



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

0071489

OCT 20 2006

07-AMCP-0009

Mr. Jay J. Manning, Director
 State of Washington
 Department of Ecology
 P.O. Box 47600
 Olympia, Washington 98504

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EDMC

Dear Mr. Manning:

INITIATION OF DISPUTE RESOLUTION FOR HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER (TRI-PARTY AGREEMENT) CHANGE CONTROL FORM M-91-06-01

The purpose of this letter is to invoke dispute resolution with the State of Washington Department of Ecology (Ecology) pursuant to Article VIII, paragraph 30 of the Tri-Party Agreement. On September 29, 2006, a signed Tri-Party Agreement Change Control Form #M-91-06-01 was submitted to Ecology and the U.S. Environmental Protection Agency, as required for a Class I Tri-Party Agreement change request. Ecology is the lead regulatory agency for the M-91 milestone series. No written response was received from Ecology within 14 days of Tri-Party Agreement change request submittal (by October 13, 2006); consequently, under the Tri-Party Agreement Action Plan Section 12.3.3 the change request is deemed disapproved. The U.S. Department of Energy, Richland Operations Office (RL) objects to the Ecology disapproval of the Tri-Party Agreement change request.

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RL requests Ecology work with us to update the M-91 Milestone series based on current information and experience gained since the initial commitments were agreed to in 2003. Due to the wide scope and complexity of the changes, it is proposed that the dispute initially be extended at the Project Manager level until January 31, 2007. Please respond with your concurrence on the extension or alternative proposal by October 30, 2006.

If you have any questions, please contact me, or your staff may contact Matt McCormick, Assistant Manager for the Central Plateau, on (509) 373-9971.

Sincerely,

Keith A. Klein
 Manager

AMCP:GLS

cc: See page 2

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cc: G. Bohnee, NPT
N. Ceto, EPA
L. J. Cusack, Ecology
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J. Hedges, Ecology
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R. E. Piippo, FHI
K. M. Quigley, DFSH
D. Singleton, Ecology
R. R. Skinnerland, Ecology
J. G. Vance, FFS
Administrative Record (M-91)
Environmental Portal