

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
AND THE
STATE OF WASHINGTON DEPARTMENT OF ECOLOGY**

IN THE MATTER OF:)
)
The U.S. Department of Energy,) HANFORD FEDERAL FACILITY
Richland Operations Office,) AGREEMENT AND CONSENT ORDER
Richland, Washington)
)
Respondent) EPA Docket Number: 1089-03-04-120
) Ecology Docket Number: 89-54

Based on the information available to the Parties on the effective date of this HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER ("Agreement"), and without trial or adjudication of any issues of fact or law, the Parties agree as follows:

This Agreement is divided into five parts: Part One contains introductory provisions which apply to Parts Two, Three, Four, and Five: Part Two contains provisions governing hazardous waste treatment, storage and disposal (TSD), hazardous waste facility permitting, closure and post-closure activities; Part Three contains provisions governing remedial and corrective action activities; Part Four contains provisions which delineate in part the respective roles and interrelationships between EPA and Ecology, and between CERCLA and RCRA on the Hanford Site; and Part Five contains common provisions which apply to Parts Two, Three, and Four. CERCLA response actions and corrective actions under HSWA, before and after State authorization, shall be governed by Part Three of this Agreement. RCRA compliance, and TSD permitting, closure, and post closure care (except HSWA corrective action) shall be governed by Part Two of this Agreement.

This Agreement also consists of Attachment 1, a letter dated February 26, 1989 from the Department of Justice to the Department of Ecology, and Attachment 2, the Action Plan. In the event of any inconsistency between this Agreement and the attachments to this Agreement, this Agreement shall govern unless and until duly modified pursuant to Article XXXIX of this Agreement.

The Action Plan contains plans, procedures and implementing schedules. The Action Plan is an integral and enforceable part of this Agreement.