addressing the list of documents needed it could propose milestones. Ecology asked RL why it was reluctant to deem the milestone missed, and RL replied that it thought the issue was that the negotiations between the parties were not effective. RL said it did not necessarily see this impasse as a database access issue, but more of a need for Ecology to get easy, single-point access. RL said that when asked (on more than one occasion) whether Ecology had not received access to requested data, Ecology said “no.” RL acknowledged that data access can sometimes be slow and could be improved, so it was focusing on an end-product.

Ecology stated it wanted the access entitled it by the TPA and it was not receiving that access, and that it sounded to them like RL was doing work-arounds to provide different or lesser access. RL again stated the list of TPA documents Ecology believes it should have access to was not yet agreed upon. Ecology noted this process had been going on for 3 years and for RL to unilaterally claim the milestone as met was not correct. Ecology stated RL had deviated from precedent, as in the past the three parties all agreed upon completion of the milestone. RL again stated they still had not yet received a definitive list of TPA documents from Ecology, and that the issue was not that Ecology was not receiving documents, but that it did not have electronic access. RL again committed to working on a path to resolution.

EPA stated it too disagreed with RL’s unilateral decision to claim the milestone as met and indicated it would support going to dispute resolution. RL noted that the dispute would eventually end up at the IAMIT level and proposed forming a group to work on the issue. Ecology stated that RL did not provide the access Ecology believed it was entitled to and as such, was required to provide milestones with implementation schedules for providing that access, which it did not. Ecology stated the TPA was an order and should be respected, and that it was uncomfortable about the process RL was proposing. RL stated that it would be relatively easy to implement any new processes going forward, but finding and granting access to historical documents would take time and effort. Ecology stated it would not necessarily need access to most historical documents. Ecology said it would continue to discuss internally. RL committed to moving towards a resolution and committed to a continued dialogue with the regulators.

2.2.5 Recently Closed Items

None.

3.0 DISCUSSION

MSA asked the IAMIT if it still relied on transcripts of meetings to review its meeting minutes. DOE and Ecology said they did not, but EPA was going to discuss the issue internally before providing its answer.

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4.0 NEW ITEMS FOR UPCOMING IAMIT MEETINGS

None.

5.0 REVIEW OF TODAY'S ACTIONS/UPCOMING IAMIT MEETINGS

MSA will enter signed IAMIT Determination 2019-003 into the Hanford Administrative Record.



**Inter-Agency Management Integration Team Meeting
 Thursday June 20, 2019, 8-9 a.m.**

Department of Ecology, 3100 Port of Benton Blvd, Conf. Rooms 3A/B, Richland, WA

Agenda

No	Time	POC / Org	Topic
1	8:00 – 8:05 am	Turner, Michael, MSA	Welcome and Meeting Logistics/Format
2	8:05 – 8:35 am	Turner, Michael, MSA (IAMIT and attendees)	IAMIT Action Tracking Table
3	8:45 – 8:50 am	IAMIT Members	New Items for Upcoming IAMIT Meetings
4	8:50 - 8:55 am	IAMIT Members	MSA Meeting Minutes Process/Continued Use of Transcripts
5	8:55 – 9:00 am	IAMIT Members	Review of Today’s Actions / Upcoming IAMIT Meetings



TPA Interagency Management Integration Team Meeting

June 20, 2019

<u>Name</u>	<u>Organization</u>
<u>R Douglas Holdbrook</u>	<u>DOE</u>
<u>Stephanie Brasher</u>	<u>MSA</u>
<u>Rob Hastings</u>	<u>DOE</u>
<u>Bill Heme</u>	<u>DOE</u>
<u>Kathy Higgins</u>	<u>DOE</u>
<u>Rob Lobos</u>	<u>DOE</u>
<u>Jeff Lyon</u>	<u>Ecology</u>
<u>John Price</u>	<u>Ecology</u>
<u>Nina Menard</u>	<u>ECY</u>
<u>Scott Davis</u>	<u>MSA-TPA</u>
<u>Sara Austin</u>	<u>CHPRC-TPA</u>
<u>Alex Smith</u>	<u>Ecology.</u>
<u>Craig Cameron</u>	<u>EPA</u>
<u>Michael Turner</u>	<u>MSA</u>
<u> </u>	<u> </u>

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*New information shown in blue

Table I. Action Items

1. Sign IAMIT Determination on Sensitivity Analysis on Groundwater Recharge Rates for the 200-EA-1 Operable Unit Agreement

Reference: 200-EA-1 Operable Unit Work Plan, Draft A (DOE/RL-2016-58)
Affected Milestones: N/A
Originated: 09/12/2018
Status: Open
Dispute Extended: N/A
Action: Parties are being asked to agree on the path forward/resolution on recharge sensitivity analysis for 200-EA-1 OU.
Comments: Presentations were given by DOE and Ecology staff at the 04/24/19 IAMIT. IAMIT met on 05/16/19 and successfully resolved. Parties have been working on an IAMIT Determination to document agreement and IAMIT is being asked to sign the Determination.
Closed:

2. Sign IAMIT Determination on Polychlorinated Biphenyl (PCB) – Method Analysis Selection 8082 and 1668A for the 200-EA-1 Operable Unit Agreement

Reference: 200-EA-1 Operable Unit Work Plan, Draft A (DOE/RL-2016-58)
Affected Milestones: N/A
Originated: 09/12/2018
Status: Open
Dispute Extended: N/A
Action: Parties are being asked to agree on the path forward/resolution for use of Method 1668 in conjunction with Method 8082 for soil characterization at the 200-EA-1 OU.
Comments: Presentations were given by DOE and Ecology staff at the 04/24/19 IAMIT. IAMIT met on 05/16/19 and successfully resolved. Parties have been working on an IAMIT Determination to document agreement and IAMIT is being asked to sign the Determination.
Closed:

3. Baseline Risk Assessment for WMA-C

Reference: Phase II RCRA Facility Investigation for Waste Management Area C (RPP-RPT-58339)
Affected Milestones: M-045-61 (completed)/TPA Appendix I
Originated: 02/21/19
Status: Open
Dispute Extended: N/A
Action: Parties are being asked to agree on the path forward/resolution for four specific areas of the Baseline Risk Assessment: Judgmental Samples; Hazards Index; Groundwater Ingestion and Food Chain Pathway
Comments: Presentations were given by Ecology and DOE at the 02/21/19 IAMIT. At that meeting, Ecology requested more time to consider the issue. There was no change in status at the 3/21/19 IAMIT. The IAMIT met on 05/08/19 to attempt resolution on 4 issues. Two of four (Judgmental Samples and Hazard Index) were resolved and IAMIT Determinations are being drafted to document their decision. The two remaining issues (Groundwater Ingestion and Food Chain Pathway) are being discussed internally by Ecology and await

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resolution. There were other broader issues discussed regarding future land use and the possible formal adoption of the Inner Areas Principles to apply to tank farm cleanup that are up for future discussion by the IAMIT. IAMIT is still tasked with resolving the remaining two issues (Groundwater Ingestion and Food Chain Pathway). A "core" IAMIT has been proposed to continue to seek resolution to these issues. The parties must also determine whether the Baseline Risk Assessment is a TPA Primary or Secondary Document.

Closed:

4. Tri-Party Agreement Dispute (IAMIT Level) 241-C-106 Waste Retrieval Denial of Waiver Request

Reference: Letters: 18-ECD-0555, 19-NWP-012; Statement of Dispute: AR-01075

Affected Milestones: N/A

Originated: Dispute initiated at the Project Manager level on 01/23/19. Elevated to the IAMIT level on 03/21/19.

Status: Open

Dispute Extended: The Parties currently have until 06/12/19 to resolve or extend at the IAMIT level (latest extension signed 05/09/19)

Action: Parties are being asked to resolve dispute at the IAMIT level or send to Ecology Director for Director's Determination

Comments: At the 04/24/19 IAMIT, an extension was signed by the IAMIT that provided the Ecology Director until 05/28/19 to issue a Director's Determination (reference AR-01196). The IAMIT met on 05/06/19 to attempt to resolve the dispute, with a verbal proposal provided by Ecology for resolving the dispute. DOE-ORP requested that proposal in writing, and in the interim, the Parties agreed to extend the dispute at the IAMIT level until 06/12/19 and in conjunction, extended the date for issuance of the Director's Determination until two weeks after the IAMIT fails to resolve the dispute. The Parties further agreed to enter into formal negotiations to potentially update TPA Appendices H and I. On 05/13/19, Ecology provided DOE their proposal (via email) to resolve the dispute. DOE did not accept the proposal. The dispute was not resolved at the IAMIT level by 06/12/19 and a Final Determination from the Director of Ecology is due 06/26/19.

5. Tri-Party Agreement Dispute (IAMIT Level) Milestone M-015-93C / TPA Change Control Form M-15-18-03 – "Initiate Characterization Field Work for 200-SW-2 OU Landfills"

Reference: Letter: 18- NWP-096; Statement of Dispute: AR-01073 (letter 19-SGD-0008)

Affected Milestones: M-015-93C

Originated: Dispute initiated at the Project Manager level 7/09/18. Elevated to the IAMIT level on 03/14/19.

Status: Open

Dispute Extended: The Parties had until 04/30/19 to resolve dispute at the IAMIT level (latest extension signed on 04/04/19). On 05/16/19, the Parties agreed not to issue the Director's Determination extension and work resolution via the budget AIP and TA.

Action: Parties are being asked to resolve dispute at the IAMIT level or send to Ecology Director for Director's Determination. At the 4/24/19 IAMIT meeting, Ecology noted that the TPA-prescribed due date for a Final (Director's) Determination may have lapsed and proposed extending the dispute at the IAMIT level. DOE took the action to set up a meeting to discuss Federal Fiscal Years 2018, 2019 budgets. DOE-RL stated that this milestone is now different from the other milestones in the Agreement in Principle (AIP) and Tentative Agreement (TA) and needs to be addressed separately (Ecology elevated it from the PM

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level to the IAMIT level). On 05/16/19, the Parties agreed not to issue the Director's Determination extension and work resolution via the budget AIP and TA. A draft AIP and TA which includes M-015-93C, is in review by the Parties. If signed, the AIP and TA including M-015-93C would resolve this dispute.

Comments: None

6. Possible Adoption of the Inner Area Principles as a Standard in Regulatory Documents

Reference: DOE/RL-2004-60, REV.1
Affected Milestones: N/A
Originated: 05/16/19
Status: Open
Dispute Extended: N/A
Action: Parties are being asked to consider adopting the Inner Area Principles for use as a standard in producing regulatory documents.
Comments: IAMIT has agreed to discuss this topic as a "core" IAMIT meeting. No meeting date set yet, though 06/26/19 and 06/27/19 have been proposed.

7. Changes/Updates to TPA Paragraphs 148/149

Reference: Tri-Party Agreement Legal Agreement, paragraphs 148, 149
Affected Milestones: N/A
Originated: 05/16/19
Status: Open
Dispute Extended: N/A
Action: Parties are being asked to revise and update TPA paragraphs 148/149 (see also "Status Updates, item #1 below).
Comments: IAMIT has agreed to discuss this update and potentially change the TPA Legal Agreement. The parties have been discussing potential changes for a number of years. History and background have been provided. IAMIT is being asked to meet as a "core" team to discuss changes and eventually recommend to the Executive Managers signing a TPA Change Control Form to document those changes. There is a meeting scheduled for 06/27/19 between the parties to discuss this topic.

8. Review of Draft Agreement in Principle for Revising and Updating TPA Appendices H and I

Reference: Tri-Party Agreement Action Plan, Appendices H and I
Affected Milestones: M-042-00 and M-045-00 series
Originated: 05/16/19
Status: Open
Dispute Extended: N/A
Action: Parties are being asked to review the draft TPA Agreement in Principle for entering into formal negotiations to revise and update TPA Appendices H and I.
Comments: The parties agree that TPA appendices H and I are outdated and in need of change. Though attempts have been made and proposals for changing have been shared by the parties, no change has occurred. In light of the current 241-C-106 Waiver Request Denial Dispute, the parties are agreeing to enter formal TPA negotiations.

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Table II. Status Updates

1. TPA Five-Year Review

Reference: TPA Article XXXVIII

Affected Milestones: N/A

Originated: N/A

Status: Agency Review – closed (via IAMIT Determination)/TPA update – complete

Dispute Extended: N/A

Action: Parties will meet for close-out meeting and commit to meet regularly (or semi-regularly) on remaining agreed-upon sections targeted for updating (*see below).

Comments: Ten TPA Class II Change Control Forms were signed at the 08/18/17 IAMIT meeting. One Class I Change Control Form was signed at the ECY Director and EPA Regional Administrator level. One Class I Change Control Form was disapproved by EPA.

*Some of the TPA Change Forms initially proposed as part of the TPA update (Paragraphs 148/149, Appendices H and I, and Section 11.8) will not be implemented due to time and available resources. However, the parties have agreed to continue talks on these areas.

Notes: The TPA agencies have determined the changes to the TPA were “not significant” and thereby not subject to public comment. A reprint decision of the TPA has been postponed to late Fall pending changes to the above-mentioned sections of the TPA meeting agreement by the parties. The Parties have committed to continuing talks on other potential changes to the TPA, notably Appendices H, I, Section 11.8 and Paragraphs 148/149.

Pending the outcome of these potential changes, a decision to reprint the TPA will be made. As of 12/14/17 IAMIT, no change in the status, however it was determined that both Ecology and EPA Legal should be involved in the 148/149 discussions and that potential changes to TPA Appendices H and I may be included in the scope of the “System Plan” negotiations. The System Plan negotiations are scheduled to conclude by 04/17/19. A decision to reprint must be made by July 31st to complete by the end of the fiscal year. At the 10/18/18 IAMIT meeting, EPA agreed to take the lead in coordinating a Paragraph 148/149 meeting to discuss EPA’s legal comments with the Parties for resolution. At the 12/20/18 IAMIT meeting, Ecology stated they have been discussing minor changes to Appendix I with ORP.

At the 01/31/19 IAMIT, EPA requested the latest proposed changes to TPA Paragraphs 148/149. EPA agreed to review the draft change control form (L-16-01) and provide a status at the February IAMIT.

At the 03/21/19 IAMIT, the Parties were asked for an update on proposed changes to TPA Paragraphs 148/149. There was no change in status. At the 04/24/19 IAMIT meeting, EPA stated they are still working on providing comments on TPA paragraphs 148/149 and indicated they would like to be doing the same things that are in the TPA, just update them to reflect current terminology. At the 05/16/19 IAMIT, IAMIT agreed to revisit the history of the proposed changes and devote subject matter experts and/or legal staff to work on changes.

Closed:

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2. Modifications to TPA Section 9.4, "Administrative Record," to Eliminate Hard Copy Requirements

Reference: TPA Section 9.4
Affected Milestones: N/A
Originated: 11/15/18 (re-opened)
Status: Change Control Form P-09-18-01 has been drafted, is under review with DOE
Dispute Extended: N/A
Action: Sign Change Control Form
Comments: Change Control Form in draft, proposes eliminating the requirement to maintain hard-copy files in the Hanford Administrative Record. DOE has authorized an Administrative Record system upgrade. This upgrade will enhance search and retrieval capabilities, allow multi-field filtering, provide canned and ad hoc reporting functionality, enable electronic document submittal, and improve system response time. At the December 20, 2018 IAMIT meeting, Ecology indicated they would be ready to sign this change control form when the AR upgrade is complete. The system upgrade is planned to be completed during the third quarter of FY2019. MSA is working with the TPA Agencies on a transition plan with the goal of launching the new, upgraded site during the last week of June.
Closed:

3. Agreement in Principle for the Negotiation of HFFACO Revisions in Response to Federal Fiscal Year (FFY) 2018 Appropriation and FFY 2019 President's Budget

Reference: N/A
Affected Milestones: M-015-84, M-015-91B, M-015-92C, M-015-93B, M-015-93C, M-015-98, M-015-99, M-015-112, M-016-255, M-016-256, M-085-70 (currently in dispute at the PM level), M-085-80
Originated: 12/20/18
Status: Agreement in Principle (AIP) and corresponding Tentative Agreement (TA) have been drafted
Dispute Extended: N/A
Action: Sign Agreement in Principle, enter into negotiations
Comments: These negotiations are driven primarily by requirements found in HFFACO, Legal Agreement, Paragraph 148.A, which requires DOE-RL to include in its annual budget request to the DOE Office of Environmental Management (DOE-EM) estimated funding levels required to achieve full compliance with HFFACO milestones. The FFY 2018 appropriation by Congress and the FFY 2019 President's budget request to Congress, respectively, were less than the DOE-RL estimated funding levels submitted to DOE-EM. HFFACO, Legal Agreement, Paragraph 149.G allows DOE-RL to propose changes to milestones in response to congressional budget appropriations that are less than estimated funding levels required to achieve full compliance. HFFACO, Legal Agreement, Paragraph 149.D states that DOE-RL shall assess the impacts of the President's budget on DOE-RL's ability to complete milestones on time.

At the 12/20/18 IAMIT meeting, Ecology stated they had received drafts of the AIP and TA on 12/19/18, were scheduled to meet with their attorneys to review them, and will respond back to DOE. At the 01/31/19 IAMIT, Ecology stated EPA had been on furlough and needed to restart these discussions.

At the 2/21/19 IAMIT, the Parties were asked for an update on status. There was no change in status.

At the 3/21/19 IAMIT, Ecology stated that both Ecology and EPA were discussing the language in the AIP and TA and will send to DOE. Action is with Ecology and EPA to provide comments.

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Ecology questioned the language in the AIP/TA and sent it to EPA for their review. At the 04/24/19 IAMIT, DOE-RL took the action to schedule a teleconference between the Tri-Parties to discuss current status and path forward to negotiations. (See also item above regarding M-015-93C.) On 05/06/19, DOE received the AIP from EPA and is currently reviewing it for approval. At the 06/20/19 IAMIT, the parties are being asked to discuss expectations for the AIP.

Closed:

4. Milestone M-035-09K "Conduct biennial assessments of information and data access needs with EPA and Ecology"

Reference: 19-NWP-050, 19-AMRP-0059
Affected Milestones: M-035-09K (potentially)
Originated: 04/24/19
Status: Potential for dispute exists
Dispute Extended: N/A
Action: Status only
Comments: On 03/15/19, Ecology sent DOE letter 19-NWP-050, stating that it believed M-035-09K was in jeopardy of being missed, and that it had determined that DOE was non-compliant with TPA sections 9.6.2 and 9.6.5. In the same letter, Ecology stated that DOE must grant Ecology access to "all data and databases that are relevant to work performed or to be performed under the TPA by March 31, 2019" or face potential penalties of \$5,000 for the first week and \$10,000 per week, per violation thereafter. On 03/29/19, DOE sent Ecology letter 19-AMRP-0059, stating that it had completed a full assessment of the data access needs spelled out in milestone M-035-09K, and thereby had met the milestone. At the 04/24/19 IAMIT, Ecology stated they could see a potential dispute for this milestone and requested a meeting be scheduled prior to the next regularly scheduled IAMIT on 05/16/19, to see if their issue can be resolved. This meeting was held 05/07/19, with no resolution. On 05/28/19, the Parties met and discussed a potential path forward. Ecology reiterated its electronic data access needs are currently not being met. DOE committed to work with its contractors to "flag/tag" a preliminary subset of TPA related document categories as "TPA Related" in IDMS. This conceptual method will be used to grant Ecology access within IDMS to said document categories. All parties agreed Ecology will provide an initial list of document types for the contractors to begin tagging, this is not an all-inclusive list, just a starting point to test this conceptual method. Additional workflow and technical solutions may be needed to ensure compliance with sections 9.6.2 and 9.6.5 of the TPA action plan, Ecology and DOE have agreed to this pilot project in good faith.

Closed:

Table III. Recently Closed/Other Agreements

None