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

99-EAP-353

JUN 10 1999

Mr. Michael A. Wilson, Program Manager
Nuclear Waste Program
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504



Dear Mr. Wilson:

**NOTICE OF CORRECTION ARISING FROM THE 1998 LAND DISPOSAL
RESTRICTIONS (LDR) COMPLIANCE INSPECTION AT HANFORD (TPA MILESTONE
M-26-01H)**

This is in reference to the letter from Laura Ruud, State of Washington Department of Ecology (Ecology), to P. W. Kruger, U.S. Department of Energy, Richland Operations Office (RL), B. A. Austin, Fluor Daniel Hanford, Inc. (FDH), and D. L. Renberger, Waste Management Hanford (WMH), dated June 3, 1999, same subject, that was received by RL on June 4, 1999. RL believes that Ecology's letter addresses issues and specifies corrective measures that are properly the subject of the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement).

Compliance with LDR requirements of the Resource Conservation and Recovery Act is addressed by the Tri-Party Agreement and has been made part of the Tri-Party Agreement Work Plan via the development and implementation of an LDR Plan. RL believes that any action necessary to correct alleged deficiencies in the LDR Plan, updates of the LDR Plan, annual reports issued in connection with the LDR Plan, or actions taken to satisfy requirements of the LDR Plan, should be handled under the terms of the Tri-Party Agreement. RL believes that Ecology and RL have clearly agreed that, with very limited exception, differences on issues subject to the Tri-Party Agreement will be addressed under the terms of, and via mechanisms provided by the Tri-Party Agreement, and that departure from those processes will only lead to confusion and inconsistency in addressing such matters now and in the future.

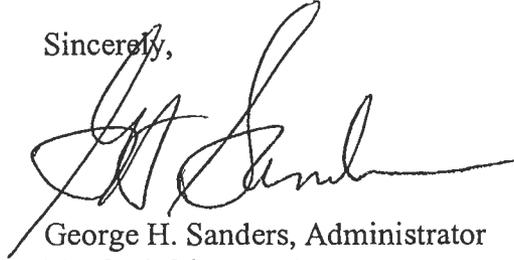
As a result of its objections to the facts asserted and the allegations expressed in Ecology's above referenced letter, and its belief that the underlying issues are properly the subject matter of the Tri-Party Agreement rather than a notice of correction letter, RL hereby gives notice of its election to exercise its dispute resolution rights set forth in Tri-Party Agreement Article VIII.

RL looks forward to working collaboratively and amicably with Ecology to resolve our differences in this matter. Our differences notwithstanding, RL is responding quickly to Ecology's letter by evaluating and, where determined appropriate, correcting verified deficiencies and otherwise addressing the concerns expressed regarding the LDR inspection results.

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We look forward to meeting with Ecology's representatives to discuss how issues raised in its letter can best be addressed under Tri-Party Agreement processes. If you have questions, please contact me on (509) 376-6888.

Sincerely,



George H. Sanders, Administrator
Hanford Tri-Party Agreement

EAP:MFJ

cc: K. R. Fecht, BHI
G. S. Robinson, BHI
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Administrative Record - 116-02