

**TENTATIVE AGREEMENT AND RESOLUTION OF NEGOTIATIONS ADJUSTING THE
HANFORD VITRIFICATION PLANT (WTP) SCHEDULE AND ESTABLISHING
NEGOTIATIONS TO TREAT THE HANFORD TANK WASTE BY 2028.**

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 of Change Requests to the Hanford Federal Facility Agreement and Consent Order (HFFACO) Milestones M-47, M-62, and M-90. The Parties have tentatively agreed, subject to public comment, to approve the negotiated milestone changes in attached Change Requests No. M-47-03-01, M-62-03-02 and M-90-03-02. On approval, these changes will bring the contract to construct the Hanford Waste Treatment and Immobilization Plant (WTP) and the HFFACO into alignment.¹ These Change Requests will also accelerate DOE's current HFFACO commitment to develop more definitized plans for completing treatment of all Hanford Tank Wastes by 2028. If these Change Requests are approved, this DOE commitment will be advanced by approximately nine years to the 2005-06 timeframe from the current HFFACO requirement of 2014.

Approval by the Parties is subject to public comment and appropriate change request modifications, if any. Change request finalization is anticipated by November 1, 2003. The Parties will submit the proposed Change Requests for a 45-day public comment period to run from approximately July 28, 2003 to September 10, 2003. Following conclusion of the public comment period, a response to comments document will be prepared and issued, the Change Requests will be modified as appropriate, and will be approved by the signatories. On approval, the requirements in Change Requests No. M-47-03-01, M-62-03-02, and M-90-03-02 will be incorporated into the HFFACO.

ORIGINAL SIGNED BY THOSE LISTED ON JUNE 27, 2003

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

Tom C. Fitzsimmons, Director
State of Washington
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¹ Note that while Ecology has reached tentative agreement with DOE on changes that would align the HFFACO with DOE's contract baseline, Ecology is deeply concerned that DOE revised its baseline and directed its contractors accordingly without first obtaining Ecology approval of HFFACO revisions as required by HFFACO milestone M-62-00. By approving this change request, Ecology expressly reserves its enforcement discretion with respect to any past or future failure to comply with the HFFACO, and fully expects that DOE not modify its internal work schedules or is sue contractor directives in a manner that is inconsistent with the HFFACO.

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