

**TENTATIVE RESOLUTION OF DISPUTE AND
CONCLUSION OF NEGOTIATIONS AGREEMENT REGARDING
SINGLE-SHELL TANK WASTE RETRIEVAL AND THE ESTABLISHMENT OF
ACCELERATED WASTE RETRIEVAL AND CLOSURE DEMONSTRATION
PROJECTS**

The State of Washington Department of Ecology (Ecology), the U.S. Environmental Protection Agency (EPA), and the U.S. Department of Energy (DOE) (Parties) have concluded negotiations intended to resolve Ecology and DOE's dispute regarding Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) M-45-00C requirements. To that end, the Parties have identified an initial set of Single-Shell Tanks (SST) for retrieval and closure demonstration projects, and associated schedules that focus on accelerated closure and risk reduction.

Tentative agreement has been reached and a proposed Change Request has been developed in accordance with the Tri-Party Agreement. The Parties find the proposed Tri-Party Agreement Change Request mutually acceptable. The Parties intend that the requirements of this M-45-02-03 Change Request will accelerate SST waste retrieval, risk reduction, and closure of SSTs.

The proposed Change Request is included as an attachment to this Tentative Agreement. Subject to public comment, appropriate Change Request modification, and approval of the Parties' M-45-02-03 Request, Ecology's and DOE's M-45-00C dispute is deemed resolved. Consequently, the due date for issuance of a final determination in this matter is hereby stayed. Change Request finalization is anticipated by November 30, 2002.

The Parties will submit the proposed Change Request for a 45-day public comment period to run from approximately late-September through mid-November. Following conclusion of the public comment period, a response to comments document will be prepared and issued, the Change Request will be modified as appropriate, and will be approved by the signatories. On approval, M-45-02-03 requirements will be incorporated into the Tri-Party Agreement.

Approved this August 15, 2002

original signed by

Roy J. Schepens, Manager
U.S. Department of Energy
Office of River Protection

original signed by

Tom C. Fitzsimmons, Director
State of Washington
Department of Ecology

original signed by

John Iani, Administrator
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